

**NEWSPAPER CLIPPING
SCRAPBOOKS**

JUNE 1929- MAY 1930

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FEBRUARY.

INVOICES.

ORDERS.

CLIPPINGS.

RECEIPTS.

SPECIAL.

AGENTS.

JULY.

SAMPLES.

AUGUST.

PERSONAL.

SEPTEMBER.

BANKS.

BILLS LADING.

LETTERS.

DECEMBER.

REPORTS.

TRADE MARK

K & T

REG. U. S. PAT. OFF.

This Patent Book K & T
IN FILLING this Scrap Book NEVER gum in papers,
etc., close to binding. Leave at LEAST ONE HALF
INCH from back of leaf.

To get a better result after summing the paper or picture
on the leaves, STAND the book up on END, the leaves spread
apart so that the air can flow through and dry. This will pre-
vent MOULD, and the leaves will be less liable to wrinkle.

PAT. NO. 471,276.

SURPLUS OF \$69,337 SHOWN BY RAILWAYS

Passengers Carried Decline Million in First Quarter, Barnes Says in Report

DEFICIT ON BUS LINES

Subway Operations Carried on at Profit; Wider Auto Usage Blamed for Drop

Although the 10-cent fare went into effect Jan. 1, passenger revenues on the New York State Railways lines under the service-at-cost contract with the city for the quarter ending March 31 were \$61,090.50 less than in the corresponding quarter of 1928, according to the report filed last evening with Mayor Joseph C. Wilson and the City Council by Charles R. Barnes, commissioner of railways.

The report shows that there was a decrease of 1,272,965 passengers or 7.58 per cent. in the first three months of this year, compared with the same period in 1928, and this continued shrinkage of passenger travel reflects the more widespread use of automobiles, Commissioner Barnes pointed out.

Total Surplus \$69,337

There was a surplus of \$77,156.74 from surface line operation on the basis of guaranteed returns as provided by the service-at-cost contract. The surplus from the subway railroad operation was \$3,203.27, and the co-ordinated bus lines showed a deficit of \$11,052.23, leaving a service-at-cost surplus on all operation of \$69,337.78. In the three months there was a total of 700,937 passengers carried on the subway railroad and there were 842 eight cars handled.

Following is a summary of the results as reflected in the report:

Total revenues, all sources	\$1,405,616.04
Total expenses, taxes and return on investment	1,336,278.70
Service-at-cost surplus	\$ 69,337.78

There was a small increase in revenues from other than passengers, total revenues showing a decrease of \$54,078.62 or 3.70 per cent. This was offset in part by economies in operation, the total operating expenses, taxes and return on investment showing a decrease of \$49,872.36 or 3.59 per cent., the net results showing a decrease of \$1,296.29 or 5.72 per cent.

Service in the subway for the first quarter was of a temporary character; therefore, comparative results would not be equitable and are omitted. There were 812 freight cars handled through the subway during the period, of which 359 were to or from subway sidings, and 453 interchanged between steam railroads.

Summary of net results of all lines under the service-at-cost contract:

Surface lines	\$ 77,156.74
Subway lines	3,203.27
Co-ordinated bus lines	11,052.23
Surplus service-at-cost operation	\$ 69,337.78

Accumulated deficit service-at-cost operation as of Dec. 31, 1929 \$398,894.58

Surplus, quarter ending March 31, 1930 69,337.78

Unaccumulated deficit service-at-cost operation as of March 31, 1930 \$299,557.10

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AIRPORT QUERY STARTS WARM COUNCIL DEBATE; ELECTION LAW ATTACKED

Brother, Not Patronage Fay's View of Added Election Aids

CHANGE PLANNED SAID UNLAWFUL

Rotation of Names on Ballots Confusing, Nichols Writes

That the appointment of 239 additional election inspectors by Democratic County Committee will be a political nuisance, not a matter of patronage, was declared by Leo Fay, secretary of the Democratic County Committee last evening before the Law Committee of the City Council at a hearing on local laws governing the nonpartisan primaries in August.

Mr. Fay took exception to charges by Councilman Harry C. Goodwin, a member of the Law Committee, that appointment of the additional inspectors as recommended by the Law Committee, provided additional patronage for the Republican and Democratic organizations.

Proposed Law Attacked

Mr. Fay said that it was difficult to obtain competent election inspectors and that the Democratic County Committee did not welcome the task of trying to appoint 239 inspectors to serve for one day at \$9. Mr. Fay then launched into an attack of the proposed local law providing for the appointment of three Democratic and three Republican inspectors, instead of two as heretofore. The additional inspectors are required for the heavy burden of work anticipated at the municipal election. It was declared by drafters of the proposed law.

The point raised by Mr. Fay was that these inspectors also would serve in partisan primaries as there were other officials to be nominated and he maintained that the Council may not have the legal right to provide for the additional force. Vice-mayor Isaac Adler, chairman of the committee, the third member being Councilman Edward P. Flynn, said that it is possible that Mr. Fay's point was well taken and that it would be given careful consideration and thanked the Democratic county secretary for bringing it to his attention.

Jacob Gerling opposed the charges declaring they would be unconstitutional and would lead to a "legal mess." Mr. Adler discussed the various elements with him and Deputy Corporation Counsel Irving Gelsler was called into the discussion. Mr. Gelsler participated in the drafting of the local laws, which followed a conference with county officials, including H. Alden Nichols, commissioner of elections. Mr. Gelsler expressed amazement that opposition should come from the Democratic County Committee, and Mr. Fay said that the committee was anxious to prevent legal complications developing in the election.

City Clerk Thomas P. O'Leary read a communication from Commissioner Nichols in which he discussed the rotation of names on ballots in contiguous districts. The communication follows:

Following the last meeting of the Rochester City Council I have noted in press reports that your honorable committee has presented to the Council a bill to amend the laws relating to the election of officers and candidates. I have termed this provision unconstitutional and I feel that it does violence to the theory that voting and the election of officers and candidates by the voter should be made as easy as possible. I believe that a great many of the voters examine before they vote, the voting machine set up for the instruction of voters. The relative position of candidates' names of the utmost importance in aiding the voter readily to find the candidate of his or her choice.

What Council Did Last Night

Business transacted by the City Council last evening included the following matters:

Heard several members indulge in a lively debate about the repairs of the fire damage at the airport.

Received quarterly report of Charles R. Barnes, commissioner of railways for the period ending March 31st, showing continued shrinkage of passenger revenues.

Law Committee conducted a hearing on the local laws relating to the conduct of the nonpartisan municipal election this fall, with Councilman Harry C. Goodwin taking a divergent view on several points from those entertained by Vice-Mayor Isaac Adler, chairman, and Councilman Edward P. Flynn, the two other members of the committee.

Transacted a number of routine matters; authorized the purchase of the bronze tablet for the soldiers' memorial; the condemnation of land for the Clifton-Troup connection; and City Manager Stephen B. Story prescribed the position of psychologist in the Bureau of Health at a salary of \$3,500.

To require that the candidates shall be listed in different order in contiguous districts is to render it almost impossible for the voter to vision the list before he is actually admitted to the machine front for the purpose of casting his vote. I realize that this is of no great importance to the well informed and experienced classes of voters, but I also realize that it will tend to confuse and render difficult the voting of a literate voter, one whose eyesight is defective or one who is inexperienced in ballot-casting by machine.

There can be no instruction machine fronts that will be certain of accuracy for any particular district in the city under such a provision as this. This means that a very great aid to the cause of voters' education will be denied them.

Sees Errors Multiplied

There seems to be some inconsistency in your provisions respecting the rotation of names for the voter who votes in person, and your provisions for the listing of names on absentee ballots. The one will give, for instance, a personally voting wife a card of candidates differently arranged from the ballot which may be delivered to her husband who may be an absentee voter. The difficulty of canvassing such a vote with the many variable factors will be enormous.

The possibilities of error will be greatly multiplied, and there are a very considerable number of complications which might arise in specific cases, which I have already pointed out to you in conference. I may very seriously jeopardize the legality of certain portions of the election results, and lay the foundation for numerous possible election contests in the courts. I am not anticipating with surety these difficulties, but I feel that I ought to warn you of the possibilities of the situation.

I do not know of any election law in New York State which provides for such rotation of names in contiguous districts. I cannot help expressing the thought that it would be more economical and prudent to let some community other than this money such experimental work in New York State.

In conclusion, I cannot help repeating that I believe the primary object of all election legislation should be to render the free choice of all classes of voters more easy of accomplishment.

Councilman Goodwin discussed the changes from a variety of angles. He charged that those members of the Council who want the non-partisan election law to have a change will be robbing it of that chance if they permit the appointment of an additional army of partisans, as represented by the election inspectors.

He urged that the two Republican and Democratic inspectors be given additional pay and declared

that if they attended strictly to their election duties there would be no great increase in their work. He charged that Commissioner Nichols has not presented any facts to sustain the charges that he urged.

Repairs Going Ahead Minus Consent Sets Off Fireworks

EMERGENCY WORK, STORY EXPLAINS

Goodwin, Milne, Adler All in Action as Gavel Crashes

By HIRAM MARKS

Debate regarding the repair of fire damage to the Rochester Airport enlivened the City Council session last evening. Remarks bordering on personalities were passed, and when the repartee reached its highest pitch Mayor Wilson provoked laughter and restored the session to good nature by asking permission from several councilmen, who were bobbing in their seats putting in another lick in their oratorical barrage, too say a few words. Mayor Wilson factiously remarked, "It appears very much if we are approaching an election."

What appeared destined to be a routine, colorless session, turned into an explosion of political fireworks; and it came right after Councilman Louis S. Foulkes addressed himself to a group of school children, expressing the pleasure of the Council in having them attend, and commending them on their interest in "seeing how the city's government is run."

Youngsters Get Real Instruction

The youngsters not only received an insight into the handling of routine municipal business but they heard a debate of political fire reflected credit on any legislative chamber, where people of divergent interests gather to conduct public affairs, handicapped in a measure by the dictates of courtesy and parliamentary practices.

Mayor Wilson had declared that the session would be adjourned, when Councilman Joseph L. Guzzetta said he hadn't heard the call for unfinished business. Under that title he asked permission to make several inquiries of City Manager Stephen B. Story about the work at the airport.

Mr. Guzzetta said he made a personal visit to the field, and he wanted to know how the construction work was carried on despite the refusal of the Council last Monday, by a vote of Councilman Nelson A. Milne, to give unanimous consent so that the proposal to have the work done by non-competitive contract, could be acted upon.

An Emergency, Says Story

Mr. Story answered that under an ordinance adopted in 1917 the city officials had the right to repair without any competitive bidding any emergency work. In answer to an inquiry from Councilman Guzzetta, he said that he be-

lieved that the repair at the airport were an emergency, as the roof was the essence in saving the portion of the roof that was not destroyed by fire. He said that he felt that the protection of the city property was an emergency.

The reasons he urged that the work be done immediately and without competitive bidding were outlined by Mr. Story, who said that since one councilman because of statesmanship found it necessary to refuse unanimous consent it was no indication that the work was not imperative and that he represented the views of the Council.

Councilman Guzzetta then questioned Mr. Story about the estimate of \$15,000 for the repairs to a building only partly destroyed and which cost \$22,000 originally. He asked why specifications could not be drawn and the work done by competitive contract, stating that he felt a competent engineer could draw the specifications in 15 hours. Mr. Story said that it would be impossible, as the extent of the damage cannot be definitely determined until the reconstruction and said the estimate was high because of the provision of the charter that costs must not exceed estimates; and as a consequence the estimate represents a figure known to be beyond what the final cost will be.

In answer to Dr. Guzzetta's statement that other councilmen should have taken an interest in the matter and gone to the airport, Councilman Harry C. Goodwin said that he couldn't qualify, had he gone in any capacity that would make it possible to reach an intelligent estimate, and he said that he didn't think Dr. Guzzetta's qualifications were any better. Dr. Guzzetta answered that he had erected several houses and was familiar in a measure with construction charges.

Charges 'Friendship' Award

Councilman Milne said that he felt that he was acting within his province in opposing the granting of unanimous consent, and felt that the work could be done by competitive contract. He charged that the work was given to the Beale Construction Company as a political favor, because of friendship with Harold W. Baker, commissioner of public works, and Henry Howe, city engineer, and maintained that he did not act as a statesman but as a representative of the people in safeguarding public funds.

Mr. Goodwin retorted that the councilman represented a faction of the people, and was responsible to a political organization. Mr. Milne answered that Goodwin was responsible to a group whose members are just as partisan as any Republican or Democrat, and said Mr. Goodwin was more anxious as to what was going to happen to him this Fall than how much money the city was to spend.

Gavel Stops Skirmish

Vice-Mayor Isaac Adler said that he thought that the majority of the councilmen, and all of them in their hearts, felt that the city manager and his administrative staff have no axe to grind in recommending that the work be done at the greatest haste to save the damaged roof that might have been blown off by a heavy wind storm, and that Mr. Story was perfectly honest in his proposal and that he and his associates were endeavoring to give an unbiased administration, free from any ulterior influence.

Councilman Milne said that he thought that Vice-Mayor Adler had "a lot to learn," and Mr. Adler answered that he could readily agree with this point, and felt that possibly it might also apply to Mr. Milne.

"You are agreed on one point, let us adjourn," interposed Mayor Wilson, and brought his gavel down.

CITY PLANNING OFFICES ARE MOVED TO ANNEX

City planning headquarters today were transferred temporarily from City Hall to City Hall Annex, Court Street. C. A. Taubert, representative of Harland Bartholomew, who is preparing the city plan, moved his maps and diagrams to the office of Sidney A. Corkhill in the Department of Public Works.

The earlier part of the work during the few weeks, Mrs. Taubert has been here, was done in the office of A. L. Vedder, secretary of the City Planning Commission, City Hall.

SURPLUS OF \$69,337 SHOWN BY RAILWAYS

Passengers Carried Decline Million in First Quarter, Barnes Says in Report

DEFICIT ON BUS LINES Subway Operations Carried on at Profit; Wider Auto Usage Blamed for Drop

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The report shows that there was a decrease of 1,272,965 passengers or 7.58 per cent. in the first three months of this year, compared with the same period in 1928, and this continued shrinkage of passenger travel reflects the more widespread use of automobiles. Commissioner Barnes pointed out that there was a surplus of \$77,186.71 from surface line operation on the basis of guaranteed returns as provided by the service-at-cost contract. The surplus from the subway railroad operation was \$3,203.27, and the co-ordinated bus lines showed a deficit of \$11,052.23, leaving a service-at-cost surplus from all operation of \$69,337.78. In the three months there was a total of 700,937 passengers carried on the subway railroad and there were 842 freight cars handled.

Following is a summary of the results as reflected in the report: Total revenues, all sources \$1,405,616.54 Total expenses, taxes and return on investment 1,336,278.76 Service-at-cost surplus \$ 69,337.78 There was a small increase in revenues from other than passengers, total revenues showing a decrease of \$54,078.52 or 3.76 per cent. This was offset in part by economies in operation, the total operating expenses, taxes and return on investment showing a decrease of \$49,872.56 or 3.59 per cent., the net results showing a decrease of \$4,206.26 or 5.72 per cent.

Table with 2 columns: Item, Amount. Includes surplus service-at-cost operation, deficit service-at-cost operation, and cumulative deficit service-at-cost operation.

AIRPORT QUERY STARTS WARM COUNCIL DEBATE; ELECTION LAW ATTACKED

Brother, Not Patronage Fay's View of Added Election Aids

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Notation of Names on Ballot to be Made by Machine

There seems to be some inconsistency in the provisions respecting the notation of names for the voter who votes in person, and your provisions for the listing of names on absentee ballots.

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Vertical text on the right edge of the page, possibly a page number or index reference.

Historic Scrapbooks Collection

Street Needs Attention
When the street improvements in the Strong Memorial and the Elmwood Avenue regions are completed, there will be no better section in the Rochester highway system.

Police Efficiency
Comments from many sources have reached this newspaper on the efficient management of the Memorial Day parade. Each year the problem of the police grows, with the increase in automobiles and the acute difficulties of traffic congestion.

The Rochester police have a diplomatic, as well as an efficiency problem to meet on Memorial Day. Their success this year must be judged by the few complaints, as well as by the numerous compliments, that followed in the wake of the parade.

ENTIRE CITY PLAN TO BE READY DEC. 1

Major improvement problems facing Rochester will be solved by the city plan now under preparation and the first sections of the plan, to be completed this year, will set the stage for important municipal projects next year.

STORY SEEKS TO SPEED UP ACTIVITIES

Manager Perfecting Methods of Dealing with Public at City Hall
BUREAU HEADS ASSIST

Improvement in the methods used by the city in the transaction of business with the public is engaging the attention of City Manager Stephen B. Story.

The plan embraces the installation of mechanical devices for the preparation of bills and they will be provided not only for more adequate records of city business, but for the purpose of expediting the service to the citizens who have occasion to come into contact with the city officials on business matters.

Park Director Busy
Attention to the subject is being given by the Bureau of Buildings under the direction of Harold W. Baker, commissioner of public works, and by Park Director Charles E. Raitt, whose department is under the supervision of George J. Nier, commissioner of public safety.

The elimination of lines that form in the treasurer's office at certain times in the year, the speeding up of the issuance of all kinds of permits, are services that the public desires and are entitled to, the administration asserts, and Mr. Story said that the program will be directed to this end insofar as it can be reasonably achieved.

APPROACHES TO CITY ARE IMPROVING

Progress in Street Work Is Noted—South and West Entrances Bettered

Although there is still much to be done, a marked improvement has been effected in the condition of streets leading into Rochester from the main arteries of travel that extend beyond the city's boundaries.

The Scottsville Road, extending from Genesee Street to the Barge Canal; several hundreds yards at the far end of Lyell Avenue, and

CUNNINGHAM TUBES WHOLESALE DISTRIBUTORS ALLIANCE MOTORS
G. L. HARTMANN CORP. 18-20 North Union Street

Reports covering the last year were given by Mr. Kuoil, Frank Gugelman, for the character-building division; Miss Kathleen O'Leary, for the family division, reporting for Chairman Leroy E. Snyder; Miss Mary Laird for the health division, reporting for Dr. William I. Dean, chairman; Mrs. Isaac Adler, chairman of the children's division; Mrs. Judson A. Parsons, chairman of the Central Index committee; George Ramaker, chairman of the Christmas bureau; Mrs. Harvey Morris, chairman of the advisory committee on legislation; Mrs. William J. Baker, chairman of the department of volunteers; Dr. Samuel Tyler, chairman of the committee on nominations.

Supervisors Also Commended at Meeting of Social Agency Group—New Officers Selected.

Praise for the financial support of the volunteers, said users were given for relief for the needy is contained in a resolution passed at the annual meeting of the Council of Social Agencies yesterday.

CITY COUNCIL PRAISED FOR RELIEF WORK

Supervisors Also Commended at Meeting of Social Agency Group—New Officers Selected.

Mrs. William J. Baker, chairman of the volunteers, said users were given for relief for the needy is contained in a resolution passed at the annual meeting of the Council of Social Agencies yesterday.

Judge John B. M. Stephens was re-elected president. Other officers named are: Vice-president, the Rev. George V. Burns; treasurer, Mrs. Henry G. Danforth; assistant treasurer, Henry H. Stebbins Jr., directors to serve to 1932, Mrs. Fannie Bigelow, Herbert P. Lansdale, Dr. Harvey J. Burkhardt, Mrs. Harper Sibley and Raymond J. Tierney; members-at-large for 1929-30, Dr. S. J. Applebaum, Mrs. Henry G. Danforth, Dr. Charles E. Hoelz, Willard J. Smith, Henry H. Stebbins Jr., and Judge Stephens.

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May Building Permits Total 452, Against 615 Last Year

Estimated Cost of Structures Authorized Is \$1,898,806, Compared With \$2,229,179 in 1928; Accommodate 96 Families

Four hundred and fifty-two permits for building estimated to cost \$1,898,806 were issued last month by the Bureau of Buildings, says the report prepared by Norbert A. Kolb, clerk of the bureau, and filed with Harold W. Baker, commissioner of public works, by John G. Elland, superintendent of buildings. This compares with 615 permits for building estimated to cost \$2,229,179, issued in May, 1928.

Table with columns: No., Cost, Fam. for Residential, Public, Industrial, and Remodeling categories.

Table with columns: No., May 1928, Fam., For Comparison, No., May 1929, Fam. for Residential, Public, Industrial, New bldg total, Remodeling, Grand total.

A Good Bargain for the City Since City Must Have Continuation School It Would Profit by Kelly Building Purchase

Purchase of the Kelly Building, Saratoga Avenue and Jay street, for the Rochester Continuation School, is not likely to bring joy to many parents—and some pupils—who have expressed rather freely in The Open Forum their opinions of continuation schools in general, but it is undoubtedly advantageous to the city.

Herbert S. Weet, superintendent of schools, estimated that the saving to the city in buying the property, rather than renting it, would be \$40,000 in five years. And that at the end of that time, it could be sold for the amount that would be paid for it.

Since this building is admirably suited to the needs of the school, that statement was rightly accepted by the City Council as a determining factor in its purchase.

PSYCHOLOGIST REQUESTED FOR HEALTH BUREAU

Extension in Driving Park Avenue of Trackless Trolleys Favored

The position of a psychologist at a salary of \$3,500 yearly in the Bureau of Health was prescribed at the City Council meeting last evening by City Manager Stephen B. Story.

Upon the favorable report of the finance committee, the Council granted permission to Comptroller Clarence E. Higgins to invest in Rochester securities.

City Clerk Thomas P. O'Leary filed a petition in behalf of residents in East Avenue in the vicinity of Oxford Street relating to the

Continued on Page 16

PETROSSI CASE WILL GO OVER PRESENT TERM

The Appellate Division, Fourth Department may not hear the appeal of the city from the decision of Supreme Court Justice Willis K. Gillette compelling acceptance of the low bids of the John Petrossi Company on four street-improvement contracts, until the fall term.

Lake Level Higher Than Past 10-Year Average In Survey

Even So, Ontario Has Not Yet Equalled Top Figure Set in May, 1870, According to United States Report Received by John Skinner.

The level of Lake Ontario during May was 2.13 feet above the average stage for May during the last 10 year. The mean level of the lake which has been damaging cottages and properties during the last month is 248.27 feet above sea level.

Even in its phenomenally high stage, however, Ontario has so far failed to equal its high level established in May, 1870. The monthly report of the United States Lake survey, received today by John Skinner, sanitary engineer for the city, shows the May level to have been .68-foot below the high stage.

Lake Ontario is 99 feet higher than in April, according to the report. Since 1869, the May level has averaged 21 foot higher than that for April. It is 1.86 feet higher than the May stage of a year ago and 3.31 feet above the low stage of May, 1872.

The up and down movements of the lake level were more or less regular through the years from 1869 to 1908. From that time it had a tendency to fall every year until 1912 and 1914, when it reached higher levels than it had for some time past.

Deputy Corporation Counsel George B. Draper said yesterday that the order, based on the decision of Justice Gillette, has not yet been filed by attorneys for the Petrossi Company. The Appellate Division will only be in session this week before a summer recess.

Work on Lattimer Road, Orleans, Ottilis, and Gladstone Streets—involved in the Petrossi litigation will be held up, pending the appeal.

WED. & MORNING JUN 1

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STORY SEEKS TO SPEED UP ACTIVITIES

Manager Perfecting Methods of Dealing with Public at City Hall

BUREAU HEADS ASSIST

Appointment of Contact Man Considered; Taxpayers Promised Service

Improvement in the methods used by the city in the transaction of business with the public is engaging the attention of City Manager Stephen B. Story.

He is endeavoring to formulate plans that will speed up the handling of such matters as the collection of taxes, the issuance of building permits and all other such phases of municipal affairs.

To Install Devices
The plan embraces the installation of mechanical devices for the preparation of bills and they will be provided not only for more adequate records of city business, but for the purpose of expediting the service to the citizens who have occasion to come into contact with the city officials on business matters.

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The Scottsville Road, extending from Genesee Street to the Barge Canal several hundreds yards at the far end of Lyell Avenue, and the Buffalo Road, extending from West Avenue to the Barge Canal bridge were the three worst stretches of street approaching the city that were found in a tour of inspection made yesterday by a reporter for the Democrat and Chronicle.

Of these three, the Scottsville Road is probably in the worst condition, and no ordinance for its improvement has as yet been passed.

Mount Hope Reclaimed
That stretch of Mount Hope Avenue between Elmwood Avenue and Crittenden Boulevard, which last year resembled one of the shelled roads of France's war area, has been turned into a fine asphalt pavement.

Some Bad Spots Left
That part of Elmwood Avenue lying between Genesee Street and Mount Hope Avenue is good and had in spots. Two or three hundred yards east of Genesee Street the pavement is badly broken up.

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Ninety-six families can be accommodated by the construction authorized last month. In May, 1928, accommodations were provided for 266 families.

Table showing building permits by type: Residential (Single, Double, Multiple dwellings), Public (Clubs, Schools), Industrial (Stores, Refreshment stands, Private garages, Sheds, Public gas stations, Factories, Bakeries, Greenhouses), and Remodeling (Moves, Residential remodeling, Commercial remodeling, Miscellaneous remodeling).

Table comparing building permits for May 1928 and May 1929, categorized by type (Residential, Public, Industrial, New bldg total, Remodeling, Grand total).

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Councilman Peake's resolution authorizing condemnation proceedings for the Clifton and Troy streets connection was adopted, at Mayor Wilson's resolution authorizing the purchase of the bronze tablet for the soldiers' memorial, at a cost not to exceed \$3,500, to be made by noncompetitive contract.

Mr. Story said in response to a question by Councilman Goodwin that this met the wishes of the American Legion committee.

PETROSSI CASE WILL GO OVER PRESENT TERM

Will Not Be Argued Till Appellate Division Convenes in Fall

The Appellate Division, Fourth Department, may not hear the appeal of the city from the decision of Supreme Court Justice Willis K. Gillette compelling acceptance of the low bids of the John Petrossi Company on four street-improvement contracts, until the fall term.

Lake Level Higher Than Past 10-Year Average In Survey

Even So, Ontario Has Not Yet Equalled Top Figure Set in May, 1870, According to United States Report Received by John Skinner.

The level of Lake Ontario during May was 2.13 feet above the average stage for May during the last 10 years.

Even in its phenomenally high stage, however, Ontario has so far failed to equal its high level established in May, 1870.

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The level of Lake Ontario has been rising steadily since the winter of 1928 and the lake is deeper at present than it has been since the summer of 1908.

At the high point in 1908 the surface of the lake was 248.82 feet above the level of the sea.

Figures compiled by the army experts showed the surface 247.25 feet above sea level at the end of March, with more or less of a certainty that it would continue rising until sometime in July or August.

The up and down movements of the lake level were more or less regular through the years from 1860.

At present the surface of the lake is deeper than usual, but experts of the Corps of Engineers of the army attach little significance to the change and attribute it to an increased abundance of rainfall.

As the other Great Lakes are subject to the same tendencies, it is reported that all of them have missed their usual low points in the last two seasons.

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Work on Lattimer Road, Orleans, Otisville, and Gladstone Streets—involved in the Petrossi litigation will be held up, pending the appeal.

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When the street improvements in the Strong Memorial and the Elmwood Avenue regions are completed, there will be no better section in the Rochester highway system. But it will be some weeks yet before the pavements are completed, and in the meantime there is a stretch of some hundreds of feet that is about as bad as any roadway can be.

Reference is made to the section of the old street in front of the hospital that is to be abandoned but which is being used until the new pavement is completed. This was a dirt road to begin with and it has been cut up until it is almost impassable. The condition would be bad enough if only citizens of Rochester had to drive over it, but when it is considered as a highway that many visitors to the city use, it will be seen readily that it is not a good advertisement for Rochester.

Two or three city wagons in a few hours could fill the holes with crushed stone. This should have been done before, but it has not, therefore it ought to be done without further delay.

Police Efficiency

Comments from many sources have reached this newspaper on the efficient management of the Memorial Day parade. Each year the problem of the police grows, with the increase in automobiles and the acute difficulties of traffic congestion. While the automobiles add to the problem, they are also an indispensable factor of the Memorial Day parade, for entire families travel downtown by this means who otherwise might be unable to see the parade. The automobiles must be accommodated, but they must not be permitted to obstruct the line of march nor the view of those who wish to see.

The Rochester police have a diplomatic, as well as an efficiency problem to meet on Memorial Day. Their success this year must be judged by the few complaints, as well as by the numerous compliments, that followed in the wake of the parade. The line of march was kept open, the crowds were kept good-natured and there was no marked congestion either before or after the parade.

The public sometimes forgets that the police has other duties than to run down lawlessness. It must also act as a kindly guardian of public convenience. This is a duty less spectacular than rounding up a gang of bandits, yet in the long run it may count for more as a measure of a city's character.

ENTIRE CITY PLAN TO BE READY DEC. 1

Major improvement problems facing Rochester will be solved by the city plan now under preparation and the first sections of the plan, to be completed this year, will set the stage for important municipal projects next year. City Manager Stephen B. Story told the Lions Club today at its weekly meeting in Powers Hotel.

The street plan will be completed by Nov. 1 of this year and the civic center plan Dec. 1, Mr. Story said. Harland Bartholomew, city planner of St. Louis engaged to do the work, so assured him when in the city recently, saying the work is well under way.

The city manager dwelt upon various phases of the city plan, preliminary work on which is being done by C. A. Taubert of Mr. Bartholomew's staff.

STORY SEEKS TO SPEED UP

Quality Service in GOLF OUTFITS

Rufus F. Maier General L. Maier This family service has been since 1872

General Chapel L. W. MAIER'S SONS 870 Chilton Ave. North STONE 609

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Judge John E. M. Stephens was re-elected president. Other officers named are: Vice-president, the Rev. George V. Burns; treasurer, Mrs. Henry G. Danforth; assistant treasurer, Henry H. Stebbins Jr., directors to serve to 1932, Mrs. Fannie Bigelow, Herbert P. Lansdale, Dr. Harvey J. Burkhardt, Mrs. Harper Sibley and Raymond J. Tierney; members-at-large for 1929-30, Dr. S. J. Applebaum, Mrs. Henry G. Danforth, Dr. Charles E. Hoing, Willard J. Smith, Henry H. Stebbins Jr., and Judge Stephens.

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Councilman Nelson A. Milne introduced an ordinance for walks and grading in Hudson Avenue and for a concrete pavement, walks and sewer in Buffalo Road. Councilman Chester A. Peake introduced amendments to the ordinance for St. Clair Street macadam pavement and for the Court Street asphalt pavement, also for an asphalt pavement and walks in Dengler Street and a concrete pavement, walks, and sewer in Fenwick Street.

East Avenue Zoning Petition City Clerk Thomas P. O'Leary filed a petition in behalf of residents in East Avenue in the vicinity of Oxford Street relating to the

zoning of that thoroughfare. Councilman Louis S. Foulkes introduced a resolution directing Mr. O'Leary to advertise the closing of portions of Roseview and Marlton Avenues, Mapleleaf Street, Stron Avenue, and A Longview Terrace.

Councilman Milne's resolution for a macadam pavement in Lily Street was adopted, also his resolution for the asphalt pavement and widening of Dewey Avenue from Knickerbocker Avenue to Augustine Street.

Councilman Peake's resolution authorizing condemnation proceedings for the Clifton and Troup streets connection was adopted, also Mayor Wilson's resolution authorizing the purchase of the bronze tablet for the soldiers' memorial, at a cost not to exceed \$3,500, to be made by noncompetitive contract.

Mr. Story said in response to a question by Councilman Goodwin that this met the wishes of the American Legion committee.

Wholesale Distributors ALLANCE MOTORS CUNNINGHAM TUBES

G. L. HARTMANN CORP. 18-20 North Union Street

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PETROSSI CASE WILL GO OVER PRESENT TERM

Will Not Be Argued Till Appellate Division Convenes in Fall

Deputy Corporation Counsel George E. Draper said yesterday that the order, based on the decision of Justice Gillette, has not yet been filed by attorneys for the Petrossi Company. The Appellate Division will only be in session this week before a summer recess.

Work on Lattimer Road, Orleans, Otisville, and Gladstone Streets—involved in the Petrossi litigation will be held up, pending the appeal.

One Bureau of Purchase and Supply rejected Petrossi's low bids, on the grounds that John Petrossi president was under indictment for bribing a city paving inspector, and consequently was an "irresponsible bidder." The contracts were let to other firms and the Petrossi company obtained injunctions, which were upheld by Justice Gillette, who held that award of the contracts to higher bidders than Petrossi was improper.

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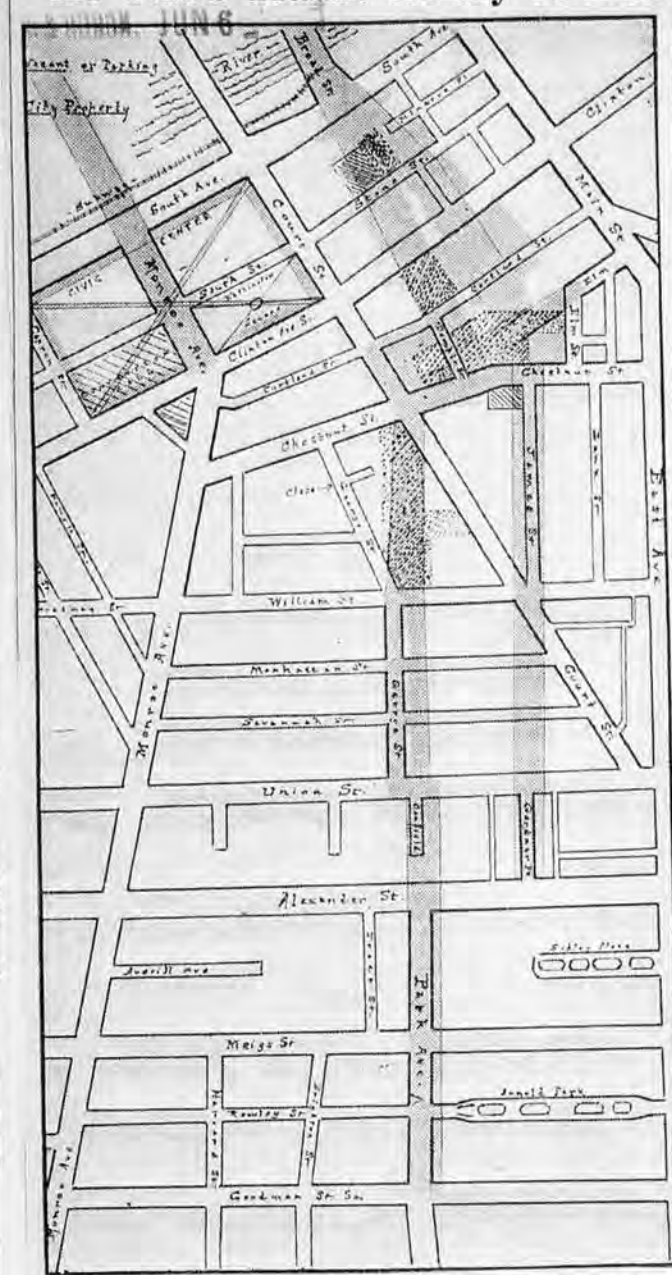
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Extension of Park Avenue Sought for Third Traffic Artery to East



Suggested plan for extending Park Avenue westward.

Direct Line Downtown, Equal Division Between Monroe and East Avenues, And Short Opening Necessary Stressed by Charles Reuter to City Manager

Extension of Park Avenue westward from Alexander Street would open up the entire district between East and Monroe avenues and give the most logical route, directly downtown, for the Broad Street and business district traffic outlet, according to Charles E. Reuter, who has written City Manager Stephen B. Story asking that the plan be considered in connection with traffic relief study in Rochester.

business district, for the large out-ward from Alexander Street would open up the entire district between East and Monroe avenues and give the most logical route, directly downtown, for the Broad Street and business district traffic outlet, according to Charles E. Reuter, who has written City Manager Stephen B. Story asking that the plan be considered in connection with traffic relief study in Rochester.

Full relief for the Park Avenue section, which has been a need for many years. Direct line to business section via Park Avenue and Elm Street. Park Avenue, in fact, as well as name.

Development of whole section between Monroe and East avenues, instead of restricted section adjacent to East Avenue.

The Next Step

A prominent Rochester business man the other day leaned back in his chair and puffed reflectively on his cigar. "I have been watching affairs in the City of Rochester, more or less closely, for over a half a century," said he, and added, "and I have never seen so much politics played in our City Hall as is being played today!"

"What do you think of this brand of politics?" he was asked.

"Well—I don't think much of it. There isn't any responsibility anywhere. I have never seen so much talk with such a small amount of work done, as I have during the past year and a half. More money is being collected and spent than was ever collected and spent before by a Rochester city government, and yet I don't see anything tangible that we have gotten for was being planned, and when you examine the matter there has been nothing but plans. If I had a manager working for me who talked steadily for a year and a half on what he was planning to do, and didn't do anything at all during that period of time, either the manager or I would quit."

The foregoing indictment is a very fair approximation of what the city of Rochester is thinking about the administration of Mr. Stephen B. Story and his friends in the council. The city KNOWS that far from being removed from city government, politics has been intensified in city government. But it is a brand of politics that has been useless and sterile. Nobody has been fooled. The people of the city are very much alive to events and their significance. The press apologists for Mr. Story have followed his leads to the point of absurdity, and in so doing have very thoroughly poisoned the confidence of the people of Rochester that the city has a wholly fair and unbiased press. The situation in the city hall is one of bedlam. Overdue tax notes are being met with new note issues. Vast sums are being thrown out of the city by wearisome and inept "surveys." The bonded debt of the city has formidably swollen, and the city seems suffering from a sort of civic paralysis.

The progress of events, however, call for pretty keen scrutiny and analysis by the citizens of the city. The essentials of the situation should not be lost sight of. In the first place we have a new charter. But to blame the new charter for the disruption and incompetency of the city government is not just. There is nothing sinister in the new charter any more than there was in the old charter. Broadly speaking they both cover substantially the same ground. The only difference is that, during the shift from one to the other, a group of incapables seized the reins of government and under the alleged colors of non-partisanship have spent the public wealth and bossed the public business as its own sweet will dictated. Never before have the people of Rochester had so little to say about their government as they do today. But, to be accurate, this is NOT the fault of the new charter.

Let us all refresh ourselves with a little reminiscence. What were the advantages to be derived from the new charter? Efficiency and economy. Have we received either? No. City affairs were to be run like a well ordered business. Have they been? No. We have been treated to a spectacle that resembles a cross between a three-ring-circus and an amateur laboratory, all of which would be terribly funny if it were not for the fact that it is distressingly expensive.

What can Rochester do to extricate itself from its situation. Turn to political parties? No. Not under the present provisions of law. Political parties may endorse, but they are debarred from nominating their own candidates as such. The people of Rochester must do the job themselves. They must elect a council that will not employ incompetents, and they must not be distracted by press racket and Story propaganda while they are electing. Rochester must set its face sternly against the yawper and the big-promiser. The city must return to the demands for level good sense. If a real representative Rochester council is elected, of course, the first thing it will do will be to fling the present expert-chair-warmers in the city hall to oblivion. There's no secret about that. Rochester rich and poor, north and south, east and west, DEMANDS THAT. And that is not guesswork.

This charter, ANY CHARTER, is wholly dependent for its success upon administration by men who quietly and without brag set themselves to the job of running things. They must be organized and work in harmony; they must not be heel-kicking mules, they must work well in the harness. They must be responsible. Such men are sorely needed. The best ones will not seek the job, don't forget that. They will be called and will answer, and they are the men who will SAVE THE CHARTER.

GROUP PLEDGES \$500 YEAR FOR CITY PLANNING

Subscription Will Give Rochester Part in Regional and Municipal Movement.

That Rochester will have a share in the furtherance of regional and city planning throughout the country was assured yesterday when a group of citizens pledged themselves to raise \$500 a year for three years toward the Planning Foundation of America.

The purpose of the foundation is to act as a central clearing house for facts and experiences in city and regional planning; to be of assistance to official, professional and lay groups interested in planning and to stimulate public interest and enthusiasm for it.

Francis Bartholomew, recently engaged as city plan consultant for Rochester, is a member of the foundation's advisory council.

Herman Russell, former president of the Chamber of Commerce and vice-president of the Rochester Gas & Electric Corporation, acted as chairman of the meeting at the chamber.

Others present included City Manager Story, Consulting Engineer Edwin A. Fisher, Charles H. Wiltse, Edwin S. Gordon, Simon Stein, Henry T. Noyes, member of the Monroe County Regional Planning Commission; H. H. Sullivan, president of the Business District Improvement Association; Leroy E. Snyder, Libanus M. Todd, Roland B. Woodward, Gilbert J. C. McCurdy, Henry W. Morgan, James E. Gleason and George Francis.

The city planning situation in Rochester was discussed, and Mr. Fisher emphasized the need of a large group of influential citizens to support the city plan now being drawn.

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The meeting yesterday was part of a nation-wide campaign to raise \$50,000 for each of three years to finance the proposed Planning Foundation. It was arranged by Nat S. Olds, director of promotion for the foundation and former city editor of the old Post-Express here.

Storyites Driven To Cover On Privately Let Contract

The Competitive Mr. Story [An editorial]

The extent to which Rochester has been lulled and betrayed by a certain portion of its press is most clearly exemplified in the revelations which are gradually creeping to light in connection with the present city management's policy in respect to competition in the award of contracts for public jobs. That Mr. Story's interpretation of his charter rights was permitted to pass unchallenged for so many months is nothing less than pitiful in the light of what Rochester in the past has expected and received from the newspapers that should live to serve the public intelligence. It would seem that Mr. Story and his apologists have repeated so often the threadbare fiction about his putting competition into public work that they have actually come to believe it; certainly there has been enough pompous stressing of the claim to warrant the good people of Rochester in believing that the boast was justified.

For months the Story press has obligingly overlooked in its report of council meetings the numerous authorizations that have been asked and blindly granted by the council to permit some department or other to proceed with some job without asking public bids. In instances when these very significant and important items have been published they have invariably been "drowned" at the tag end of some mass of typed press playwater where no normal person would think of looking for news. Where certain jobs have been let there has been a vast amount of press excitement, and while speaking in other cities on the beauties of his administration in Rochester Mr. Story has repeatedly boasted of his placing public business on a competitive basis.

The Story proceedings in respect to the airport repairs were very typical of his procedure. In the first place, as Rochester knows now, Mr. Story's airport has been miserably botched. The location of various equipment, it is very apparent, was decided upon in a slovenly fashion, or the fire which occurred a few weeks ago probably would not have occurred. A fire took place and did damage. There is a clause in the charter which limits unbid contract jobs to \$500. It is prudent to have such limitation. Any job costing the legal amount or more is required to be openly advertised under competition. The city charter also has a provision permitting a department head, in an emergency, to proceed with the restoration of fire-damaged equipment or plant without recourse to bids when the public interest requires it. But that law is manifestly designed to permit a department to remedy damage before the city council may have time to meet and approve. There is nothing in that provision which does or ought to delegate the appropriating and discretionary powers of the city legislature to the dubious shoulders of the Story administration.

Shortly after the fire, one Monday to be exact, it appears that a Rochester contractor started hauling building materials to the airport. This contractor undoubtedly was very devoted to the Story administration. The work of repair had been decided upon, and apparently some basis for procedure had been reached by Story and the contractor. That evening in the city council the Story administration asked to have the council give its unanimous consent to have the work undertaken without competition on the grounds that it was impossible to draft specifications for the work. Impossible to draft specifications for a building repair job! The sheersun bumcombe that Rochester has been treated to in months. The council wasn't told, of course, that the work had already been started. The waiver was solemnly asked as though nothing had been done. But the alert Mr. Milne, councilman, refused to give his consent and instead made a personal visit to the airport where he found with his confere Dr. Guzzetta that the request of the council had been mere wind. The work was already under way. In other words the prerogatives of the one agency designed to protect Father Rochester's pocketbook had been most insolently flaunted by Story.

A job costing many thousands of dollars, the specifications for which might have been drawn by any of the engineering staff in a few hours, was privately passed out to a contractor by the Story administration, on what basis we do not know. No other contractor had the remotest chance at making a bid on that job. The work could not well be specified, said Story, and while he said it he had already closed with a contractor to do it!

This is the administration that delights various and mixed audiences with self-approving accounts of the success of the Story administration. This is the administration that rushes behind the petticoats of the city charter, at the least breath of criticism, and squalls warnings to "Give the Charter a Chance!"

Heaven help the Charter! Its prestige is not growing fat in the hands of Mr. Story and his friends.

Spectators Cheer Milne as He Rips Into Goodwin

REVEAL 'HAND OUT'

Manager Vainly Tries To Dodge, Pleading Emergency

Unable to wait for the 4th of July the people of Rochester, through their elected councilmen, Monday night declared their independence of the Stephen B. Story administration in no uncertain terms. Two council members, Milne and Guzzetta, led the attack and the subsequent expose, and as the Storyite floor leader Goodwin rose to the defense of Rochester's expert manager Milne battled him into silence, while the greatest salvo of applause heard in years in the council chamber hailed the verbal smashes that Milne delivered against the Storyites. The reaction of the crowd apparently came as a stunning surprise to the Story councilmen; half of them gazed blankly at the spectator benches. Story glowered from his chair on the rostrum as the clapping gathered volume and frowned menacingly at the council and did damage. There is a clause in the charter which limits unbid contract jobs to \$500. It is prudent to have such limitation. Any job costing the legal amount or more is required to be openly advertised under competition. The city charter also has a provision permitting a department head, in an emergency, to proceed with the restoration of fire-damaged equipment or plant without recourse to bids when the public interest requires it. But that law is manifestly designed to permit a department to remedy damage before the city council may have time to meet and approve. There is nothing in that provision which does or ought to delegate the appropriating and discretionary powers of the city legislature to the dubious shoulders of the Story administration.

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retrained from noting that no city job was ever permanently halted for lack of funds. But the declaration forced him to uncover his system of overestimating costs for the purpose of showing what he terms "effected savings."

"I don't see why the city manager should get a \$15,000 appropriation for a \$7,000 job," reiterated Guzzetta.

At this point Goodwin interceded with a remark to the effect that he hadn't visited the airport because he knew nothing about engineering. The first confession of lack of capacity that gentleman has made in some time. He said he had confidence in Story. Milne rose to his feet.

"Mr. Goodwin is much more interested in what's going to happen to him next fall than he is in how public money is spent," said Milne. He then launched into a broadside on the airport situation. He said

he didn't know how friendly the Beale construction company was working without a bid contract was to Commissioner Baker or Enright. Howe, but said that he thought the council ought to examine very carefully any more of Story's demands for contract waivers. He said the original work had been badly done at the airport, and that Baker had gone ahead and started to put the plant back in exactly the condition it had been in. He said the tanks should have been removed to a distance from the hangar, but that this was not being done. A brick wall, he said, was being built around the tanks, which one of the airport attaches had frankly told him "would not do at all."

Milne then addressed his remarks to the rostrum and told the Hear that Story apparently did not understand that he was a council appointee, or at least didn't seem though he did. Goodwin got to his feet at this point with an interruption, and made his usual charge of politics. Milne whirled upon him and shaking his finger at Goodwin's open mouth shouted, "Yes, I do represent something. I represent the people of my district and I am also a member of a party that I am proud of. And I want to say that you represent a group that is just as political as any Republican or Democrat can be." The spectators in the council chamber broke into a gale of clapping, stamping, interspersed with cheers. Goodwin was silenced. Then Adler tried vainly to take up the cudgels. He said that he was sure that a majority of the council had confidence in the Story administration, a perfectly manifest proposition in view of the fact that the council continues to employ Story. Three city employes in the audience applauded Adler's speech and the latter sat down manifestly worried.

"Councilman Adler has still got something to learn," declared Milne. Adler smiled nervously and agreed. Not the least interesting feature of the evening was the request made upon the city legal department for information by Councilmen Guzzetta and Milne on the subject of the legal limits of expenditure which may be made without competitive bidding. The assistant corporation counsel knew of no state statute controlling the matter, and admitted that he believed there was no charter limit on what Story might spend uncontrolled on what he might term "emergency repairs."

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An was submitted to Mr. Charles E. Reuter, who at it he considered in connection with the traffic relief study center declared that the extension of Park Avenue into the business district for the large outlying Park Avenue section by a direct line through Canfield Place and George Street to the junction of Court and Chestnut streets.

This territory, he said, at present is divided into two almost equal sections, north and south, by Park Avenue, Canfield Place and George Street. There needs to be opened, he declared, less than five hundred feet to make this one continuous artery from Chestnut Street to the Brighton district.

Mr. Reuter stressed other advantages which would result from the Park Avenue outlet, and predicted increased valuation of a large territory.

TRAFFIC RELIEF PLAN

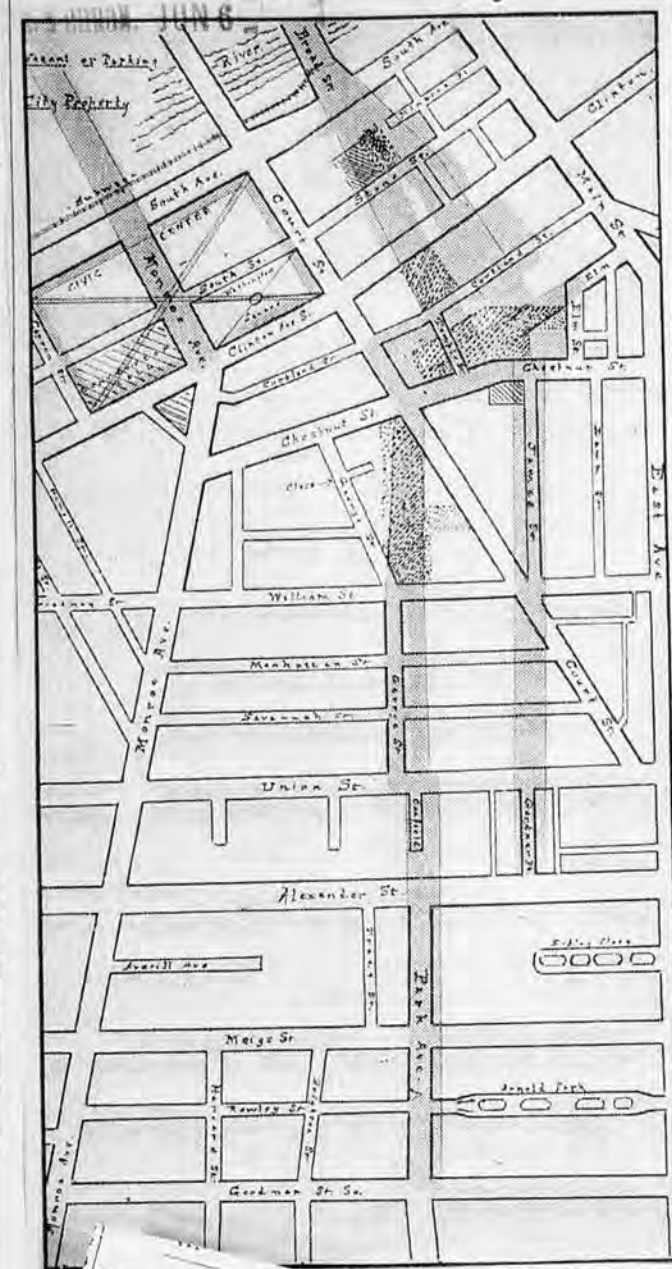
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Extension of Park Avenue Sought for Third Traffic Artery to East



Park Avenue westward.

Between Monday and Tuesday, the city council will vote on the extension of Park Avenue westward. The plan, which would open up a new traffic artery, has been the subject of much discussion and debate. Supporters argue that it will improve traffic flow and provide access to a large area of the city. Opponents worry about the impact on existing businesses and the cost of the project.

Full relief for the Park Avenue section, which has been a need for many years. Direct line to business section via Park Avenue and Elm Street. Park Avenue, in fact, as well as a name. Development of whole section between Monroe and East avenues, instead of a restricted section adjacent to East Avenue. Value of land required would be less than half of that for the James Street and Gadsden Park plan. The only opportunity for a parked double drive street into the business section of the city. Terminating Broad Street at a concourse (Eastman Concourse) at Elm and Chestnut streets, gives eight outlets, in eight different directions, also furnishes a surface outlet for future extension of the Subway. Chestnut Street, a street from East Avenue to Monroe Avenue, parallel with South Clinton, gives north and south relief as well as east and west. The new Park Avenue section would be very desirable as an exclusive apartment house section. Removing the car tracks from James Street would leave that street wide enough for all commercial needs and the same in Court Street. The increased valuation of a very large territory should be a factor in favor of this improvement.

The Next Step

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"What do you think of this brand of politics?" he was asked.

"Well—I don't think much of it. There isn't any responsibility anywhere. I have never seen so much talk with such a small amount of work done, as I have during the past year and a half. More money is being collected and spent than was ever collected and spent before by a Rochester city government, and yet I don't see anything tangible that we have gotten for was being planned, and when you examine the matter there has been nothing but plans. If I had a manager working for me who talked steadily for a year and a half on what he was planning to do, and didn't do anything at all during that period of time, either the manager or I would quit."

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find \$2.00 for a year beginning at once. t to subscribe for The Monroe Republican. nal Bldg., Broad and Fitzhugh Sts.,

Nobody need have any delusions on the feelings of Rochester today. The city is sore, disappointed and angry, and if Father Rochester gets very much madder there will be many hides drubbed that have thought they were safe from such indignity.

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A plan for such a group was in Mr. Story's mind when he created last August the Council for the City Plan, Mr. Fisher said. This council, composed of prominent men having no political office, was to form the nucleus of the larger group, it was explained.

Mr. Fisher pointed out that the street plan of Rochester is promulgated by Mr. Bartholomew for Nov. 1.

The meeting yesterday was part of a nationwide campaign to raise \$50,000 for each of three years to finance the proposed Planning Foundation. It was arranged by Nat S. Olds, director of promotion for the foundation and former city editor of the old Post-Express here.

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The extent to which Rochester has been lulled and betrayed by a certain portion of its press is most clearly exemplified in the revelations which are gradually creeping to light in connection with the present city management's policy in respect to competition in the award of contracts for public jobs. That Mr. Story's interpretation of his charter rights was permitted to pass unchallenged for so many months is nothing less than pitiful in the light of what Rochester in the past has expected and received from the newspapers that should live to serve the public intelligence. It would seem that Mr. Story and his apologists have repeated so often the threadbare fiction about his putting competition into public work that they have actually come to believe it; certainly there has been enough pompous stressing of the claim to warrant the good people of Rochester in believing that the boast was justified.

For months the Story press has obligingly overlooked in its report of council meetings the numerous authorizations that have been asked and blindly granted by the council to permit some department or other to proceed with some job without asking public bids. In instances when these very significant and important items have been published they have almost invariably been "drowned" at the tag end of some mass of typed press palaver where no normal person would think of looking for news. Where certain jobs have been let there has been a vast amount of press excitement, and while speaking in other cities on the beauties of his administration in Rochester Mr. Story has repeatedly boasted of his placing public business on a competitive basis.

The Story proceedings in respect to the airport repairs were very typical of his procedure. In the first place, as Rochester knows now, Mr. Story's airport has been miserably botched. The location of various equipment, it is very apparent, was decided upon in a slovenly fashion, or the fire which occurred a few weeks ago probably would not have occurred. A fire took place and did damage. There is a clause in the charter which limits unbid contract jobs to \$500. It is prudent to have such limitation. Any job costing the legal amount or more is required to be openly advertised under competition. The city charter also has a provision permitting a department head, in an emergency, to proceed with the restoration of fire-damaged equipment or plant without recourse to bids when the public interest requires it. But that law is manifestly designed to permit a department to remedy damage before the city council may have time to meet and approve. There is nothing in that provision which does or ought to delegate the appropriating and discretionary powers of the city legislature to the dubious shoulders of the Story administration.

Shortly after the fire, one Monday to be exact, it appears that a Rochester contractor started hauling building materials to the airport. This contractor undoubtedly was very devoted to the Story administration. The work of repair had been decided upon, and apparently some basis for procedure had been reached by Story and the contractor. That evening in the city council the Story administration asked to have the council give its unanimous consent to have the work undertaken without competition on the grounds that it was impossible to draft specifications for the work. Impossible to draft specifications for a building repair job! The sheerest unbecome that Rochester has been treated to in months. The council wasn't told, of course, that the work had already been started. The waiver was solemnly asked as though nothing had been done. But the alert Mr. Milne, councilman, refused to give his consent and instead made a personal visit to the airport where he found with his confere Dr. Guzzetta that the request of the council had been mere wind. The work was already under way. In other words the prerogatives of the one agency designed to protect Father Rochester's pocketbook had been most insolently flaunted by Story.

A job costing many thousands of dollars, the specifications for which might have been drawn by any of the engineering staff in a few hours, was privately passed out to a contractor by the Story administration, on what basis we do not know. No other contractor had the remotest chance at making a bid on that job. The work could not well be specified, said Story, and while he said it he had already closed with a contractor to do it!

This is the administration that delights various and mixed audiences with self-approving accounts of the success of the Story administration. This is the administration that rushes behind the petticoats of the city charter, at the least breath of criticism, and squalls warnings to "Give the Charter a Chance!"

Heaven help the Charter! Its prestige is not growing fat in the hands of Mr. Story and his friends.

Spectators Cheer Milne as He Rips Into Goodwin

REVEAL 'HAND OUT'

Manager Vainly Tries To Dodge, Pleading Emergency

Unable to wait for the 4th of July the people of Rochester, through their elected councilmen, Monday night declared their independence of the Stephen B. Story administration in no uncertain terms. Two council members, Milne and Guzzetta, led the attack and the subject of the attack was the Story floor leader Goodwin who rose to the defense of Rochester's expert manager. Milne battled him into silence, while the greatest salvo of applause he hurled in the council chamber hailed the verbal smashes that Milne delivered against the Storyites. The reaction of the crowd apparently came as a stunning surprise to the Story councilmen; his of them gazed blankly at the speaker benches. Story glowered from his chair on the rostrum as the clapping gathered volume and frowned menacingly at the council and the two councilmen who attacked him. Foulkes and Flynn, ardent followers of Story's leadership, sat mute in their seats while the storm raged and failed to raise their hands in protest or approval. Adler vainly tried to meet the anger thrusts that Milne ripped home to the manager group, but even his suave and anxious efforts failed to register.

The trouble arose over the Rochester airport. Milne and Guzzetta had taken the trouble to visit the airport in person and view the job which they had been asked by Story to authorize without competitive bidding at the last week's meeting. They found that Story had gone blandly ahead with the work and that materials had been drawn for the job before the authority had even been asked. Guzzetta led the attack. Story, misjudging his adversaries, proceeded to tell the council where to "get off." Feeling safe in the security of his usual council majority he presumed to tell Guzzetta that just because one councilman withheld his approval of unanimous consent, he Story, did not feel that such a vote failure constituted a test of council opinion. Story, not being a member of the council but an employe thereof, got himself into deep water. His customary dominance over that body came to an abrupt end.

Guzzetta began by mildly wondering why Story had asked authority for proceeding on the airport without bids and then ignored the council. Story read a 1917 ordinance, under the old charter, drawn during the disorganization of the first World War year that permitted damage to be restored without competitive bids. What that meant under the present charter was not clearly indicated. Guzzetta pointed out that at best any such provision was for the purpose of protecting in an emergency human lives, and that such an excuse did not fit the present circumstances. Then Guzzetta continued to challenge Story's presumption in giving a \$15,000 estimate for the job, which he declared was grossly excessive. This drove Story into a dilemma that he did not foresee. He said the figure was purposely high, and then lamely declared that figures had to be high because the cost of any job could not exceed its estimate, although he

restrained from noting that no city job was ever permanently halted for lack of funds. But the declaration forced him to uncover his system of overestimating costs for the purpose of showing what he terms "effectuated savings."

"I don't see why the city manager should get a \$15,000 appropriation for a \$7,000 job," reiterated Guzzetta.

At this point Goodwin interjected with a remark to the effect that he hadn't visited the airport because he knew nothing about engineering, the first confession of lack of capacity that gentleman has made in some time. He said he had confidence in Story. Milne rose to his feet.

"Mr. Goodwin is much more interested in what's going to happen to him next fall than he is in how public money is spent," said Milne. He then launched into a broadside on the airport situation. He said

he didn't know how friendly the Beale construction company was working without a bid contract was to Commissioner Baker or Engineer Howe, but said that he thought the council ought to examine very carefully any more of Story's demands. Milne, led the attack and the subject of the attack was the Story floor leader Goodwin who rose to the defense of Rochester's expert manager. Milne battled him into silence, while the greatest salvo of applause he hurled in the council chamber hailed the verbal smashes that Milne delivered against the Storyites. The reaction of the crowd apparently came as a stunning surprise to the Story councilmen; his of them gazed blankly at the speaker benches. Story glowered from his chair on the rostrum as the clapping gathered volume and frowned menacingly at the council and the two councilmen who attacked him. Foulkes and Flynn, ardent followers of Story's leadership, sat mute in their seats while the storm raged and failed to raise their hands in protest or approval. Adler vainly tried to meet the anger thrusts that Milne ripped home to the manager group, but even his suave and anxious efforts failed to register.

In 1937 there were 31,614,172 telephones in the United States as of December 31, 1937, according to a report this week by the Department of Commerce. This is an increase of 18.52 per cent since the end of 1936. The rate of increase in the number of telephones in the United States in 1937 was 13.47 per cent as compared with 9.91 per cent for 1936, and 13.47 per cent as compared with 10.17 per cent for 1935. The rate of increase in the number of telephones in the United States in 1937 was 13.47 per cent as compared with 9.91 per cent for 1936, and 13.47 per cent as compared with 10.17 per cent for 1935.

STUDY TRAFFIC RELIEF PLAN

City Manager Stephen B. Story today has under consideration a traffic relief plan calling for the extension of Park Avenue westward from Alexander Street, which would open up the entire district between East and Monroe Avenues and give a direct downtown route for the Broad Street and business district traffic outlet.

The plan was submitted to Mr. Story by Charles E. Reuter, who asked that it be considered in connection with the traffic relief study here.

Mr. Reuter declared that the plan of opening Canfield Place into Alexander Street long has been considered and at one time it was proposed to provide a direct avenue into the business district for the large outlying Park Avenue section by a direct line through Canfield Place and George Street to the junction of Court and Chestnut Streets.

This territory, he said, at present is divided into two almost equal sections, north and south, by Park Avenue, Canfield Place and George Street. There needs to be opened, he declared, less than five hundred feet to make this one continuous artery from Chestnut Street to the Brighton district.

Mr. Reuter stressed other advantages which would result from the Park Avenue outlet, and predicted increased valuation of a large territory.

COUNCIL GETS LETTER FROM H. A. NICHOLS

Election Commissioner in Note Seeks To Avoid Vote Confusion

OPPOSES 'SHUFFLE' Goodwin and Gerling, of Course, Try To Buck Straight Listing

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The following letter from the county elections commissioner, H. Alden Nichols, who has stressed the fact that the name rotation was designed by those who intended to confuse the voters, was read by the clerk to the council:

"Following the last meeting of the Rochester City Council I have noted in press reports that your honorable committee has presented to the Council alternative drafts of a new non-partisan city election law, the one containing a provision for retaining councilman candidate lists on voting machines in contiguous districts, and the other providing for a straight listing, to be drawn by lot and to be standard for all districts in the city.

I have termed this provision unwise because I feel that it does violence to the theory that voting and the election of preferred candidates by the voter should be made as easy as possible.

"To require that the candidates shall be listed in different order in contiguous districts is to render it almost impossible for the voter to vision the list before he is actually admitted to the machine front for the purpose of casting his vote.

"There will be no instruction machine fronts that will be certain of accuracy for any particular district in the city under such a provision as this.

"There seems to be some inconsistency in your provisions respecting the rotation of names for the voter who votes in person, and your provisions for the listing of names on absentee ballots.

"The possibilities of error will be greatly multiplied, and there are a very considerable number of complications which might arise in specific cases, which I have already pointed out to you in conference, that may very seriously jeopardize the legality of certain portions of the election results, and lay the foundation for numerous possible election contests in the courts.

"I do not know of any election law in New York State which provides for such rotation of names in contiguous districts. I cannot help expressing the thought that it would be more economical and prudent to let some community other than this pioneer such experimental work in New York State.

"In conclusion I cannot help repeating that I believe the primary object of all election legislation should be to render the free choice of all classes of voters more easy of accomplishment."

Councilman Goodwin discussed the changes from a variety of angles. He charged that those members of the Council who want this non-partisan election law to have a change will be robbing it of that chance if they permit the appointment of an additional army of partisans, as represented by the election inspectors.

He urged that the two Republican and Democratic inspectors be given additional pay and declared that if they attended strictly to their election duties there would be no great increase in their work.

Four Paving Jobs Held Up Pending Injunction Appeal

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Decision that the city was wrong in rejecting low bids of the contracting company on the ground that it is not a responsible bidder was handed down by Supreme Court Justice Willis K. Gillette.

The city's stand was taken largely because of the indictment of John Petrossi, who heads the company, for attempted bribery of a city inspector.

LAKE AND BAY WATER WILL BE PUT TO TESTS

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In order that all possible precautions may be taken and the safety of bathers assured along the lake-shore near Rochester, the city has undertaken to authorize a thorough survey to be made early this summer, and to include tests of water, not only at points along the lake-shore, but also in Irondequoit Bay and streams emptying into the lake and bay.

The determination to make the survey was an outgrowth of a visit to Rochester last week of A. P. Fales, representative of Metcalf & Eddy, Boston sanitary engineers. Mr. Fales conferred with Commissioner of Public Works Harold W. Eskey, John Lewis, superintendent of construction, and William Ryan, chemist at the sewage disposal plant, and with them went over plans for an extensive survey of the effects of sewage on Lake Ontario.

Metcalf & Eddy already has reported, after a study, that pollution from the Irondequoit plant could not menace the health of bathers in the lake.

Preliminary work on the new survey will begin about June 20. Combs, Eskey and Eskey will be established at 50 places, and water taken at each for bacteriological examination. Some stations will be established on Irondequoit Bay and on streams flowing into the lake and bay.

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As it stands the law now in force provides for the rotation of candidates' names on the voting machines. In many quarters this plan has met with strong opposition, on the ground of confusion that would ensue in the electoral mind, the alleged extra expense involved in preparing the ballots, and the delay in tabulating the returns.

The present law is said to be in conflict with the state election law. Action by the Common Council tonight is expected to facilitate the proceedings of an election, but there is also said to be a difference of opinion among members of the municipal legislature.

Air Local Laws

Two local laws that will be aired tonight concern the order of names of candidates for councilmen-at-large on the ballot, and the provision for the determination of the order of the names on the ballot.

First is the local law which reads: "When five candidates for councilman-at-large are to be elected the names of the candidates shall be rotated so that the name of each candidate shall appear in each position on a number of voting machines as nearly equal as possible to the quotient in whole numbers obtained by dividing the number of machines to be used by the number of candidates. The machines set with the same position of candidates' names shall not be placed in adjacent election districts but shall be distributed as effectively as possible."

This simply means that since there are 250 election districts in the city, and there will be 10 candidates up for nomination in the primaries, each candidate's name will head the list in 25 election districts, but the districts in question are not to be adjoining.

Determine By Lot?

The other local law which seems to have found strong friends in the council, and without, provides that the board of election of Monroe County shall determine by lot upon two days' notice, the order in which shall be printed the names of candidates for councilmen on the ballot to be placed in the voting machine. Friends of this local law believe it will pass in preference to the rotation plan. It is urged that

BRAKE TESTING WEEK OPENED IN ROCHESTER

Mayor Wilson Has Car Examined To Begin Safety Work Officially—Many Stations Named.

With his daughter acting as chauffeur, Joseph C. Wilson, mayor of Rochester, this morning at 10 o'clock officially opened Rochester's 1929 Test Your Brakes Week. His Honor was driven to the public testing station at Genesee Park, Boulevard and Thurston Road, where police officers detailed to that public testing station by Traffic Captain William B. Miller put the Mayor's new car through the required brake test.

Police Director Curtis W. Barker has four public testing stations in operation this week. They are located at Mt. Hope Avenue at Hickory Street, at Genesee Park Boulevard at Thurston Road, at Maplewood Avenue at Driving Park Avenue and at North Street and Mark Street. These stations will be manned by police officers every day this week from 10 until 12 o'clock in the morning, from 2 until 4 o'clock in the afternoon and from 6:30 until 8:30 o'clock in the evening.

Sheriff Fred D. Budd will have his road patrol, under direction of Deputy Thomas Wild, check brakes on recklessly-driven automobiles on all highways of the county this week. James M. Mangano, director of the Rochester office of the New York State Motor Vehicle Bureau, will have brakes on all cars driven by applicants for driving licenses tested this week. This will include all towns and villages in the Rochester District, in addition to the city. This will include all towns and villages in the Rochester district, in addition to the city. In addition, 277 Western New York garages will test brakes without charge this week, co-operating with the Safety Council of the Chamber of Commerce, which is working with police authorities in an effort to test the brakes on every Rochester-driven car this week. These include members of the Rochester Automobile Dealer's Association, Rochester Garage Owners' Association and the Master Garage Owners' Association.

Rochester's Test Your Brakes Week has the approval of Commissioner Charles A. Harnett of the New York State Motor Vehicle Bureau, who has given permission for use of the "Brakes O. K." sticker on windshields of cars with correct braking power.

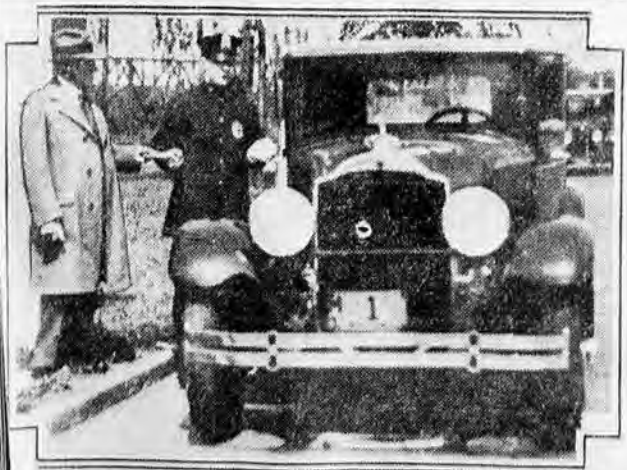
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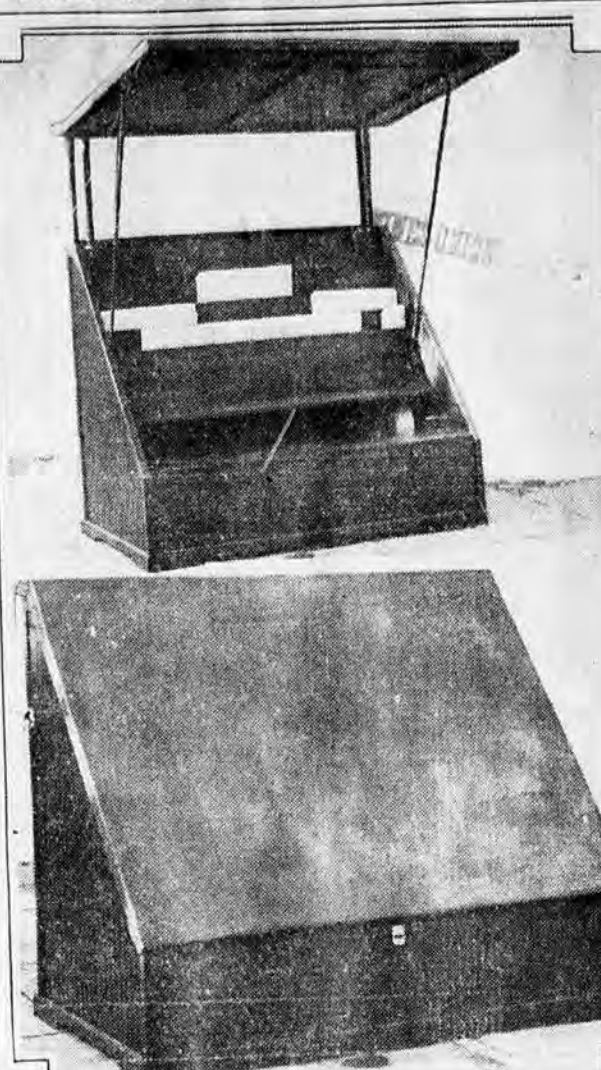
The Park Band will play, boys of Monroe Junior High School will present an exhibition drill and the Italian Choral Society will sing. The names of the new citizens will be called by M. Clarence Roberts, clerk of Naturalization Court and Mayor Joseph C. Wilson will present the citizenship certificates.

Your Honor's Brakes O. K., Sir



Mayor Joseph C. Wilson is shown here receiving the official 'brakes O. K.' sticker from Officer Francis Dailey of the First Precinct at the official opening of Rochester's Test Your Brakes Week this morning at the public testing station, Genesee Park Boulevard and Thurston Road.

New Stands For Newspapers



Peter J. Syracuse, former 'newsie,' has invented the neat and serviceable news stands shown here to supplant the cumbersome cabinets in use on many streets now. They have been approved by City Manager Story.

Smart Green Newsstands Will Replace Old Models As Production Permits

Painted green to conform with city law, newsstands of a novel type, the invention of a one-time 'newsie,' Peter J. Syracuse, of 18 Devonshire Court, are soon to appear in advantageous locations along Rochester's busiest thoroughfares.

The inventor is a brother of John Syracuse, long identified with newspaper distribution here. The Syracuse invention has won the approval of City Manager Stephen B. Story and under his direction and aid, the attractive and serviceable cabinets will supplant the present cumbersome stands as fast as production will permit.

Each stand must be of the 10x8 and dimensions shown on a drawing filed with the License Bureau of the police. It must have two coats of green paint, and must be located, unless at a point specifically approved by the city manager, 22 inches from the curb, and not within 10 feet of a hydrant, five feet of a mail box or a fire alarm signal, or within 15 feet of an intersecting street.

All merchandise other than newspapers and magazines are barred from the stands, and there is also a ban on all publications dealing principally with betting or gambling information, or designed to encourage gaming.

The name of the holder of the permit is to be stamped in metal and mounted on the right hand upper corner of the stand as directed.

There are two models. The chief difference is size. The smaller, planned for part time use, is 36 inches wide, 32 inches deep and 50 inches high when open. The larger stand runs five feet across and is three feet deep, and its height is seven feet. These sizes provide stands more compact and are said to be more serviceable than the larger stands now in use. Discard of the present style of stands is to begin at once with the installation by of the new models.

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"Following the last meeting of the Rochester City Council I have noted in press reports that your honorable committee has presented to the Council alternative drafts of a new non-partisan city election law, the one containing a provision for retaining councilmanic candidate lists on voting machines in contiguous districts, and the other providing for a straight listing, to be drawn by lot and to be standard for all districts in the city.

"Inasmuch as I have held several conferences with your committee and with the city legal department relative to the provisions of a projected law, I feel that it may not be improper to communicate to you my views upon this provision respecting the rotation of names. I have already informally given you my views upon this matter, and I wish at this time to repeat them to you in communication form.

"I would strongly urge that you do not adopt the name rotation provisions which you are now reported as having under consideration. I believe that such provision would be unwise expensive and would cause very extensive confusion, as well as tend to disfranchise a large number of voters. I would roughly estimate that such a provision would nearly double the already high cost of printing the ballot cards for the voting machines, sample ballots or diagrams and return sheets.

I have termed this provision unwise because I feel that it does violence to the theory that voting and the election of preferred candidates by the voter should be made as easy as possible. I believe that a great many of the voters examine, before they vote, the voting machine set up for the instruction of voters. The relative position of candidates' names is of the utmost importance in aiding the voter readily to find the candidates of his or her choice.

"To require that the candidates shall be listed in different order in contiguous districts is to render it almost impossible for the voter to vision the list before he is actually admitted to the machine front for the purpose of casting his vote. I realize that this is of no great importance to the well informed and experienced classes of voters, but I also realize that it will tend to confuse and render difficult the voting of an illiterate voter, one whose eyesight is defective or one who is inexperienced in ballot-casting by machine.

"There will be no instruction machine fronts that will be certain of accuracy for any particular district in the city under such a provision as this. This means that a very great aid to the cause of voters' education will be denied them.

"There seems to be some inconsistency in your provisions respecting the rotation of names for the voter who votes in person, and your provisions for the listing of names on absentee ballots. The one will give, for instance, a personally voting wife, a card of candidates differently arranged from the ballot which may be delivered to her husband who may be an absentee voter. The difficulty of canvassing such a vote with the many variable factors will be enormous.

"The possibilities of error will be greatly multiplied, and there are a very considerable number of complications which might arise in specific cases, which I have already pointed out to you in conference, that may very seriously jeopardize the legality of certain portions of the election results, and lay the foundation for numerous possible election contests in the courts. I am not anticipating with surly these difficulties, but I feel that I ought to warn you of the possibilities of the situation.

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The Petrossi Company obtained an injunction on each of the rejected bids to prevent the city from giving the contracts to anyone else, and the judge upheld the orders.

Meanwhile, work will be held up, pending the appeal, on Lattimore Road, Orleans, Otisilla and Gladstone streets.

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The councilmanic law committee held a hearing last week at which a great deal of heat was generated. It is not expected that pyrotechnics will be on display this evening. The plan seems to be to abolish the rotation scheme, and to permit the appointment of two additional election inspectors for each district, which means 320 extra jobs for the faithful.

After the hearing tonight the local laws will lie on the councilmen's desks for two weeks before their adoption.

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This simply means that since there are 260 election districts in the city, and there will be 10 candidates up for nomination in the primaries, each candidate's name will head the list in 26 election districts, but the districts in question are not to be adjoining.

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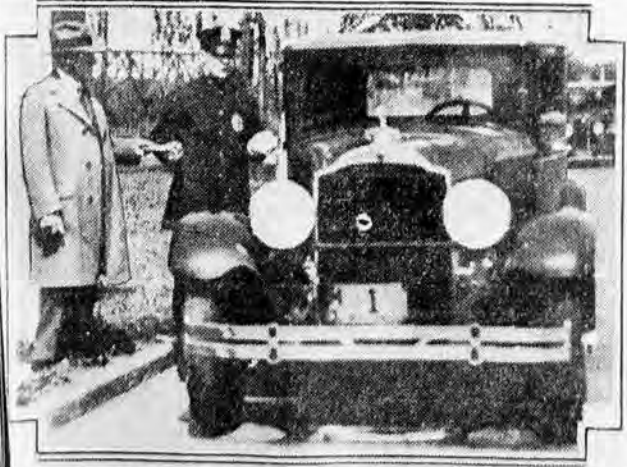
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The Park Band will play, boys of Monroe Junior High School will present an exhibition drill and the Italian Choral Society will sing. The names of the new citizens will be called by M. Clarence Roberts, clerk of Naturalization Court and Mayor Joseph C. Wilson will present the citizenship certificates.

Your Honor's Brakes O. K., Sir



Mayor Joseph C. Wilson is shown here receiving the official 'brakes O. K.' sticker from Officer Francis Dailey of the First Precinct at the official opening of Rochester's Test Your Brakes Week this morning at the public testing station, Genesee Park Boulevard and Thurston Road.

BRAKE TESTING WEEK OPENED IN ROCHESTER

Mayor Wilson Has Car Examined To Begin Safety Work Officially—Many Stations Named.

With his daughter acting as chauffeur Joseph C. Wilson, mayor of Rochester, this morning at 10 o'clock officially opened Rochester's 1926 Test Your Brakes Week. His Honor was driven to the public testing station at Genesee Park Boulevard and Thurston Road, where police officers detailed to that public testing station by Traffic Captain William H. Miller put the Mayor's new car through the required brake test. The official "Brakes O. K." sticker then was placed on His Honor's car and Rochester's 1926 Test Your Brakes Week was opened.

Police Director Curtis W. Barker has four public testing stations in operation this week. They are located at M. L. Hope Avenue at Hickory Street, at Genesee Park Boulevard at Thurston Road, at Maplewood Avenue at Livingston Park Avenue and at North Street and Mark Street. These stations will be manned by police officers every day this week from 10 until 12 o'clock in the morning, from 2 until 4 o'clock in the afternoon and from 6:30 until 8:30 o'clock in the evening.

Sheriff Fred D. Budd will have his road patrol, under direction of Deputy Thomas Wild, check brakes on recklessly-driven automobiles on all highways of the county this week. James M. Mangin, director of the Rochester office of the New York State Motor Vehicle Bureau, will have brakes on all cars driven by applicants for driving licenses tested. This will include all town licenses in the Rochester district, in addition to the city. The New York garages will test without charge this week, in co-operation with the Safety Council of the Chamber of Commerce, in an effort to test the brakes of every Rochester-driven car this week. These include members of the Rochester Automobile Dealers' Association, Rochester Garage Owners' Association and the Rochester's Test Your Brakes Garage Owners' Association. Rochester has the approval of Commissioner Charles A. Harnett of New York State Motor Vehicle Bureau, who has given permission for use of the "Brakes O. K." sticker on windshields of cars with good street braking power.

New Stands For Newspapers



The new "newsie" has invented the neat and serviceable stand shown here to supplant the cumbersome cabinets now in use. They have been approved by City Manager Story.

en Newsstands... Boys Dept.—Main... \$1.25 and \$1.50... Long White Duck... Boys' Dept.—Main... Must Be Found or City Employees Will Go With... out Pay, Officials Say.

to date only four protests against the present stands have been received by Mr. Story from neighboring store keepers, and three of these complaints were received today. There appears to be no objection left in acting on these protests. Under the regulations now in force the owner of property opposite a newsstand may file a protest at any time, and the permit must thereupon be revoked. The council of the city manager may revoke a newsstand permit at any time.

New Regulations

The regulations as drawn up by Mr. Story appear to cover every contingency in the news vending business. Here are some of the

VOTES DOWN ROTATION OF CANDIDATES' NAMES ON BALLOTING MACHINES

Leaves Determination of Position to Lot; Provides Extra Inspectors for Primaries; Goodwin Opposes Both Decisions

ADOPTS ORDINANCE PROHIBITING APARTMENTS IN EAST AVENUE

By HIRAM MARKS Business transacted by the City Council last evening included the following:

Enacted two local laws relating to the nomination and election of councilman, the principal features of which provide for the determination of the candidates places on the voting machine by lot and the addition of two inspectors in each of the 239 election districts on primary day; also rejected the local law providing for the rotation of names on the voting machines.

Adopted by a vote of five to three the new zoning ordinance of importance in controlling construction in Rochester in accordance with the most modern regulations and placing the lower East Avenue residential district in a classification prohibiting the construction of apartments as a matter of law.

Received ordinance authorizing the borrowing of \$1,100,000 for a new bridge at Smith Street.

Authorized by a vote of five to three the reconstruction of the fire loss at the airport on a non-competitive basis.

Received ordinance for a new asphalt pavement in State Street, from Main to Commercial Streets; authorized the borrowing of \$165,000 to pay for the Kelly building to be used as the Rochester Continuation School; received resolution directing the establishment of an ambulance station in the northeastern part of the city, and transacted a large volume of other municipal business.

New Election Procedure Established

Procedure under which councilmen-at-large will be nominated and elected this Fall was established last evening by the City Council, with Councilman Harry C. Goodwin standing alone in opposition to the proposals that were made by the law committee, in a report signed by Vice-Mayor Isaac Adler, chairman, and Councilman Edward P. nn.

Mr. Goodwin, the third member of the committee declined to sign report. Holds Additions Illegal One of the local laws adopted provided for a number of changes in election provisions in the City Charter that were re-enacted after decision of the Court of Appeals in the litigation that resulted from the non-partisan election law.

Most of these changes are of a non-partisan character, but there are added two election inspectors to serve primary day, because of the heavy volume of work that is expected to ensue because of the non-partisan election provisions of the new Charter.

This particular phase of the election law was opposed by Leo Fay, secretary of the Democrat in the County Committee, who held that the addition of election inspectors in 260 districts was illegal, as the state election law specifically fixes the number, running in the election, of four inspectors in each district, and Mr. Fay raised this objection in answer to the contention so on through the other position of Councilman Goodwin that the addition of two inspectors provide

patronage for the Republican Party. Democratic county committee members Fay contended that it provided for "political nuisance." Vice-Mayor Adler in his report points out that Mr. Fay's objection may be well taken with reference to general matters, but that the rotation of names was not of compelling importance in view of the additional expense it would entail, and recommended that it be dispensed with, and all of the councilmen with the exception of Mr. Goodwin took the same attitude. Mr. Flynn's views are identical with those of Vice-Mayor Adler's as he signed the law committee report.

Goodwin Asks Repeal of Law The third local law provided for determining the places of candidates on the machines and the primary ballots by lot. Mr. Goodwin opposed this, and the other councilmen favored it. Under this law the candidates' names on the primary ballots are placed on the voting machine in the order in which their names are drawn by lot under the direction of Commissioner Nichols, and then occupy the same positions on all 260 machines.

Mr. Goodwin opposed this, and introduced an amendment providing for the placing of the names on the machines in alphabetical order. The amendment was referred by Mayor Joseph C. Wilson to the law committee. Under the Election Law, the names appear on the primary ballots in alphabetical order. Mr. Goodwin contended that to be consistent, they should appear in this manner on the voting machine. In view of the adoption of the local law determining the place on the machines by lot, it is not expected that Mr. Goodwin's amendment will be regarded with favor by the Council.

Mr. Goodwin in a statement read to the Council said that he would endeavor at the next session of the Legislature to bring about a bi-partisan election board for Monroe County.

Law Committee Report

The report of the law committee, under which the Council with the exception of Mr. Goodwin, took its action last evening, is as follows: Your law committee, in its report of May 27, recommended the rotation of the nomination and election of councilmen, which were referred to the committee for their recommendations.

The first is a general law, broad in scope, which is intended as a substitute for the local law adopted Feb. 28, 1928. It covers every provision of that law except a provision in reference to the order of names of candidates upon the ballot.

Most of these amendments are either formal or relatively unimportant. The one important amendment included within this local law is the provision for two additional inspectors provided for by Section 11 in these words: "For said primary election herein provided, only one shall be two additional inspectors of election, who shall be appointed as provided by Section 50 of the Election Law."

The validity of this provision has been challenged on the ground that Section 40 of the Constitution provides that: "Elsewhere than in the City of New York, there shall be in every election of the state, at least four inspectors of election," and it is contended that this law does not permit either more or less than four, but only and exactly four.

Believe Change Authorized While this interpretation may be open to question, there is, it seems to your committee, another answer to the objection. The Constitution of the state (Article 12, Section 3) and the City Home Rule Law (Section 11) give to the local legislative body of a city power to adopt and amend local laws relating to the mode of selection of city officers. It was under this authority that the present law relating to the nomination and election of councilmen was adopted, and your committee believes that the city has power by local law to provide additional inspectors who are confined to the local election.

The language of the local law presented for adoption by the Council is: "For such primary election herein provided only, there shall be two additional inspectors of election, who shall be appointed as provided by Section 50 of the Election Law." It is contended that this law does not seem to limit their functions to the primary election for nomination.

Confusing, Expensive, Says Nichols Besides the law committee, city and county officials and representatives of the Bureau of Municipal Research participated in the conferences. Mr. Goodwin maintained that the rotation of names was vital to the non-partisan election provisions of the new Charter.

Under the rotation plan, the name of each candidate appeared in an equal number of machines in each of the 260 districts. For example, if the name of Vice-Mayor Adler appeared in 260 machines, the name of Councilman Goodwin would appear in 260 machines, and so on through the other positions.

Commissioner Nichols held that there would be confusion and additional expense because of provisions of the Election Law that compel the printing of sample ballots and the advertising of candidates, and other legal requirements of a similar purpose. Vice-Mayor Adler, in the law committee's report, held that the rotation of names was not of compelling importance in view of the additional expense it would entail, and recommended that it be dispensed with, and all of the councilmen with the exception of Mr. Goodwin took the same attitude.

Mr. Flynn's views are identical with those of Vice-Mayor Adler's as he signed the law committee report. Mr. Goodwin's statement to the Council follows: It was passed early in January, 1928. The arguments presented by the spokesmen for the Monroe County Home Rule organization were presented, and the Council passed the present law. It is my assumption that all members of the Council studied the law carefully at that time. If the law was all right then in spite of all the arguments made against it, I cannot see for the life of me, why changes should be made now. In January, 1928—in fact when the charter was up for adoption and during the court actions that followed—the same contentions were made against the law. These changes are not new. They are simply the repetition of what the Republican organization and opponents of the Charter have demanded.

Asks Consistent Action In listening to the spoken word of the commission, I do not find a single figure or fact in support of his contentions. His statements are based entirely on what he thinks may happen. He gives no facts as to why the things he fears may come true. In other words, we are asked to change a law approved by popular vote because the commissioner of elections does not like it. I cannot see in view of the changes, where any member of this Council who every other day for the present local law can vote to change it now.

NEW MUSEUM VITAL, PARKER INFORMS CLUB

City Twenty Years Behind the Times, States Rotary Speaker—Plans for Building Outlined.

Plans for a new and greater Museum for Rochester, somewhere near the heart of the city, were outlined this noon by Dr. Arthur Parker, director of the City Museum, before the Rotary Club at Powers Hotel.

"Rochester is in need of a new museum," said Dr. Parker. "The new museum, which should come within the next five years, should have nothing to do with the old idea of a museum as a static institution, but instead it should be a moving institution discussing things of living values."

"The new museum at best should employ the historical as a means of interpreting the present. Rochester right now is virtually 20 years behind time in her museum, and it is necessary that within the next five years, somewhere in the heart of the city, a museum should be erected or established in conformity with the size of the city."

Several sections of the law are amended, as was carefully pointed out in the report of the law committee presented on May 27. Most of these amendments are either formal or relatively unimportant. The one important amendment included within this local law is the provision for two additional inspectors provided for by Section 11 in these words: "For said primary election herein provided, only one shall be two additional inspectors of election, who shall be appointed as provided by Section 50 of the Election Law."

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If the law was all right then in spite of all the arguments made against it, I cannot see for the life of me, why changes should be made now.

Ambulance Station Asked for Congested North Side

Establishment of an ambulance station in the northeastern part of the city is provided by a resolution introduced in the City Council last evening by Councilman Joseph L. Guzzetta and referred by Mayor Wilson to the Finance Committee for consideration. Dr. Guzzetta maintains that the largest number of accidents occur in the congested part of the northeastern section and that being removed some distance from hospitals, lives are jeopardized by the length of time it takes ambulances to respond, regardless of how promptly they are dispatched.

The resolution provides for the purchase of the ambulance and its maintenance and operation from funds other than from taxation. The establishment of the station has been the subject of conference that Councilman Guzzetta has had with City Manager Story and Councilman Louis S. Foulkes, chairman of the committee having jurisdiction in charge. The Finance Committee will report on the resolution at an early date.

The creation of forty-five laborer positions at the rate of 40 cents an hour was prescribed to the City Council by City Manager Story. Mr. Story explained that the men are required each year to cut grass on the city, a museum should be erected or established in conformity with the size of the city.

Public hearings on the following local improvement ordinances were held last evening: Drake Street concrete pavement, Elmwood Avenue concrete pavement, Cascade Place sewers, and grading, Woodside Place sewers, walks and grading, Whitaker Park extension, Evans Street asphalt resurfacing, Farmington Road asphalt pavement, walks and grading, Pearce Street concrete pavement and sewers, White Street asphalt pavement and walk, Mount Hope Avenue asphalt resurfacing.

A local improvement ordinance for a concrete pavement in Henley Street was introduced by Councilman Milne. Councilman Peake introduced an ordinance for an asphalt pavement and sewer in Henley Street and Councilman Duran introduced an ordinance for walks and grading in Woodside Place. Councilman Foulkes filed a petition for a concrete pavement in Rocket Street. His resolution granting permission to the Genesee Valley Trust Company to construct an alleyway was referred to the Public Works and Engineering Committee. Councilman Milne's resolution closing a portion of Henley Street was adopted and Councilman Peake's ordinance repealing the ordinance disapproving the purchase price for lands for the Fitzhugh Street building line was referred to the Finance Committee and the Abolition Company was referred to the Finance Committee as was his ordinance approving the prices that both property owners asked as the result of negotiations with the city officials.

The claims of Lawrence J. Fisher and Frank Vetter against the city were approved for settlement on the basis of terms arranged by Corporation Counsel Platt.

Bridge Ordinance Asks \$1,100,000

Authority to borrow \$1,100,000 for the construction of a new bridge over the Genesee River at Smith Street is provided in an ordinance introduced in the City Council last evening by Councilman Nelson A. Milne and William F. Duran. The plans for the bridge are well advanced under the direction of Harold W. Baker, commissioner of public works, in conjunction with Frank McKibben, bridge expert of Pittsburgh; Edwin A. Fisher, former consulting city engineer, and Henry Howe and C. Arthur Poole, of the engineering force.

The ordinance, which authorizes Comptroller Clarence E. Higgins to borrow the funds on notes, to be funded later by a bond issue, was referred by Mayor Wilson to the Finance Committee for consideration. City Manager Stephen B. Story read a communication from Commissioner Baker in which it was pointed out that the replacement of the bridge will cost, according to the engineer's estimate, \$958,650 for the new structure, \$20,000 for the removal of the old bridge, erected in 1870, and the balance for engineering and inspection services. The new bridge will be 90 feet wide, with a 66-foot roadway and 10-foot sidewalks, and is regarded as adequate to take care of traffic requirement for many years.

This phase of the study has been delved in exhaustively by George J. Nier, commissioner of public safety, under the direction of City Manager Story and there will be double approaches to the structure at St. Paul and State streets, which will greatly facilitate the movement of traffic from one side of the city to the other. Traffic congestion at State and Lyell Avenue, according to Commissioner Nier, is at some periods of the day the worst in the city.

Councilman Goodwin asked City Manager Story whether the plans for the new bridge would be interesting to a group of taxpayers who are concerned about the steel construction, and he was told that the city officials would at all times welcome inquiries about public work from citizens or other interested parties. Mr. Goodwin asked that if such a conference be present and Mr. Story said that they would be provided there was reasonable notice that such a conference was sought.

The Finance Committee, made up of Mayor Wilson, Vice-Mayor Adler and Councilman Flynn, will take the ordinance under immediate consideration and actual construction on the new bridge is expected to follow soon after the necessary authorization by the City Council.

Airport Repairs Are Authorized

Without debate the council by a vote of five to three adopted a resolution authorizing City Manager Stephen B. Story to have the repairs at the airport caused by the fire, done without competitive bidding. This matter was the subject of lengthy discussion at the last session of the Council.

The Finance Committee, in a report read by Vice-Mayor Isaac Adler, recommended that the authorization be given and negative votes were cast by Councilmen William F. Duran, Joseph L. Guzzetta and Nelson A. Milne.

By unanimous consent the Council adopted a resolution by Councilman Duran authorizing a renewal of the lease for the Port-land Avenue branch library and a resolution by Councilman Louis S. Foulkes authorizing a lease for the North Goodman Street branch library. The renewals were sought by the Library Board in communications sent to the Council by William F. Yust, secretary and read by City Clerk Thomas P. O'Leary.

Ordinance Bans East Avenue Apartments

The zoning ordinance with the prohibition of apartments in East Avenue and adjacent streets was adopted by the City Council last evening by a vote of five to three. The votes in opposition to prohibiting as a matter of law the construction of apartments in East Avenue, rather than leaving it discretionary with the Board of Appeals to grant permission under such conditions as it might elect to impose, were cast by Councilman William F. Duran, John L. Guzzetta and Nelson A. Milne.

Opposes "E" Classification Councilman Harry C. Goodwin read a statement after he deferred his vote to the conclusion of the rollcall, in which he indicated that he was opposed to the "E" residential classification of the East Avenue district, but would support the measure so that construction work generally would not be held up throughout the city because of the other provisions of the zoning ordinance.

Mr. Goodwin asked Corporation Counsel Clarence M. Platt if his favorable vote on the zoning ordinance made it impossible for him to introduce amendments to it, and was informed that it did not. Accordingly, Mr. Goodwin said that he would introduce at an early session an amendment to enable Arthur E. Hoadley to erect an apartment at East Avenue and North Goodman Street, and would make further exceptions in South Goodman Street. The adoption of the zoning ordinance was recommended by the city planning and zoning committee in a report signed by Councilman Chester A. Peake, chairman, and Mayor Joseph C. Wilson. Councilman Milne declined to sign the report, not being in accord with the "E" provision for the lower East Avenue district.

Doesn't Want to Delay Work The ordinance prevailed, on the votes of Mayor Wilson, Vice-Mayor Adler, Councilman Louis S. Foulkes, Chester A. Peake and Harry C. Goodwin. The statement of Mr. Goodwin follows: As a result of protests that have been made, this ordinance has been held up for weeks. Work has been going on. Further delays will be a great misfortune to the city as a whole, because building and other construction work is being held up pending passage of the ordinance.

Guiding City's Growth At the meeting of the City Council last evening one measure for exercising control over the city's development so as to produce best results was carried into effect by adoption of the new zoning code, while another was advanced by passing a local law which creates a city planning commission and gives it power to establish street and setback lines on the city map.

The fight over apartment houses in East Avenue has somewhat obscured the importance to the city as a whole of a modern zoning code. The East Avenue question was settled in favor of strictly residential zoning, after it became plain that not only a majority of the property owners but others interested were in favor of that arrangement.

With the grant of power given last night the work of drafting the City Plan can be carried on with assurance that the commission's recommendations will prove an effective force in providing for the future, as well as in correcting so far as possible past mistakes.

If the City Plan is to have maximum effectiveness, co-operation on the part of the towns and the county will be required. An urban district the size of Rochester has a regional character which calls for planning over an area much wider than is included within city corporate limits.

Creates Planning Commission On the favorable report of the Law Committee, signed by Vice-Mayor Adler, Councilman Flynn and Goodwin, the Council, by unanimous action, adopted a local law which creates a city planning commission and gives it power to establish lines on maps. This matter is considered of great importance to city planning, and paralleling the new zoning ordinance, was prepared by City Manager Stephen B. Story and Corporation Counsel Platt, in conjunction with Council E. Peake. The establishment of lines on maps enables the new city planning commission to provide for setback lines in thoroughfares and control new construction, and eventually bring about the widening of streets without out expenditure for property, and each owner benefiting without prejudice to the other by reason of the equal prohibition against each parcel.

By unanimous consent, the Council adopted an ordinance proposed by Councilman Chester A. Peake fixing the compensation of Walter H. Casselberry, for services with reference to the new zoning ordinance, at \$1,375.

Strangers in the Parks In regard to their park system, Rochester people are in somewhat the same position as a person who has been reared in a beautiful mansion and supposes that the rest of the world lives in similar luxury. Wealth fails to register much impression on one who has always enjoyed it.

The fresh viewpoint of a stranger is needed now and then to stimulate jaded interest, whether in a home or a park system. There has been much of that sort of stimulation in Rochester this Spring and there will be much more during the Summer.

To illustrate: A party of New York City tourists was recently taken on a circle of the Rochester parks, and everywhere they exclaimed first of all, not about the flowers and the landscape, but about the spotless cleanliness of the park grounds. They saw no papers littering the grounds, no remnants of basket lunches strewn about, no bare spots in the grassy lawns caused by careless feet.

Most marvelous of all, they saw great masses of brilliant flowers, great clumps of valuable shrubs, left entirely unguarded and yet undisturbed by the hands of visitors. Such a spectacle, they frankly admitted, did not fit into their experience with the parks at home.

Here is indeed a new boasting point for Rochester parks, one that would not readily occur to the native Rochesterian who takes neatness for granted, as he also takes for granted the inviolability of the park flowers and shrubs. During Lilac Week thousands of gorgeous blooms hung within arm's reach in Highland Park; yet we have heard of no instance in which police protection was needed to safeguard a single petal.

Historic Scrapbooks Collection

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Rotations Voted Down

The second local law that came before the Council, and which was voted down by a vote of seven to one. Councilman Flynn being absent, provided for the rotation of names on the voting machines. There will be 260 voting machines in use at the election this Fall, 21 districts being added between the primaries and the election because of the large vote last year.

Procedure Established

Under the rotation plan, the local law was opposed by Leo Fay, secretary of the Democrat County Committee, who held that the addition of election inspectors was illegal, as the state election law specifically fixes the number of inspectors in each district.

Confusing, Expensive, Says Nichols

Besides the law committee, city and county officials and representatives of the Bureau of Municipal Research participated in the conference. Mr. Goodwin maintained that the rotation of names was vital to the nonpartisan election provisions of the new Charter.

Do Not Agree with Nichols

While we do not agree with the commissioner of elections that the rotation scheme is impracticable, but believe on the contrary that there would be no serious difficulty in carrying out the law, nevertheless we realize that it would involve some additional expense and require more intelligence, both on the part of the voters and of the inspectors.

City Will Acquire Kelly Factory

The borrowing of \$165,000 on municipal notes to pay for the Kelly building at Saratoga Avenue and Jay Street was adopted by unanimous consent last evening by the City Council. The ordinance was introduced by Mayor Joseph C. Wilson, chairman of the Finance Committee, and the structure will be used for the Rochester Continuation School.

Mr. Goodwin's Objections

Mr. Goodwin's statement to the Finance Committee was that the third local law, which provides for determining the position of candidates on the machines and on the primary ballots by lot, Mr. Goodwin opposed this, and the other councilmen favored it. Under this law the candidates successful in the primaries are placed on the voting machine in the order in which their names are drawn by lot under the direction of Commissioner Nichols, and then occupy the same positions on all 260 machines.

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Bill Asks State Street Paving

An ordinance providing for a new asphalt pavement in State Street, between Main and Commercial Streets, was introduced in the City Council last evening by Councilman Nelson A. Milne, chairman of the Local Improvements Committee. It was referred to this committee for consideration. A public hearing on the ordinance will be held a week from Monday evening and at that time Harold W. Baker, commissioner of public works, will furnish an estimate of the cost.

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An ordinance providing for a new asphalt pavement in State Street, between Main and Commercial Streets, was introduced in the City Council last evening by Councilman Nelson A. Milne, chairman of the Local Improvements Committee. It was referred to this committee for consideration. A public hearing on the ordinance will be held a week from Monday evening and at that time Harold W. Baker, commissioner of public works, will furnish an estimate of the cost.

Airport Repairs Are Authorized

Without debate the council by a vote of five to three adopted a resolution authorizing City Manager Stephen B. Story to have the repairs at the airport caused by the fire, done without competitive bidding. This matter was the subject of lengthy discussion at the last session of the Council.

City Will Acquire Kelly Factory

The borrowing of \$165,000 on municipal notes to pay for the Kelly building at Saratoga Avenue and Jay Street was adopted by unanimous consent last evening by the City Council. The ordinance was introduced by Mayor Joseph C. Wilson, chairman of the Finance Committee, and the structure will be used for the Rochester Continuation School.

Amulance Station Asked for Congested North Side

Establishment of an ambulance station in the northeastern section of the city is provided by a resolution introduced in the City Council last evening by Councilman Joseph L. Guzzetta and referred by Mayor Wilson to the Finance Committee for consideration. Dr. Guzzetta maintains that the largest number of accidents occur in the congested part of the northeastern section and that being removed from the jurisdiction by hospitals, lives are jeopardized by the length of time it takes ambulances to respond, regardless of how promptly they are dispatched.

Bridge Ordinance Asks \$1,100,000

Authority to borrow \$1,100,000 for the construction of a new bridge over the Genesee River at Smith Street is provided in an ordinance introduced in the City Council last evening by Councilmen Nelson A. Milne and William F. Durman. The plans for the bridge are well advanced under the direction of Harold W. Baker, commissioner of public works, in conjunction with Frank McKibben, bridge expert of Pittsburgh; Edwin A. Fisher, former consulting city engineer, and Henry Howe and C. Arthur Poole, of the engineering force.

Strangers in the Parks

In regard to their park system, Rochester people are in somewhat the same position as a person who has been reared in a beautiful mansion and supposes that the rest of the world lives in similar luxury. Wealth fails to register much impression on one who has always enjoyed it. The fresh viewpoint of a stranger is needed now and then to stimulate interest, whether in a home or a park system. There has been much of that sort of stimulation in Rochester this Spring and there will be much more during the Summer.

Guiding City's Growth

At the meeting of the City Council last evening one measure for exercising control over the city's development so as to produce best results was carried into effect by adoption of the new zoning code, while another was advanced by passing a local law which creates a city planning commission and gives it power to establish street and setback lines on the city map.

Urdinance Bans East Avenue Apartments

The zoning ordinance with the prohibition of apartments in East Avenue and adjacent streets was adopted by the City Council last evening by a vote of five to three. The votes in opposition to prohibiting as a matter of law the construction of apartments in East Avenue, rather than leaving it discretionary with the Board of Appeals to grant permission under such conditions as it might elect to impose, were cast by Councilman William F. Durman, John L. Guzzetta and Nelson A. Milne.

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Amend City Charter At Council Session By Seven To One

Provision Requiring Rotation of Candidates' Names on Voting Machines Repealed, Substituting Election by Lot—Goodwin Only Opposed.

By a vote of seven to one the City Council last evening amended the city charter and also the non-partisan election law, which was passed last year, by repealing the provision which required the rotation of names of candidates on voting machines and substituting a local law which requires that the order of candidates' names appearing on the machines be determined by lot by the bureau of elections. Of equal interest was the adoption of a local law authorizing the appointment of two extra election inspectors for the primaries which will be held September 17. This means a total of 320 extra inspectors for primary duties.

This action was taken on move by Councilman Adler, chairman of the law committee, but not without protest from Councilman Goodwin who cast the sole negative vote. In recommending adoption of the local law Mr. Adler, speaking for his committee said, in part:

"Your lay committee reported on May 27th three local laws relating to the nomination and election of councilmen, which were referred back to the Committee for their recommendations.

General Local Law
"The first is a general local law, broad in scope, which is intended as a substitute for the local law adopted February 28, 1928.

"It covers every provision of that law except a provision in reference to the order of names of candidates upon the ballot machine.

"Several sections of the law are amended, as was carefully pointed out in the report of the law committee presented on May 27.

"Most of these amendments are either formal or relatively unimportant. The one important amendment included within this local law is the provision for two additional inspectors provided for by Section 11 in these words: 'For said primary election herein provided only, there shall be two additional inspectors of election, who shall be appointed as provided by Section 36 of the Election Law.'

Challenge Validity
"The validity of this provision has been challenged on the ground that Section 40 of the Election Law provides that: 'Elsewhere than in the City of New York, there shall be in every election district of the state four inspectors of election' and it is contended that this law does not permit either more or less than four, but only and exactly four.

"While this interpretation may be open to question, there is, it seems to your committee, another answer to the objection. The Constitution of the State (Article 12, Section 3) and the City Home Rule Law (Section 11) give to the local legislative body of a city power to adopt and amend local laws relating to the mode of selection of city officers. It was under this authority that our local law relating to the nomination and election of councilmen was adopted, and your committee believes that the city has power by local law to provide additional inspectors, whose duties are confined to the local election.

"The language of the local law presented for adoption to the council is: 'For such primary election herein provided only, there shall be two additional inspectors.' This would seem to limit their functions to the primary election for nominating councilmen. With that limitation your committee be-

Resurfacing Part of State St. Proposed

An ordinance providing for the resurfacing of State Street between Commercial Street and the Four Corners with asphalt was introduced in the City Council last night.

New Smith Street River Bridge Will Be 80 Feet Wide

Will Accommodate Eight Streams of Traffic, City Officials Say—Ordinance For \$1,100,000 Note Issue Given to Council Committee.

Plans for construction of a steel truss bridge over the river at Smith Street were explained today in detail by Commissioner Baker of the Department of Public Works, following introduction of an ordinance in the City Council last evening providing a note issue of \$1,100,000 to cover costs of the structure and engineering expenses.

The ordinance is now in the council finance committee. It is expected it will be favorably reported at the meeting next Monday evening.

This silt foundation makes pier foundation work a costly engineering enterprise.

It was only after long study that the steel truss structure was selected in preference to a concrete bridge. There was a difference of some \$350,000 in the cost. Steel was chosen because it is cheaper.

New Streets Planned
New streets are in process of formation. The blue prints shown today by Commissioner Baker provide a new thoroughfare running through new private land from Jay Street to Smith at the western end of the bridge. This will take care of State Street and Jay Street traffic bound over the river and will eliminate the necessity for turning at Smith and Lake. The tentative name for this new street is Vincent, the former designation of the present Smith between St. Paul Street and Lake Avenue.

This street will cross Smith a little west of the bridge and continue north across Cliff Street through to White Street.

Smith Street between St. Paul and Lake is to be widened on the south side to 50 feet, an increase of 20 feet, and the proposed Vincent Street is to be 50 feet over all.

The largest span will be 420 feet. This stretch is necessary to obviate extraordinary construction costs necessary if the foundations were set for piers in the old river bed. Engineers discovered that the old river bed, a relic of the Quebec ice sheet, also, has been filled to a depth ranging from 50 to 100 feet.

EAST AVE. FREE FROM ADVANCE OF APT. HOUSES

East Avenue was immune today to the advance of apartment houses in that it exclusive thoroughfare. This zone remains in its former state, due to the action of the City Council last evening in adopting the zoning code with a single exception relating to East Avenue.

The only exception is a strip in North Goodman Street, both sides, 200 feet between East and University avenues. It was announced that amendments would soon be offered by Councilman Goodwin which would permit further concessions to apartment house builders in this zone. Mr. Goodwin's vote was withheld until the other members of the council had voted on the measure. When he rose, the vote stood 4 to 3 in favor of its passage, and a tie ballot seemed imminent, but the councilman reversed himself as he had previously opposed making an exception in favor of East Avenue.

In adopting the new zoning code the city council set off this municipality into seven building classifications, and authorized the building superintendent to pass on all building permit applications. It also set up a board of appeals which will consider complaints against the decisions of the bureau of buildings.

"I shall enter the primaries. Enough friends have come to me and volunteered to take my petitions and secure all the names I need and more.

"I shall not conduct an active campaign. If I were to do so I would have to neglect my work as councilman or my business and I am not disposed to neglect either one of these so naturally I shall have to neglect the campaign.

"Besides, if my record as councilman is such that I must go out and plead for votes and follow the usual campaign methods, it is better that I know it now.

"If people believe I have been a good man on the job, I want their votes; if they think they will get some unwarranted favor or job by voting for me I don't want their votes.

"While some groups or individuals may endorse my candidacy, I shall not tie up with any group, individual or faction and shall not take any active part in the event there is a fight on in the Republican party this Fall. I shall simply mind my own business and my work as councilman and meet when time permits, any unfair attacks made on the City Manager plan, the City Manager or his department heads."

Legal Obstacles To City Planning Removed By Code

New Zoning Measure Adopted by Council Gives City Extra Powers to Restrict Land as to Use, Size of Lot, Height of Buildings, Etc.

Rochester appears all set today to go ahead without fear of legal obstacles and prepare its city-wide planning program. There has always been a question of the legality of the old zoning acts which have been operating here for a great many years. All doubt on this score apparently has been removed by the City Council, which Monday evening adopted a new zoning code and brought this municipality in close conformity with the state law.

The importance of this new legislation to a city planner was pointed out today by Commissioner Baker of the Department of Public Works, calling attention to the sweeping legislation just enacted.

Rochester was one of the first cities in the state to take up zoning for use, Mr. Baker said. But that is all the city ever attempted under the old dispensation. Now, armed with the powers conferred by the new zoning code, the city may restrict its vast acreage not only as to use, but to the area of the lot, and even the height of the buildings laid down by the state law, which among other things provides for a zoning board of appeals.

An important bit of legislation by the city council was the recent amendment of the city charter which brings the city under the state permissive city planning act.

Official Map
One of the big advantages in this state law is that Rochester may now establish an official map of the city, showing the streets, parks and the like, and such map is to be deemed final and conclusive with respect to the location and width of streets and highways, and the location of parks shown.

According to Mr. Baker, when this official map has been adopted by the city council, no person will be permitted to build outside the street lines except on an appeal to the board of appeals. This board of appeals was authorized in legislation passed by the council Monday evening.

The appellate board may permit

the aggrieved complainant to put up a structure, known as a taxpayer, inside the map lines of a street, but this structure is to be only a temporary arrangement, and can be removed later when its site is required for street widening.

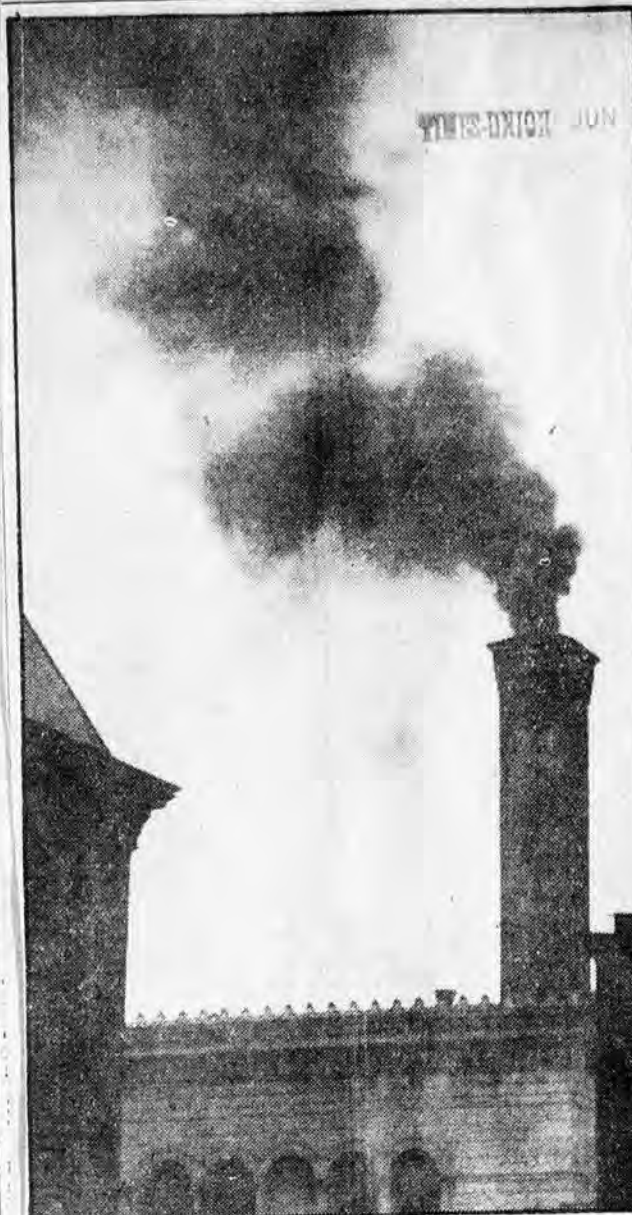
Creates Planning Board
In conformity with the state law, the ordinance passed by the City Council creates a planning board of five members to be appointed by the mayor with authority to remove any member for cause after public hearing. Mayor Wilson is expected to announce his appointments to this planning board shortly. Of the members of the board soon to be named, one shall hold office for a year, one for two years, one for three years, one for four years and one for five years. Their successors, however, shall be appointed for a term of five years.

The mayor is to designate the chairman of this planning board, as required by law. If he fails to do so the planning board must elect its own chairman from among its members. This body has authority to employ experts and a staff and to pay for their services and other expenses but not beyond the appropriation of public funds for planning purposes.

The council is empowered to change or add to the official map of the city at any time when it is deemed to the public interest to lay out new streets or widen or close existing highways. Before making such changes or additions, however, the matter shall be referred to the planning board. Its report must be made within 30 days, or the planning board forfeits its right to act.

For six minutes this morning the Court House chimney belched black smoke to the amazement of spectators. Sandblasters at work on City Hall tried amid this cloud of smoke and soot from this chimney to remove the accumulation of dirt and soot. The pedestrian in the street was inclined to scurry for shelter into a neighboring doorway with the expectation of an early torrential rain-fall. It was nothing but smoke, the kind of smoke coming from a factory, might cause trouble for the owner.

Did You Miss This, Inspector?



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WILL RELY ON RECORD ALONE, GOODWIN SAYS

To Enter Primaries But Is Not To Make Active Drive for Re-election

That he will stand on his record as a councilman and make no appeal to any groups for votes along the more or less accepted campaign methods was a statement made last evening by Councilman Harry C. Goodwin, in response to rumors that because of his personal business he might not be a candidate for renomination for councilman at large.

Mr. Goodwin said: "I shall enter the primaries. Enough friends have come to me and volunteered to take my petitions and secure all the names I need and more.

"I shall not conduct an active campaign. If I were to do so I would have to neglect my work as councilman or my business and I am not disposed to neglect either one of these so naturally I shall have to neglect the campaign.

"Besides, if my record as councilman is such that I must go out and plead for votes and follow the usual campaign methods, it is better that I know it now.

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Concrete Advocated By C.F. Lomb, While Experts Say Steel

Vice-President of Optical Company Objects to 'Tin' Structure—Commissioner Baker Outlines Fourteen Reasons For Decision in Reply.

Widely divergent views on the merits of a steel bridge at Smith Street were shown today by Commissioner Harold W. Baker of the Department of Public Works, and Carl F. Lomb, vice-president of the Bausch & Lomb Optical Company.

In his advocacy of a concrete construction, the manufacturer referred to the steel construction selected by the city engineers as a "tin" bridge, and cited a number of concrete bridges which had been constructed as the last word in bridge engineering.

Mr. Baker made it plain that the consensus of expert consultants who studied the job at Smith Street was for steel construction, and gave 14 reasons for this decision after the question of pier foundations had made adoption of concrete inadvisable and unnecessarily expensive to the engineers.

COMMISSIONER CLAIMS STEEL BETTER SUITED

Harold W. Baker States That Expert Consultants Concurred on Smith St. Bridge Material.

Selection of steel rather than concrete construction for the proposed Smith Street bridge was made after careful study by bridge engineers who were unanimous in their choice, according to Harold W. Baker, Commissioner of Public Works, who outlined today 14 reasons for deciding on steel.

An ordinance authorizing a city note issue of \$1,100,000 to cover the costs of this bridge is now pending in committee of the City Council.

Among his points, Mr. Baker argued that foundations of piers at Smith Street made steel construction more desirable and economical because of difficulties to be encountered in the unstable river bed. In addition, he said, there is the element of cost of concrete, which would add upwards of \$350,000 to the bridge bill. Both steel and concrete have their particular advantages, but in this case, Mr. Baker said, the best thought of the expert consultants was in favor of steel.

Baker Outlines Grounds Commissioner Baker outlined the following grounds for the selection of the steel structure:

- 1. It combines strength and massiveness with known long life and usefulness.
2. The rock elevations in the river and on east bank are so deep a long span 420 feet is necessary to connect between satisfactory rock foundations. A shorter span would involve difficult and very costly and possibly dangerous foundation work probably requiring caisson construction.
3. The long life of a steel structure is assured if properly maintained.
4. Bridge design of good lines is proposed.
5. A steel cantilever bridge can be erected most economically by building out from masonry with central portion fabricated on ground below and raised into position.
6. The steel construction was selected after many preliminary designs of both concrete and steel. Concrete designs were abandoned because of questionable foundations, and the estimates showed that concrete arch construction would probably cost \$350,000 more than steel construction and possibly more due to foundation difficulties.
7. There is urgent necessity of speed in removing old bridge and erection of the new. Steel construction will progress faster, and it is essential that this important cross-town connection over the river be constructed as quickly as possible.
8. The design has considered the artistic or aesthetic factor and much care has been given to obtaining good lines. A great deal of attention also has been given to the details of paving, curbing, ornamental lighting, wide walks, protection of pedestrians from wind and driving rain or snow, and there has been provided a 50-foot roadway, which will accommodate the traffic looking years into the future.

CARL F. LOMB PROTESTS NEW STEEL BRIDGE

Vice-President of Bausch & Lomb Advocates Concrete as More Beautiful and Durable.

Announced plans of the city administration to build a steel truss bridge over the river at Smith Street at an estimated cost of \$1,100,000 brought an emphatic protest today from Carl F. Lomb, vice-president of the Bausch & Lomb Optical Company.

As a resident of the city and a member of the firm which is owner of valuable properties on the East end of the Smith Street bridge Mr. Lomb spoke strongly against the steel construction and advocated concrete, instead, in a statement to The Times-Union.

Maintenance of the steel bridge is costly, urged Mr. Lomb and requires constant care, sandblasting and painting every few years and in the end the structure is scrapped after possibly 40 or 50 years of use. The manufacturer analyzed the relative costs of the steel and concrete structures, and made out a case in favor of concrete.

The present practice of large municipalities of using concrete as the mainstay of permanent bridges was emphasized by Mr. Lomb who furnished a startling array of statistical data to back up his points respecting both relative costs and permanence of service.

Mr. Lomb said: "Some time ago it was announced through the papers that the city administration had retained a consulting engineer to draw plans and make computations on new city bridges and that, according to program, the Smith Street bridge was to be replaced first."

Era Of Concrete Bridge "While I have seen no definite statement as to the character or class of bridges to be built, I believe that the public at large has taken it for granted that, when getting rid of the worn out iron and steel bridges, the era for the creation of modern, permanent and monumental concrete bridges would have arrived."

"I now hear it stated, much to my amazement, that it is proposed to build the new Smith Street bridge of steel, it being said that the location is not suitable for a concrete bridge; also that the latter would cost much more than a steel bridge and that, anyway, concrete was not to be trusted for major structures in the Rochester climate."

"As a citizen of Rochester, and a member of the Bausch & Lomb Optical Company, which owns valuable and extensive properties adjoining to the Smith Street bridge site, I must emphatically protest against having another 'tin' bridge built at this place; a bridge which would require continual looking after, sandblasting and repainting every few years and which, as experience has shown, in spite of all care would have to be scrapped in 30 or 40 years."

"Municipalities large and small, in all parts of the country and Canada, our great railroad corporations, and various states of the Union and the federal government are all equally intent on building permanent concrete bridges, architecturally pleasing, wherever feasible, not only the Mississippi River bridges at Minneapolis and St. Paul with spans up to 300 feet, but Fort Snelling-Mendota bridge in Minnesota with 12 spans of 285 feet each in the Middle West; the various viaducts in Seattle and Spokane in Alberta, Canada, in the Northwest; the Grand Avenue viaduct in Milwaukee in the Central North; the Connecticut River bridge at Springfield and the river bridge at Providence, R. I. also the Hudson bridge at Glens Falls, all in the Northeast; the Florida East Coast Railroad bridge many miles long across the keys, the Galveston Causeway viaduct more than two miles long

across the bay, in the South, the Walnut Street bridge in Philadelphia, and the one in the Southeast, together with the new memorial bridge now nearing completion, being built by the federal government, across the Potomac River at the expense of many millions of dollars; the many bridges, miles in length, across the Susquehanna River in our adjacent state of Pennsylvania; the gigantic Tunkhannock viaduct on the line of the D. L. & W. R. R.

Claims Climate No Barrier "These are a few outstanding examples of magnificent concrete bridges in all parts of the country and in all climates. Yet we are told that Rochester climate cannot afford up-to-date concrete bridges, that we must remain satisfied with unsightly utilitarian steel structures that become wobbly, as in the past."

"Now as to relative cost, I have heard it stated that a new steel bridge at Smith Street would cost about \$800,000 and that a concrete bridge might cost \$250,000 to \$400,000 more. Investigating this assertion a little, I find that quite recently the Counties of Lancaster and York in Pennsylvania joined hands in wishing to build a new bridge across the Susquehanna River between Columbia and Wrightsville. They planned a concrete bridge but gave the privilege to steel bridge companies to bid on the basis of their own plans. This bridge, with approaches has a length of over 7,000 feet and contains 28 concrete spans of 185 feet each, all of them longer than any of the present Smith Street bridge."

Steel More Costly "The low one of 11 bids for the concrete bridge was \$2,484,000. Two steel bridge companies, availing themselves of the privilege to bid on steel bridge plans, bid \$2,554,000 and \$2,622,000, respectively, both bids being higher than the low bid for a concrete structure. But even taking the average of all the 11 bids needed for the concrete bridge, this would be only 8.5 per cent. higher than the steel bridge bid. Granting, nevertheless, that a concrete bridge might cost 10 per cent. or thereabouts more than a steel bridge in initial cost; it can readily be appreciated that, in the course of 15 or 20 years, with the additional expense for repainting, sandblasting and painting, a steel bridge will have surpassed the first cost of the concrete bridge."

"Considering that these bridges must be paid for out of the returns from bonds sold, which must be amortized in a certain number of years and interest paid thereon, it readily appears that the concrete bridge will be, by far, more economical than a steel bridge. The concrete bridge should last for ages while, at the time the bonds for a steel bridge are paid off, the taxpayers will have to begin thinking of building a new bridge and go through the performance all over again."

"It is reported that the approaches to the new bridge are to be widened to facilitate traffic. That is fine and as it should be. Incidentally, this will give the people an opportunity, in approaching the bridge, to get a good view of it and either feel proud of its solidity and monumental beauty, or realize that city planning in Rochester has not reached the degree of progressiveness which they observe elsewhere."

"I sincerely hope that the city administration will have vision enough to give Rochester, in the way of bridges, what its citizens have a right to expect: economical, attractive, permanent, concrete bridges, just as fine as other cities are building and to which all of us may point with civic pride."

NEW PAVEMENT OPENED IN LAKE ROUTE STRETCH

Section Between Winchester Avenue and Tracks Done Ahead of Schedule

The section of Lake Avenue Boulevard between Winchester Avenue and the Buffalo, Rochester & Pittsburgh Railroad tracks was opened to traffic yesterday, the work having been done by Whitmore, Rauber & Vicinus several weeks ahead of the contracted time. The work will give a new boulevard in Lake Avenue beyond the cemeteries, leaving traffic unobstructed until Stutson Street is reached.

The George Chambers Company, which has the contract for the 34-foot concrete pavement between Stutson Street and Beach Avenue is rushing the work and City Manager Stephen B. Story said that he anticipates that by July 4 there will be several widths of the concrete, providing a 20-foot roadway, ready for traffic to Ontario Beach Park. While the road is kept open for emergency, Harold W. Baker, commissioner of public works, recommended that traffic to Ontario Beach Park turn west in Stutson Street at Lake Avenue and go a short distance to Greenleaf Road, which runs parallel with Lake Avenue, and reach Beach Avenue, just at the end of that street and east of Shoremont. Commissioner Baker said it makes an excellent detour, making it possible for traffic to reach the park with little inconvenience. Edward Miller, deputy superintendent of public works, is preparing detour signs to map out the route and Supervisor William F. Schmitt, of the Town of Greece is co-operating in handling traffic on Greenleaf Road.

KEEP BAN ON MAIN STREET TURN, URGED

Facilitates Traffic, Safer for Pedestrians, Reports Engineers' Committee

GIVES SURVEY RESULTS Believes Rochester Has No Serious Congestion as Yet, But Vehicles Increasing

Prohibition of right and left turns in Main Street at State Street and South and Clinton Avenues, during the heavy shopping periods, is recommended by the committee on traffic survey of the Rochester Engineering Society in a report made public last evening.

The survey, based on the Boy Scout traffic check taken on April 2, is exhaustive in its scope. Prohibition of the right and left turns during the major portion of the downtown district where traffic lights have been installed and where the volume of traffic on the cross streets does not justify the use of traffic lights. It is recommended that an investigation be made of these locations and the lights shut off during the major portion of the day when they only serve to delay traffic. "Stop and then go" signs placed on the side streets at these points would provide safety when signals are not operating.

At points where these signal lights are necessary during certain portions of the day for the safety of pedestrians crossing main thoroughfares it is suggested the signal interval be such as to permit maximum through traffic, the cross traffic interval being only enough to permit pedestrian crossing.

One of the features of the survey was the cordon traffic count which was made at the same points and in the same manner as in previous years. All vehicles and passengers entering and leaving the downtown district were counted, the count being separated in half hour periods.

Regarding this count, the committee writes: "Monroe Avenue Jumps to Lead" "A noticeable change this year was the increase in traffic on Monroe Avenue. This street, which ranked third as to number of vehicles last year, now leads by a good margin. Three thousand more vehicles used Monroe Avenue during the day than the year previous, being the total for this street up to nearly sixteen thousand vehicles for a twelve-hour day.

"There were also large increases of traffic on State Street, being the total from 10,800 to 12,300. The other heavy traffic streets remain about the same as in previous years, most of the streets having a slight increase in traffic.

"There were 45,600 more people in the downtown district at 3 p. m. than there were at 7 a. m. This is five thousand more than was shown the year previous. A total of 22,201 people entered downtown district by some means of transportation during the twelve-hour period. Two hundred nine thousand, five hundred sixty-eight left the district during the same period."

"Comparatively speaking," the committee reports, "Rochester has no serious traffic congestion. Traffic flows practically unimpeded everywhere at all times which cannot be said of other cities which we have observed. This is in spite of the fact that there are less restrictions to traffic in Rochester, and that the survey shows a decided increase in vehicular traffic over last year."

Among the recommendations made by the committee are the following: "All unlimited parking space in the downtown district should be changed to half-hour or hour parking during shopping and business hours."

GOODWIN AIMS TO ALTER NEW CODE TONIGHT

Councilman Seeks Amendment to Permit Erection of Apartment at East Ave. and Goodman

With the new zoning code only a week old, an amendment to it will be introduced at the City Council meeting tonight by Councilman Goodwin.

The proposed change would permit the building and maintenance of an apartment house at North Goodman Street and East Avenue, a district in which this type of multiple dwelling is forbidden by the code. The move is proposed in the interests of Arthur B. Headley, architect and builder, against whom Mr. Goodwin believes, the present code discriminates.

Mr. Headley is understood to plan his apartment house facing North Goodman Street and back from the avenue. Last week Mr. Goodwin voted for the code which bans apartment houses from East Avenue but permits the construction and maintenance of apartment dwellings in North Goodman Street, 200 feet northerly, but before casting his vote which saved a deadlock on the measure, he obtained advice from the corporation counsel at the meeting that an amendment would be proper and in order.

After the regular meeting of the council this evening there was to be a public hearing before the law committee which is considering an amendment to the building code which would permit the use of steel joists in construction work in this city. The code at present does not make provision for the use of the steel joists which, it is said, the Genesee Valley Trust Company will employ in the construction of its building for which workmen are now excavating at Times Square. The ordinance has been redrafted and is expected now to meet anticipated objections when the amendment comes up for discussion before the law committee.

The present zoning board, legislated out of office by the new code, will meet today and plans another later before going out of office July 1. Its place in the city business will be taken by the new board of appeals authorized under the zoning code. Members of this board are to be appointed by the mayor.

Today the zoning board received applications for the construction of parking stations at 227 East Avenue and also at Culver Road and Norton Street.

Municipal Bathing Houses Are Opened Ahead Of Schedule

Municipal bath houses were open today and will continue open at Ontario Beach Park each day from noon until 8 p. m. until Saturdays and Sunday, provided there is no drop in the mercury. Director Raitt, of the park bureau announced.

The warm weather has changed city plans for the opening of the bathing season at the beach which was set for July 1. At the two open cottages yesterday upwards of 300 bathers paid for lockers, and free service was given to upwards 2,000 children. This is said to be a record attendance and the widest use yet made of the city's bathing facilities, so early in the season. July and August temperatures of the lake water prevailed yesterday.

K... M... N... O... P... Q... R... S... T... U... V... W... X... Y... Z

DIRTY DISH SUDS, HOT NIGHT ROUSE COUNCILMANIC IRE

Milne Asks Mandate Against Pollution of Wagner Alley

NOT COUNCIL CASE, OBJECTS GOODWIN

Sharp Argument Ends When Nier Agrees To Look Into It

By HIRAM MARKS Alleged action of certain abutting property owners in Wagner Alley in throwing dish water into that thoroughfare, with a collection of rubbish, refuse, garbage, and ashes, that is declared to exist there, was the subject of debate last evening before the City Council.

Bad Precedent, Says Goodwin Councilman Harry C. Goodwin opposed the resolution, on the ground that it set a dangerous precedent, in that it prompted disgruntled property owners, with real or imagined grievances, to rush to the Council in an endeavor to embarrass the administrative officials, and that these practices might be used for political designs.

No String on Dish Water or Baths When the debate warmed up a little, Vice-Mayor Isaac Adler asked George J. Nier, commissioner of public safety, and acting city manager in the absence of Stephen E. Story, if he had any objection to the adoption of the resolution.

Commissioner Nier said he had no objection. He said that so far as he knew, the complaint had not been in his department. He pointed out that all complaints are investigated, but added that in many instances the authorities were prevented from taking action because there was no specific prohibition against the act that is the source of complaint.

Resume of What Councilmen Did

Business transacted by the City Council last evening included the following items:

Debated the alleged despoiling of Wagner alley by dirty dish water, ashes, rubbish and garbage, and turned over a petition of protesting property owners to George J. Nier, commissioner of public safety, for investigation.

By a vote of seven to two adopted the local improvement ordinance for Blossom Road widening, at an estimated cost of \$100,000, and by unanimous action adopted the ordinance for the asphalt resurfacing of Mount Hope Avenue, at an estimated cost of \$87,000.

Defeated by a vote of eight to one, Councilman Harry C. Goodwin's proposal that the names of councilmen on the voting machines in the coming election be arranged alphabetically, rather than by lot.

Received resolution from Vice-Mayor Isaac Adler creating the City Planning Commission and outlining its duties; also adopted a resolution from Councilman Chester A. Peake for a new pavement in Scottville Road, from Genesee Street to the Barge Canal, and adopted a resolution by Councilman Louis S. Foulkes for an asphalt pavement in Stillson Street.

Conducted a hearing under the direction of the Law Committee on the use of steel joists in buildings in Rochester, as is proposed by the Genesee Valley Trust Company in its new building.

Authorities can not solve. However, Commissioner Nier said, a thorough investigation would be made.

Blossom Road Widening Passed The local improvement ordinance providing for the widening of Blossom Road at an estimated cost of \$100,000, preparatory to the construction of a subway at the New York Central Railroad, was adopted by a vote seven to two.

Upon the favorable report of the local improvements committee made up of Councilman Milne, chairman; Mayor Wilson, and Councilman Chester A. Peake, the following local improvement ordinances were adopted: Cascade Place sewers, walks and grading, \$27,000; Evans Street asphalt resurfacing, \$3,200; Farmington Road asphalt pavement, \$22,500; Pearce Street concrete pavement and sewer, \$5,400; White Street asphalt pavement and walks, \$20,500.

Commissioner Nier read a communication from the City Planning Commission approving of Whittier Park extension, also a communication from Wendel T. Andrews, city purchasing agent, reporting inability to purchase land needed for Field Road widening. Under ordinance of Councilman Milne, authority was given to Corporation Counsel Clarence M. Platt to institute condemnation proceedings.

Alphabetical Bill Voted Down

The law committee, by a report signed by Vice-Mayor Isaac Adler, chairman, and Councilman Edward P. Flynn, reported adversely on the ordinance introduced by Councilman Goodwin directing that the names of the councilmen on the voting machines be arranged in alphabetical order. The Council previously had adopted, over Mr. Goodwin's objections, an ordinance recommended by Mr. Goodwin's two associates on the law committee, directing that the names be arranged through the drawing by the commissioner of elections.

Councilman Milne filed a petition for concrete pavements in Fern Street and Fremont Road. Councilman Peake filed a petition from the New York State Railways asking permission to operate bus lines in Mount Hope Avenue and Plymouth Avenue, and other streets making up this route, and it was referred to the law committee.

Planning Board Bill Introduced A resolution creating a new city planning board and providing that matters with reference to city planning be referred to it, was presented by Vice-Mayor Adler, and was referred to the law committee.

Under a resolution by Councilman Goodwin, City Clerk Thomas P. O'Leary was directed to advertise a hearing on the extension of the trackless trolley car route in Driving Park Avenue, from Pierpont Street to the subway railroad, for June 24.

Councilman Peake's resolution directing the preparation of an ordinance for a new pavement in Scottville Road, from Genesee Street to the Barge Canal, was adopted, and his ordinance granting permission to the New York State Railways to cease the use of tracks in Mount Hope Avenue, went to the law committee. Mayor Wilson's ordinance authorizing Comptroller Clarence Higgins to invest a part of the sinking fund of the city in securities of the city, was referred to the finance committee.

The local law relating to the nomination and election of councilmen was resubmitted to the law committee. Vice-Mayor Adler explained that there was some change in verbiage, rather than in substance, and the matter will be reported out again.

Ordinance Affects News Stands At the request of George S. Van Schaick, an amendment to the ordinance permitting newsboys to operate stands on the sidewalks, was introduced by Vice-Mayor Adler, who declared that the amendment did not necessarily carry his approval, although he introduced it for Mr. Van Schaick. It provides for the revocation for cause by the City Manager after complaint by the abutting property owner, providing a hearing is given to permit each side to outline its views, also that upon a revocation sixty days must elapse before it is re-issuable, and that no new permit for the location involved can be issued for the next two years.

John G. Ellendt, superintendent of buildings, asserted that in the absence of definite information regarding steel joist structure resistance against fire, the city should move slowly, and he said the second ordinance was satisfactory to him, not the first.

COUNCILMEN HEAR STEEL JOIST TALK

Value of This Method of Building Is Discussed Before Committee

The use of steel joists in building in Rochester, especially in the new building of the Genesee Valley Trust Company, was discussed exhaustively before a meeting of the Law Committee last evening, conducted in conjunction with the councilmanic session.

Frank Burton, consulting engineer of the Steel Joist Institute, former director of the building department of Detroit, discussed the availability of this type of construction, in the interest of the erection of fire resisting structures.

His remarks were prefaced by a statement of Ernest C. Whitbeck, attorney and a director of the bank, who declared that the building committee and President William J. Simpson felt that the steel joist construction was proper, safe, and a forward looking step in building in this city.

Mr. Burton talked for more than an hour, sketching conditions in various cities, and he declared that the construction as desired by the Genesee Valley Trust Company was most conservative and in line with provisions of the new building code that is being prepared in Philadelphia.

The ordinance that was introduced last Monday evening was withdrawn and a new one presented by Vice-Mayor Adler, chairman of the law committee. Mr. Adler explained that the new ordinance had the approval of the administration, while the first one did not. The adoption of the second ordinance was favored by Vice-Mayor Adler, and Councilman Goodwin, but Councilman Flynn the third member of the Law Committee, said that the use of steel joists was a radical departure in building and that the city should move with the greatest care, and some expert advice should be obtained.

Mayor Wilson referred the matter back to the Law Committee and in the hearing Mr. Burton gave detailed description of construction conditions, in a number of cities, the use to which steel joists have been put in light occupancy buildings, such as office and apartment structures. He discussed standard fire resistance, and outlined tests that are being made by the United States Bureau of Standards. He asserted that so-called fire proof buildings could not resist fire in many instances for more than an hour and said that the City Hall fell in that category. He explained how a steel joist structure, with the property thickness of ceiling, made of plaster, could resist the standard fire intensity up to four hours.

John G. Ellendt, superintendent of buildings, asserted that in the absence of definite information regarding steel joist structure resistance against fire, the city should move slowly, and he said the second ordinance was satisfactory to him, not the first.

Schools Get 41% Out Of Tax Dollar, Comptroller Shows

Clarence W. Higgins Keeps Promise of Issuing a Financial Statement Intelligible to Laymen, Giving City's Status - Now on Way to Printer.

City schools get 41 cents and the Police and Fire bureaus about 19 cents out of the taxpayers' dollar in this city, it appears from the annual report of the city comptroller, which was on its way to the printer today.

The report which covers in detail the financial status of the city for last year is a distinct departure from the custom of other cities, and is the first to be made covering fiscal administration under the present city manager form of government.

One of the outstanding features in a really novel form of presentation which makes highly involved and technical municipal accounting intelligible to the layman, is a table showing the functional disbursement of the taxpayer's dollar. This is in keeping with the promise made some time ago by Comptroller Clarence W. Higgins, who said he would give a financial statement showing where the city's money went, and make it plain enough for everybody to understand.

There is a tabulation also presented where one may see that the total assessed valuation of property in this city was \$63,665,209 last year, that the tax rate for 1928 was \$1.069,000, but by terms of the city manager's charter this excess indebtedness must be wiped out entirely in 1934.

The 1928 budget contemplates reducing this amount. The 1928 budget provided for borrowing for current expenses the sum of \$2,400,000, but this amount was cut down considerably through the excess revenues over the estimated amounts and unexpended balances of appropriations. In this way there has accrued a surplus for 1928 of \$383,000, of which \$460,000 was applied to cutting down the borrowing to the \$1,940,000 instead of obtaining a loan of \$2,400,000 as originally contemplated. The balance of the surplus, \$23,000, has been retained as a reserve.

County Taxes Separate County taxes are levied and collected separately from the city, but are observed here that the total, according to figures on file in the comptroller's office, for county and state was \$6,474,413, which brings the total tax roll for 1928 to \$70,139,622.

The tables are accompanied by graphic charts which show at a glance the various trends over a decade of years in revenues and current expenses. The current expenses cover costs of operating not only the city departments supply, the public market, Mt. Hope Cemetery, and maintenance of the subway, Subway upkeep paid out of the appropriation for the Department of Public Works.

The capital assets of the city appear in the report. It is interesting to note that the net value of city-owned property is appraised at a little more than \$2,000,000, after allowance for depreciation.

Value Of City Properties Bridges owned by the city are valued at about \$1,633,000. Mt. Hope Cemetery which is owned and operated by the city is valued at a little more than half a million dollars; canal lands at about \$1,492,000, and sewage disposal properties at \$2,792,000 approximately.

The city's subway is put down as worth \$9,413,856.35. School property is valued at \$18,282,475.87 and represents the biggest investment by the municipality. The park property is said to be worth \$6,620,900.

To get back to the functional distribution of the taxpayer's dollar the comptroller reports that last year the schools got 40.61 cents; the police and fire, health and building inspection bureaus got 19.53 cents; the operation of public works took 12.43 cents; recreation received 3.61 cents, and the administration of justice in city courts took a little more than one-third of a cent. The Municipal Museum gets less than 1-3 of a cent.

Delinquent Taxes It appears that the amount due the city Dec. 31, 1927, on delinquent taxes running back to 1850 was \$1,719,683.61, and the amount due the city on uncollected and unlevied assessments was \$11,501,296. Delinquent taxes for 1927 were \$1,333,000, on special reserve funds such as tax moneys set aside until needed.

On monthly balances it draws three per cent on sinking funds and trust funds with a few exceptions.

Explains Reasons For Asking Change In Newsstand Law

George S. Van Schaick Tells Why He Asked Vice-Mayor to Introduce Amendment to Ordinance - Says Present Measure Is Grossly Unfair to Boys

George S. Van Schaick, an attorney, at whose request Vice-Mayor Adler last evening introduced an ordinance amending the newsstand ordinance in an effort to give the owners of the stand an opportunity to protect their business interests, today wrote Mr. Adler explaining in detail the grounds on which the request was made.

Mr. Van Schaick asserts that under the present ordinance the city manager may revoke a newsstand permit at his discretion on the ground that the property owner has not advanced work and some other business. The city manager has now revoked the permit of a boy who has not advanced work and some other business. The city manager has now revoked the permit of a boy who has not advanced work and some other business.

It appears from statements made by John Strydom, vice-president of the Newsboys' Benevolent Association, that already four newsboys have been ordered to vacate their stands not later than next Saturday. The newsboys are Isadore Schwartz, who operates a stand in front of the East Side Savings Bank at Clinton and Main Streets; Max Blair, who has a stand at the Four Corners in front of the Power Building; Joe Battaglia, who does a business in front of the Commerce Building, South Avenue and Main Street, and Mike Marvino, who has the stand in front of the Savoy at Central Avenue and State Street.

Explains in Letter In his letter to the (re-) mayor, Mr. Van Schaick said: At the Council meeting last night at my request you introduced an ordinance proposing to amend Ordinance No. 1268 authorizing the city manager to issue permits for newsstands. This letter is in explanation of my request.

The amendment to Ordinance No. 1268 providing that the owner of property opposite a news stand may file a protest at any time and if the permit thereon must be revoked and the stand removed within fifteen days is harsh and unjust in the interest of the boys and the newsboys of Rochester should be modified.

Over a long period of years the industry in this country these boys have developed a good will in connection with their several locations, which they value. From time to time such permits have been the subject of some advanced work and some other business. The city manager has now revoked the permit of a boy who has not advanced work and some other business. The city manager has now revoked the permit of a boy who has not advanced work and some other business.

Proposed Amendment To avoid such improper use of the power in the present municipal ordinance, it would be desirable to encourage the boys and to give them a fair play and a square deal. I desire to introduce in the Council a proposed amendment to the Ordinance No. 1268 in question which would change Ordinance No. 1268, Ordinance No. 1268, Ordinance No. 1268.

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If a speedy hearing thereon can be had, I shall be glad to appear and in person personally explain the reasons which appeal to me why immediate action by the Council is imperative and just.

ORDER INQUIRY INTO DROWNING OF U. R. JUNIOR

An exhaustive examination was under way today into the drowning of Raymond J. Gartland, 23, University of Rochester junior and athlete, at Ontario Beach Park last evening while the only lifeboat was parked on the bathhouse porch, unfit for service.

George J. Nier, commissioner of public safety, announced this afternoon he will make a personal investigation of the drowning, not with the idea of fixing responsibility, but rather to improve, if possible, safeguarding of life at the municipal beaches.

Gartland, who lived at 128 Eryan Street, was swimming with his brother, Sylvester. They had swum out 300 feet from shore with the aid of a log. A passing motor boat knocked up high waves which knocked the youths from the log and sent them under.

Charles E. Raitt, director of parks, and Chester B. Leake, superintendent of city playgrounds, were on the scene shortly after the drowning. Director Raitt ordered Mr. Leake to obtain statements from the life guards and to investigate the tragedy fully.

Testimony of the life guards and of bystanders, reported to Mr. Raitt, bore out statements that the lifeboat was unfit for use at the time of the tragedy but that guards and citizens swam out to the spot.

Raymond J. Gartland was a Junior at the University of Rochester and was a star hurdler man on the track team. Burial will be in Holy Sepulcher Cemetery Saturday after rites at the home of his parents at 128 Eryan Street and at Holy Rosary Church.

Rescues Victim's Brother Sylvester Gartland was rescued by William Jutsum, 19, of 4 Mayflower Street and a friend, Richard Anderson. The life guards, meanwhile, recovered the body of the drowned youth some 20 minutes after the accident.

After working over the body for more than an hour, an ambulance surgeon from the General Hospital pronounced the youth dead. Coroner Atwater was to issue a certificate of accidental death.

Was Hurdles Star Charles E. Raitt, director of parks, and Chester B. Leake, superintendent of city playgrounds, were on the scene shortly after the drowning. Director Raitt ordered Mr. Leake to obtain statements from the life guards and to investigate the tragedy fully.

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Commissioner Nier said, a thorough investigation would be made. Mayor Wilson suggested that the petition be referred to Commissioner Nier for investigation...

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John G. Ellend, superintendent of buildings, asserted that in the absence of definite information regarding steel joist structure resistance against fire, the city should move slowly...

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Among the innovations made by Mr. Higgins are comparisons with other years running back to 1919 and showing changes in assessed valuations and per capita valuations...

The 1929 budget contemplates reducing this amount. The 1928 budget provided for borrowing for current expenses the sum of \$2,400,000, but this amount was cut down...

County Taxes Separate County taxes are levied and collected by the city, but they are reported to the county comptroller's office...

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Such changes would reasonably produce a net loss to the city. Any property owner having just cause for building or repairs for having a stand removed would have means of relief. The action of the city manager would not be arbitrary...

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Explains Reasons For Asking Change In Newsstand Law

George S. Van Schaick Tells Why He Asked Vice-Mayor to Introduce Amendment to Ordinance - Says Present Measure Is Grossly Unfair to Boys - 1929

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Mr. Van Schaick asserts that under the present ordinance the city manager may revoke a newsstand permit or license on the protest of an owner of property opposite the stand who may file his request at any time and the stand must be removed within 15 days...

It appears from statements made by John Syracuse, vice-president of the Newsboys' Benevolent Association, that already four newsboys have been ordered to vacate their stands not later than next Saturday...

But what is worse, as the ordinance now stands, the property owner can by a simple protest drive a boy who has for years been situated in a particular spot...

At the Council meeting last night of my request you introduced an ordinance proposing to amend ordinance No. 426 authorizing the city manager to issue permits for newsstands. This letter is in explanation of my request...

Over a long period of years by industry and commerce these boys have been a part of our life and they have a right to be heard...

Such changes would reasonably produce a net loss to the city. Any property owner having just cause for building or repairs for having a stand removed would have means of relief. The action of the city manager would not be arbitrary...

On monthly balances it draws three per cent on sinking funds and trust funds with a few exceptions.

Such changes would reasonably produce a net loss to the city. Any property owner having just cause for building or repairs for having a stand removed would have means of relief. The action of the city manager would not be arbitrary...

ORDER INQUIRY INTO DROWNING OF U. R. JUNIOR

An exhaustive examination was under way today into the drowning of Raymond J. Gartland, 23, University of Rochester junior and athlete, at Onia to Beach Park last evening while the only lifeboat was parked on the bathhouse porch, unfit for service.

George J. Nier, commissioner of public safety, announced this afternoon he will make a personal investigation of the drowning, not with the idea of fixing responsibility, but rather to improve, if possible, safeguarding of life at the municipal beaches.

Gartland, who lived at 128 Bryan Street, was swimming with his brother, Sylvester, they had swum out 200 feet from shore with the aid of a log. A passing motor boat kicked up high waves which knocked the youths from the log and sent them under.

Cries for help impelled some of the thousands who were at the beach to launch the lifeboat. It is reported to have been without oars and to have been leaky.

Meanwhile, the lifeguards, Leo Davis, and Eugene M. Be Hage and Charles Mercer, swam to the spot where Gartland had disappeared; a Mason E. McCune reached the scene, and several citizens swam out to give aid.

Rescues Victim's Brother Sylvester Gartland was rescued by William Jutsum, 19, of 4 Mayflower Street and a friend, Richard Anderson. The life guards, meanwhile, recovered the body of the drowned youth, some 20 minutes after the accident.

After working over the body for more than an hour, an ambulance surgeon from the General Hospital pronounced the youth dead. Coroner Atwater was to issue a certificate of accidental death.

Was Hurdles Star Charles R. Raitt, director of parks, and Chester B. Leake, superintendent of city playgrounds, were on the scene shortly after the drowning. Director Raitt ordered Leake to obtain statements from the life guards and to investigate the tragedy fully.

Testimony of the life guards and bystanders, reported to Mr. Raitt, bore out statements that the lifeboat was unfit for use at the time of the tragedy but that the guards and citizens swam out to the spot.

Raymond J. Gartland was a junior at the University of Rochester and was a star hurler man in the track team. Burial will be a Holy Sepulcher Cemetery Saturday after rites at the home of his parents at 128 Bryan Street and at Holy Rosary Church.

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Assessments on Right of Way to Cross Rivers and Highways Declared Illegal and Municipality Expects to Pay Back Sum Covering Years 1912-1928.

Predicating a refund by the city of over \$139,000 to the New York Central Railroad, because of illegal assessments collected here on that well-known intangible, the right to cross the river and highways, papers and figures were sent to the city comptroller today by the corporation counsel's office for a check-up. The amount involved covers a series of collections illegally made during the years 1912 and 1928 inclusive.

For the right to cross the river and city streets the State Tax Commission assesses the railroad, and its mission assesses the amount of many municipalities in New York State which must pay down and pay back the money thus illegally collected. The refund is to be made by the city, although it is not a party to the suit which the New York Central as relator for the people of the state instituted against the State Tax Commission. The attorney represents the tax board, and the stipulation he signed was forwarded to Rochester as matter of courtesy to be approved by the local corporation counsel.

The figures show the total amount due the railroad, including interest at the rate of 6 per cent a year, is \$139,024.03. Comptroller Higgins will check up the amounts submitted by the attorney-general, and Arthur Vedder of the survey bureau has been directed to check up on the street crossings in Rochester which were designated in the stipulation for settlement of Hamilton's claim signed by Hamilton Ward, attorney-general.

One of the odd things which crop out of the papers in the case is that the State Tax Commission has been assessing the Central on its right to cross the Genesee by way of its privately owned bridge at Central Avenue in several acts of the state legislature which had declared that the Genesee River was a public highway. This, of course, goes away back to the days when freight and passenger boats plied the river between Genesee and Rochester, and between the lower falls to the lake.

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This decision at once relieved the railroads from assessments on their rights to cross the river. And that is why the city now must refund the money it collected back to 1912 on the Central's crossing the Genesee at Central Avenue.

As soon as the figures and crossings here have been checked up, approval of the refund of approximately \$139,000 will be sent to the attorney-general. The action will be settled.

In the Supreme Court at Albany, and the city will send its draft for the amount involved to the railroad company on order of the court. There must be a refund also because it has been shown in a number of cases here that the railroad held prior occupancy, that is, the right to cross the river, before the city street, and in fact it was the street that crossed the railroad. North Street is one such instance.

Valuable Traffic Suggestions City Officials Should Give Careful Attention to Engineers' Plan

Recommendations for changes in traffic regulation in Rochester made by the committee on traffic survey of the Rochester Engineering Society deserve the most careful consideration by city officials.

They are not merely the opinions of experts, but conclusions drawn by engineers who have assembled new facts and figures on which they are based. Consequently, they know precisely what they are talking about generally.

But there is one recommendation, which seems out of harmony with the numerous valuable suggestions in the report just issued—in fact, not in accordance with the general findings on traffic conditions here.

And this is its recommendation that right and left hand turns should be prohibited on Main Street at State, South and Clinton streets during the heavy shopping periods.

Compare that with these statements in another part of the report:

"A study of traffic conditions in Rochester and an observation of them in other cities has brought us to the conclusion that, comparatively speaking, Rochester has no serious traffic congestion.

"Traffic flows practically uninterrupted everywhere at all times, which cannot be said of other cities we have observed. This is in spite of the fact that there are less restrictions to traffic in Rochester and that the survey shows a decided increase in vehicular traffic over last year."

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In connection with this big sanitation investigation, it is expected that contracts will be let next month for ridding the lower Genesee of the Kodak district sewage which now empties into it. The plans call for a pumping station, a force main, and a siphone to carry the waste matter across the Genesee in an intercepting sewer near Navarre Road, and thence to the Irondequoit Sewage Disposal plant.

The sanitary survey of Lake Ontario waters and the creek and river will be continued as long as necessary to obtain data," Commissioner Baker said today. "Mr. Coburn, a representative of Metcalf and Eddy, sanitary engineers of Boston, is here now and supervising operations."

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Deputy Attorney-General Says Interest Is More Than Half Amount Due for Crossings.

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The refund represents the amount of money collected here on illegal assessments between 1912 and 1928, inclusive, on the railroad's right to cross public highways. This does not include the special franchise tax levied on equipment and structures in the public streets. The interest rate is six per cent, and is fixed by statute, Mr. Kaman said.

The best interest rate the city earns on its deposits of sinking and trust funds in local banks is only three per cent, one-half the rate it must pay for the use of the unlawful assessments it has collected from the railroad.

Explains Details Mr. Kaman said he had read The Times-Union article published yesterday regarding the refund. The city must make to the railroad and deemed more details of the proceedings would help the public to a better understanding of the case, he said in part.

"The assessment includes two elements, the value of the tangible property and the intangible or the value of the right to cross or occupy the particular public place.

"In these proceedings the railroad protested and attacked the valuations fixed by the commission. The rates of valuation established, and contended that a number of the crossings assessed as special franchises were illegal and erroneous on the theory that the railroad was a prior occupant of such lands; that is, the railroad acquired such properties before streets were dedicated and came into existence.

"Negotiations extending over a three-year period toward settlements were held between representatives of the legal and engineering departments of the railroad and the attorney-general's office. No agreement was reached until after the railroad had acceded to all of the demands made by our office. Claims against the railroad, which finally were allowed and upon which the refund of \$138,000 is based, are only those which we would have been allowed to sue for if the case had been tried. It is important to note in this connection that the claims made by the railroad had been allowed or sustained by the city would be obligated and to the railroad an amount in excess of \$1,500,000.

"While the amount to be paid under the settlement tentatively arranged may appear stupendous, it is negligible when distributed over the 17 years involved."

Specifications for the bridge call for steel construction.

Will Be No 'Whitewashing' in Gartland Case, Says Nier

Commissioner Intimates That He Has Full Story of Drowning, But Withholds Comment Pending Raitt's Report

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"I know the same organization which was at the lake last year and finished with a splendid record was on the job this year. Whether the inadequate preparations for the bathing season's opening were made, remains to be shown. If there was any negligence, we intend that the responsibility shall be placed exactly where it belongs."

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Coroner David H. Atwater is expected to act the date today for an inquest into the drowning, which happened Tuesday evening.

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If the lifeboat at Ontario Beach Park was leaky and unfit for service when a University of Rochester student was drowned the other night, the public interest demands a rigid and unsparring inquiry. Possibly the drowning could not have been prevented in any case but the few seconds saved in reaching the scene, or at any rate in bringing the body to the surface, might have meant the crucial interval between life and death. It is also true that a boat is of little use without oars.

Certainly it does not add to public confidence to know that the safety appliances at the park were defective. Commissioner Nier's investigation into the tragedy may be expected to throw light on several important matters where light is needed. It is hardly an excuse to say that the early heat wave caught the park authorities unprepared for the emergency that developed on almost the first night of the bathing season.

With the arrival of the summer season comes the annual appeal for caution in cooling off. It is a dismal thought that a number of persons, probably boys or girls among them, who now are listening to "safety first" advice, will be on the roll of drowning victims when the record is footed up at the end of the season. It is an even more dismal thought that most of them, by using just an extra ounce of caution or judgment, could save their lives.

The ability to swim is a first precaution against disaster, but it is not enough in itself. There must be also common sense in selecting the time and place to swim and judgment about the length of time to stay in the water. Boys and girls who cannot swim have abundant opportunities to learn; they are gambling with death if they venture into deep water without that knowledge.

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Nier Probes Report Lifeboat Was Unfit; Coroner May Call Inquest if Enough Names of Witnesses Can Be Obtained

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Coroner David H. Atwater said last night that he was making an investigation and would issue a certificate of accidental death. He said that the matter of an inquest had not been decided upon, and that one "may be held if the names of sufficient witnesses can be obtained."

Nier Interviews Witnesses

At the start of his own investigation yesterday Commissioner Nier already had interviewed several disinterested witnesses, besides obtaining versions of the drowning from employees and attendants at the beach. He said he expected to obtain more today, when he might be in a position to announce the results of his findings.

The Leaky Boat

Whether the life of Raymond J. Gartland could have been saved, had the lifeboat which was launched been seaworthy and provided with oars, may be open to doubt.

Lifeguards swam out as soon as the cries for aid were heard, but he already had disappeared from view. The University of Rochester junior and athlete is said to have been about 100 yards from shore when waves from a passing motorboat washed him from the log which he and his brother used to help support them as they paddled out at Ontario Beach.

What is starkly plain is that a leaky boat, without oars, has no value as a lifesaving device. Probably the boat had dried out during the winter and had not been in the water enough to close the seams.

Such equipment should be in good condition at all times, since no one knows when an emergency may demand its use.

Gartland had gone to the beach with his brother Sylvester, and the two had swum 300 feet from shore with the aid of a log when Raymond slipped away from the log and called for help. Sylvester also was in trouble and was assisted to shore by William Justum, 19, of 4 Mayflower Street, and Richard Anderson, address unknown.

Tried to Launch Boat

As the cries for help were passed along the beach, Lifeguard Robert Davis swam toward the spot where Raymond was sinking, being joined by Lifeguard Eugene de Hage. Both dived for 15 minutes before the body was recovered with the aid of coast guardsmen. Those on the beach tried to launch the lifeboat, witnesses reported, after bringing it from a pavilion nearby, but found it leaky and without oars.

Gartland leaves his parents, Mr. and Mrs. Sylvester Gartland; two brothers, Edward and Sylvester Gartland, Jr., and a sister, Mrs. Raymond Fiske.

Funeral services will be conducted Saturday morning at 9 o'clock at his home, 123 Bryan Street, and at 9:30 o'clock at Holy Rosary Church. Interment will be made in Holy Sepulchre Cemetery.

New Bridge To Cost Upwards Of \$900,000; Will Improve Street

Plans by Bridge Expert Call For Extensive Improvements in Traffic Lanes in the Vicinity of Smith Street River Crossing.

Frank P. McKibben, bridge expert retained by the city, who has been at work seven months on plans for the proposed Smith Street bridge, was in conference today with Harold W. Baker, commissioner of public works. The two engineers went over the specifications Mr. McKibben brought.

An ordinance authorizing an appropriation of \$1,100,000 to cover the cost of the structure, including engineering expenses and removal of the present bridge is now pending in City Council where early action is expected. Mr. McKibben and Commissioner Baker have prepared for a steel structure at this crossing of the river. The bridge itself, it is estimated will cost upwards of \$900,000.

Present Bridge Inadequate

The present bridge over the Genesee at Smith Street has only a 30-foot roadway and provides a two-lane traffic only. It is proposed to widen the street and the bridge in contemplation to 80 feet, with a 58-foot roadway. This roadway will provide six high speed traffic lanes. Adequate approaches to meet this traffic have therefore been provided, and Smith Street on the east and west sides of the river will be widened on the south by 20 feet. The street is now only 40 feet wide.

Additional outlets also have been provided to relieve the heavy traffic jams at St. Paul Street and the intersection of State, Lyell Avenue, Smith Street and Lake Avenue. The plans offer proper facilities for handling future increases in traffic in years ahead.

To Extend Jay Street

In these plans for outlets on the approach to the bridge, Jay Street is to be projected across State and along the ten tracks where freight trucks load and unload. Here a 40-foot pavement is to be laid and a sidewalk on one side of the thoroughfare which is tentatively named Vincent Street. This outlet will relieve jams of traffic in State Street at this point. The lines of the street have been drawn with an eye to saving lot depths.

On the East side of the river Smith Street will be projected across St. Paul Street where it will diverge in diagonal directions, one arm of the upper "Y" extending toward Lowell Street, and the other arm southeasterly to Martin Street. In time it is hoped to continue these projections far across the east side of the city.

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N O

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The Leaky Boat

Whether the life of Raymond J. Gartland could have been saved, had the lifeboat which was launched been seaworthy and provided with oars, may be open to doubt.

Lifeguards swam out as soon as the cries for aid were heard, but he already had disappeared from view. The University of Rochester junior and athlete is said to have been about 100 yards from shore when waves from a passing motorboat washed him from the log which he and his brother used to help support them as they paddled out at Ontario Beach.

What is starkly plain is that a leaky boat, without oars, has no value as a lifesaving device. Probably the boat had dried out during the winter and had not been in the water enough to close the seams.

Such equipment should be in good condition at all times, since no one knows when an emergency may demand its use.

Gartland had gone to the beach with his brother Sylvester, and the two had swum 300 feet from shore with the aid of a log when Raymond slipped away from the log and called for help. Sylvester also was in trouble and was assisted to shore by William Justum, 19, of 4 Mayflower Street, and Richard Anderson, address unknown.

Tried to Launch Boat. As the cries for help were passed along the beach, Lifeguard Robert Davis swam toward the spot where Raymond was sinking, being joined by Lifeguard Eugene de Hage. Both dived for 15 minutes before the body was recovered with the aid of coast guardsmen. Those on the beach tried to launch the lifeboat, witnesses reported, after bringing it from a pavilion nearby, but found it leaky and without oars.

Gartland leaves his parents, Mr. and Mrs. Sylvester Gartland; two brothers, Edward and Sylvester Gartland, Jr., and a sister, Mrs. Raymond Fliske.

Funeral services will be conducted Saturday morning at 9 o'clock at his home, 123 Bryan Street, and at 9:30 o'clock at Holy Rosary Church. Interment will be made in Holy Sepulchre Cemetery.

New Bridge To Cost Upwards Of \$900,000; Will Improve Street

Plans by Bridge Expert Call For Extensive Improvements in Traffic Lanes in the Vicinity of Smith Street River Crossing.

Frank P. McKibben, bridge expert retained by the city, who has been at work seven months on plans for the proposed Smith Street bridge, was in conference today with Harold W. Baker, commissioner of public works. The two engineers went over the specifications Mr. McKibben brought.

An ordinance authorizing an appropriation of \$1,500,000 to cover the cost of the structure, including engineering expenses and removal of the present bridge is now pending in City Council where early action is expected. Mr. McKibben and Commissioner Baker have prepared for a steel structure at this crossing of the river. The bridge itself, it is estimated will cost upwards of \$500,000.

Present Bridge Inadequate. The present bridge over the Genesee at Smith Street has only a 50-foot roadway and provides a two-lane traffic only. It is proposed to widen the street and the bridge in contemplation to 80 feet, with a 58-foot roadway. This roadway will provide six high speed traffic lanes. Adequate approaches to meet this traffic have therefore been provided, and Smith Street on the east and west sides of the river will be widened on the south by 20 feet. The street is now only 60 feet wide.

Additional outlets also have been provided to relieve the heavy traffic jams at St. Paul Street and the intersection of State, Lyell Avenue, Smith Street and Lake Avenue. The plans offer proper facilities for handling future increases in traffic in years ahead.

To Extend Jay Street. In these plans for outlets on the approach to the bridge, Jay Street is to be projected across State and along the team tracks where freight trucks load and unload. Here a 40-foot pavement is to be laid and a sidewalk on one side of the thoroughfare which is tentatively named Vincent Street. This outlet will relieve jams of traffic in State Street at this point. The lines of the street have been drawn with an eye to saving lot depths.

On the East side of the river Smith Street will be projected across St. Paul Street where it will diverge in diagonal directions, one arm of the upper "Y" extending toward Lowell Street, and the other arm southeasterly to Martin Street. In time it is hoped to continue these projections far across the east side of the city.

Specifications for the bridge call for steel construction.

Historic Scrapbooks Collection

Erstwhile Inspector Desired At Trial Is Located In Canada

Prosecution Progresses Slowly in Attempt to Prove Guilt of Paving Contractor—Assistant City Engineers and Laboratory Man Called to Stand.

By Francis W. Miller. One of the chief witnesses for the state in the trial of John Petrossi, contractor, indicted for bribery, today was located at Pitkin, Ontario, and a sheriff's deputy was sent to bring him back to Rochester to appear at the trial.

The man is Thomas A. Trimble, discharged city inspector, who delayed the first trial of Petrossi several days by going to Pitkin "for his health." Lieut. of Detectives Anthony Andrews and a deputy went to Pitkin on the other occasion and accompanied Trimble back to Rochester.

Trimble supplied important testimony for the state in the first trial which culminated in a jury verdict which returned a \$25,000 fine and a \$5,000 bail bond. He corroborated the testimony of Edward J. Lynd, another city inspector and the man Petrossi is accused of bribing.

At the conclusion of the initial hearing, Trimble told District Attorney William F. Love that he would exercise his right of privilege and not testify again. Nevertheless he was subpoenaed for June 3, the date for which the present trial was set. It is said he appeared at the Court House June 3 and was told to be present at the adjourned date.

Thomas C. Woods, chief deputy sheriff, has been looking for Trimble since Wednesday when he failed to appear at the trial.

Progress Slowly. Prosecution in the case progressed slowly today through a maze of objections by the defense and frequent rulings of Judge William C. Kohlmetz. By order of the court and on recommendation of several jurors, court convened at 9 a. m. instead of at 10, the usual hour. There will be no session tomorrow.

Assistant District Attorney Fred S. Holbrook attempted to prove through testimony of witnesses today that city contractors are paid on the basis of materials as delivered and sent to engineers who make the partial and final estimates. He called several city employees to the stand and they furnished figures which the costless jurors swayed over.

Walter Hughes, in charge of the city laboratory, was the first witness today and told of corings taken on the Jersey Street pavement last July and October and the results of laboratory tests.

The manner by which the amount of material in a street is determined was explained by William H. Ginnity, assistant city engineer. He said the actual tonnage as determined by the load slips was compared with the theoretical tonnage gained by employing a set formula and payment is then made on the basis of the actual tonnage if it does not exceed the theoretical tonnage.

Story Promises Dramatic Correction of Conditions Attending Lake Drowning

Whatever corrective action is necessary to prevent recurrence of circumstances under which life boats at the municipal bathing beaches are not immediately available for emergency will be quick and drastic, declared City Manager Stephen B. Story yesterday afternoon after a conference with George J. Nier, commissioner of public safety, during which the evidence obtained by Commissioner Nier in his investigation of the death of Raymond J. Gartland, of 127 Bryan Street, at Ontario Beach Park, was canvassed.

Commissioner Nier's conference with Mr. Story came immediately after the City Manager's return from a vacation of five days. Commissioner Nier has interviewed a number of witnesses, made a personal investigation of the lifeboat and has taken such precautions as are necessary to make the inquiry thorough and in the interest of the public, he said.

City Manager Story said that there is no disposition on the part of the administration to whitewash any officials or municipal employees for acts that are culpable and that where the circumstances justify there will be drastic action.

Both he and Commissioner Nier feel that the investigation should be complete in every detail, in fairness to all persons involved, and accordingly the final decision will be reached within 48 hours.

The administration is striving to give the highest type of service without favoritism and with the maximum degree of efficiency, said City Manager Story. "If there was negligence on the part of any city official that contributed to the tragedy at the beach, or if the proper precaution were not taken to safeguard the bathers, regard-

less of whether action of the life guards would have saved the young man's life, we will take such action that will be corrective and in the interest of the public. This is the controlling factor and the investigation is directed to this point, not to save any official or employee from facing the responsibility that is reposed in him and which the people of Rochester have a right to expect that will be met.

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REVISION IN ASSESSMENT

Realtors Seek to Equalize Burden Placed on Corner Lot Property Owners WILL GO TO COUNCIL

Resolution Drafted Asking City ENGINEERS TO EXPLOSION OF SIX HURT IN

side rather than a short side frontage. In general, it will be the policy of the council to assess the property of intersecting streets extending on both sides of the improvement equally along such streets from the center to the next street parallel thereto.

Mr. Pratt also presented a plan for sewer assessment on a flat basis, pointing out that there is a uniformity in assessments at present. He referred to a number of cities where the flat fee system is in use and pointed out a number of advantages over the present system used here.

Affects Corner Lots. The speaker's discussion of the new assessments plan was illustrated by diagrams showing various lots with frontage on two streets and with differences in frontage and depth which should be recognized. Relief may be offered to corner lots, he said, in only two ways.

It is evident too that when the rules and regulations governing this beach have been carried out no drawings have resulted. This catastrophe resulted two days after the beach was opened and the conditions aforesaid in effect.

There can be no excuse for this laxity and I will suspend both Charles B. Raitt, Director of Parks, and Chester B. Leake, Superintendent of Playgrounds, subject to a hearing if they wish.

At the time of the first cry for help, all three life guards were on duty and at the posts assigned them. Some citizens have criticized the actions of the life guards, but I firmly believe and know that they were alert to their positions at the time and the confusion which they were made to suffer was due to the general conditions on the beach. They are commended to and know the rules concerning the protection of that beach and had it been properly furnished with life guards and equipment, I believe that perfect harmony by them would have resulted.

Officials Explain Plans For Two Main Rochester Streets

State Street to Get New Pavement, But Width to Remain Same—Pedestrian Problem in Clinton Avenue North May Make Arcades Necessary There.

Contemplated improvements in State Street and Clinton Avenue North were explained today by city officials. An ordinance is pending now in City Council providing for the resurfacing of State Street between Commercial Street and the Four Corners.

The width of State Street will remain as it was laid out away back in 1812, when the state opened a highway 66 feet wide. The old Medina stone block pavements will be removed, however, and a new base laid. There have been no buildings erected in this street in this improvement zone since 1894, when the stone pavement was laid, except two banking structures.

The present width of Clinton Avenue North, between Main and Franklin Street, is 66 feet and hence on to Central Avenue it is 64 feet.

This highway is in a theater and shopping district, it was explained by Henry E. Howe, head of the bureau of design and construction, and in consequence there is a big pedestrian problem with which to cope. If the street is widened and the curbs set back, it will narrow the sidewalks, which are taxed now to capacity.

Contracts for installing a new street lighting system were let last fall to the Rochester Gas and Electric Corporation and the work of installing posts and lighting apparatus was begun by the commission.

Another reason for adopting the provisions of the state law is that there have been many court decisions settling the meaning of the statute which obviate covering the same ground if a different statute were used.

of this feature. The provisions of the state law relating to the mapping of new streets and buildings in the city and county have been found very helpful in connection with the development of a city plan.

Park Promotions Seen for Miss Hartnett and Slattery

Safety Commissioner Nier's suspension of Park Director Raitt and Playground Superintendent Leake yesterday pointed to the early elevation of Miss Gertrude M. Hartnett to park director and Raymond G. Slattery to superintendent of playgrounds.

Both Messrs. Raitt and Leake could demand hearings and trials on charges, but such trials would be before Safety Commissioner Nier, who by his suspensions has shown that he is already satisfied new leaders are demanded in both branches of the park bureau.

Mr. Raitt was appointed park director on February 14, 1929, after the Park Bureau had been without a director for more than a year. Mr. Raitt had come to Rochester from California, a controversy being raised about bringing an outsider to Rochester for the position.

He was rated first by the Civil Service Commission over Patrick Slavin, Henry T. Brown, Miss Gertrude Hartnett and Thomas P. Maloy, all park employees of years of experience.

Mr. Leake was made superintendent of playgrounds in 1923, after a Civil Service examination which brought state officials here to question the method of rating the candidates.

When Mr. Leake was made playground superintendent it was expected Mr. Slattery would be ousted. But politics and the fear of political consequences kept both Messrs. Leake and Slattery on the job, one as director and the other as deputy, but each getting the same salary, \$3,000 a year.

Then continued on an equal basis in salary even after the non-political city manager government began and they were still evenly rated in salary when Mr. Leake was suspended.

No open Civil Service examination would be necessary for the promotion of either Miss Hartnett or Mr. Slattery. Mr. Nier has only to promote both, subject to promotional examinations, to which they alone would be eligible, to meet the demands of the situation and comply with the demands of civil service laws.

ZONING BOARDS NAMED SOON

Appointment of a new city planning commission, under a recently adopted home rule law and of a planning board of appeals under the state law and the recently adopted new zoning code, will be made next week, according to announcements at City Hall today.

City Manager Story will name the new planning commission, and it is expected it will differ but little from the old one. Mayor Wilson will name the Board of Appeals.

The purposes of the new zoning laws were explained today by Corporation Counsel Platt in a statement, as follows:

The city desires to utilize the state law relating to height, area and use, because the methods of procedure are simply set forth in the present zoning ordinance. The situation may be given there is a special ordinance proceeding set forth in the General State Law.

This proceeding may be used not only by an applicant to the Board of Appeals who feels he has been aggrieved by a denial of his petition, but also by any person other than the applicant believing himself to be aggrieved. This proceeding is different from the general ordinance proceeding otherwise set up in the law.

To accomplish this without violating the general state law would have necessitated a statute of the state, because it would have related to court procedure which could not have been covered by a local law.

Another reason for adopting the provisions of the state law is that there have been many court decisions settling the meaning of the statute which obviate covering the same ground if a different statute were used.

It has been the common practice of the Board of Appeals to have a special ordinance proceeding set forth in the General State Law if the General State Law were not used, and again there would have been the possibility of court interpretation which has already been made. It has been the common practice of the Board of Appeals to adopt the provisions of the state law.

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Erstwhile Inspector Desired At Trial Is Located In Canada

Prosecution Progresses Slowly in Attempt to Prove Guilt of Paying Contractor—Assistant City Engineers and Laboratory Man Called to Stand.

By Francis W. Miller. One of the chief witnesses for the state in the trial of John Petrossi, contractor, indicted for bribery, today was located at Pitkin, Ontario, and a sheriff's deputy was sent to bring him back to Rochester to appear at the trial.

The man is Thomas A. Trimble, discharged city inspector, who delayed the first trial of Petrossi several days by going to Pitkin "for his health." Lieut. of Detectives Anthony Andrews and a deputy went to Pitkin on the other occasion and accompanied Trimble back to Rochester.

Trimble supplied important testimony for the state in the first trial which culminated in a jury disagreement two months ago. He said Petrossi offered him 25 per cent of the booty obtained by passing false slips for loads of material which the contractor was supposed to put into city streets. He corroborated the testimony of

Edward J. Lynd, another city inspector and the man Petrossi is accused of bribing.

At the conclusion of the initial hearing, Trimble told District Attorney William F. Lovett that he would exercise his right of privilege and not testify again. Nevertheless he was subpoenaed for June 3, less his date for which the present trial was set. It is said he appeared at the Court House June 3 and was told to be present at the adjourned date. Thomas C. Woods, chief deputy sheriff, has been looking for Trimble since Wednesday when he failed to appear at the trial.

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Assistant District Attorney Fred S. Holbrook attempted to prove through testimony of witnesses today that city contractors are paid on the basis of load slips signed by inspectors as materials are delivered and sent to engineers who make the partial and final estimates. He called several city employees to the stand and they furnished figures which the costless jurors sweated over.

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The manner by which the amount of material in a street is determined was explained by William H. Ginnity, assistant city engineer. He said the actual tonnage as determined by the load slips was compared with the theoretical tonnage gained by employing a set formula and payment is then made on the basis of the actual tonnage if it does not exceed the theoretical tonnage by more than 10 per cent. If the actual tonnage does reveal an excess, then cores are taken and the tonnage determined in the laboratory.

Says Board Slips Consulted. Harry R. Mouthrop, assistant city engineer, testified along similar lines and said load slips are consulted in making payment to contractors. He interpreted a letter received from John F. Skinner, city engineer in 1924, regarding the manner of payment.

At the initial hearing, the defense contended Petrossi was paid by the amount of concrete used in the street as determined by the theoretical method and coring tests and that Petrossi would have no objection to getting inspectors to pass extra load tickets.

Story Promises Drastic Correction of Conditions Attending Lake Drowning

Whatever corrective action is necessary to prevent a recurrence of circumstances under which life boats at beaches are not immediately available for emergency will be quick and drastic, declared City Manager Stephen B. Story yesterday afternoon after a conference with George J. Nier, commissioner of public safety, during which the evidence obtained by Commissioner Nier in his investigation of the death of Raymond J. Gartland, of 127 Bryan Street, at Ontario Beach Park, was canvassed. Commissioner Nier, a trained investigator, by reason of his service in the district attorney's office, said that his inquiry has been complete and exhaustive.

Action will be taken before Monday, he said. There are several circumstances that he wishes to check, after which a decision regarding the investigation will be announced.

No Whitewash. City Manager Story said that there is no disposition on the part of the administration to whitewash any officials or municipal employees for acts that are culpable and that where the circumstances justify there will be drastic action.

Both he and Commissioner Nier feel that the investigation should be complete in every detail, in fairness to all persons involved, and accordingly the final decision will be reached within 48 hours.

"The administration is striving to give the highest type of service without favoritism and with the maximum degree of efficiency," said City Manager Story. "If there was negligence on the part of any city official that contributed to the tragedy at the beach, or if the proper precaution were not taken to safeguard the bathers, regard-

less of whether action of the life guards would have saved the young man's life, we will take such action that will correct the situation and in the interest of the public, and the investigation is directed to this point, not to save any official or employee from facing the responsibility that is reposed in him and which the people of Rochester have a right to expect that he will meet. I have no sympathy for inefficiency or carelessness, no matter where it is found."

Decision By Monday. Commissioner Nier's conference with Mr. Story came immediately after the City Manager's return from a vacation of five days. Commissioner Nier has interviewed a number of witnesses, made a personal investigation of the lifeboat, and has taken such precautions as are necessary to make the inquiry thorough and in the interest of the public, he said. In the meantime, Coroner Atwater has progressed with his investigation, and Assistant District Attorney Holbrook co-operating.

Commissioner Nier said that he is completing his investigation at the earliest moment, consistent with the thoroughness of the inquiry. He said that unfortunately no action by the city can bring young Gartland back to life, so the constructive endeavor to safeguard other bathers at municipal beaches and to see that corrective action is taken against any persons who may have been responsible for the life boat not being available.

He expressed confidence that before 48 hours elapsed he will have a decision on facts that have been carefully gathered, verified and representing the occurrence as it actually happened.

discontinuance of use of the beach. "Shortly after Mr. Raitt's appointment as Director of Parks last Spring, I talked to him at length concerning the conditions at Ontario Beach Park and told him then to equip the swimming beach with a guard rope at about the four foot depth.

"During the early part of May I advised him to detail the manager of the bathhouse to the park, together with sufficient help to place the bathhouse in condition and prepare for the Summer bathing season, and about two weeks later I advised him to the same effect.

"Mrs. Waller who was in charge of the bathing beach last year was not notified to report until June 11. She reported on June 12 and was assigned only two women to aid her in making proper and necessary arrangements.

"On June 16, on order of the director of parks and without my knowledge, the beach was opened for public use. Only two life guards were assigned on that date.

"The boat which was used by the life guards was launched and immediately sank. Mrs. Waller reported this at once to Chester B. Leake, superintendent of playgrounds, who advised her that she would have to use that particular boat. The boat was in such condition that it could not be used.

"On June 17 one other life guard was assigned, making a total of three on the beach. On the same date a carpenter was sent down to repair the boat.

"On June 18 the boat was caulked and painted and placed on a porch of one of the bathhouses to dry. It was in this position on the evening of June 18.

"About 7:30 on the evening of June 18, Raymond J. Gartland in company with two other boys was peddling on a log about 300 feet off shore at a depth of about seven feet, about 100 feet from the west end of the Municipal Beach.

"At the same time an unknown person was operating a light boat with an outboard motor close to the swimming beach. He passed near Raymond Gartland. I have been unable to determine whether or not this caused the boy to tumble from the log, and feel that it is not important for the purpose of my investigation.

"One life guard was in the tower and two were on the beach. A cry for help came from the location

where the boat was used. Several thousand people were on the beach at the time and much confusion resulted.

"The boat was taken from the porch and launched by the life guard with the help of several citizens. The oars were some distance from the boat and some time after launching the boat was obtained.

"The coast guards at Somerville were called and made an immediate run to the location. Several citizens went to the place from which the cry for help came.

"About fifteen to twenty minutes were consumed from the time of the first cry to the launching of the boat and a few minutes more before the oars were attached to the boat.

"One man who seems to have observed more than any other witness stated that he aided in the launching of the boat and went with the boat to the location. He stated that at that time all three life guards were in the water.

"The body was not recovered until approximately 40 minutes after the first cry for help. Resuscitation failed and the boy was pronounced dead by an ambulance surgeon.

"At the time of the first cry for help, all three life guards were on duty and at the posts assigned them. Some citizens have criticized the actions of the life guards, but I firmly believe and know that they were alert to their positions at the time and the confusion, which they were made to suffer was due to the general conditions on the beach. They are accustomed to know the rules governing the protection of the beach and had it been properly furnished with life guards and equipment, I believe that perfect harmony by them would have resulted. These guards were in attendance last year and performed excellent service.

REVISION IN ASSESSMENT

Realtors Seek to Equalize Burden Placed on Corner Lot Property Owners

Resolution Drafted Asking City Adoption; Sewer Plan Proposed

A plan for the revision of local property assessments which will establish a uniform system of relieving owners of corner lots, irregularly shaped lots and deep and shallow lots from excessive expense for street improvements will be presented to the City Council in the near future as the result of a resolution passed yesterday by the Real Estate Board at its meeting at the Powers Hotel.

Hazen C. Pratt, of the Bureau of Municipal Research spoke before the board yesterday and outlined the plan in detail, offering a resolution to be presented to the council. The plan was worked out by the Rochester Real Estate Board and the Bureau of Research and with certain slight alterations the suggested scheme presented yesterday.

He expressed confidence that before 48 hours elapsed he will have a decision on facts that have been carefully gathered, verified and representing the occurrence as it actually happened.

Text of Resolution. The resolution on which the Council will be asked to vote reads as follows:

Be it Resolved, That in the matter of the assessing of the cost of improvements on residential streets where a majority of the frontage of the street is owned by one person it shall be the policy of this council to assess a portion of the cost upon the person who owns the frontage of the street to be improved; and

That in general, it will be the policy of this council to apply the same rule for assessment that is applied to corner lots fronting on a street which is wider than the lot, for sewer, water and gas mains.

The speaker's discussion of the new assessment plan was, in part, treated by diagrams showing how lots with frontage on two streets and with different frontages in front and back would be assessed.

Relief from assessment. Relief will be afforded to corner lots, he said, in two ways. The city at large may assume a portion of the cost of some of the cost may be levied on property in adjacent streets.

The latter means, he pointed out, is justified by the fact that, in many streets where there is principally frontage, use of the corner lot frontage, use of the street as a thoroughfare and a short cut is enjoyed by residents of most of the adjacent land. Many owners of large tracts in the vicinity have used this system in paying for improvements on small side streets, he said.

The Real Estate Assessment Manual will be used under the new plan to determine proportionate assessments. Through the use of the tables of depth factors and other means of computation it will be possible, Mr. Pratt emphasized, to assess all land on a uniform rate of assessment and to have their payments determined scientifically.

Dimensions and shapes of lots will be considered under the plan. Many lots whose frontage on a street is large will not have a full assessment, but the cost will be distributed according to the depth of the frontage in small lots proportion to adjacent lots, he said.

On a street where all the property is of the same depth, say 250 feet, and laid out in regular lots, each property owner would have the same bill to pay as though the former method of using the actual frontage, regardless of depth, were continued.

Officials Explain Plans For Two Main Rochester Streets

State Street to Get New Pavement, But Width to Remain Same—Pedestrian Problem in Clinton Avenue North May Make Arcades Necessary There.

Contemplated improvements in State Street and Clinton Avenue North were explained today by city officials. An ordinance is pending now in City Council providing for the resurfacing of State Street between Commercial Street and the Four Corners. For the resurfacing of Clinton Avenue North between Main Street and Central Avenue, it is planned to introduce an ordinance immediately following the July recess of the City Council.

The width of State Street will remain as it was laid out away back in 1812, when the state opened a highway 90 feet wide. The old Medina stone block pavements will be removed, however, and a new base laid. There have been no buildings erected in this street in this improvement zone since 1894, when the stone pavement was laid, except two banking structures.

In Clinton Avenue North, however, the situation is somewhat different. The present plan of city engineers is to keep the avenue at the same width, but the opinions of property owners along the thoroughfare, it is said, will receive careful consideration. Some of the owners are in favor of a wider roadway, but at City Hall it is said the big relief needed in traffic congestion up there is not so much vehicular as pedestrian.

In time, it was said, the avenue between Main Street and Central Avenue will be widened on the east side, and arrangements made for arched store property, such as Sibley's.

The present width of Clinton Avenue North, between Main and Franklin Street, is 66 feet and hence on to Central Avenue it is 4 feet.

This highway is in a theater and shopping district, it was explained by Henry E. Howe, head of the bureau of design and construction, and in consequence there is a big pedestrian problem with which to cope. If the street is widened and the curbs set back, it will narrow the sidewalks, which are taxed now to capacity. In time the street must be widened and then recourse will be had to the arcade sidewalk system in the Main Street area.

Contracts for installing a new street lighting system were let last fall to the Rochester Gas and Electric Corporation and the work of installing posts and lighting apparatus was begun by the company.

ZONING BOARDS NAMED SOON

Appointment of a new city planning commission, under a recently adopted home rule law and of a planning board of appeals under the state law and the recently adopted new zoning code, will be made next week, according to announcements at City Hall today.

City Manager Story will name the new planning commission, and it is expected it will differ but little from the old one. Mayor Wilson will name the Board of Appeals.

PURPOSES EXPLAINED. The purposes of the new zoning laws were explained today by Corporation Counsel Platt in a statement, as follows:

"The city desires to utilize the state law relating to zoning area and use, because the methods of procedure are simply set forth.

"One example illustrating the situation may be given. There is a special certificate proceeding filed by diagram showing how lots with frontage on two streets and with different frontages in front and back would be assessed.

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On a street where all the property is of the same depth, say 250 feet, and laid out in regular lots, each property owner would have the same bill to pay as though the former method of using the actual frontage, regardless of depth, were continued.

REASONS SET FORTH. "Another reason for adopting the provisions of the state law is that there have been many court decisions settling the meaning of the statute which obviate covering the same ground if a different state were used. A third reason is found in the powers given to the Board of Appeals. This would have required a special statute for Rochester if the General State Law were not used, and again there would have been the possibility of court interpretation which would have already been made. It has been the recommendation of experts that we adopt the provisions of the state law.

"What has been said with respect to court decisions is equally true in the respect to adopting the provisions of the General City Law relating to the Planning Board.

of this feature. The provisions of the state law relating to the mapping of new streets and buildings have been of mapped streets have been found very helpful in connection with the development of a city plan."

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RAITT FIRST. He was rated first by the Civil Service Commissioner over Patrick Slavin, Henry T. Brown, Miss Gertrude Hartnett and Thomas P. Maloy, all park employees of years of experience. Miss Hartnett has been second in command to a number of park commissioners of the old form of government, and has a record of more than twenty-five years in the Park Department.

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POLITICS SEEN. When Mr. Leake was made playground superintendent it was expected Mr. Slattery would be ousted. But politics and the fear of political consequences kept both Messrs. Leake and Slattery on the job, one as director and the other as deputy, but each getting the same salary, \$3,000 a year.

Then continued on an equal basis in salary even after the non-political city manager government began and they were still evenly rated in salary when Mr. Leake was suspended.

No open Civil Service examination would be necessary for the promotion of either Miss Hartnett or Mr. Slattery. Mr. Nier has only to promote both, subject to promotional examinations, to which they alone would be eligible, to meet the demands of the situation and comply with the demands of civil service laws.

This Mr. Nier was expected to do, provided Messrs. Raitt and Leake did not demand trials under charges.

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Erstwhile Inspector Desired At Trial Is Located In Canada

Prosecution Progresses Slowly in Attempt to Prove Guilt of Paving Contractor—Assistant City Engineers and Laboratory Man Called to Stand.

By Francis W. Miller. One of the chief witnesses for the state in the trial of John Petrossi, contractor, indicted for bribery, today was located at Pitkin, Ontario, and a sheriff's deputy was sent to bring him back to Rochester to appear at the trial.

The man is Thomas A. Trimble, discharged city inspector, who delayed the first trial of Petrossi several days by going to Pitkin "for his health." Lieut. of Detectives Anthony Andrews and a deputy went to Pitkin on the other occasion and accompanied Trimble back to Rochester.

Trimble supplied important testimony for the state in the first trial which culminated in a jury disagreement two months ago. He said Petrossi offered him 25 per cent of the booty obtained by passing fake slips for loads of asphalt which the contractor was supposed to put into city streets. He corroborated the testimony of

Edward J. Lynd, another city inspector and the man Petrossi is accused of bribing.

At the conclusion of the initial hearing, Trimble told District Attorney William F. Love that he would exercise his right of privilege and not testify again. Nevertheless he was subpoenaed for June 3, the date for which the present trial was set. It is said he appeared at the Court House June 3 and was told to be present at the adjourned date. Thomas C. Woods, chief deputy sheriff, has been looking for Trimble since Wednesday when he failed to appear at the trial.

Progress Slowly. Prosecution in the case progressed slowly today through a maze of objections by the defense and frequent rulings of Judge William C. Kohlmeier. By order of the court and on recommendation of several jurors, court convened at 9 a. m. instead of at 10, the usual hour. There will be no session tomorrow.

Assistant District Attorney Fred S. Holbrook attempted to prove through testimony of witnesses today that city contractors are paid on the basis of load slips signed by inspectors as materials are delivered and sent to engineers who make the partial and final estimates. He called several city employees to the stand and they furnished figures which the costless jurors sweated over.

Walter Hughes, in charge of the city laboratory, was the first witness today and told of corings taken on the Jersey Street pavement last July and October and the results of laboratory tests.

The manner by which the amount of material in a street is determined was explained by William H. Ginnity, assistant city engineer. He said the actual tonnage was compared with the theoretical tonnage gained by employing a set formula and payment is then made on the basis of the actual tonnage if it does not exceed the theoretical tonnage by more than 10 per cent. If the actual tonnage does reveal an excess, then cores are taken and the tonnage determined in the laboratory.

Says Board Slips Consulted. Harry R. Mouthrop, assistant city engineer, testified along similar lines and said load slips are consulted in making payment to contractors. He interpreted a letter received from John F. Skinner, city engineer in 1924, regarding the manner of payment.

At the initial hearing, the defense contended Petrossi was paid by the amount of concrete used in the street as determined by the theoretical method and coring tests and that Petrossi would have no objection in trying to get inspectors to pass extra load tickets.

Story of How Conditions Correction of Conditions Attending Lake Drowning

Whatever corrective action is necessary to prevent a recurrence of circumstances under which life boats at the municipal bathing beaches are not immediately available for emergency will be quick and drastic, declared City Manager Stephen B. Story yesterday after noon after a conference with George J. Nier, commissioner of public safety, during which the evidence obtained by Commissioner Nier in his investigation of the death of Raymond J. Gartland, of 127 Bryan Street, at Ontario Beach Park, was canvassed. Commissioner Nier, a trained investigator, by reason of his service in the district attorney's office, said that his inquiry has been complete and exhaustive.

Action will be taken before Monday, he said. There are several circumstances which he wishes to check, after which a decision regarding the investigation will be announced.

No Whitewash. City Manager Story said that there is no disposition on the part of the administration to whitewash any officials or municipal employees for acts that are culpable and that where the circumstances justify there will be drastic action.

Both he and Commissioner Nier feel that the investigation should be complete in every detail, in fairness to all persons involved, and accordingly the final decision will be reached within 48 hours.

"The administration is striving to give the highest type of service without favoritism and with the maximum degree of efficiency," said City Manager Story. "If there was negligence on the part of any city official that contributed to the tragedy at the beach, or if the proper precautions were not taken to safe-guard the bathers, regard-

Park, Playground Directors Facing Negligence Count

Suspension of Both Officials Pending Hearing Ordered by Commissioner of Public Safety Nier—Action Follows Probe of Gartland Drowning at Lake.

Commissioner George J. Nier of the Department of Public Safety issued an order at 1 o'clock this afternoon suspending Charles B. Raitt, head of the bureau, and Chester B. Leake, superintendent of playgrounds, as a result of his investigation into the circumstances attending the death of Raymond F. Gartland at Ontario Beach Park last Tuesday night, and following a conference he held shortly after noon today with City Manager Stephen B. Story.

In announcing suspension of Mr. Raitt as director of the Bureau of Parks and Mr. Leake as head of the playgrounds department of the May 30 and were opened some two park bureau, Commissioner Nier, weeks later.

"Five life guards were assigned with the following instructions: 'That at all times one man shall be in the tower as lookout; three Leake, superintendent of playgrounds, were lax in their duty—"

Commissioner Nier's statement addressed to City Manager Story announcing the suspension of Mr. Raitt and Leake, subject to a hearing, "if they wish," reads: "On June 18, 1929, Raymond Gartland lost his life by drowning at the Municipal Beach at Ontario Beach Park."

"Last year the following rules were promulgated to control safety of persons using the Municipal Beach at that park. "Miss Hartnett who was serving as Park Director made almost daily visits to the beach and reported to me frequently that at all times the guards were at their posts. More than twenty inspectors

BOARD ASKS REVISION IN ASSESSMENT

Realtors Seek to Equalize Burden Placed on Corner Lot Property Owners

WILL GO TO COUNCIL Resolution Drafted Asking City to Lower Gasoline Tax

Several thousand people were on the beach at the time and much confusion resulted. "The boat was taken from the porch and launched by the life guard with the help of several citizens. The oars were some distance from the boat and some time after launching the boat were obtained.

"The coast guards at Somerville were called and made an immediate run to the location. Several citizens went to the place from which the cry for help came. "About fifteen to twenty minutes were consumed from the time of the first cry to the launching of the boat and a few minutes more before the oars were attached to the boat.

"One man who seems to have observed more than any other witness stated that he aided in the launching of the boat and went with the boat to the location. He stated that at that time all three life guards were in the water.

"The body was not recovered until approximately 40 minutes after the first cry for help. Resuscitation failed and the boy was pronounced dead by an ambulance surgeon.

"At the time of the first cry for help, all three life guards were on duty and at the posts assigned them. Some citizens have criticized the actions of the life guards, but I firmly believe and know that they were alert to their positions at the time and the confusion which they were made to suffer was due to the general conditions on the beach. They are accustomed to and know the rules governing the protection of bathers and had it been properly furnished with life guards and equipment, I believe that perfect harmony by them would have resulted. These guards were in attendance last year and performed excellent service.

"A witness who stood next to the tower stated that as soon as he heard the cry for help all three guards took immediately for the water. Because of the hollering in the water neither he nor the guards could readily discover where help was needed.

"Almost all persons whom I interviewed stated that they felt that the guards did all they could under the circumstances. My conclusions are these: That the Municipal Beach and bath houses when opened for use to the public were not adequately equipped and in proper condition for use.

An insufficient number of life guards was provided and the most important equipment of the life guards was lacking. The boat is not only a means for diving but is also used for patrolling.

I cannot charge any one person or group of persons with the death of Raymond Gartland, but I feel certain that had sufficient guards been furnished, and had a boat been patrolling, the guard would have saved the boy's life.

"It is evident to me that when the rules and regulations governing this beach have been carried out no drownings have resulted. This catastrophe resulted two days after the beach was opened and the conditions aforesaid in effect.

I, therefore, find that Charles B. Raitt, Director of Parks, and Chester B. Leake, Superintendent of Playgrounds, were lax in their duty not only in this particular case but in others—in failing and neglecting to properly equip the Municipal Beach on its opening day.

There can be no excuse for this laxity and I will suspend both Charles B. Raitt, Director of Parks, and Chester B. Leake, Superintendent of Playgrounds, subject to a hearing if they wish.

Officials Explain Plans For Two Main Streets

State Street to Get New Pavement, But Width to Remain Same—Pedestrian Problem in Clinton Avenue North May Make Arcades Necessary There.

Contemplated improvements in State Street and Clinton Avenue North were explained today by city officials. An ordinance is pending now in City Council providing for the resurfacing of State Street between Commercial Street and the Four Corners. For the resurfacing of Clinton Avenue North between Main Street and Central Avenue, it is planned to introduce an ordinance immediately following the July recess of the City Council.

The width of State Street will remain as it was laid out away back in 1812, when the state opened a highway 99 feet wide. The old Medina stone block pavements will be removed, however, and a new base laid. There have been no buildings erected in this street in this improvement zone since 1894, when the stone pavement was laid, except two banking structures.

In Clinton Avenue North, however, the situation is somewhat different. The present plan of city engineers is to keep the avenue at the same width, but the opinions of property owners along the thoroughfare, it is said, will receive careful consideration. Some of the owners are in favor of a wider roadway, but at City Hall it is said the big relief needed in traffic congestion up there is not so much vehicular as pedestrian. In time, it was said, the avenue between Main Street and Central Avenue will be widened on the east side, and arrangements made for grading stone property, such as the property owned by the city.

The present width of Clinton Avenue North, between Main and Kilm Street, is 66 feet and is on to Central Avenue it is 72 feet. A new highway is in a theater and ping district, it was explained by Henry E. Howe, head of the bureau of design and construction, in consequence there is a big pedestrian problem with which to contend.

If the street is widened and curbs set back, it will narrow sidewalks, which are taxed now for their width. In time the street will be widened and then resurfaced. The arcades sidewalk plan in the Main Street area.

Contracts for installing a new set lighting system were let last to the Rochester Gas and Electric Corporation and the work installing posts and lighting apparatus was begun by the commission.

ZONING BOARDS NAMED SOON

Appointment of a new city planning commission, under a recently adopted home rule law, and of a planning board of appeals under the same law and the recently adopted new zoning code, will be made next week, according to announcements at City Hall today.

City Manager Story will name the new planning commission, and it is expected it will differ but little from the old one. Mayor Wilson will name the Board of Appeals.

PURPOSES EXPLAINED. The purposes of the new zoning laws were explained today by Corporation Counsel Platt in a statement, as follows: "The city desires to utilize the state law relating to weight, area and use, because the methods of procedure are simply set forth.

"One example illustrating the situation is the case of a lot. There is a special certiorari proceeding set forth in the General State Law. This proceeding may be used not only by an applicant to the Board of Appeals who feels he has been aggrieved by a denial of his petition, but also by any person other than the applicant believing himself to be aggrieved. This proceeding is different from the general certiorari proceeding otherwise set up in the law. To accomplish this without utilizing the general state law would have necessitated a statute of the state, because it would have related to court procedure which could not have been covered by a local law.

REASONS SET FORTH. "Another reason for adopting the provisions of the state law is that there have been many court decisions settling the meaning of the statute which obviates covering the same ground if a different statute were used. A third reason is found in the powers given to the Board of Appeals. This would have required a special statute for Rochester if the General State Law were not used, and again there would have been the possibility of court interpretation which has already been made. It has been the recommendation of experts that we adopt the provisions of the state law.

"What has been said with respect to court decisions is equally true with respect to adopting the provisions of the General City Law relating to the Planning Board. "In this feature, the provisions of the state law relating to the mapping of new streets and buildings in the hot of mapped streets have been found very helpful in connection with the development of a city plan."

Park Promotions Seen for Miss Hartnett and Slattery

Safety Commissioner Nier's suspension of Park Director Raitt and Playground Superintendent Leake yesterday pointed to the early elevation of Miss Gertrude M. Hartnett to park director and Raymond G. Slattery to superintendent of playgrounds.

Both Messrs. Raitt and Leake could demand hearings and trials on charges, but such trials would be before Safety Commissioner Nier, who by his suspensions has shown that he is already satisfied new leaders are demanded in both branches of the park bureau.

Mr. Raitt was appointed park director on February 11, 1929, after the Park Bureau had been without a director for more than a year. Mr. Raitt had come to Rochester from California, a controversy being raised about bringing an outsider to Rochester for the position.

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RAITT, LEAKE SUSPENDED BY NIER AFTER THOROUGH DROWNING INVESTIGATION

Lax in Not Providing Proper Equipment, Is Charge

ACTION FOLLOWS TALK WITH STORY

Gertrude M. Hartnett Assumes Duties of Park Director

By HIRAM MARKS

Finding that Charles B. Raitt, director of parks and Chester B. Leake, superintendent of playgrounds, were lax in their duty in neglecting to equip properly the municipal bathing beach at Ontario Beach Park on its opening day, the suspension of both officials was ordered yesterday afternoon by George J. Nier, commissioner of public safety.

The action was taken after a long conference with City Manager Stephen E. Story regarding Mr. Nier's investigation of the circumstances at the beach at the time of the drowning of Raymond J. Gartland on June 18. As both Mr. Raitt and Mr. Leake are under civil service their dismissal without a hearing is not permissible and Commissioner Nier in his report to City Manager Story notifying him of the suspension order concludes it with the statement that there is no excuse for the laxity outlined and that the officials' suspension is subject to "a hearing, if they wish."

Other Troubles Hinted

In his report Commissioner Nier gives the findings of the investigation he personally conducted into the loss of Gartland's life, and draws the conclusions from them holding that both officials were negligent. A significant reference in Commissioner Nier's report to City Manager Story is his conclusion that they were lax in their duty, "not only in this particular case but in others." In the event that the suspended officials request a hearing, under their civil service prerogatives, it is anticipated that in view of Commissioner Nier's reference to other cases of laxity that they will have additional charges to answer of inefficiency and failure to perform their work in the best interests of the city.

Commissioner Nier said that pending the final decision in this suspension, Miss Gertrude M. Hartnett, deputy director of parks, will be in charge. Miss Hartnett has been in the park office for 29 years, and Commissioner Nier said that she is competent in every particular to carry on the work of the bureau in the manner in which the public wish it.

Failed to Fill Pool

Supplementing his formal report to City Manager Story, it was asserted by Commissioner Nier that his action squares with his best judgment and conscience as to what is best for the people of Rochester especially the thousands of people who look to the park system for their source of comfort and enjoyment. He said that his one purpose is to bring about the maximum utility and enjoyment of the facilities offered by Rochester's Park system. He said he has a strong feeling built up during the last few months against both Director Raitt and Superintendent Leake but preferred to confront the officials with the evidence of incompetency, inefficiency and laxity in the event that they request a hearing and to refrain from discussing it until they are able to provide water for the

Pool in Brown Square, in one of the most congested sections of the city, despite his importuning and direction to Mr. Raitt that it be done promptly was cited by Commissioner Nier as evidence of what he has had to put up with in the park bureau, until it has with City Manager Story, at an announcement on Friday and yesterday, and Mr. Story in a statement issued Friday afternoon made it clear that corrective action would be quick and drastic and that incompetency, inefficiency and neglect would not be tolerated from any city official or employee. While it was Commissioner Nier's privilege to suspend the two officials on his own responsibility, the action was not taken without the courtesy of extending the full investigation and circumstances to Mr. Story, and an announcement of the suspension immediately after a lengthy conference with the city manager indicated that both Mr. Story and Commissioner Nier are in accord with the conclusions reached in the investigation.

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Rules Made Year Ago

The formal report of Commissioner Nier of Mr. Story announcing the suspension is as follows: "On June 18, 1929, Raymond J. Gartland lost his life by drowning at the Municipal Beach at Ontario Beach Park. "Last year the following rules were promulgated to control the safety of persons using the Municipal Beach at that park. "The bath houses and equipment were placed in condition and ready for occupation and use on May 30 and were opened some two weeks later. "Five life guards were assigned with the following instructions: "That at all times one man shall be in the tower as lookout; three men shall patrol the beach close to the water's edge; and one man shall at all times be in the lifeboat at about five feet depth, who should not allow any person to go beyond shoulder depth and not allow any log or other object to be used in the water except some air-inflated apparatus. "The guards were instructed that if at any time the boat was not in use by a life guard performing the services directed, all guards would be immediately discharged. "During the season of 1928 the guards performed excellent service. More than twenty persons who fainted or were overcome were recovered from the water by them. "Miss Hartnett who was serving as Park Director made almost daily visits to the beach and reported to me frequently that at all times the guards were at their posts. More than twenty inspections by myself revealed the same situation. "During the middle of the Summer we took steps to provide the beach with a rope at about the four foot depth but a reported dangerous condition of the water caused a discontinuance of use of the beach. "Talked With Raitt "Shortly after Mr. Raitt's appointment as director of parks last Spring, I talked to him at length concerning the conditions at Ontario Beach Park and told him then to equip the swimming beach with a guard rope at about the four foot depth. "During the early part of May I advised him to detail the manager of the bathhouse to the park, together with sufficient help to place the bathhouses in condition and prepare for the Summer bathing season, and about two weeks later I advised him to the same effect. "The rope was not used on the same date a carpenter was sent down to repair the boat.

Boat Repaired

"On June 18 the boat was caulked and painted and placed on a porch of one of the bathhouses to dry. It was in this position on the evening of June 18. "About 7:30 on the evening of June 18, Raymond J. Gartland in company with two other boys was paddling on a log about 300 feet off shore at a depth of about seven feet, about 100 feet from the west end of the Municipal Beach. "At the same time an unknown person was operating a light boat with an outboard motor close to the swimming beach. He passed near Raymond Gartland. I have been unable to determine whether or not this caused the boy to tumble from the log, and feel that it is not important for the purpose of my investigation. "One life guard was in the tower and two were on the beach. A cry for help came from the location heretofore spotted. Several thousand people were on the beach at the time and much confusion resulted. "The boat was taken from the beach and the boat were obtained. "The coast guards at Summerville were called and made an immediate run to the location. Several citizens went to the place from which the cry for help came. "About fifteen to twenty minutes were consumed from the time of the first cry to the launching of the boat and a few minutes more before the oars were attached to the boat. "Life Guards Were Active "One man who seems to have observed the boat on the water witness stated that he aided in the launching of the boat and went with the boat to the location. He stated that at that time all three life guards were in the water. "The boat was not recovered until approximately 40 minutes after the first cry for help. Resuscitation failed and the boy was pronounced dead by an ambulance surgeon. "At the time of the first cry for help, all three life guards were on duty and at the posts assigned them. Some citizens have criticized the actions of the life guards, but I firmly believe and know that they were alert to their positions at the time and the confusion which they were made to suffer was due to the general conditions on the beach. They are accustomed to and know the rules concerning the protection of that beach and had it been properly furnished with life guards and equipment, I believe that perfect harmony by them would have resulted. These guards were in attendance last year and performed excellent service. "A witness who stood next to the tower stated that as soon as he heard the cry for help all three guards took immediately for the water. Because of the hollering in the tower he did not discover where help was needed. "Almost all persons whom I interviewed stated that they felt that the guards did all they could under the circumstances. "Not Adequately Equipped "My conclusions are these: "That the Municipal Beach and bath houses when opened for use to the public were not adequately equipped and in proper condition for use. "An insufficient number of life guards was provided and the most important equipment of the life guards was lacking. The boat is not only a means for diving but is also used for patrolling. "I cannot charge any one person or group of persons with the death of Raymond Gartland, but I feel certain that had sufficient guards been furnished, and had a boat been patrolling, the guard would not have allowed the death and would not have permitted him to use a log or other object while in swimming. "The Municipal Beach on its opening day. "There can be no excuse for this laxity and I will suspend both Charles B. Raitt, director of parks, and Chester B. Leake, superintendent of playgrounds, subject to a hearing if they wish."

Weren't Stand Inefficiency

Commissioner Nier has canvassed the matter thoroughly with City Manager Story, in conference on Friday and yesterday, and Mr. Story in a statement issued Friday afternoon made it clear that corrective action would be quick and drastic and that incompetency, inefficiency and neglect would not be tolerated from any city official or employee. While it was Commissioner Nier's privilege to suspend the two officials on his own responsibility, the action was not taken without the courtesy of extending the full investigation and circumstances to Mr. Story, and an announcement of the suspension immediately after a lengthy conference with the city manager indicated that both Mr. Story and Commissioner Nier are in accord with the conclusions reached in the investigation.

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Likelihood Perceived Deposed Park Heads Will Seek Hearings

Former Director Makes No Statement, But Refers Questioners to Attorney—Miss Hartnett Faces Two Lifeboats at Beach and Opens Playgrounds.

Likelihood that Charles B. Raitt, deposed director of parks, will ask for a hearing in his suspension Saturday by Commissioner of Public Safety George J. Nier was seen today in the fact he has placed the matter in the hands of counsel.

Mr. Raitt has made no statement with regard to his suspension on a charge of neglect of duty in connection with the drowning of Raymond J. Gartland at Ontario Beach Park June 18. He indicated, however, he may have something to say tomorrow.

Asked if he would demand a hearing, which is his privilege under civil service usage, Mr. Raitt replied, "That decision will be made by my attorney. I have nothing to say at present."

Chester B. Leake, superintendent of playgrounds, who was suspended with Mr. Raitt could not be reached today. It was considered probable he will stand with Mr. Raitt if a hearing is requested. Commissioner Nier is ready to grant such a hearing if they ask for it.

Meantime, the park bureau office is temporarily in charge of Miss Gertrude Hartnett, for 29 years an assistant in the office, and he took immediate action on two things—improvement of Ontario Beach safety facilities and opening of the city's playgrounds.

At the bathing beach two fully equipped and seaworthy lifeboats were at hand, where last week there was only one and that not fit for use, according to city investigation. A second tower for life guards is also being contemplated. "Though municipal playgrounds were not officially scheduled to open until tomorrow morning, the time was set ahead and all playgrounds swung into activity at noon today. Miss Hartnett assigned children a few hours more respite from the hot weather than had been planned.

Commissioner Nier said today he could not see where a hearing would benefit either Mr. Raitt or Mr. Leake or alter the situation.

Coroner's inquest into the drowning of the university student will be held next Monday.

Fixing Blame For Beach Tragedy

Following investigation into the circumstances surrounding the death of Raymond P. Gartland at Ontario Beach Park last Tuesday, Commissioner of Public Safety George J. Nier has suspended Charles B. Raitt, director of parks, and Chester B. Leake, superintendent of playgrounds.

Commissioner Nier, in stating the results of his investigation, particularly stresses failure to provide a properly equipped patrol boat and to have it in the water when the beach was thrown open.

With such a patrol the rule that bathers should not be allowed to go beyond shoulder depth would presumably have been enforced. Even if a swimmer did go beyond the prescribed line and then get into trouble, it would have been far easier to locate the point where aid was needed and to bring aid swiftly with a boat in the water.

In this case the boat was on the porch of a bath house drying after recent painting and caulking. The oars were stowed elsewhere. Mr. Nier's report stresses not so much the condition of the boat as the fact that it was not in the water.

Were the supervisory officers directly to blame, as being personally negligent, or indirectly, through failure of subordinates to carry out instructions and attend to their duties?

Mr. Nier's action and statement indicate that he considers Mr. Raitt and Mr. Leake were personally at fault, through delay in giving orders to get the equipment ready and through failure to provide the proper number of guards prior to opening the beach. He says that during the month of May he twice advised the director of parks to organize the beach staff and overhaul the equipment, but that the beach manager was not notified to report until June 11. The beach was opened on June 16, two days before the accident, with the boat in bad condition and a short staff of lifeguards.

Commissioner Nier has made good his promise that his investigation would not be a whitewashing. He has placed responsibility for inadequate protection directly on the shoulders of the ranking officers of the park bureau. They have been offered a hearing and may have something to say for themselves.

PLAYGROUNDS OPEN TODAY

All city playgrounds were open today for the Summer season. Places which have been open throughout the year were in full swing at 9 a. m. and ten additional Summer playgrounds were open at 1 a. m.

The city's new playground in Fromm Place, off Bay Street, opened for the first time at 1 p. m.

Swimming pools at Genesee Valley Park and Edgerton Park will be open tomorrow. Gertrude M. Hartnett, deputy director of parks, in charge of the Park Bureau, announced.

The following playgrounds are to open six days a week from 9 a. m. to 8:30 p. m.:

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Decries Small Men at Helms of Big Cities

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In his address, Dr. Rose scored the mayors of New York, Chicago and other great cities, demanding, "What can a president do; what can a governor do, when at the helm of government in the big cities there are men of little caliber?"

Dr. Rose decried the waning of interest manifest in the home community today. He stated, "A man will say, 'Mine is not much of a city, so why work for it?' I'll bestow my time and money on the state or the nation, or humanity. I'll give my wealth to some privately-managed agency for the public good."

"This happens every day. Huge endowments, magnificent institutions are being created to do for our city-civilization what the community ought to be doing for humanity. It is ridiculous, of course, but still a godsend so long as public officers cannot be trusted even to keep the streets in repair. The more imperfect a city is, the more it should challenge its inhabitants to make it better."

"The man who looks for perfection in this world is doomed to disappointment. The man who says he cannot get excited over his own city but can wax enthusiastic over his country and humanity at large is to say you cannot admire and work with the people you know, but can admire and work with people you do not know!"

"Our American cities are in the making. It is better to live in them and help them grow than to enjoy the fruits of a perfect community. I believe with the New York architect who has a part in the plans of that city for the next hundred years. When asked whether it did not sadden him to reflect that he would never see them come true, replied: 'No, I would rather live and work now and create the plan than to live a century hence and enjoy its accomplishment!'"

"Now, Kiwanians is one of our many city groups. Its international policies are excellent and needed. Its work for underprivileged boys is fine, and needed. But if this club is not devoted primarily to the best interests of a better Rochester, all the rest is blab. You can disband tomorrow and nobody will ever know the difference."

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Hearing Before Law Committee of City Council To Reflect Some Opinion on Amendment.

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The ordinance under consideration, which would take effect Aug. 1, states: "Whenever a permit for a particular location has been revoked on protest of abutting property owner, another permit to a different applicant for the location adjoining said premises shall not be issued until the expiration of two years after said revocation."

"A protest against the maintenance of a news stand at a particular location," the ordinance as drafted states, "may be filed with the city manager at any time by the owner or owners of abutting property; and protest shall state the grounds of objection."

Opposition to the contemplated amendment is voiced by Walter W. Powers, through William L. Clay, his attorney, in a communication to City Manager Story. Mr. Powers asks "adequate enforcement of existing regulations." He says, "The present situation in the final analysis involves the sale of the public streets by private news stands in a city which is the City of Rochester. Building of magazines and periodicals of various kinds in direct competition with an inside news stand operated under a large overhead expense including rent for a large number of years. Whereas the outside news stand, as I have already indicated, pays no rent of any kind."

As to how Mr. van Schaick can find anything unfair in the request of Mr. Powers that this sort of competition cease, an unable to comprehend, certainly to the mind of any fair-minded person there is here involved an elemental question of the fairness in the enforcement of the duly adopted regulations in order that the business built up by twenty-five years of effort may not be eventually, finally, completely taken away through the operation of competing news stands, selling magazines and periodicals on the public street in an established form and place for which no rent is paid and no tax.

If Mr. van Schaick feels that such a situation demands the relief attempted in his proposed amendment to the present ordinance he is apparently not correctly informed as to the situation. The news stand matter is no different in fact than would be the sale of soft drinks and confectionery on the sidewalk outside a drug store by a person paying no rent to the owner of the premises, in direct competition with similar business conducted by a drug store under large overhead expenses. Mr. van Schaick would not contend that the cited situation would be a fair one to the detriment of Rochester, in the operation of the municipal government of the City of Rochester.

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Revise Assessments

Historic Scrapbooks Collection

PAVING BRIBE RELATED BY TRIMBLE

Witness Says He Received Cash for Loads Not Delivered on Job.

Immediately after Thomas Trimble, former city paving inspector, completed his reluctant testimony in the second bribery trial of John Petrossi, wealthy paving contractor, the prosecution closed its case in County Court this afternoon.

The defense opened with two minor witnesses, announcing that Petrossi, the defendant, would probably appear in his own defense later this afternoon. From that rate of progress, it was estimated that the case will be given to the jury some time tomorrow. The jury in Petrossi's first trial disagreed.

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TESTIMONY IMMUNE

Before he took the stand, his attorney, Claude T. Taggart, sought dismissal of the indictment of Trimble for receiving a bribe from Petrossi. County Judge Kohlmetz denied the motion and assured Trimble that he could speak freely on the stand without fear that his words would be used against him at his own trial.

Judge Kohlmetz ruled, however, that Trimble would have to testify at the current trial. "The chief blow at the defense case delivered by Trimble was his denial on the stand that he had ever talked to Lynd, his fellow inspector, before June 4, the day on which the extra load slips are said to have been signed.

CHANGES STORY ON LYND

At the first trial, Trimble had stated that he had known Lynd for at least two years and had talked to him before the date mentioned.

On the basis of that testimony, the defense had argued that Trimble and Lynd were in a conspiracy with Petrossi to defraud the city, if the statements were true, and should be prosecuted as well as the contractor.

In its main features, Trimble told the jury the same story that he had given the jury at the first trial of Petrossi.

On June 4, 1928, Trimble said he had made out load slips for extra paving of Jersey Street. These were turned over to Edward J. Lynd, another city paving inspector, for signature. Petrossi, it is alleged, then collected from the city pay for the loads which were not actually delivered.

GOT 25 PER CENT.

Trimble said he arranged for the slips under terms of an agreement he had with Petrossi, by which he was to get 25 per cent. of the amount Petrossi was able to get from the city for the undelivered loads.

Further than that, Trimble said, he went to Petrossi's office September 8, 1928, and was paid \$25 in cash on account, for his share in the mauling.

At one time in the direct examination, Trimble became incensed at the witness' refusal to answer questions. He moved to have Trimble declare a hostile witness, in order that he might cross-examine him.

Trimble was notified by stating that he was neither trying to evade nor to hold back.

"I'm coming clean here, just as I always have," he said. Leighton Gridley, city court stenographer, was the first defense witness. He was asked to read the warrant for the arrest of Petrossi last September 18.

DRIVER DENIES DELIVERY

The next defense witness was Avery Boholtz, a truck driver in Petrossi's employ at the time of the alleged bribery. Boholtz denied giving out any extra slips for "phantom" loads of asphalt, and stated that, as far as he knew, all of the paving material signed for was delivered.

Three other truck drivers employed by Petrossi on the Jersey Street job followed Boholtz to the stand to affirm his story. They were Sylvio Celli, Avery L. Hamm and Carlo Peter.

OREMAN DENIES EXTRAS

After then came Romane Celli, oremann on the Jersey Street paving construction, and brother-in-law of Petrossi.

He denied vehemently that any slips were given for loads not delivered on the job. He recalled seeing Trimble come down to the job, but never saw him talk to Lynd.

When asked by Assistant District Attorney Holbrook, Celli also said that he had never talked about the case to either Petrossi or his attorneys.

Petrossi's appearance on the stand, according to his attorneys, Charles E. Bostwick and Anthony Miceli, will be preceded by the calling of a number of character witnesses. The defense expects to close some time tomorrow morning.

Trimble's effort to refuse to testify on the ground he might incriminate himself was a losing one, Judge Kohlmetz ruling that he must, at the same time holding that he was immune from prosecution on the testimony he gave.

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Turning to the court, Trimble said: "I'm not trying to prevaricate. Holbrook said: 'I didn't say you were, but it seems to me that you are holding back in your testimony.'"

Trimble's rejoinder was: "Well, I'm not holding back. I'm coming clean. I always have."

Trimble's testimony was similar to that given at the first trial. He said he had a talk with Petrossi, June 4, the first day asphalt was laid in Jersey Street, at the contractor's Buffalo Road plant.

He said Petrossi asked him to increase the number of load slips he made out.

Questioned by Mr. Holbrook: "Slips loads not delivered to Jersey Street, June 4? A. Yes. Q. How many? A. Two.

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Later the same day, he testified, he went to Jersey Street, saw Lynd and gave him the numbers of two slips for loads not delivered. He admitted he made other slips for undelivered loads of asphalt, but the dates he could not recall. He said he destroyed the memorandum of the two loads which were not delivered June 4, after he received \$25 from Petrossi in the latter's office, September 8.

His memory was hazy of testimony given before the grand jury, to the effect that he received money from the contractor prior to September 8, but he finally admitted that he might have testified before that body he had received in all about \$500 from the contractor while acting on other jobs as an inspector.

Q. What was the arrangement you had with Petrossi? A. I was to receive 25 per cent. of over amount of loads. Q. Did you work on this arrangement in Jersey Street? A. No.

HIS MEMORY HAZY From his testimony at the first trial, after he had been cross-examined briefly by Mr. Bostwick, his recollection was refreshed, and he admitted going to Petrossi's office "some time in June, July or August" and getting money.

"How much did you get?" he was asked. "I don't know," was his answer.

TRIMBLE HAS PROMISE OF IMMUNITY

Granted by Judge to Chief Witness Against Petrossi in Bribery Trial

DEFENDANT ON STAND

Contractor Sticks to Story of Loan to Lynd; Defense Expected To Rest Today

Leading witnesses for both the prosecution and defense testified yesterday as the second trial of John Petrossi, paving contractor, indicted for the alleged bribing of city inspectors, neared its conclusion.

Trimble's effort to refuse to testify on the ground he might incriminate himself was a losing one, Judge Kohlmetz ruling that he must, at the same time holding that he was immune from prosecution on the testimony he gave.

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PLAYGROUND SEASON OPENS OFFICIALLY

Deputy Park Director Acts To Put Facilities in Fullest Use

LIFEBOATS IN SERVICE

Protection of Bathers at Lake Assured; Action Commended by Nier

Administration of park affairs was carried on yesterday by Miss Gertrude M. Hartnett, deputy director of parks, who for twenty years has been associated with the department, and at the conclusion of the day George J. Nier, commissioner of public safety said "something in the interest of the public has been accomplished."

Meantime Charles B. Reitt, the suspended official, would not answer an inquiry whether he would demand a hearing, his prerogative under civil service regulations, asserted that "decision will be made by my attorney."

Chester E. Leake, superintendent of playgrounds, had nothing to say. Commissioner Nier said that the suspended officials could have the hearing if they wished, and added that his investigation had been complete and fair and the conclusion of laxity and neglect of duty against the two suspended officials could result only in their dismissal, after the hearing.

Immediate action was taken by Miss Hartnett, in conjunction with other park officials, and under the supervision of Commissioner Nier, to make available park facilities. The playgrounds were opened for the summer season yesterday.

Water was put in the pool for children in Brown Square; steps were taken to open at the earliest moment the pool in South Avenue; the camp at Durand-Eastman Park will be opened tomorrow, and Commissioner Nier concluded with the declaration that various park activities that should have been provided for weeks ago were put into action.

At the bathing beach two fully equipped lifeboats were on hand, and provision made for safeguarding the beach along the most conservative standards, Commissioner Nier said. An additional watch tower will be erected at Ontario Beach Park.

"To many people the parks of Rochester are their only source of enjoyment and recreation," said Commissioner Nier. "They promote public health and comfort and the facilities should be available for use. The business must be carried on with speed, efficiency and dispatch especially in the summer months. The administration of park affairs calls for decisiveness and executive ability. Things must be done immediately. In no bureau is it more essential, especially in the summer months, to have efficiency and good management of affairs so that maximum results will be obtained for the park patrons."

The general demoralization of the park bureau and the utter lack of achievement and the failure to make available to the public the park facilities provides a serious indictment that the suspended officials will have to answer, if they elect to go to a hearing.

It is time to rehabilitate the park bureau to the end that something is accomplished. Miss Hartnett and her associates have today made an admirable start on much delayed work.

Ambulance Station Voted by Council for Northeast District

Establishment of an ambulance station, with the purchase and maintenance of an ambulance, was authorized last evening by the City Council for the northeast district of the city.

This matter was advocated by Councilman Joseph L. Guzzetta, who contended that section of the city was the most congested and produced a large number of emergency calls. He said that an ambulance station, convenient to this section, would result in speedy care of injured, with the possibility of lives being saved.

The matter was investigated by the public welfare committee, of which Councilman Louis S. Foulkes is chairman, and by City Manager Story, and the Council approved the suggestion that the service be provided, authorizing payment from receipts other than taxation.

DURNAN FIRM IN INSISTING ON CONCRETE

Argues Such a Structure Would Give Employment to Rochester Workers

ENGINEERS GIVE ADVICE

Discrepancy in Depth of River Bed Rock Cited in Favor of Steel

By HIRAM MARKS

WHAT COUNCIL DID

Business transacted by the City Council last evening included the following items:

Authorized a steel bridge at Smith Street and provided for its payment by the borrowing of \$1,000,000; also received approval of \$700,000 for widening of Smith Street and for new approaches to the bridge, this measure going to finance committee.

City Manager Story in a communication took steps to bring about consideration of renewal of service at cost contract for ten years, action being necessary by the Council before Aug. 1.

Approved by a vote of eight to one the ordinance amending the building regulations permitting the use of steel joist construction in structures in this city.

Authorized the establishment of an ambulance station, together with the maintenance of an ambulance, in the northeastern section of the city.

Received estimate of \$158,000 for the new pavement in State Street, between Main and Commercial Street, and conducted first hearing on the proposal; also received petition for the widening and paving of Clinton Avenue North, between Main Street and Central Avenue.

Received two resolutions for modification of zoning regulations permitting the construction of apartments in East Avenue, which were referred to committee authorized the extension of the trackless trolley to reach the subway.

Construction of a steel bridge at Smith Street, at an estimated cost of \$80,000, was authorized last evening by the City Council by a vote of eight to one.

Councilman William F. Durnan opposed the measure, advocating the inclusion of plans for a concrete bridge, asserting that such a structure would give employment to hundreds of Rochesterians, who contribute to the cost of the bridge.

The question of the type of construction was canvassed for nearly an hour, with all of the councilmen participating in the discussion.

In his opinion a concrete bridge would cost \$150,000 at the minimum, said that the contractual drawings would cost between \$10,000 and \$15,000 in their preparation, and it would require three months. Mr. Hooley declared it was good business for the city to have bid on the concrete structure, and advanced a number of arguments in favor of this structure as against steel.

Steel Man Heard B. F. Hastings of Philadelphia, representing the American Institute of Steel Constructors, then spoke in favor of steel, and when Mr. Hooley questioned the propriety of a person from out of the city trying to tell the Council what it should do, Harmon Hershey of the Geneva Bridge Company and Ben Heughebaert of the F. L. Heughebaert Company said that Mr. Hastings represented these concerns, which intended to compete for the steel work, and that they were Rochester taxpayers.

While the entire discussion was in good spirit, the matter was canvassed from many diverse angles. The question arose, how much Rochester labor would be employed if steel and concrete was used, and Mr. McKibben said that presumably there would be little difference. Commissioner Baker said that he was strictly in accord with Mr. McKibben's findings. Before casting his vote in favor of the ordinance, Vice-Mayor Adler said that he wanted to be assured that the conclusions met with the approval of the city engineering department, and Mr. Fisher, veteran engineer whose experience with the Smith Street bridge goes back more than thirty years, said that Mr. McKibben's findings met with his complete approval.

Ridge Bridge To Be Concrete Mr. Fisher brought out that it is planned to erect the river bridge at River Road, which will be a substantially large structure of concrete. He felt that this location lent itself to the use of this material. He estimated that the cost would be higher for a concrete bridge.

Councilman Durnan, who stood alone in opposition to the ordinance, said that he favored the inclusion of concrete plans in the bidding, so that there would be additional competition and the possibility of men in Rochester who are out of employment in the construction industry, being given an opportunity to work. Besides the approval of the ordinance for a steel bridge the Council received another ordinance, introduced by Councilmen Nelson A. Milne and William F. Durnan, authorizing the appropriation of \$700,000 for the widening of Smith Street and the approaches to the bridge. It went to the finance committee.

Council Authorizes Steel Joists; Flynn in Negative

The use of steel joist construction in buildings in Rochester was authorized last evening by the City Council by a vote of eight to one, with Councilman Edward P. Flynn being in the negative. Mr. Flynn opposed the modification in the building code, which is intended to correct the situation proposed by the Genesee Valley Trust Company, on the grounds that there has been no official approval of this type of construction with reference to fire resistance.

Councilman Flynn, a member of the law committee, which reported favorably on the modification through approval of Vice-Mayor Adler, the chairman, and Councilman Harry C. Goodwin, the third member, prepared a statement in opposition to the measure. Mr. Flynn said that he was in favor of granting a special permit to allow the Genesee Valley Trust Company, which learned from Corporation Council Clarence M. Platt that this could not be accomplished. He did not oppose unanimous consent to permit the consideration of the ordinance last evening, but asked to be recorded in the negative on the grounds contained in the following statement:

I have a very strong feeling that it is a serious matter to amend the building code due to the fact that the new code which has been prepared by Rudolph Miller, an expert in building codes, is ready for introduction into the Council and it does not seem proper to make variations in the present code which will not be in accord with the new code as the proof construction and for the reason the ordinance should provide that a building of this type should be fully equipped with sprinklers.

Second—One of the arguments in favor of this steel joist construction is that it is not rigidly fastened in case of fire. This argument, however, is not sufficient to justify the introduction into the Council and it does not seem proper to make variations in the present code which will not be in accord with the new code as the proof construction and for the reason the ordinance should provide that a building of this type should be fully equipped with sprinklers.

Third—As I understand this construction, the steel joist between the floor and ceiling, is unprotected, and as to the extension of the contract for ten years and Mayor Joseph C. Wilson, submitted Mr. Story's communication to the public utilities committee, of which Councilman Harry C. Goodwin is chairman, for consideration and report. The communication of Mr. Story follows:

Paragraph 4 of Article XVIII of the Service-At-Cost Contract reads as follows: "The City shall have the right to renew this agreement for one further term of ten years by giving the company notice that effect in writing is signed by the Mayor on or before the first day of August, 1929, and upon the giving of such notice by the City this contract shall continue in full force and effect until the expiration of the term of ten years, unless the contract is terminated by the City or the company by giving notice in writing to the other party at least thirty days before the expiration of the term of ten years. This means that on or before August 1, 1929, the Council must decide whether or not it desires to continue the arrangement under which the City is now receiving local street car service and subway service. The latter service includes bus transfer and freight."

am respectfully calling this important matter to the attention of the Council in order that consideration may be given to it. I suggest that the question of renewal of the contract be referred to the proper committee for study and report to the Council in time for action.

Two changes in the zoning regulations prohibiting the construction of apartment buildings in East Avenue came before the City Council last evening. Councilman Goodwin proposed the changing of the E residence district in East Avenue, at Goodman Street and Upton Park, into the D district and this would permit, with approval of the Board of Appeals, the construction of an apartment building by Arthur Headley.

Councilman Flynn proposed the change of the territory at the southeast corner of East Avenue and Arnold Park, to the D zone, and this would permit the construction of an apartment there as is proposed by a group headed by Eugene J. Dwyer, an attorney. Both changes were referred to the City Planning and Zoning Committee, of which Councilman Chester A. Peake, is chairman.

Further discussion regarding the widening of the street is expected to come up next week. Councilman William F. Durnan introduced a petition for an ordinance for the widening of Clinton Avenue North, from Main Street to Central Avenue, five feet on each side and the asphalt resurfacing of the street. He said that the improvement is urgently needed. The petition was sent to Commissioner Baker for ordinance.

William L. Clay said that the Powers Building Company wanted to be heard and it will present its views at the hearing next Monday evening. Cohen advocated the widening of the street to Lyell Avenue. Mayor Wilson said that the administration felt that the pavement north of Commercial Street was satisfactory. Further discussion regarding the widening of the street is expected to come up next week. Councilman William F. Durnan introduced a petition for an ordinance for the widening of Clinton Avenue North, from Main Street to Central Avenue, five feet on each side and the asphalt resurfacing of the street. He said that the improvement is urgently needed. The petition was sent to Commissioner Baker for ordinance.

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East Avenue Zoning Changes Proposed by Goodwin, Flynn

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Historic Scrapbooks Collection

PAVING BRIBE RELATED BY TRIMBLE

Witness Says He Received Cash for Loads Not Delivered on Job.

Immediately after Thomas Trimble, former city paving inspector, completed his reluctant testimony in the second bribery trial of John Petrossi, wealthy paving contractor, the prosecution closed its case in County Court this afternoon.

The defense opened with two minor witnesses, announcing that Petrossi, the defendant, would probably appear in his own defense later this afternoon. From that rate of progress, it was estimated that the case would be completed by 10 o'clock.

At times, he proved rather a reluctant witness, and his reluctance at one point brought a sharp rebuke from the district attorney.

Q. What else was said. A. I told him I didn't care to.

Q. Was Lynd's name mentioned? A. Yes, Petrossi said it was all right with him (Lynd).

Q. Did you make out extra slips loads not delivered to Jersey Street, June 4? A. Yes.

Q. How many? A. Two.

RECEIVED HIS \$25 Later the same day, he testified, he went to Jersey Street, saw Lynd and gave him the numbers of two slips for loads not delivered.

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"How much did you get?" he was asked.

"I don't know," was his answer. Petrossi gave him \$25 and had

DRIVER DENIES DELIVERY

The next defense witness was Avery Boholtz, a truck driver in Petrossi's employ at the time of the alleged bribery. Boholtz denied giving out any extra slips for "phantom" loads of asphalt, and stated that, as far as he knew, all of the paving material signed for was delivered.

Three other truck drivers employed by Petrossi on the Jersey Street job followed Boholtz to the stand to affirm his story. They were Sylvio Celli, Avery L. Hamm and Carlo Peter.

OREMAN DENIES EXTRAS After then came Romane Celli, oremman on the Jersey Street paving construction, and brother-in-law of Petrossi.

He denied vehemently that any slips were given for loads not delivered on the job. He recalled seeing Trimble come down to the job, but never saw him talk to Lynd.

When asked by Assistant District Attorney Holbrook, Celli also said that he had never talked about the case to either Petrossi or his attorneys.

Petrossi's appearance on the stand, according to his attorneys, Charles E. Bostwick and Anthony Miceli, will be preceded by the calling of a number of character witnesses. The defense expects to close some time tomorrow morning.

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TRIMBLE HAS PROMISE OF IMMUNITY

Granted by Judge to Chief Witness Against Petrossi in Bribery Trial

DEFENDANT ON STAND Contractor Sticks to Story of Loan to Lynd; Defense Expected To Rest Today

Leading witnesses for both the prosecution and defense testified yesterday as the second trial of John Petrossi, paving contractor, indicted for the alleged bribing of city inspectors, neared its conclusion.

Attorneys believe they will be able to sum up evidence for the jury today. The jury disagreed at the first trial in April.

Judge Rules Trimble Immune Thomas A. Trimble, discharged city inspector and elusive witness who went to Canada before both trials and was persuaded to return here by deputy sheriffs, testified nearly all yesterday morning for the prosecution.

Edward J. Lynd, the city inspector who is alleged to have aided the district attorney's office in collecting evidence against Petrossi, was recalled to the witness stand. Petrossi himself underwent a severe grilling all afternoon.

Trimble was brought back this time on a bench warrant charging him with accepting a bribe from Petrossi while in the employ of the city last June. Assistant District Attorney Fred S. Holbrook, in charge of the prosecution, questioned Trimble only a short time yesterday, before Claude T. Taggart, counsel for Trimble, advised his client not to answer any more questions, on the ground that he might incriminate himself.

After considerable wrangling between counsel, County Judge William C. Kohlmetz, presiding at the hearing, ruled that, if Trimble testified, he would be immune from prosecution. Trimble continued to answer questions, but in such a low voice that his answers usually had to be repeated for the jury.

DEFENSE DENIES FRAUD The prosecution, in charge of Mr. Holbrook and Assistant District Attorney Basil E. Moore, charges that Petrossi bribed Lynd to sign for loads of asphalt never received for a Jersey Street paving job last June. "The understanding was, it is further alleged, that Petrossi was to share in the booty thus received from the city with Lynd.

The defense, in charge of Attorneys Charles E. Bostwick and Anthony Miceli, asserts that all the asphalt for which the city was charged was used, and that Lynd was persistently requesting a loan from Petrossi of \$60, which was needed "for a payment on an automobile."

Testimony has been that this \$60 was actually given to Lynd by Petrossi in the Powers Hotel office of the J. S. Bache brokerage company. The prosecution asserts this was a bribe.

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HIS MEMORY HAZY From his testimony at the first trial, after he had been cross-examined briefly by Mr. Bostwick, his recollection was refreshed, and he admitted going to Petrossi's office "some time in June, July or August" and getting money.

"How much did you get?" he was asked.

"I don't know," was his answer. Petrossi gave him \$25 and had

PLAYGROUND SEASON OPENS OFFICIALLY

Deputy Park Director Acts To Put Facilities in Fullest Use

LIFEBOATS IN SERVICE Protection of Bathers at Lake Assured; Action Commended by Nier

Administration of park affairs was carried on yesterday by Miss Gertrude M. Hartnett, deputy director of parks, who for twenty years has been associated with the department, and at the conclusion of the day George J. Nier, commissioner of public safety, said "something in the interest of the public has been accomplished."

Meantime Charles B. Raitt, the suspended director, would not answer an inquiry whether he would demand a hearing, his prerogative under civil service regulations, asserted that "decision will be made by my attorney."

Chester B. Leake, superintendent of playgrounds, had nothing to say. Commissioner Nier said that the suspended officials could have the hearing if they wished, and added that his investigation had been complete and fair and the conclusion of laxity and neglect of duty against the two suspended officials could result only in their dismissal, after the hearing.

Immediate action was taken by Miss Hartnett, in conjunction with other park officials, and under the supervision of Commissioner Nier, to make available park facilities. The playgrounds were opened for the summer season yesterday.

Water was put in the pool for children in Brown Square; steps were taken to open at the earliest moment the pool in South Avenue; the camp at Durand-Eastman Park will be opened tomorrow, and Commissioner Nier concluded with a declaration that, should various park activities that should have been provided for weeks ago were put into action.

At the bathing beach two fully equipped lifeboats were on hand, and provision made for safeguarding the beach along the most conservative standards. Commissioner Nier said. An additional watch tower will be erected at Ontario Beach Park.

"To many people the parks of Rochester are their only source of enjoyment and recreation," said Commissioner Nier. "They promote public health and comfort and the facilities should be available for use. The business must be carried on with speed, efficiency and dispatch especially in the summer months. The administration of park affairs calls for cleverness and executive ability. Things must be done immediately. In no bureau is it more essential, especially in the summer months, to have efficiency and good management of affairs so that the maximum results will be obtained for the park patrons.

"The general demoralization of the park bureau and the utter lack of achievement and the failure to make available to the public the facilities provided a serious indictment that the suspended officials will have to answer, if they elect a hearing.

It is time to rehabilitate the park bureau to the end that something is accomplished. Miss Hartnett and her associates have today made an admirable start on much belated work.

Ambulance Station Voted by Council for Northeast District

Establishment of an ambulance station, with the purchase and maintenance of an ambulance, was authorized last evening by the City Council for the northeast district of the city.

This matter was advocated by Councilman Joseph L. Guzzetta, who contended that section of the city was the most congested and produced a large number of emergency calls. He said that an ambulance station, convenient to this section, would result in speedy care of injured, with the possibility of lives being saved.

The matter was investigated by the public welfare committee, of which Councilman Louis S. Feikes is chairman, and by City Manager Story, and the Council approved the suggestion that the service be provided, authorizing payment from receipts other than taxation.

DURNAN FIRM IN INSISTING ON CONCRETE

Argues Such a Structure Would Give Employment to Rochester Workers

ENGINEERS GIVE ADVICE Discrepancy in Depth of River Bed Rock Cited in Favor of Steel

WHAT COUNCIL DID Business transacted by the City Council last evening included the following items:

Authorized a steel bridge at Smith Street and provided for its payment by the borrowing of \$1,100,000; also received ordinance providing for the expenditure of \$700,000 for widening of Smith Street and for new approaches to the bridge, this measure going to finance committee.

City Manager Story in a communication took steps to bring about consideration of renewal of services of coal contracts for ten years, action being necessary by the Council before Aug. 1.

Approved by a vote of eight to one the ordinance amending the building regulations permitting the use of steel joist construction in structures in this city.

Authorized the establishment of an ambulance station, together with the maintenance of an ambulance, in the northeastern section of the city.

Received estimate of \$158,000 for the new pavement in State Street, between Main and Commercial Street, and conducted first hearing on the proposal; also received petition for the widening and paving of Clinton Avenue North, between Main Street and Central Avenue.

Received two resolutions for modification of zoning regulations permitting the construction of apartments in East Avenue, which were referred to committee; authorized the extension of the trackless trolley to reach the subway.

Construction of a steel bridge at Smith Street, at an estimated cost of \$980,000, was authorized last evening by the City Council by a vote of eight to one.

Councilman William F. Durnan opposed the measure, advocating the inclusion of plans for a concrete bridge, asserting that such a structure would give employment to hundreds of Rochesterians, who contribute to the cost of the bridge.

The question of the type of construction was canvassed for more than an hour, with all of the councilmen participating in the discussion.

Finance committee including engineering services and removal of the old structure, came before the Council, City Manager Stephen B. Story said that the councilmen would probably desire to make inquiries about the matter.

He said that Frank P. McKibben, bridge engineer of Pittsburgh; Harold W. Baker, commissioner of public works, Edwin A. Fisher, former city engineer, and Henry Howe, head of the Bureau of Design and Construction, were on hand to answer any questions.

Mr. McKibben made an extended explanation of the factors that resulted in his decision to favor a concrete bridge. Originally, he said, he favored a concrete design and in the course of his investigation into the best type of structure suitable for the location, he had new designs for three concrete and

THINKS STEEL BEST FOR LOCATION

He found merits both in concrete and steel, and he was not interested in one material as against the other, but he thought the type best suited for the location should control, said Mr. McKibben.

Councilman Harry C. Goodwin questioned Mr. McKibben at length, bringing out his experience in bridge construction. He served as professor of civil engineering at the Massachusetts Institute of Technology for thirteen years, and in the same capacity in Union College for seven years, and is the author of a book that is said to be a recognized authority on concrete bridges; he is consulting engineer of the General Electric Company, and has had many notable public connections.

In his discussion with the members of the Council, Mr. McKibben thoroughly and with apparent frankness outlined the merits of the two materials and the circumstances that caused him to reach the conclusion with Mr. Fisher, Commissioner Baker, C. Arthur Poole of the engineering force, and Mr. Howe that the steel bridge was best adaptable. After his explanation, Julius Hoestery, Jr., representing the Steuben Society, made an argument in favor of the inclusion of concrete plans for bidding.

Mr. McKibben asserted that in his opinion a concrete bridge would cost \$150,000 at the minimum, said that the contractual drawings would cost between \$10,000 and \$15,000 in their preparation, and it would require three months, Mr. Hoestery declared it was good business for the city to have bids on the concrete structure, and advanced a number of arguments in favor of this structure as against steel.

Steel Man Heard R. F. Hastings of Philadelphia, representing the American Institute of Steel Constructors, then spoke in favor of steel, and when Mr. Hoestery questioned the propriety of a person from out of the city trying to tell the Council what it should do, Harmon Hersey of the Genesee Bridge Company and Ben Feughes of the F. L. Houghes Company said that Mr. Hastings represented these concerns, which intended to compete for the steel work, and that they were Rochester taxpayers.

While the entire discussion was in good spirit, the matter was canvassed from many diverse angles. The question arose, how much Rochester labor would be employed if steel and concrete was used, and Mr. McKibben said that presumably there would be little difference. Commissioner Baker said that he was strictly in accord with Mr. McKibben's findings. Before casting his vote in favor of the ordinance, Vice-Mayor Adler said that he wanted to be assured that the conclusions met with the approval of the city engineering department, and Mr. Fisher, veteran engineer whose experience with the Smith Street bridge goes back more than thirty years, said that Mr. McKibben's findings met with his complete approval.

RIDGE BRIDGE TO BE CONCRETE Mr. Fisher brought out that it is planned to erect the river bridge at Ridge Road, which will be a substantially larger structure of concrete. He felt that this location itself to the use of this material. He estimated that the cost would be higher for a concrete bridge.

Councilman Durnan, who stood alone in opposition to the ordinance, said that he favored the inclusion of concrete plans in the bidding, so that there would be additional competition and the possibility of men in Rochester who are out of employment in the construction industry, being given an opportunity to work.

Besides the approval of the ordinance for a steel bridge the Council received another ordinance, introduced by Councilmen Nelson A. Milne and William F. Durnan, authorizing the appropriation of \$700,000 for the widening of Smith Street and the approaches to the bridge. It went to the finance committee.

Council Authorizes Steel Joists; Flynn in Negative

The use of steel joist construction in buildings in Rochester was authorized last evening by the City Council by a vote of eight to one, with Councilman Edward P. Flynn being in the negative. Mr. Flynn opposed the modification in the building code which is intended to permit the situation proposed by the Genesee Valley Trust Company, on the grounds that there has been no official approval of this type of construction with reference to fire resistance.

Councilman Flynn, a member of the law committee, which reported favorably on the modification through approval of Vice-Mayor Adler, the chairman, and Councilman Harry C. Goodwin, the third member, prepared a statement in opposition to the measure. Mr. Flynn said that he was in instance of granting a special permit to the Genesee Valley Trust Company, but learned from Corporation Counsel Clarence M. Platt that this could not be accomplished. He did not oppose unanimous consent to permit the consideration of the ordinance last evening, but asked to be recorded in the negative on the grounds contained in the following statement.

I have a very strong feeling that it is a serious matter to amend the present building code due to the fact that the new code which has been prepared by Rudolph Miller, an expert in building codes, and his introduction into the Council and its passage in the present code which will not be in accord with the new code.

Other reasons—while this type of construction is being used to some extent in some cities, it has no rating as fire proof construction and for this reason the ordinance should provide that a building of this type should be fully equipped with sprinklers.

Second—One of the arguments in favor of the Genesee Valley Trust Company is that it is not rightly intended in the building frame and will expand in case of fire. This argument, however, is not valid, as the steel joist construction does not add to the stiffness of the building. I have always believed that the fire construction should not be in the stiffness of the building.

Third—As I understand this ordinance, it is intended that the floor and ceiling, is unprotected, as well as the extension of the contract for ten years and Mayor Joseph C. Wilson, submitted Mr. Story's communication to the public utilities committee, of which Councilman Harry C. Goodwin, is chairman, for consideration and report. The communication of Mr. Story follows:

Paragraph 4 of Article XVIII of the Service-At-Cost Contract reads as follows: "The City shall have the right to

new this agreement for one further term of ten years by giving the company notice that affect in writing signed by the Mayor on or before the first day of August, 1929, and on the giving of such notice by the City this contract shall without further act, termination or proceeding be terminated. Notice shall not be given by the Mayor except with the approval of a Common Council by a majority vote. If being the intention that the contract shall only be renewed by the consent of both the Mayor and the Common Council.

This means that on or before August 1, 1929, the Council must decide whether or not it desires to continue the arrangement under which the City is now receiving local street engineering services. The latter service includes both maintenance and repair.

I am respectfully calling this important matter to the attention of the Council in order that consideration may be given it. I suggest that the question of renewal of the contract be referred to the proper committee for study and report to the Council in time for action.

East Avenue Zoning Changes Proposed by Goodwin, Flynn

Two changes in the zoning regulations prohibiting the construction of apartment buildings in East Avenue came before the City Council last evening. Councilman Goodwin proposed the changing of the E residence district in East Avenue, at Goodman Street and Upton Park, into the D district and this would permit, with approval of the Board of Appeals, the construction

of an apartment building by Arthur Headley.

Councilman Flynn proposed the change of the territory at the southeast corner of East Avenue and Arnold Park, to the D zone, and this would permit the construction of an apartment there as is proposed by a group headed by Eugene J. Dwyer, as attorney. Both changes were referred to the City Planning and Zoning Committee of which Councilman Chester A. Peake, is chairman.

Views at the hearing next Monday evening. Cohen advocated the widening of the street to Lyell Avenue. Mayor Wilson said that the administration felt that the pavement north of Commercial Street was suitable. Further discussion regarding the widening of the street is expected to come up next week.

Councilman William F. Durnan introduced a petition for an ordinance for the widening of Clinton Avenue North from Main Street to Central Avenue, five feet on each side and the asphalt resurfacing of the street. He said that the improvement is urgently needed. The petition was sent to Commissioner Baker for ordinance.

William L. Clay said that the Powers Building Company wanted to be heard and it will present its views at the hearing next Monday evening.

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Paving of State Street Would Cost \$158,000, Baker States

The asphalt paving of State Street from Main to Commercial Streets will cost \$158,000, according to the estimate submitted to the City Council last evening by Commissioner Harold W. Baker through City Manager Story. The ordinance came up for its first hearing last evening and Hyman J. Cohen, owner of 177 feet of property in the street, wanted to know what the improvement would cost. For front foot, Commissioner Baker said the figures would be made available to him.

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PAVING BRIBE RELATED BY TRIMBLE

Witness Says He Received Cash for Loads Not Delivered on Job.

Immediately after Thomas Trimble, former city paving inspector, completed his reluctant testimony in the second bribery trial of John Petrossi, wealthy paving contractor, the prosecution closed its case in County Court this afternoon.

The defense opened with two minor witnesses, announcing that Petrossi, the defendant, would probably appear in his own defense later this afternoon. From that rate of progress, it was estimated that the case would be completed by 10 o'clock.

At times, he proved rather a reluctant witness, and his reluctance at one point brought a sharp rebuke from the district attorney.

Q. What else was said. A. I told him I didn't care to.

Q. Was Lynd's name mentioned? A. Yes, Petrossi said it was all right with him (Lynd).

Q. Did you make out extra slips loads not delivered to Jersey Street, June 4? A. Yes.

Q. How many? A. Two.

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His memory was hazy of testimony given before the grand jury to the effect that he received money from the contractor prior to September 8, but he finally admitted that he might have testified before that body he had received in all about \$500 from the contractor while acting on other jobs as inspector.

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Witnesses were given for loads not delivered on the job. He recalled seeing Trimble come down to the job, but never saw him talk to Lynd. When asked by Assistant District Attorney Holbrook, Celli also said that he had never talked about the case to either Petrossi or his attorneys.

Petrossi's appearance on the stand, according to his attorneys, Charles E. Boatwick and Anthony Miceli, will be preceded by the calling of a number of character witnesses. The defense expects to close some time tomorrow morning. Trimble's effort to refuse to testify on the ground he might incriminate himself was a losing one, Judge Kohlmeier ruling that he must, at the same time holding that he was immune from prosecution on the testimony he gave.

He was brought back here under a warrant made on an indictment charging him with receiving a bribe while acting as a public officer. Petrossi's attorneys, Charles E. Boatwick and Anthony Miceli, will be preceded by the calling of a number of character witnesses. The defense expects to close some time tomorrow morning.

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DRIVER DENIES DELIVERY

The next defense witness was Avery Boholtz, a truck driver in Petrossi's employ at the time of the alleged bribery. Boholtz denied giving out any extra slips for "phantom" loads of asphalt, and stated that, as far as he knew, all of the paving material signed for was delivered.

Three other truck drivers employed by Petrossi on the Jersey Street job followed Boholtz to the stand to affirm his story. They were Sylvio Celli, Avery L. Hamm and Carlo Peter.

OREMAN DENIES EXTRAS After then came Romane Celli, foreman on the Jersey Street paving construction, and brother-in-law of Petrossi. He denied vehemently that any slips were given for loads not delivered on the job.

Celli's testimony was corroborated by other witnesses, including the contractor's foreman, who testified that he had never seen any extra slips given out for phantom loads.

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Received estimate of \$158,000 for the new pavement in State Street, Main and Commercial streets, which they offered to reconstruct. The estimate was approved by the Council.

While the entire discussion was good spirit, the matter was canvassed from many diverse angles. The question arose, how much Rochester labor would be employed in steel and concrete was used, and Mr. McKibben said that presumably there would be little difference. Commissioner Baker said that he was strictly in accord with Mr. McKibben's findings. Before casting his vote in favor of the ordinance, Vice-Mayor Adler said that he wanted to be assured that the conclusions met with the approval of the city engineering department, and Mr. Fisher, veteran engineer, whose experience with the Smith Street bridge goes back more than thirty years, said that Mr. McKibben's findings met with his complete approval.

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Councilman Harry C. Goodwin questioned Mr. McKibben at length, bringing out his experience in bridge construction. He served as professor of civil engineering at the Massachusetts Institute of Technology for thirteen years, and in the same capacity in Union College for seven years, and is the author of a book that is said to be a recognized authority on concrete bridges; he is consulting engineer of the General Electric Company, and has had many notable public connections.

In his discussion with the members of the Council, Mr. McKibben thoroughly and with apparent frankness outlined the merits of the two materials and the circumstances that caused him to reach the conclusion with Mr. Fisher, Commissioner Baker; C. Arthur Poole of the engineering force, and Mr. Howe that the steel bridge was best adaptable. After his explanation, Julius Hooley, Jr., representing the Steuben Society, made an argument in favor of the inclusion of concrete plans for bidding.

Mr. McKibben asserted that in his opinion a concrete bridge would cost \$150,000 at the minimum, and that the contractual drawings would cost between \$10,000 and \$15,000 in their preparation, and it would require three months. Mr. Hooley declared it was good business for the city to have bids on the concrete structure, and advanced a number of arguments in favor of this structure as against steel.

Steel Man Heard B. F. Hastings of Philadelphia, representing the American Institute of Steel Constructors, then spoke in favor of steel, and when Mr. Hooley questioned the propriety of a person from out of the city trying to tell the Council what it should do, Harmon Herzhey of the Genesee Bridge Company and Ben Hughes of the F. L. Hughes Company said that they would be glad to answer any questions.

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Besides the approval of the ordinance for a steel bridge the Council received another ordinance, introduced by Councilmen Nelson and Miller, and William E. Durman, authorizing the appropriation of \$700,000 for the widening of Smith Street and the approaches to the bridge. It went to the finance committee.

Service-at-Cost Contract Renewal Put Up to Council

Steps to bring about consideration of the renewal of the service at cost contract, under which the Rochester lines of the New York State Railways, as well as the subway and bus lines, are operated, were instituted last evening when City Manager Stephen B. Story submitted a communication to the city council. Mr. Story invited attention to the fact that on or before August 1 this year the city must reach a decision as to the extension of the contract for ten years and Mayor Joseph C. Wilson, submitted Mr. Story's communication to the public utilities committee, of which Councilman Harry C. Goodwin is chairman, for consideration and report.

The communication of Mr. Story follows: Paragraph 4 of Article XVIII of the Service-At-Cost Contract reads as follows: "The City shall have the right to renew this agreement for one further term of ten years by giving the company notice that effect in the writing signed by the Mayor on or before the first day of August, 1929, and upon the giving of such notice by the City this contract shall without further act, stipulation or proceeding be in force for such additional term. Such notice shall not be given by the Mayor except with the approval of the Common Council by a majority vote, it being the intention that the contract shall only be renewed by and with the consent of both the Mayor and the Common Council."

This means that on or before August 1, 1929, the Council must decide whether or not it desires to continue the arrangement under which the city is now receiving local street cars, bus and subway service. The latter service includes both passenger and freight.

I am respectfully calling this important matter to the attention of the Council, in order that consideration may be given it. I suggest that the question of renewal of the contract be referred to the proper committee for study and report to the Council in time for action.

Two changes in the zoning regulations prohibiting the construction of apartment buildings in East Avenue came before the City Council last evening. Councilman Goodwin proposed the changing of the E residence district in East Avenue, at Goodman Street and Upton Park, into the D district and this would permit, with approval of the Board of Appeals, the construction of an apartment building by Arthur Headley.

Councilman Flynn proposed the change of the territory at the southeast corner of East Avenue and Arnold Park to the D zone, and this would permit the construction of an apartment there as is proposed by a group headed by Eugene J. Dwyer, as attorney. Both changes were referred to the City Planning and Zoning Committee, of which Councilman Chester A. Peake, is chairman.

East Avenue Zoning Changes Proposed by Goodwin, Flynn

Views at the hearing next Monday evening. Cohen advocated the widening of the street to Lyell Avenue. Mayor Wilson said that the administration felt that the pavement north of Commercial Street was suitable. Further discussion regarding the widening of the street is expected to come up next week. Councilman William F. Durman introduced a petition for an ordinance for the widening of Clinton Avenue North, from Main Street to Central Avenue, five feet on each side and the asphalt resurfacing of the street. He said that the improvement is urgently needed. The petition was sent to Commissioner Baker for ordinance.

Paving of State Street Would Cost \$158,000, Baker States

The asphalt paving of State Street from Main to Commercial Streets will cost \$158,000, according to the estimate submitted to the City Council last evening by Commissioner Harold W. Baker through City Manager Story. The ordinance came up for its first hearing last evening and Hyman J. Cohen, owner of 177 feet of property in the street, wanted to know what the improvement would cost for the figures would be made available to him.

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Weather Report table with columns for Wind-Direction, Highest Temp. Today, Temperature & E. M., NAME OF STATIONS, Department of Agriculture, Rochester, N. Y., June 24, 1928.

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PAVING BRIBE RELATED BY TRIMBLE

Witness Says He Received Cash for Loads Not Delivered on Job.

Immediately after Thomas Trimble, former city paving inspector, completed his reluctant testimony in the second bribery trial of John Petrossi, wealthy paving contractor, the prosecution closed its case in County Court this afternoon.

The defense opened with two minor witnesses, announcing that Petrossi, the defendant, would probably appear in his own defense later this afternoon. From that date of progress, it was estimated that the case would be closed by the afternoon.

ROB ACTRESS OF \$30,500 GEMS

Miss checked that "sinister and desecrated" Brookhart, Republican, Iowa, and given in statements by Senators and industrial schedules was and to bring about re-education of the public mind.

Trimbles testimony was similar to that given at the first trial. He said he had a talk with Petrossi, June 4, the first day asphalt was laid in Jersey Street, at the contractor's Buffalo Road plant.

He said Petrossi asked him to increase the number of load slips he made out.

Questioned by Mr. Holbrook: slips loads not delivered to Jersey Street, June 4? A. Yes.

Q. How many? A. Two.

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He admitted he made other slips for undelivered loads of asphalt, but the dates he could not recall. He said he destroyed the memorandum of the two loads which were not delivered June 4, after he received \$25 from Petrossi in the latter's office, September 8.

His memory was hazy of testimony given before the grand jury to the effect that he received money from the contractor prior to September 8, but he finally admitted that he might have testified before that body he had received in all about \$500 from the contractor while acting on other jobs as inspector.

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Q. Did you work on this arrangement in Jersey Street? A. No.

HIS MEMORY HAZY From his testimony at the first trial, after he had been cross-examined briefly by Mr. Boatwick, his recollection was refreshed, and he admitted going to Petrossi's office "some time in June, July or August" and getting money.

"How much did you get?" he was asked. "I don't know," was his answer.

DRIVER DENIES DELIVERY

The next defense witness was Avery Boholtz, a truck driver in Petrossi's employ at the time of the alleged bribery. Boholtz denied giving out any extra slips for "phantom" loads of asphalt, and stated that, as far as he knew, all of the paving material signed for was delivered.

Three other truck drivers employed by Petrossi on the Jersey Street job followed Boholtz to the stand to affirm his story. They were Silvio Celli, Avery L. Hamm and Carlo Peter.

OREMAN DENIES EXTRAS

After then came Romane Celli, oremann on the Jersey Street paving construction, and brother-in-law of Petrossi.

He denied vehemently that any slips were given for loads not delivered on the job. He recalled seeing Trimble come down to the job, but never saw him talk to Lynd.

When asked by Assistant District Attorney Holbrook, Celli also said that he had never talked about the case to either Petrossi or his attorneys.

Petrossi's appearance on the stand, according to his attorneys, Charles E. Boatwick and Anthony Miceli, will be preceded by the calling of a number of character witnesses.

The defense expects to close some time tomorrow morning. Trimbles effort to refuse to testify on the ground he might incriminate himself was a losing one, Judge Kohlmetz ruling that he must, at the same time holding that he was immune from prosecution on the testimony he gave.

He was brought back here under a warrant made on an indictment charging him with receiving a bribe while acting as a public officer.

PROVES RELUCTANT At times, he proved rather a reluctant witness, and his reluctance at one point brought a sharp rebuke from Assistant District Attorney Holbrook, defense attorneys and the witness.

The assistant prosecutor said to the court: "I ask that the witness be termed a hostile witness and I be allowed to cross-examine him."

Both Charles E. Boatwick and Anthony Miceli, attorneys for the contractors, objected at once. SAYS HELL 'COME CLEAN'

Turning to the court, Trimble said: "I'm coming clean, I always have."

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TRIMBLE HAS PROMISE OF IMMUNITY

Granted by Judge to Chief Witness Against Petrossi in Bribery Trial

DEFENDANT ON STAND

Contractor Sticks to Story of Loan to Lynd; Defense Expected To Rest Today

Leading witnesses for both the prosecution and defense testified yesterday as the second trial of John Petrossi, paving contractor, indicted for the alleged bribing of city inspectors, neared its conclusion.

ROSEMARY N. Y. 76 88 SW ALBANY, N. Y. 76 88 SW

State of Weather Wind-Direction Highest Temp.-Today Lowest Temp.-Today

Department of Agriculture Rochester, N. Y., June 21, 1929.

Weather Report

the first payment of bribery money to Lynd. The defense is that this money, in three \$20 notes, was Petrossi's loan to Lynd for the automobile payments.

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steel bridges. He said that concrete design was predicated on the expectation that bed rock would be found at uniform depth in the river bottom. He said that the borings disclosed "at on the easterly side of the bridge a diamond drill went seventy feet without striking rock. This would necessitate in a concrete design the use of piles, or a steel caisson, presenting an engineering difficulty which he said was not insurmountable, yet made it more feasible for the steel type to be constructed, as this section of the river could be avoided for the pier."

Thinks Steel Best for Location He found merits both in concrete and steel, and he was not invested in one material as against the other, but he thought the type best suited for the location should control, said Mr. McKibben.

Councilman Harry C. Goodwin questioned Mr. McKibben at length, bringing out his experience in bridge construction. He served as professor of civil engineering at the Massachusetts Institute of Technology for thirteen years, and in the same capacity in Union College for seven years, and is the author of a book that is said to be a recognized authority on concrete bridges; he is consulting engineer of the General Electric Company, and has had many notable public connections.

In his discussion with the members of the Council, Mr. McKibben thoroughly and with apparent frankness outlined the merits of the two materials and the circumstances that caused him to reach the conclusion with Mr. Fisher, Commissioner Baker; C. Arthur Poole of the engineering force, and Mr. Howe that the steel bridge was best adaptable. After his explanation, Julius Hoestery, Jr., representing the Steuben Society, made an argument in favor of the inclusion of concrete plans for bidding.

Mr. McKibben asserted that in his opinion a concrete bridge would cost \$150,000 at the minimum, said that the contractual drawings would cost between \$10,000 and \$15,000 in their preparation, and it would require three months. Mr. Hoestery declared it was good business for the city to have bids on the concrete structure, and advanced a number of arguments in favor of this structure as against steel.

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Council Authorizes Steel Bridge Negative

The City Council last evening authorized the construction of a steel bridge at Smith Street, and provided for its payment by the borrowing of \$1,100,000.

The Council also authorized the expenditure of \$700,000 for widening of Smith Street and for new approaches to the bridge.

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'Absolutely False,' Raitt Answers to Nier's Charges Based on Gartland Inquiry

Suspended Park Head Asserts Life Boat Was Seaworthy, and Places Blame on Beach Manager and Life Guards

Denial of all charges made by George J. Nier, commissioner of public safety, in reporting findings of an investigation of the drowning of Raymond J. Gartland, which resulted in the suspension of Charles B. Raitt, director of parks and Chester B. Leake, superintendent of playgrounds, is contained in a letter addressed last night by Mr. Raitt to City Manager Stephen B. Story.

Mr. Raitt's letter contains contradictions to nearly every point brought up in Mr. Nier's report and citation of conditions at Ontario Beach Park at the time the beach was opened.

Letter to Story The letter follows:

June 24, 1929. Stephen B. Story, City Manager, Rochester, New York. Dear Sir: On Saturday, June 22, at 1 o'clock I received a communication from Commissioner Nier informing me of my suspension as director of the Bureau of Parks. No reasons were stated for taking this action, nor have I at any time received any explanation from Mr. Nier.

On Saturday evening, June 22, the formal report from Commissioner Nier based upon the Gartland drowning, to the City Manager was published in the newspapers. The incident which resulted in the drowning of Raymond J. Gartland at Ontario Beach Park is most profoundly to be regretted. No one feels more sorrow than I do that this young man had to lose his life. Were my own desires alone to be considered, I would gladly shoulder the blame and permit those whom I feel were directly responsible to escape without comment, but I feel it my duty to those who were kind enough to urge my appointment to the citizens of Rochester to let the true facts be known; and if, after an impartial consideration of the facts, they still feel Commissioner Nier's unprecedented severity justifiable, I shall shoulder the responsibility without a murmur.

In his report to Mr. Story, Superintendent of Playgrounds, Leake and I are found lacking in duty in failing to properly equip the municipal beach on its opening day. The sole basis given in this report for this finding is the statement that a proper and serviceable life boat and a proper number of life guards were not provided. This statement is absolutely false. A proper and serviceable life boat was provided and an entirely adequate number of life guards were stationed at the beach.

The report purports to be based on the investigation of the drowning of Raymond J. Gartland at the Ontario Beach Park on June 18. The life boat was used to recover the body, and was found thoroughly adequate on that occasion. No statement has been made to the contrary. I believe this fact makes it fully evident that a serviceable life boat was provided. Any delays in launching the life boat cannot be charged to failure to provide proper equipment.

In regard to life guards, we are suddenly faced with the proposition that the presence of less than five life guards on the beach is sufficient grounds for the immediate suspension of the director of parks and the superintendent of playgrounds. But the administration of Mr. Nier as perfectly satisfactory. This is in spite of the fact that last year Ontario Beach opened with only two life guards in attendance and no one was drowned.

It is true that the beach manager was assigned only two women for the first day. It is also true, however, that the manager did not ask for more than two women on that day, and was informed that if more women were needed, they were to be called directly from the Civil Service list provided. The bathhouses were cleaned by men before the beach manager took over the management. I was not satisfied with the routine cleaning of former years, and directed a final and more thorough cleaning under supervision of the beach manager. I mention the matter of the two women only because Mr. Nier appears to lay great stress on it in his report, although without consulting me as to the facts in the case, and without knowing every point that the beach manager had made every possible co-operation, and never made any complaints to me nor to Mr. Leake as to lack of co-operation. Thorough preparations were made for the opening of the beach, and I personally inspected the arrangements in company with Mr. Leake before the beach was opened, and found them satisfactory.

It was not on June 18, as stated in this report, but on Thursday, June 13, three days before the opening, that the lifeboat was painted. Sunday noon, June 16, before the opening of the beach, Mr. Leake made his inspection and found the lifeboat not in the water where it belonged, but on the porch of one of the bathhouses. The boat was not in the boat, and it had not been launched. The oars were lying nearby. Mr. Leake placed the seat in the boat, and ordered that it be launched. It was launched.

Says Boat Never Sank It is stated in this report that the life boat was launched and immediately sank. This statement is erroneous. The boat did not sink at any time. Mr. Leake inspected the beach again at 5 in the evening and was informed by the beach manager that the boat leaked, and the repair man was sent to the beach the next morning to caulk the joint. He found that the leaks were not serious, but were the result of storing the boat on dry land all winter. Any boatman knows that a boat stored dry will develop leaks, and that the simple remedy of launching the boat and keeping it in water will cause it to tighten up to close all leaks. At no time was this boat unfit for service. The statement that it was in such condition that it could not be used is incorrect. As Captain McCune of the United States Coast Guard on duty at Summerside stated, the boat was in good condition. Neither I nor Mr. Leake were informed that his orders to launch the boat

was more than three. Three life guards were on duty on the beach on the evening of June 18. The number of life guards is not, however, pertinent to this inquiry, as twice the number could not have prevented the tragedy.

Never Told of Rule Since this report, passed on to me through the newspapers, appears to be the basis for my suspension, I wish to reply to it in detail. Mr. Nier is misinformed as to practically every particular therein. It is stated that certain rules assign five life guards to the beach, require a life boat to be stationed at a five-foot depth, forbid bathers to go out beyond shoulder depth, and forbid the use of logs. Neither Mr. Leake nor I knew of the existence of a rule assigning five life guards to the beach until the newspaper report appeared Saturday. Mr. Nier had never intimated its existence. If Mr. Nier had any such rule of his own, it would appear that it was incumbent upon him to so notify one or the other of us.

It is obvious that on the occasion of the Gartland drowning the rule forbidding bathers to go out beyond shoulder depth and the rule forbidding the use of logs was broken without protest on the part of the life guards or the beach manager. Gartland, it is stated, was three hundred feet from shore in water over seven feet deep. There is no mention in this report for the beach manager or the life guard. But if these rules had been enforced, and Gartland had not been allowed to go beyond his depth, he would not have been in the hazard which occasioned his drowning. The fact that the beach manager had neglected to place the life boat in the water made it all the more imperative that these rules be enforced.

Denies Nier Statements It is stated in this report that steps were taken last night to provide a rope at a four-foot depth. No such steps were taken. Mr. Nier further states that he told me to equip the beach with such a rope shortly after my appointment as director of parks. Mr. Nier never issued such a direction. The events leading up to the opening of the beach are then recited by Mr. Nier in such fashion as to make it appear that I was negligent and dilatory in making preparations for the opening, and that I made proper preparations for such was not the case. Mr. Nier referred to the preparation of the beaches only once in conversations with me. This was in June, when he asked that the beach be cleaned in preparation for possible bad weather. The work of cleaning the beach and the bathhouses had then been in progress for several days, and I informed Mr. Nier of this fact. Mr. Nier never called me on any subjects connected with the bathing beaches.

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Hampered In Duties By Political Pull Of Underlings, He Says

Suspended Director of Parks Issues Statement Attacking Superior—Says Miss Hartnett Particularly Had Influence Which Balked His Efforts.

Charles B. Raitt, "fired" last Saturday from his position as director of parks by Safety Commissioner George J. Nier, struck back at his former superior today, declaring he had been consistently hampered in his conduct of the Park Bureau by political "pull" of subordinates and Mr. Nier's personal animosity.

Mr. Raitt specifically mentioned Miss Gertrude Hartnett, deputy director and at present acting director of the Park Bureau, as possessor of the political "pull" which he claimed had negated many of his efforts, and brought into the battle between himself and Mr. Nier the name of Leo A. MacSweeney, former assistant director. He declared Miss Hartnett always saved golf permit No. 1 for Mr. MacSweeney.

He charged laxity on the part of Mr. Nier regarding the passing on plans and specifications for the new bathhouses at Ontario Beach Park and declared the safety commissioner had vetoed his suggestions that the architect, Gordon & Kaebler, and had switched it to a "personal acquaintance." He also called attention to the fact that six weeks had passed since this had been done and that no action had yet materialized.

Alleges Laxity This same situation, he asserted, prevailed with regard to the golf house at Genesee Valley Park, which he stated he had not seen for nearly two months ago. He went on to call public attention to alleged laxity in making contracts between park concessionaires and the city which he claimed had cost the city \$10,000. Mr. Raitt declared his belief that most of the concessionaires were operating illegally.

Referring to the atmosphere of political favoritism in the bureau, he charged incompetent employees, dismissed by Chester B. Leake, deputy superintendent of playgrounds, and that in one case Mr. Leake had felt it impossible to discharge employees who indulged in persistent gambling on one of the playgrounds because of the "latters' known pull." Informed policemen, he said, had witnessed the gambling.

Raitt's Statement Mr. Raitt's statement follows: "It is well known that my appointment as director of the parks was politically unacceptable to Mr. Nier, who was anxious that the Park Bureau should have a director of his own. He, however, failed to pass the Civil Service examination necessary to qualify her for that position.

"My welcome into the park office indeed was not very enthusiastic. In fact, when first appointed I was several days there before I was able to obtain an appointment with Mr. Nier, who then, upon my suggestion, went with me to my office. Mr. Nier has never had any general conference with me in which he has discussed any established policy that he desired to have carried out or made out any program relative to the general management and operation of the Park Bureau.

"From the beginning of my work I sensed a definite opposition to me on the part of Mr. Nier, the deputy director of the Park Bureau, and the assistant superintendent of playgrounds. Mr. Nier has stated several times that the assistant superintendent of playgrounds was a very capable man and that Mr. Leake was not to which I replied that Mr. Leake was superintendent and that I wanted to see him every opportunity to make good. Numerous conferences have been held in the office and in the hallways between the deputy park director and the assistant superintendent of playgrounds, both of whom are championed by Mr. Nier.

"Last year there were appointed to positions on the playgrounds and other centers without any classification or without any classification. I was not consulted in the matter of the appointment of these employees.

Over two months ago the preparation of plans and specifications for a golf clubhouse was turned over to the architect of Mr. Nier's selection, but to date these plans and specifications have not been completed.

Notice has been served by the comptroller through Mr. Nier, that no moneys would be accepted from these concessionaires who are operating illegally unless the comptroller had proper authority from the Common Council. It is the general consensus of opinion that these concessionaires are at present operating illegally since the ordinance granting the necessary authority to operate has not been prepared by Mr. Nier and therefore not acted upon by the Common Council.

Both officials were suspended as a result of the drowning June 18 of Raymond J. Gartland, a student of the University of Rochester, at Ontario Beach Park. Commissioner of Public Safety Nier's investigation convinced him the responsibility for the tragedy rested upon Raitt and Leake.

Mr. Raitt's request for an impartial tribunal of three members to investigate the charges against him was not met by Commissioner of Public Safety George J. Nier with the statement it was not within his jurisdiction to help appoint such a group.

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Formal Charges Planned Mr. Nier expects soon to have formal charges prepared against the two men he deposed last Saturday and will then await their reply to the charges. In connection therewith, the commissioner said he would merely follow the rules laid down by the Civil Service Commission.

Mr. Leake would make no statement whatever when interviewed today. He merely replied, "I have nothing to say at the present time." He would make no answer to questions as to whether or not he is standing with Raitt in the matter or whether he will ask for a hearing.

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'Absolutely False,' Raitt

Nier's Charges on Artland Inquiry

Had Asserts Life Boat and Places Blame on and Life Guards

It was not on June 18, as stated in this report, but on Thursday, June 13, three days before the opening, that the lifeboat was painted. Sunday noon, June 16, before the opening of the beach, Mr. Leake made his inspection and found the lifeboat not in the water where it belonged, but on the porch of one of the bathhouses. The boat was not in the boat, and it had not been launched. The oars were lying nearby. Mr. Leake placed the seat in the boat and ordered that it be launched. It was launched.

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the case, and in all the reports I say that the beach manager offered every possible co-operation, and never made any complaints to me nor to Mr. Leake as to lack of co-operation. Thorough preparations were made for the opening of the beach, and I personally inspected the arrangements in connection with Mr. Leake before the beach was opened, and found them satisfactory.

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were not carried out nor given any reason to suspect that the boat was not in constant service thereafter.

Mr. Nier in his report states that the oars were some distance from the boat at the time of the Gartland drowning. Mr. Nier neglects to state, however, that these oars were at that time locked up in the dressing room of the life guards. It was necessary to secure a hammer and chisel, break the lock, open the door and find these oars before they could be used. These oars and the boat are in charge of the beach manager. Mr. Nier exonerates the beach manager and the life guards from all blame. Mr. Nier represents that he has no criticism for the locking up of these oars where they could not be readily obtained. But it seems to be that this circumstance had a great deal more to do with any delays in the rendering of aid to Raymond J. Gartland, than the fact that the life boat had a few leaks two days previous.

Mr. Nier himself urgently recommended the appointment of the beach manager who was in charge the night of the incident. His evident insistence in this report that Mr. Leake and I check every detail of the operation of the beach indicates either a lack of confidence in the beach manager he recommended, or an expectation that the higher executives enter into the minute details of beach management which properly lie within the province of the beach manager.

Very truly yours, CHARLES B. RAITT

If the city had adopted the more equitable method of fixing assessments on lot owners for public improvements, it will be a matter for general rejoicing. The plan presented by the Real Estate Board would relieve owners of corner lots from some of the added burden they now shoulder by reason of their extra frontage. The benefit they receive from an improvement is usually no greater than that on other lots, which have considerably less to pay.

Whether the new plan means that assessments will be figured by some other method than a strict front footage basis, or whether some new principle is involved, the effect is sure to be beneficial to many property owners.

Levying street assessments with strict justice to everybody is one of the difficult problems of municipal government. It is not at all clear that the owner of a lot at one end of a street receives any more benefit than another owner at some other spot, yet he may have to pay a larger assessment through some accidental peculiarity in the shape or location of his lot. The fact is that assessments are seldom fixed upon a strictly equitable basis, although there is a general desire to make them so.

One clause of the new resolution presented to the Council sounds promising. It is that, "in general it will be the policy of this council to assess the property of intersecting streets extending on both sides of the improvement equally along such streets from the street improved one half the distance to the next street parallel thereto."

In other words, to assess the cost impartially on all who reap any actual benefit, and on none others.

Let Us Have All the Facts

Common fairness demands that all the facts in the Gartland drowning at Ontario Beach Park be weighed carefully before responsibility is fastened definitely upon any individual or individuals. The public wants no whitewashing of any guilty person; on the other hand it must have assurance that nothing will be done to place any person unjustly under a cloud.

Commissioner Nier and the suspended director of parks are at odds on a number of vital questions of fact. Was the life boat really in an unfit condition at the time of the tragedy? Who was to blame for permitting Gartland to venture beyond his depth on a log in violation of the park rules? Why were the oars of the life boat locked up in the dressing room of one of the life guards where they were not instantly available? These and other questions cannot be dismissed on the word of one person; they require a searching inquiry in the open, with impartial justice as the guide.

Certain facts in the tragedy are self-evident. In spite of all precautions, drownings do occur at public bathing beaches. No one person has enough wisdom to prevent them. Life guards are employed to see that rules of safety are enforced; that is their principal business. If Gartland had been prevented from using the log and going beyond his depth, the tragedy probably would not have occurred. It is the duty of the director of parks to see that a sufficient number of life guards are available and that they understand what is expected of them. The director says this was done, and it is clearly the business of the commissioner to prove otherwise.

It is a dangerous precedent to blame the director of parks for technical violations of park rules, provided he has given definite instructions to park employees and has taken reasonable precautions to see that they are obeyed. A further hearing is needed to show whether the director did use such reasonable precautions.

Hampered In Duties By Political Pull Of Underlings, He Says

Suspended Director of Parks Issues Statement Attacking Superior—Says Miss Hartnett Particularly Had Influence Which Balked His Efforts.

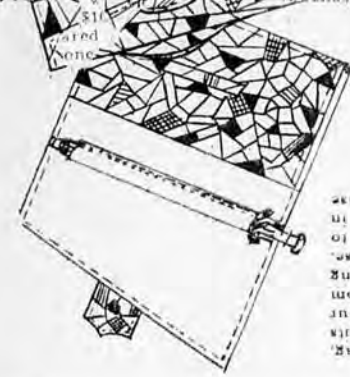
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Alleges Laxity

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in the

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Matters pertaining to the operation of the parks and playgrounds have been carried to outside political circles by major park office employees. Mr. MacSweeney being the one to whom these matters were frequently referred and to show the political tie-up existing here, it may be observed that Miss Hartnett, my deputy director, whom Mr. Nier so strongly supports in his report suspending me, regularly reserves the season golf ticket marked No. 1 for Mr. MacSweeney.

In many other ways Mr. Nier has failed to cooperate in the work of my bureau. Several months ago I called a conference between Mr. Nier, Mr. Story and myself relative to the proposed Ontario Beach

and submitted numerous proposals. His statement follows: "It is well known that my appointment as director of the parks was politically unacceptable to Mr. Nier who was anxious that the present deputy director of the Park Bureau should have that position who, however, failed to pass the Civil Service examination necessary to qualify for that position."

NOT WELCOMED

"My welcome into the park office indeed was not very enthusiastic. In fact, when first appointed it was several days thereafter before I was able to obtain an appointment with Mr. Nier who then, upon my suggestion, went with me to my office. Mr. Nier has never had any general conference with me in which he has discussed any established policy that he desired to have carried out or made out of my program relative to the general management and operation of the Park Bureau.

"I sensed the beginning of my work I sensed a definite opposition to Mr. Leake and myself on the part of Mr. Nier, the deputy director and the assistant superintendent of playgrounds. Mr. Nier has stated several times that the assistant superintendent of playgrounds was a very capable man and that Mr. Leake was not, to which I replied that I was superintendent and that I wanted to give him every opportunity to make good.

WHISPERED CONFERENCES

Numerous whispered conferences have been held in the office and in the hallways between the deputy park director and the assistant superintendent of playgrounds, both of whom are championed by Mr. Nier.

Last year, there were untrained, inexperienced and youthful employees given positions on the playgrounds and other centers without any consultation with Mr. Leake as to their need or qualifications and for that reason a great surplus of employees resulted. Dismissals have been made by Mr. Leake and those dismissed subsequently reappointed over Mr. Leake's head.

Last year gambling was regularly participated in by a certain playground employe in Genesee Valley Park without action by the then director of parks or by Mr. Leake, because Mr. Leake felt that a dismissal would not be supported. This gambling occurred when policemen in uniform were present. I refused to reappoint this employe this year.

Formal Charges Planned

Mr. Nier expects soon to have formal charges prepared against the two men he deposed last Saturday and will then await their reply to the charges. In connection therewith, the commissioner said he would merely follow the rules laid down by the Civil Service Commission.

Mr. Leake would make no statement whatever when interviewed today. He merely replied, "I have nothing to say at the present time." He would make no answer to questions as to whether or not he is standing with Raitt in the matter, or whether he will ask for a hearing.

COMMISSIONER NIER DID NOT WELCOME HIS APPOINTMENT, SAYS RAITT

In his third public statement since his dismissal which resulted from investigation into the drowning of Raymond J. Gartland at Ontario Beach Park, Charles B. Raitt, former director of parks, this afternoon declared that his appointment to Commissioner Nier and that the commissioner had favored Miss Gertrude Hartnett, deputy director and present temporary head of the Bureau of Parks, for the position.

His statement follows: "It is well known that my appointment as director of the parks was politically unacceptable to Mr. Nier who was anxious that the present deputy director of the Park Bureau should have that position who, however, failed to pass the Civil Service examination necessary to qualify for that position."

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telling Mr. Nier when interrogated by him of the condition which had existed last year.

CARRIED OUTSIDE

"Matters pertaining to the operation of the parks and playgrounds have been carried to outside political circles by major park office employees. Mr. MacSweeney, being the one to whom these matters were frequently referred and to show the political tie-up existing here, it may be observed that Miss Hartnett, my deputy director, whom Mr. Nier so strongly supports in his report suspending me, regularly reserves the season golf ticket marked No. 1 for Mr. MacSweeney.

"In many other ways Mr. Nier has failed to cooperate in the work of my bureau. Several months ago I called a conference between Mr. Nier, Mr. Story and myself relative to the proposed Ontario Beach Bath House and submitted numerous plans of bathhouses collected from other cities.

"I urged the appointment of a responsible architect with an adequate organization to proceed with the preparation of plans and suggested the office of Gordon & Kaehler but they were not acceptable to Mr. Nier and he suggested one of his acquaintances. Through over six weeks has passed, Mr. Nier has failed to take any action with reference to this appointment.

DIDN'T O. K. PLAN

"Over two months ago the preparation of plans and specifications for a golf clubhouse was turned over to the architect of Mr. Nier's selection but to date those plans and specifications have not been completed.

"Plans and specifications for the Genesee Valley Park Recreation Center were submitted by Mr. Nier to the purchasing agent without his approval and without checking up to find out if I had ap-

PARK BAND DEFIES NIER; REFUSES TO PLAY

Despite protests and urgent pleas of Public Safety Commissioner George J. Nier, the Rochester Park Band, acting under orders of union leaders, flatly refused today to play in the parade to the Orphans' Outing, sponsored by the Automobile Club.

The discordant note was injected because of the presence in the parade of the 121st Cavalry Band, said to be a non-union organization which, according to union rules, prevents union musicians from taking part in the parade.

Services of the Park Band, which has led the Orphans' parade for the past twenty-four years, were obtained by Commissioner Nier through a contract with the leader,

proved them and except for the fact that the purchasing agent called me and asked if I had checked them, they would have gone through with many serious defects which I was able to remedy by a later careful examination and a report summarizing these defects with several full pages of comments.

"On a number of occasions Mr. Nier has delayed action for a period of several months to the serious detriment of the efficiency of the park organization by his failure to procure necessary equipment which I had repeatedly requested.

CITY LOSES \$10,000

"A very serious condition has arisen with reference to the leasing of restitory concessions and privileges. Since Mr. Nier's incumbency, in many cases, no lease agreements or contracts have been entered into with concessionaires and as a result the city has been unable to collect and no doubt has lost in the neighborhood of \$10,000.00.

"This year, after consultation with the comptroller and in order to avoid a duplication of this loss, I suggested that all leases pay in advance. Several weeks ago I asked Mr. Nier who should draw the ordinance necessary to provide for this procedure and he stated that he would draw the ordinance.

"Notice has been served by the comptroller, through Mr. Nier, that no moneys would be accepted from these concessionaires who are operating illegally unless the comptroller had proper authority from the Common Council. It is the general consensus of opinion that these concessionaires are at present operating illegally since the ordinance granting the necessary authority to operate has not been prepared by Mr. Nier and therefore not acted upon by the Common Council."

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Services of the Park Band, which has led the Orphans' parade for the past twenty-four years, were obtained by Commissioner Nier through a contract with the leader, Herman J. Dossenbach who in turn hired the musicians. Members were to have been paid regular union rates for their services. It was said.

Dossenbach, however, informed Commissioner Nier that the 121st Cavalry Band was on the union "blacklist," and the union had the union members from taking part in the parade.

Several members of the band, it was said, were willing to play in the parade, but were unable to do so because of the union rule which prevented the union regu-

WHEATHER or not you want wave for the Four performance and beauty of your sportsman, you'll enjoy strenuous life of Summer season. A former person holidays and the res. Glorious for the A Glorious

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WHY FIRE-IRON WIRE LORON OR ORNAMENTAL

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ALL DRUG STORE

Use as a guide or copy

the men can request a hearing and appear personally, or by counsel in defense of themselves.

Decision would then rest with Commissioner Nier, with the right to the men to appeal to the courts in the event of an adverse ruling.

Coroner David A. Atwater will conduct an inquest into the death of Gartland next Monday, which it is expected will embrace testimony of all parties concerned.

The coroner's investigation is entirely independent of the inquiry that was made by Commissioner Nier, however, comprising some of the leading band musicians in Rochester, is different and the union rule had to be enforced.

For the first time in 24 years the Park Band did not lead the motorcade of 1,600 cheering youngsters bound for a day of thrills at Sea Breeze Park.

Musicians Out Of Lineup For Orphan Picnic

Conductor Dossenbach Asserts Decision Not to Participate Was Amicably Arrived at With Commissioner Monday— Union Takes Responsibility.

Flats and sharps of a musical controversy between Herman Dossenbach, leader of the Park Band, and Safety Commissioner George J. Nier on the issuing of an order given the band to participate in the Orphans' Outing parade, littered the landscape around the City Hall today.

Mr. Nier says he told Mr. Dossenbach to have the band in line. Mr. Dossenbach denies this and adds that when the Musicians' Union refused to okay the appearance of the band because of the presence in the parade of the 121st Cavalry Band, Mr. Nier agreed that the situation was unfortunate, but couldn't be helped. He considered that this ended the matter.

"But I never rescinded the order," Mr. Nier told The Times-Union this afternoon. "Anytime for the first time in 24 years the Park Band was conspicuous bands did likewise. Although the Park Banders were missed, there was enough noise."

"Several days ago," said Mr. Nier this afternoon, "I gave the customary order to Mr. Dossenbach to have the Park Band in line for the Orphans' parade. Then I was told the Musicians' Union refused to permit the men to turn out because of the presence of the cavalrymen. Mr. Dossenbach and the head of the union saw me yesterday afternoon and we discussed the matter. There was nothing I could do about it, but I did not rescind the order for the band to turn out."

Dossenbach's Statement "There was no defiance of Commissioner Nier, by me or any member of the Park Band, with reference to our playing in the Orphans' Day parade," said Director Dossenbach.

"This matter was discussed by me with Commissioner Nier Monday afternoon, fully and pleasantly on both sides. It was a friendly understanding that we were not to play in today's parade."

"Commissioner Nier never ordered us to play in this parade so that it was impossible for us to defy an order never given."

Union Ordered Action Frank J. Carey, president of Rochester Musicians' Protective Association said:

"It was by our order that the Park Band refused to play in today's Orphans' Day parade, due to the fact that the 121st Cavalry Band has been placed on our national unfair list, for all except their official army functions or when escorting the colors of the United States."

"Because of this fact we, as an organization, are bound by our national laws from appearing in public with a band so called 'unfair.'"

"I discussed this action with Mr. Harry Moody, chairman of the committee in charge of the orphans' outing as much as two weeks ago, during which conversation I told Mr. Moody that, in the event of the 121st Cavalry Band appearing, no union band would be allowed to participate in the parade."

Boys' Band Permitted To Play To show the fairness of our stand, the Elks Boys Band, members of which voluntarily blind themselves to our union's rules notified us they would not appear without our consent. I telephoned the leader to keep the engagement, as it was farthest from our intention to bar music from this outing."

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Raitt's Reply to Nier

Part of the reply of Charles B. Raitt, suspended director of parks, to the statement issued by Commissioner of Public Safety George J. Nier regarding the Gartland drowning, is a direct denial of charges of negligence contained in that statement.

He says in his letter to City Manager Stephen B. Story that Mr. Nier never told him to equip the beach with a rope; that Nier first spoke to him about the beach matters in June, when preparations were already under way, and not in May, as the commissioner states; and that if rules were made requiring presence of five life guards on the beach and a boat in the water they were not a matter of office record and neither he nor Mr. Leake was informed of them.

Mr. Raitt insists that the boat was seaworthy. However Mr. Nier's statement does not assert the boat could not be used, but rather that it should have been in the water, manned and equipped, instead of on the porch of a bathhouse and without oars.

Right here the Raitt letter makes the point that the director of parks surely was not responsible for the fact that the oars were locked up in the dressing room of the guards, the oars and boat being in charge of the beach manager.

The position of Mr. Nier appears to be that the supervisory officers of the park bureau were responsible for not having equipment ready, because they delayed too long in assembling the beach staff and making preparations for the opening of the beach to the public.

Mr. Raitt holds that the beach manager, whose appointment the commissioner had urged, is the person at fault for not having the equipment ready; the boat itself being in good condition except that it had dried out and needed a little soaking to close the seams when first launched, some days prior to the accident.

It can scarcely be held, nor does the public expect that the city will assume responsibility for preventing all swimmers from going further out than may be safe for them. But there should be a reasonable degree of supervision; a boat either in the water or on the beach, equipped with oars and ready for instant launching; and whatever number of life guards experience has shown to be required.

Wherever the personal responsibility properly rests, it is evident that there was failure on June 18 to meet fully these safety requirements.

Only Choice Of Site For Golf Clubhouse Now Still Unsettled

City Prefers Location of Old Baker Farm-house, Players Want It Nearer First Tee—Architect's Plans For Building Already Filed and Approved.

Golfers who play the municipal links at Genesee Valley Park will soon see their dream of an adequate and beautiful clubhouse materialized.

The architect's plans, drawn up by Frank Frey, have been filed and approved by the fire marshal's office and are now in the hands of George J. Nier, commissioner of public safety, to await advertising for bids.

The roomy locker house will cost about \$75,000, it is estimated. Its architecture will be of the popular Dutch colonial country club type, with two stories in height, 100 feet long and 50 feet deep.

The major decision at present, before work can be started, is location of the building. The city had planned to place it south of and across Westfall road from the present inadequate locker house, on the site of the old Baker farmhouse on a rise adjoining the parking area. This would give an attractive view of the river and surrounding scenery.

Golfers were dissatisfied with this plan, however, and contended it would be too far from the first tee. They requested that it be located north of the present building, on low ground leveling out to the river. This would involve changing the adjacent park roadway, connecting with Westfall road, to run back of the clubhouse rather than in front.

Decision Not Yet Reached The decision between these sites has not yet been reached, but it is thought considerable weight may be given to the demands of golfers. The low-lying northerly location would probably necessitate terracing the ground to give the house sufficient altitude for the gravity cesspool system.

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PLATT REFUSES TO CHANGE STAND ON PETROSSI

Despite court action today which freed John Petrossi, wealthy paving contractor, from a bribery indictment after the jury at his second trial had disagreed, the city's legal talent was still unwilling to class him as a responsible bidder on city contracts.

Corporation Counsel Clarence Platt reflected that attitude when he said:

"I cannot see personally where the action of a criminal court jury, which disagreed twice on the allegations in the indictment, has anything to do with the civil status of his case."

"As far as I am concerned, the city will await the decision of the Court of Appeals on the mandamus actions brought by Petrossi after his bids on the city jobs involved."

BEAT CITY THUS FAR Petrossi was low bidder on the Baltimore Road paving contract and the University Avenue outlet sewer. But the Bureau of Purchase and Control refused his bid because, they ruled, the allegations in the bribery indictment put him in the classification of "an irresponsible bidder."

LIFEBOAT CALLED SEA WORTHY NIGHT ATHLETE DROWNED

Condition Found Good by Captain McCune, He Declares

CORROBORATED BY BOAT REPAIR MAN

Raitt Says His Hands Were Tied; Charges 'Whispering'

Statements from Captain Mason McCune, of the United States Coast Guard, and from Philip Kregal, available to the life guards at the time of the drowning of Raymond J. Gartland, were made public last evening by Charles B. Raitt, suspended park director.

McCune came to the municipal bathing beach eight minutes after the emergency call sent out when Gartland went down, and declares in a formal statement that he found the boat in good condition. Kregal was engaged to make the repairs to the boat, incidental to the bathing season, and he asserts that the fresh paint on it was no deterrent to its use.

Raitt Makes Statement Mr. Raitt earlier in the day released a statement in which he made charges against George J. Nier, commissioner of public safety, with reference to the handling of park affairs, asserting that he lay in a room at the city house.

Low Rent Lodgers 282 South Ave. CO. INC. RIVERS FRANK A. \$15 value metal beds, Regular will fit either wood or

Other \$10.45

Charges Persecution of Baker This campaign of false statements, misinterpretation, and insinuation to disloyalty is carried on with the greatest vigor against Mr. Baker, although it is also being waged in other departments, including the city engineer's office, in the case of Mr. Baker it is simply a matter of personal persecution because of his refusal to retain certain bonds on the payroll, and again because he refused to deprive a crane of a snow cleaning job to make room for someone else.

The prompt, firm action taken by Mr. Nier and the refusal of Mr. Story to interfere give me hope. I hope the dismissal of Raitt and Leake will be a step toward restoring the city manager and his department heads to institute and carry out proper measures to establish discipline and service on the part of all city employees, instead of permitting a conspiracy on the part of a few to undermine the efforts of the administration in anticipation of a change next April that would restore the old days of favoritism and chair warming.

The boat was left with some water in it but naturally no one would hesitate to use a boat in time of emergency because of a little leakage. It would be well to wait until Mr. Raitt's hearing, at which time I am sure evidence will be submitted and prove that Mr. Raitt is in error in 80 per cent. of the assertions made in the article.

I have just read Mr. Raitt's statement in the afternoon papers. Before the public lumps in any conclusions, it would be well to wait until Mr. Raitt's hearing, at which time I am sure evidence will be submitted and prove that Mr. Raitt is in error in 80 per cent. of the assertions made in the article.

"At no time during the repairs of this boat did I make any statement it could not be used."

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Is not the blundering and inefficient management of the airport by Commissioner Harold Baker worthy of the same drastic action as taken in Mr. Raitt's case? Is Mr. Baker to be excused and the whole episode covered up because no lives were lost in the airport fire? What logical excuses have been offered to explain away inefficiency and lack of attention to the safety of human lives and protection of property?

Permit me to express a hope and belief that never again will Rochester be forced to wait for a fatal tragedy to occur before correcting a political blunder, appointment or inferior administration.

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Nier To Proceed According to Civil Service Rules, He Says in Statement

RAITT ASKS HEARING Suggests Impartial Body Be Appointed To Sift and Determine Charges

The suggestion of Charles B. Raitt, suspended park director, that a non-political committee investigate the circumstances surrounding the drowning of Raymond J. Gartland at Ontario Beach Park...

Can Have Hearing

"The report which you had published in the newspapers of last Saturday and my own investigation of the Gartland drowning indicate our information relative to that incident is greatly at variance."

"Since you, yourself, stated that a hearing before you would do no good, indicating thereby that as far as you were concerned your mind was made up, it seems to me that the matter should be investigated by some impartial nonpolitical committee composed of one member chosen by yourself, one by me and a third by those two. Or if you prefer, I would be willing to have the matter referred to the Bureau of Municipal Research."

"In any event, your legal training will certainly convince you that it would be highly unfair to me to compel me to come before a tribunal which had already predetermined its decision."

Musicians Out Of Lineup For Orphan Picnic

Conductor Dossenbach Asserts Decision Not to Participate Was Amicably Arrived at With Commissioner Monday— Union Takes Responsibility.

Flats and sharps of a musical controversy between Herman Dossenbach, leader of the Park Band, and Safety Commissioner George J. Nier on the issuing of an order given the band to participate in the Orphans' Outing parade, littered the landscape around the City Hall today.

"Our arrangements for the band to play were made with Commissioner Nier," Charles F. Buell, president of the Automobile Club, declared. "We were notified by Commissioner Nier that the band would play as it has for the past 20 years. The band simply did not show up."

Members of the union, who play in the Park Band, said they would willingly play for the orphans if the rules of the union were not such as to prohibit participation in affairs in which non-union musicians were taking part.

"There was no defiance of Commissioner Nier, by me or any member of the Park Band, with reference to our playing in the Orphans' Day parade," said Director Dossenbach.

"This matter was discussed by me with Commissioner Nier Monday afternoon, fully and pleasantly on both sides. It was a friendly understanding that we were not to play in today's parade."

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The major decision at present, before work can be started, is location of the building. The city had planned to place it south of and across Westfall Road from the present inadequate locker house, on the site of the old Baker farmhouse on a rise adjoining the parking area. This would give an attractive view of the river and surrounding scenery.

Golfers were dissatisfied with this plan, however, and contended it would be too far from the first tee. They requested that it be located north of the present building, on low ground leveling out in the river. This would involve changing the adjacent park roadway, connecting with Westfall Road, to run back of the clubhouse rather than in front.

Decision Not Yet Reached. The decision between these sites has not yet been reached, but it is thought considerable weight may be given to the demand of golfers. The low-lying northerly location would probably necessitate terracing the ground to give the house sufficient altitude for the gravity cesspool system.

LIFEBOAT CALLED SEAWORTHY NIGHT ATHLETE DROWNED

Condition Found Good by Captain McCune, He Declares

CORROBORATED BY BOAT REPAIR MAN

Raitt Says His Hands Were Tied; Charges 'Whispering'

Statements from Captain Mason B. McCune, of the United States Coast Guard, and from Philip Kreger, that the boat at Ontario Beach available to the life guards at the time of the drowning of Raymond J. Gartland was in satisfactory condition, were made public last evening by Charles B. Raitt, suspended park director.

McCune came to the municipal beach eight minutes after the emergency call sent out when Gartland went down, and declared a formal statement that he found the boat in good condition. Kreger, as engaged to make the repairs to the boat, incidental to the preparation of the beach for the bathing season, and he asserts that the fresh paint on it was no deterrent to its use.

Raitt Makes Statement. Mr. Raitt earlier in the day released a statement in which he made charges against George J. Nier, commissioner of public safety, with reference to the handling of park affairs, asserting that he lay in wait for a chance to speak.

Our Prices Low Rent Lower 282 South Ave. CO. INC. RIVERS FRANK A. \$15 value metal beds. Regular \$10.45

PLATT REFUSES TO CHANGE STAND ON PETROSSI

Despite court action today which freed John Petrossi, wealthy paving contractor, from a bribery indictment after the jury at his second trial had disagreed, the city's legal talent was still unwilling to class him as a responsible bidder on city contracts.

Corporation Counsel Clarence Platt reflected that attitude when he said:

"I cannot see personally where the action of a criminal court jury, which disagreed twice on the allegations in the indictment, has anything to do with the civil status of his case."

"As far as I am concerned, the city will await the decision of the Court of Appeals on the mandamus to restore the 'Movietone Revenue' with Marie Prevost."

"MADE EASY" With Marie Prevost

"During the time I was working on the boat I could have been paid and service on the part of all city employees, instead of permitting the next morning I painted the boat, completing my work at about 10 o'clock."

"At no time during the repairs did I make any statement which would tend to prejudice the public mind in any way."

Editor, Rochester Journal:

This is an open letter to express to City Manager Story and Commissioner Nier my deep and most sincere thanks and appreciation for the way they have corrected a bad political favor. But this lesson that has been learned by the too expensive tragedy must not stop here or be forgotten until another fatality forces another "suspension" of a city official.

Is not the blundering and inefficient management of the airport by Commissioner Harold Baker worthy of the same drastic action as taken in Mr. Raitt's case? Is Mr. Baker to be excused and the whole episode covered up because no lives were lost in the airport fire? What logical excuses have been offered to explain away inefficiency and lack of attention to the safety of human lives and protection of property?

Permit me to express a hope and belief that never again will Rochester be forced to wait for a fatal tragedy to occur before correcting a political blunder, appointment or inferior administration.

ARTHUR G. CROMWELL, No. 284 Plymouth Ave.

GOODWIN SAYS NIER IS RIGHT IN RAITT CASE

City Councilman Supports Commissioner's Action in Public Statement

Support of the action of Public Safety Commissioner George J. Nier in suspending Charles B. Raitt, director of parks, and Chester B. Leake, superintendent of playgrounds, was given last night by City Councilman Harry C. Goodwin.

Councilman Goodwin prepared his statement after reading that of Mr. Raitt and drafted into it a scathing attack on action of the suspended Park Bureau officials.

Mr. Goodwin's statement follows: If Raitt and Leake had not been suspended when they were, I would have gone before the Council Monday night and preferred charges."

"I make no apologies for supporting Mr. Story and Mr. Nier when Raitt made a fine play and the only thing to do under the circumstances. No one knew this better than Raitt himself, and none knew better than he that Mr. Story and Mr. Nier stood for him in a matter of almost unprecedented opposition."

Instead of showing his appreciation in an effort to make good, to cooperate with the men who had put so much confidence in him, Raitt merely strengthened his alliance with Leake, an alliance formed long before Raitt was appointed, and these two apparently did everything they ought not to have done."

Owing to the circumstances surrounding his appointment, Raitt evidently felt that he was a law unto himself."

Charges Persecution of Baker. This campaign of false statements, misrepresentation and insinuation to discredit Mayor Baker, is being carried on by the city through its various departments, including the city clerk's office. In the case of Mr. Baker it is simply a matter of personal persecution because of his refusal to retain a certain number on the payroll and also because he refused to deprive a principle of a snow cleaning job to make room for someone else."

The prompt firm action taken by Mr. Nier and the refusal of Mr. Story to discontinue Mr. Raitt and Leake will give others pause and encourage the city manager and his department heads to institute and carry out sterner measures to obtain discipline on the part of all city employees, instead of permitting the public to jump to a conclusion that a conspiracy of permitting the next morning I painted the boat, completing my work at about 10 o'clock."

"The boat was left with some weeping on it but naturally no one would hesitate to use a boat in time of emergency because of a little weeping. Mr. Raitt's hearing, at which I am sure evidence will be submitted and prove that Mr. Raitt is in error in 80 per cent. of the assertions made in the article."

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PARK EXPERT SCORES NIER FOR RAITT SUSPENSION

Dr. C. F. Stimson, field representative of the Playground and Recreation Association of America, and for ten years an advisory consultant for Rochester, is familiar with the Rochester park and recreation situation.

LABOR INVOLVED Durnan Wished Concrete as Help to Workingmen and Builders

The Monday evening meeting of the Rochester city council was featured by a debate on the subject of the construction type of the proposed Smith Street bridge.

EMPLOYEES AT FAULT

"Thus in the matter of the list of employees at this beach where the faaility occurred, the entire personnel was continued from last season's experience—presumably capable and reliable, as Commissioner Nier so highly lauds the service last year under the acting deputy, who has now been given charge of operations.

SCORERS NIER'S COURSE

"It is equally unprecedented, that such a suspension should have been applied in the case of Mr. Raitt, without specification of the charges, or a fair preliminary inquiry as to the facts within his official knowledge, and that the items of alleged laxity should have been conveyed to him in a virulent personal attack, with an obviously hostile animus, coupled with a laudation of the former deputy incumbent of the position to which Mr. Raitt had been appointed by the official in question.

SHOCKS PROFESSION

"The suspension of Mr. Raitt, in this manner and under such circumstances will shock the members of the profession of park and recreation executives throughout the country. It will arouse indignation and a will to protest. They will challenge the 'ethics' as well as the official common sense of the procedure. They will not for a moment doubt Mr. Raitt's fidelity to his duties, as they know his professional competency is beyond question.

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Wants City To Purchase Hill for Benefit of Future Generations

GOODWIN GIVES ADVICE

Says Petitions, Letters, and Communications to Newspapers Will Aid

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Excavation Work Started

The immediate cause of the movement was the fact that excavations have been made in the hill adjoining the grounds of Hillside Home, where it is understood, the top of the hill will be leveled, and marked off for building lots.

MINOR STREET IMPROVEMENT CONTRACTS LET

Four minor street improvement contracts were awarded today by the city Bureau of Purchase and Supply, three of them going to the Thomas Holahan Company.

Councilman Speaks

Harry C. Goodwin, city councilman, told the club members that

COURT KILLS INDICTMENT OF PETROSSI

Charge Against Former City Inspector Trimble Also Quashed by Kohlmetz

RIGHT TO BID UNDECIDED

Counsel for Contractor Says Client Eligible To Do City Work

On motion of Assistant District Attorney Fred S. Holbrook, the bribery indictment which has stood against John Petrossi, contractor, since last October, was dismissed by County Judge William C. Kohlmetz yesterday morning.

Specialist Supports Raitt

In behalf of Mr. Raitt, a letter from Dr. C. F. Stimson, field representative of the Playground and Recreation Association of America, was released yesterday. It follows:

Claims Former Bidding Status

Dismissal of the indictment against him is said by his counsel to make Petrossi again eligible to bid on city contracts. While he was under indictment, bids submitted by him on several city construction projects were thrown out on the grounds that he was an incompetent bidder. His responsibility was upheld by Supreme Court Justice Willis K. Gillette, who granted his motion for an injunction enjoining the city from letting several contracts to other contractors when his bid was low.

Justice Gillette's decision has been appealed to the Appellate Division in an attempt to sustain the right of the city to reject bids of any contractors it considers irresponsible.

Formal Charges Sent Park Director Raitt, Informing Him of Intended Dismissal

Formal charges against Charles B. Raitt, suspended park director, were forwarded to him yesterday afternoon by George J. Nier, commissioner of public safety, and next Tuesday morning, at 10 o'clock is fixed as the time for a hearing, if Mr. Raitt wishes it.

Refers to Garland Drowning

Special reference is made in the charges to the drowning of Raymond Garland, a young boy, who died in the swimming pool because some employees had mistaken the pumpmotor and prevented resuscitation.

'Will Arouse Indignation'

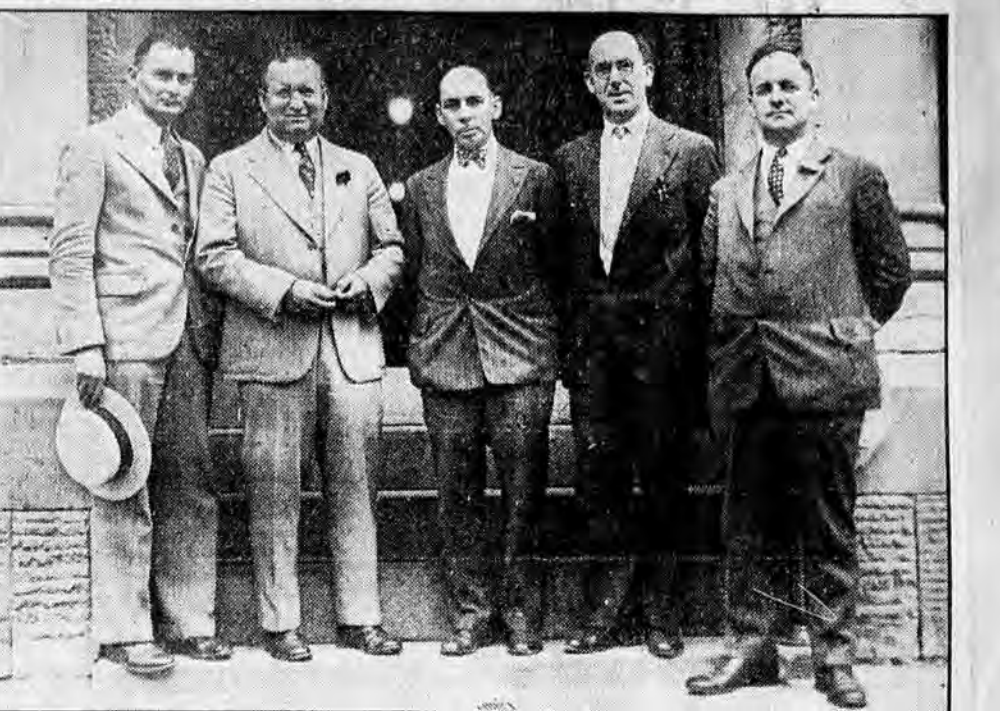
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Other speakers told of the use of the hill by Boy Scouts, religious organizations, and for recreational purposes, as well as by persons from all parts of the city who drive there for pleasure.

C. Storrs Barrows, president of the council, presided.

The fifteen organizations represented in the Council of Civic Clubs are American Legion, Automobile Club of Rochester, City Club of Rochester, Cornell Club, Gyro Club, Kiwanis, Lions, Real Estate Board, Ad Club, Association of Credit Men, Engineering Society, Rotary Club, Shrine Lunch Club, Woman's Club, Woman's Education and Industrial Union.

Plans for Unveiling Soldiers' Memorial on July 4 Completed by Legion Committee and City Manager



City Manager Stephen B. Story and members of Legion Memorial Committee: From left, Frank Frey of Lewis Post, Mr. Story, Charles M. McNamara of Slager Post, George C. Miller of the Engineers Post, chairman; Louis M. Kastner of Robertshaw Post.

Arrangements for the unveiling of the soldiers' memorial on July 4 were completed at a conference yesterday in the office of City Manager Stephen B. Story, attended, besides Mr. Story, by George J. Nier, commissioner of public safety; George Miller, chairman; Charles McNamara, Louis Kastner, and Frank Frey, members of the American Legion Committee in charge of the memorial.

Labor Council Votes To Seek Organized Workers' Reaction

Strength has been lent to the agitation for a concrete bridge across the river at Smith Street, in place of the all-steel structure which the City Council approved Monday night, by the Central Trades and Labor Council's action last night, approving a resolution to send printed cards to members of all organized labor groups in Rochester requesting that they be signed in protest against the city's plan.

NO TROUBLE AT ALL OVER BAND, DECLARES NIER

Denies Any Misunderstanding With Director Over Non-Appearance in Orphans' Parade.

Will Circulate Cards to Be Sent Signed to City Manager Requesting Concrete Instead of Steel Bridge at Smith Street As An Aid to Employment.

Opposition to the proposed steel bridge, which has been recommended by Frank P. McKibben of Scheer & Lumb Optical Company, interested in the bridge project because of its nearness to the company's factory, and its daily use by the workers, has been expressed by the Central Trades and Labor Council.

Jagged Slab Under Swing Fatal to Playground Boy

A fall from a swing in midair at the city playground in the rear of the New York State Armory, Main Street East, yesterday afternoon cost the life of Roscoe Mantione, 15, of 5 Wangman Street.

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Historic Scrapbooks Collection

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DEMAND CALM INQUIRY

In the best regulated recreation systems, an occasional accidental drowning will occur, whether due to disobedience of known rules by the victim or some failure of employees to give adequate protection or efficient rescues.

"By analogy, I raise the query whether a School Board would summarily suspend, with an intent to dismiss, a Superintendent of Schools and the Director of Physical Education if a youth were to lose his life in a High School swimming pool, because some employee had mislaid the pulmotor and prevented resuscitation.

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"The sweeping exoneration of the directly responsible employees involved on the part of Commissioner Nier seems to be about equally shocking and contrary to normal procedure. This phase of the matter joined with the seeming intent to make Mr. Raitt the 'scapegoat' in the lamentable affair seems equally shocking and unprecedented to a disinterested inquirer.

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LABOR INVOLVED Durnan Wished Concrete as Help to Workingmen and Builders

The Monday evening meeting of the Rochester city council was featured by a debate on the subject of the construction type of the proposed Smith Street Bridge, which will replace the present structure at the Smith Street crossing over the Genesee River.

EMPLOYEES AT FAULT

"Thus in the matter of the list of employees at this beach where the fatality occurred, the entire personnel was continued from last season's experience—presumably capable and reliable, as Commissioner Nier so highly lauds the service last year under the acting deputy, who has now been given charge of operations. The primary responsibility, any competent expert judges would affirm, for this accidental death, lies in the clear negligence of these employees who had good equipment, but failed to have it usable swiftly in the emergency, thus violating elementary duties and rules of their jobs.

"I urge that all citizens hold their minds fairly open, if in doubt, until an orderly and just investigation has been completed and proper public hearings, or if needful, legal procedure of the courts of law, shall have established the vital facts and fixed the blame and the responsibility where they finally belong."

Street Car Contract The city manager in a communication addressed the council on the matter of the expiration of the city's service at cost contract with the New York State Railways. He had the following to say:

"The City shall have the right to renew this agreement for one further term of ten years by giving the company notice that effect in writing signed by the Mayor, on or before the first day of August, 1929, and upon the giving of such notice by the City this contract shall without further act, stipulation or proceeding be in force for such additional term. Such notice shall not be given by the Mayor except with the approval of the Common Council by a majority vote, it being the zoning classification of East Avenue from E to D, by which change the city might authorize limited apartment construction. This was in direct opposition to a recent vote in which Mr. Goodwin favored the E classification with his support, but declaring at the time that he would later bring in an ordinance permitting the construction. Councilman Flynn asked that the East Avenue-Arnold Park corner be changed to the D zone permitting the special construction of an apartment at that point.

CIVIC CLUBS ACT TO SAVE PINNACLE

Wants City To Purchase Hill for Benefit of Future Generations

GOODWIN GIVES ADVICE Says Petitions, Letters, and Communications to Newspapers Will Aid

Members of the Rochester Council of Civic Clubs—their combined membership running into thousands—last evening met at the Sagamore to take measures to induce the city to buy that portion of the Pinnacle Hill bounded by Hillside Home, Clinton Avenue South, Highland Park and Pinnacle Road, that this land may be preserved for public use "for present and future generations of the community."

Although the organizations represented by this council are not bound to ratify every action taken, those present believed that they all would support the council's action. Large societies are affiliated, among them the American Legion, the Automobile Club of Rochester, the Real Estate Board, the Women's City Club, and eleven other organizations. The Pinnacle Hill, it was said, is the highest point in Monroe County. It was pointed out that if saved by the city, this height would serve as a future site for a city reservoir, should this be most advantageous, as well as for a pleasure ground, in either case to serve the entire community.

Excavation Work Started The immediate cause of the movement was the fact that excavations have been made in the hill adjoining the grounds of Hillside Home, where it is understood, the top of the hill will be leveled, and marked off for building lots. The council took the stand that in this case there would be no benefit to the city at large, while for either a reservoir site or for pleasure grounds, this hill would serve the entire community. The initial step toward calling the council meeting was taken by persons living in the Pinnacle vicinity. Mr. and Mrs. Cyrus C. Wells, residents of the Pinnacle section, reported that the Audubon Club had prepared a petition to City Manager Story, asking that the city buy this hill. The Pinnacle Club has long advocated its purchase.

Ellery H. Bridges, first president of the Pinnacle Club, told how much the hill is used by Boy Scouts.

Councilman Speaks Harry C. Goodwin, city councilman, told the club members that

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Charge Against Former City Inspector Trimble Also Quashed by Kohlmetz

RIGHT TO BID UNDECIDED Counsel for Contractor are evidence style is not

The remarkable thing styles is how inexpensive

It is Grant's aim by market contact with the market newest styles at prices below

paris for the reason that you have been incompetent, lax, and negligent in your duties as city director, and more particularly in that you did fail and neglect to provide and maintain adequate protection and safety facilities on and at the Municipal Beach at Ontario Beach Park when it was your duty to see that you did fail to provide sufficient life guards for the protection of said beach, and that you did fail to equip the life guards with boats for the purpose of patrol, as a result of which Raymond J. Gartland was drowned while swimming in the waters at said beach.

You have until Tuesday, July 2, 1929, to reply to this notice, and, if you wish, you may have a hearing on the above charges on Tuesday, July 2, 1929, at 10 o'clock in the forenoon at my office in the City Hall at Rochester.

Specialist Supports Raitt In behalf of Mr. Raitt, a letter from Dr. C. F. Stimson, field representative of the Playground and Recreation Association of America, was released yesterday. It follows:

In the best regulated recreation systems, an occasional accidental drowning will occur, whether due to disobedience of known rules by the victim, or some failure of employees to give adequate protection or efficient rescues in the normal procedure, in the public interest, where lamentable deaths occur and where the public interest is at stake, it is to insure a judicial and comprehensive investigation of all the facts. If the preliminary findings warrant, a temporary suspension of the employee directly involved in the case may be justified, pending the full and final determination of the blame.

The procedure seems to be strangely reversed in this case. By analogy, would a school board summarily suspend, with intent to dismiss a superintendent of schools and the director of physical education if a youth were to lose a life in a high school swimming

Formal Charges Sent Park Director Raitt, Informing Him of Intended Dismissal

Formal charges against Charles B. Raitt, suspended park director, were forwarded to him yesterday afternoon by George J. Nier, commissioner of public safety, and next Tuesday morning, at 10 o'clock, fixed as the time for a hearing, if Mr. Raitt wishes it.

In his charges Commissioner Nier accuses the director from office by "reason that you have been incompetent, lax, and negligent in your duties as such director."

Refers to Gartland Drowning Special reference is made in the charges to the drowning of Raymond J. Gartland at Ontario Beach Park.

Among the front-ranking dozen best-trained and most efficient executives in the profession in the United States. None outrank him and few equal him in all-around merits, as his record proves.

The suspension of Mr. Raitt, in this manner and under such circumstances will shock the members of the profession of park and recreation executives in the United States. It will arouse indignation and a will to protest. They will challenge the "ethics" as well as the "official common sense" of the procedure. They will not for a moment doubt Mr. Raitt's fidelity to his duties as "they know his professional competency is beyond question."

Granted a free hand and the right overhead support, Mr. Raitt might have demonstrated an assuming businesslike management and the marked improvement of the services under his care. But his kindly spirit and genial temper, together with his confidence in the competence of persons wanting to have the city buy the Pinnacle should write of their sentiments to the city authorities, send in letters and petitions, and have communications offered to the newspapers.

Other speakers told of the use of the hill by Boy Scouts, religious organizations, and for recreational purposes, as well as by persons from all parts of the city who drive there for pleasure.

The fifteen organizations represented in the Council of Civic Clubs of Rochester, City Club of Rochester, Cornell Club, Gyro Club, Kiwanis, Lions, Real Estate Board, Ad Club, Association of Credit Men, Engineering Society, Rotar Club, Shrine Lunch Club, Womans Club, Womans' Education and Industrial Union.

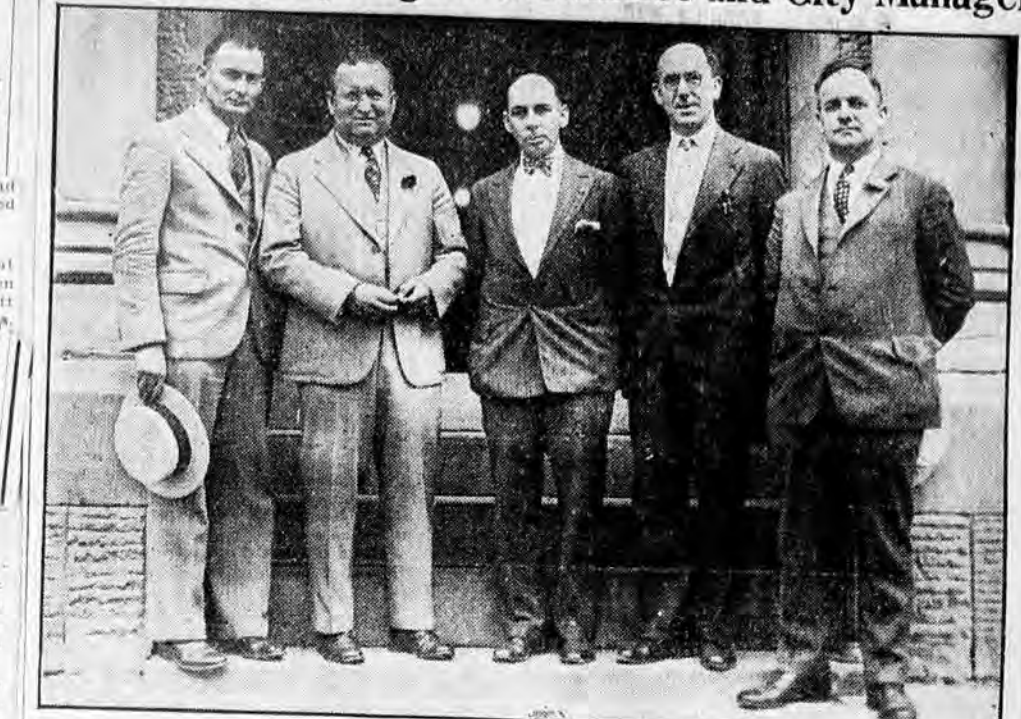
Jagged Slab Under Swing Fatal to Playground Boy

A fall from a swing in midair at the city playground in the rear of the New York State Army, Main Street East, yesterday afternoon cost the life of Roscoe Mantione, 15, of 6 Wangman Street. Mantione's head struck a jagged edge of the partly broken concrete slab beneath the swing when he fell, says Coroner Richard A. Leonardo, and he suffered a hemorrhage of the brain. The boy died before the arrival of an ambulance.

His playmates told police the boy was giving himself what is known as "the bumps," by jerking on the side ropes of the swing, when he fell.

Coroner Leonardo went to the playground immediately after the accident, and after an examination said that the broken condition of the narrow concrete slabs beneath

Plans for Unveiling Soldiers' Memorial on July 4 Completed by Legion Committee and City Manager



City Manager Stephen B. Story and members of Legion Memorial Committee: From left, Frank Frey of Lewis Post, Mr. Story, Charles M. McNamara of Slager Post, George C. Miller of the Engineers Post, chairman; Louis M. Kestner of Robertshaw Post.

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At the conclusion of the conference the committee said that it had received the hearty cooperation of City Manager Story and the city officials in making the unveiling program a dignified ceremony in keeping with the purpose of the memorial. The committee said that unfortunately a complete list of all the immediate families of the 669

Labor Council Votes To Seek Organized Workers' Reaction

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Opposition to the proposed steel bridge, which has been recommended by Frank P. McKibben of Schenectady, engaged by the city administration as a bridge expert, was first voiced last week by Carl F. Lomb, vice-president of the Bauach & Lomb Optical Company, interested in the bridge project because of its nearness to the company's property and its daily use by the concern.

In spite of arguments advanced by Mr. Lomb in a statement, claiming that a concrete bridge would be preferable, more substantial and more ornamental, the City Council moved. Although scores of chief laborers were at the playground, only three saw the accident.

They are Samuel Erligo of 3 man William F. Durnan was the second Street; Michael Poltron only member of the council to vote for the Hayward Avenue, an against the ordinance for the construction of the all-steel structure. Gladys Westcott of 159 Hayward Avenue.

He contended that in advertising for bids, provision should be made for competition by concrete builders.

NO TROUBLE AT ALL OVER BAND, DECLARES NIER

Denies Any Misunderstanding With Director Over Non-Appearance in Orphans' Parade.

No discord exists in the city's relations with its Park Band, despite refusal of the band, for union reasons, to play in the Orphans' Parade Wednesday, says Commissioner of Public Safety George J. Nier.

Commissioner Nier, who issued the order for the band to appear in the procession, said today the whole matter has been dropped—in fact, that it never was concerned, for as any trouble is concerned.

"The city binds itself, in its contract with the band," said the commissioner, "to abide by musicians' union rules and decisions. The union declined to permit the band to parade because non-union musicians were in the line of march, and the city was obliged to abide by the decision."

Commissioner Nier denied he ever had any misunderstanding with Herman Dorschbach, conductor of the band. The band will continue uninterrupted in its season's program in the parks, he said.

PARK EXPERT SCORES NIER FOR RAITT SUSPENSION

Dr. C. F. Stimson, field representative of the Playground and Recreation Association of America, and for ten years an advisory consultant for Rochester, is familiar with the Rochester park and recreation situation.

With reference to the suspension of Charles B. Raitt, director of parks, and Chester B. Leake, superintendent of playgrounds, Doctor Stimson said today: "I sharply challenge the action of Commissioner of Public Safety George J. Nier for his summary action in the premises, as without precedent within my knowledge in over sixteen years of field experience throughout the nation."

"In the best regulated recreation systems, an occasional accidental drowning will occur, whether due to disobedience of known rules by the victim or some failure of employees to give adequate protection or efficient rescues."

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The immediate cause of the movement was the fact that excavations have been made in the hill rating of an expert in bridges. Of course, the city manager was fortified by the opinions of his own department heads. The line-up in favor of steel construction was neatly marshaled and was impressive.

The city manager in a communication addressed the council on the matter of the expiration of the city's service at cost contract with the New York State Railways. He had the following to say: "The City shall have the right to renew this agreement for one further term of ten years by giving the company notice that effect in writing signed by the Mayor, on or before the first day of August, 1929, and upon the giving of such notice by the City this contract shall without further act, stipulation or proceeding be in force for such additional term. Such notice shall not be given by the Mayor except with the approval of the Common Council by a majority vote, it being the zoning classification of East Avenue from E to D, by which change the city might authorize limited apartment construction. This was in direct opposition to a recent vote in which Mr. Goodwin favored the E classification with his support, but declaring at the time that he would later bring in an ordinance permitting the construction of an apartment at that point."

CIVIC CLUBS ACT TO SAVE PINNACLE

Charge Against Former City Inspector Trimble Also Quashed by Kohlmetz

Special reference is made in the charges to the drowning of Raymond J. Garland at Ontario Beach Park.

Dismissal of the indictment against him is said by his counsel to make Petrossi again eligible to bid on city contracts. While he was under indictment, bids submitted by him on several city construction projects were thrown out on the grounds that he was an incompetent bidder. His responsibility was upheld by Supreme Court Justice Willis K. Gillette, who granted his motion for an injunction enjoining the city from letting several contracts to other contractors when his bid was low.

Justice Gillette's decision has been appealed to the Appellate Division in an attempt to sustain the right of the city to reject bids of any contractors it considers irresponsible.

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RIGHT TO BID UNDECIDED

Specialist Supports Raitt

Points Where Blame Lies

Claims Former Bidding Status

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Four minor street improvement contracts were awarded today by the city Bureau of Purchase and Supply, three of them going to the Thomas Holahan Company.

The jobs on which Holahan was low bidder, and the amount of the bids, are: Langford Road, macadam pavement, \$7,761; Glenholme Road, macadam pavement, \$6,655.10; Bernice Street, macadam pavement, \$4,322.20.

Formal Charges Sent Park Director Raitt, Informing Him of Intended Dismissal

Formal charges against Charles B. Raitt, suspended park director were forwarded to him yesterday afternoon by George J. Nier, commissioner of public safety, and next Tuesday morning, at 10 o'clock is fixed as the time for a hearing. If Mr. Raitt wishes it.

In his charges Commissioner Nier recites his intention to remove and dismiss the director from office by "reason that you have been incompetent, lax, and negligent in your duties as such director."

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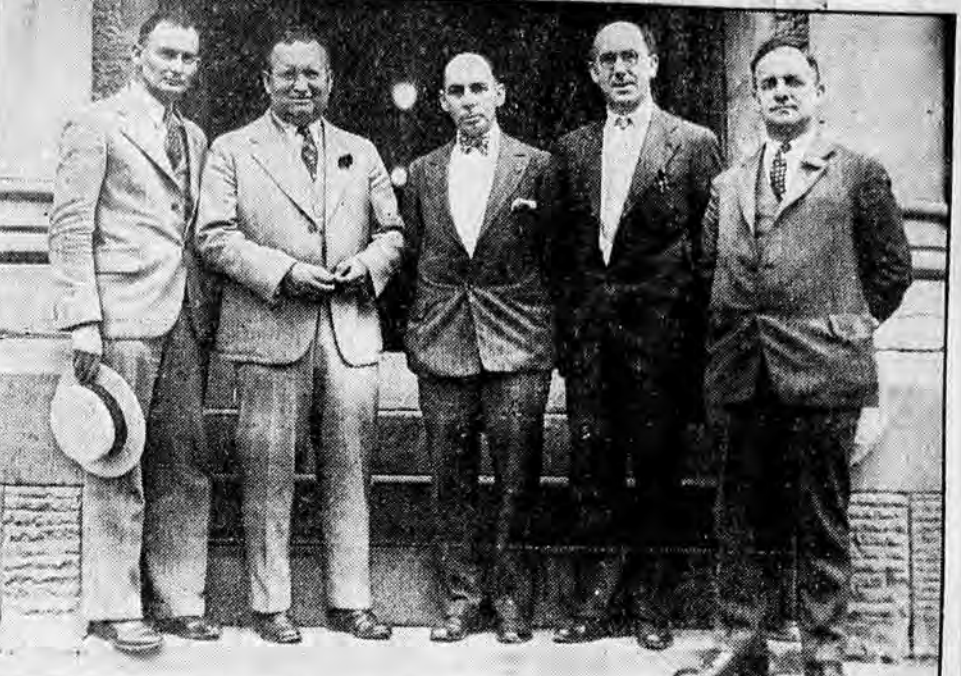
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Jagged Slab Under Swing Fatal to Playground Boy

A fall from a swing in midair at the city playground in the rear of the New York State Armory, Main Street East, yesterday afternoon cost the life of Rosco Mantione, 15, of 6 Wangman Street.

Plans for Unveiling Soldiers' Memorial on July 4 Completed by Legion Committee and City Manager



City Manager Stephen B. Story and members of Legion Memorial Committee: From left, Frank Frey of Lewis Post, Mr. Story, Charles M. McNamara of Slager Post, George C. Miller of the Engineers Post, chairman; Louis M. Kaster of Robertshaw Post.

Arrangements for the unveiling of the soldiers' memorial on July 4 were completed at a conference yesterday in the office of City Manager Stephen B. Story, attended, besides Mr. Story, by George J. Nier, commissioner of public safety; George Miller, chairman; Charles McNamara, Louis Kaster, and Frank Frey, members of the American Legion Committee in charge of the memorial.

Labor Council Votes To Seek Organized Workers' Reaction

Will Circulate Cards to Be Sent Signed to City Manager Requesting Concrete Instead of Steel Bridge at Smith Street As An Aid to Employment.

Strength has been lent to the agitation for a concrete bridge across the river at Smith Street, in place of the all-steel structure which the City Council approved Monday night, by the Central Trades and Labor Council's action last night, approving a resolution to send printed cards to members of all organized labor groups in Rochester requesting that they be signed in protest against the city's plan.

Opposition to the proposed steel bridge, which has been recommended by Frank P. McKibben of Schenectady, engaged by the city administration as a bridge expert, was first voiced last week by Carl E. Lomb, vice-president of the Henschel & Lomb Optical Company, interested in the bridge project because of its business to the company's property and its daily use by the city.

In spite of arguments advanced by Mr. Lomb in a statement, claiming that a concrete bridge would be more ornamental, the City Council Monday approved steel bridge plans submitted by Commissioner of Public Works Barker. Councilman William E. Durman was the only member of the council to vote against the ordinance for the construction of the all-steel structure. He contended that in advertising for bids, provision should be made for competition by concrete buildings.

NO TROUBLE AT ALL OVER BAND, DECLARES NIER

Denies Any Misunderstanding With Director Over Non-Appearance in Orphans' Parade.

No discord exists in the city's relations with its Park Band, despite refusal of the band, for union reasons, to play in the Orphans' Parade Wednesday, says Commissioner of Public Safety George J. Nier.

Commissioner Nier, who issued the order for the band to appear in the procession, said today the whole matter has been dropped in fact, that it never was taken up so far as any trouble is concerned.

PARK EXPERT SCORES NIER FOR RAITT SUSPENSION

Dr. C. F. Stimson, field representative of the Playground and Recreation Association of America, and for ten years an advisory consultant for Rochester, is familiar with the Rochester park and recreation situation.

DEMAND CALM INQUIRY

"In the best regulated recreation systems, an occasional accidental drowning will occur, whether due to disobedience of known rules by the victim or some failure of employees to give adequate protection or efficient rescues.

"By analogy, I raise the query whether a School Board would summarily suspend, with an intent to dismiss, a Superintendent of Schools and the Director of Physical Education if a youth were to lose his life in a High School swimming pool, because some employe had mislaid the pulmotor and prevented resuscitation.

SCORES NIER'S COURSE

"It is equally unprecedented, that such a suspension should have been applied in the case of Mr. Raitt, without specification of the charges, or a fair preliminary inquiry as to the facts within his official knowledge, and that the items of alleged laxity should have been conveyed to him in a virulent personal attack, with an obviously hostile animus, coupled with a laudation of the former deputy incumbent of the position to which Mr. Raitt had been appointed by the official in question.

"The sweeping exoneration of the directly responsible employes involved on the part of Commissioner Nier seems to be about equally shocking and contrary to normal procedure. This phrase of the matter joined with the seeming intent to make Mr. Raitt the 'scapegoat' in the lamentable affair seems equally shocking and unprecedented to a disinterested inquirer.

"Charles B. Raitt has a national reputation, beyond challenge, as among the front-ranking, dozen best-trained and most efficient executives in the profession in the United States. None outrank him and few equal him in all-around merits, as his record proves.

SHOCKS PROFESSION

"The suspension of Mr. Raitt, in this manner and under such circumstances will shock the members of the profession of park and recreation executives throughout the country. It will arouse indignation and a will to protest. They will challenge the 'ethics' as well as the official common sense of the procedure.

DURNAN ASKS FOR CONCRETE ON SMITH ST.

Wants City To Purchase Hill for Benefit of Future Generations

LABOR INVOLVED Durnan Wished Concrete as Help to Workingmen and Builders

The Monday evening meeting of the Rochester city council was featured by a debate on the subject of the construction type of the proposed Smith Street Bridge, which will replace the present structure at the Smith Street crossing over the Genesee River.

EMPLOYEES AT FAULT

"Thus in the matter of the list of employes at this beach where the fatality occurred, the entire personnel was continued from last season's experience—presumably capable and reliable, as Commissioner Nier so highly lauds the service last year under the acting deputy, who has now been given charge of operations.

"I urge that all citizens hold their minds fairly open, if in doubt, until an orderly and just investigation has been completed and proper public hearings, or if needful, legal procedure of the courts of law, shall have established the vital facts and fixed the blame and the responsibility where they finally belong."

Excavation Work Started

The immediate cause of the movement was the fact that excavations have been made in the hill adjoining the grounds of Hillside Home, where it is understood, the top of the hill will be leveled, and marked off for building lots. The council took the stand that in this case there would be no benefit to the city at large, while for either a reservoir site or for pleasure grounds, this hill would serve the entire community.

Street Car Contract

The city manager in a communication addressed the council on the matter of the expiration of the city's service at cost contract with the New York State Railways. He had the following to say:

"The City shall have the right to renew this agreement for one further term of ten years by giving the company notice that effect in writing signed by the Mayor, on or before the first day of August, 1929, and upon the giving of such notice by the City this contract shall without further act, stipulation or proceeding be in force for such additional term. Such notice shall not be given by the Mayor except with the approval of the Common Council by a majority vote, it being the zoning classification of East Avenue from E to D by which change the city might authorize limited apartment construction. This was in direct opposition to a recent vote in which Mr. Goodwin favored the E classification with his support, but declaring at the time that he would later bring in an ordinance permitting the construction. Councilman Flynn asked that the East Avenue-Arnold Park corner be changed to the D zone permitting the special construction of an apartment at that point.

CIVIC CLUBS ACT TO SAVE PINNACLE

Wants City To Purchase Hill for Benefit of Future Generations

GOODWIN GIVES ADVICE

Says Petitions, Letters, and Communications to Newspapers Will Aid

Members of the Rochester Council of Civic Clubs—their combined membership running into thousands—last evening met at The Sagamore to take measures to induce the city to buy that portion of the Pinnacle Hill bounded by Hillside Home, Clinton Avenue South, Highland Park and Pinnacle Road, that this land may be preserved for public use "for present and future generations of the community."

Although the organizations represented by this council are not bound to ratify every action taken, those present believed that they all would support the council's action. Large societies are affiliated, among them the American Legion, the Automobile Club of Rochester, the Real Estate Board, the Women's City Club, and eleven other organizations. The Pinnacle Hill, it was said, is the highest point in Monroe County. It was pointed out that if saved by the city, this height would serve as a future site for a city reservoir, should this be most advantageous, as well as for a pleasure ground, in either case to serve the entire community.

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RIGHT TO BID UNDECIDED

Counsel for Contractor are evidence style is not

The remarkable thing styles is how inexpensive

It is Grant's aim by careful contact with the market newest styles at prices below

Specialist Supports Raitt

In behalf of Mr. Raitt, a letter from Dr. C. F. Stimson, field representative of the Playground and Recreation Association of America, was released yesterday. It follows:

Claims Former Bidding Status

Dismissal of the indictment against him is said by his counsel to make Petrossi again eligible to bid on city contracts. While he was under indictment, bids submitted by him on several city construction projects were thrown out on the grounds that he was an incompetent bidder. His responsibility was upheld by Supreme Court Justice Willis K. Gillette, who granted his motion for an injunction enjoining the city from letting several contracts to other contractors when his bid was low.

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Four minor street improvement contracts were awarded today by the city Bureau of Purchase and Supply, three of them going to the Thomas Holahan Company. The jobs on which Holahan was low bidder, and the amount of the bids, are: Langford Road, macadam pavement, \$7,761; Gienhorne Road, macadam pavement, \$6,655.10; Bernice Street, macadam pavement, \$4,152.20.

The fourth contract, for concrete pavement in Duke Street, was won by the Ontario Construction Company, at \$4,550.00.

Formal Charges Sent Park Director Raitt, Informing Him of Intended Dismissal

Formal charges against Charles B. Raitt, suspended park director, were forwarded to him yesterday afternoon by George J. Nier, commissioner of public safety, and next Tuesday morning, at 10 o'clock, he will be called to a hearing, Mr. Raitt wishes it.

In his charges Commissioner Nier recites his intention to remove and dismiss the director from office by "reason that you have been incompetent, lax and negligent in your duties as such director."

Special reference is made in the charges to the drowning of Raymond J. Gartland at Ontario Beach Park. "You have until Tuesday, July 2, 1929, to reply to this notice, and, if you wish, you may have a hearing on the above charges on Tuesday, July 2, 1929, at 10 o'clock in the forenoon at my office in the City Hall at Rochester."

Points Where Blame Lies Thus in the matter of the list of employes at this beach where the fatality occurred, the entire personnel was continued from last season's experience—presumably capable and reliable, as Commissioner Nier so highly lauds the service last year under the acting deputy, who has now been given charge of operations.

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Jagged Slab Under Swing Fatal to Playground Boy

A fall from a swing in midair at the city playground in the rear of the New York State Armory, Main Street East, yesterday afternoon cost the life of Rosco Mantione, 15, of 6 Wangman Street.

Mantione's head struck a jagged edge of the partly broken concrete slab beneath the swing when he fell, says Coroner Richard A. Leonardo, and he suffered a hemorrhage of the brain. The boy died before the arrival of an ambulance.

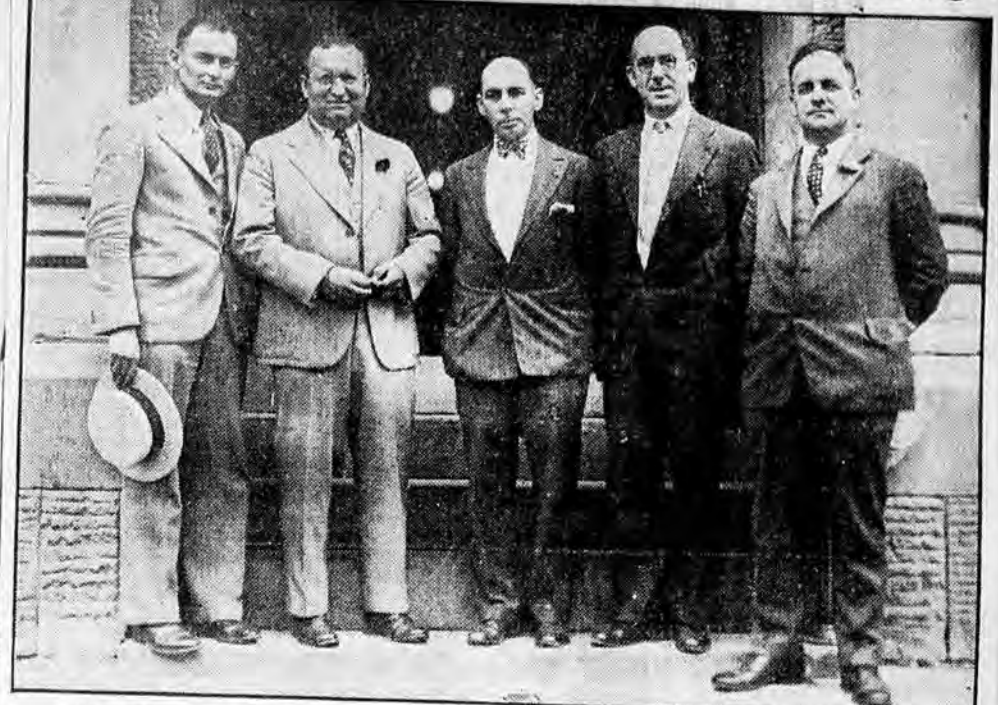
His playmates told police the boy was giving himself what is known as "the bumps," by jerking on the side ropes of the swing, when he fell.

Coroner Leonardo went to the playground immediately after the accident, and after an examination said that the broken condition of the narrow concrete slabs beneath the row of swings caused a dangerous condition.

Says Slabs Are Dangerous When the swings are not in motion, the slabs are just beneath the seats, and are said to have been placed there to prevent the children who use the swings from digging depressions in the ground with their feet as they propel themselves back and forth.

Besides issuing a certificate of accidental death, Coroner Leonardo said he would recommend that the slabs of concrete be removed. Although scores of children were at the playground, only three saw the accident.

Plans for Unveiling Soldiers' Memorial on July 4 Completed by Legion Committee and City Manager



City Manager Stephen B. Story and members of Legion Memorial Committee: From left, Frank Frey of Lewis Post, Mr. Story, Charles M. McNamara of Slager Post, George C. Miller of the Engineers Post, chairman; Louis M. Kastner of Robertshaw Post.

Arrangements for the unveiling of the soldiers' memorial on July 4 were completed at a conference yesterday in the office of City Manager Stephen B. Story, attended, besides Mr. Story, by George J. Nier, commissioner of public safety; George Miller, chairman; Charles McNamara, Louis Kastner, and Frank Frey, members of the American Legion Committee in charge of the memorial.

At the conclusion of the conference the committee said that it had received the hearty cooperation of City Manager Story and the city officials in making the unveiling program a dignified ceremony in keeping with the purpose of the memorial. The committee said that unfortunately a complete list of all the immediate families of the 669 soldiers dead, whose names appear on the bronze plaque that is being erected on the Broad Street side of the City Hall, is not available; and as a consequence, personal invitations to the ceremonies cannot be sent. The committee said that the most cordial welcome is extended to the families of the men and women who gave their lives in the country's service, and provision will be made for their accommodation.

Broad Street will be roped off, and seats will be provided. The program will open with patriotic airs by the American Legion Band; bombs will be exploded at 10 a. m.; "America" will next be sung by the assembly, and the National Colors will be advanced, in accordance with military regulations, under a detail in charge of Capt. Lewis A. Pulling of the recruiting service.

Invocation will be pronounced by Rev. John Dennis, and the monument will be unveiled by two gold star mothers, Mrs. Robertshaw and Mrs. Evans. A National Guard detail in charge of Capt. Arthur W. Infantolino, bugler. Next will be an address by Rev. Dr. George F. Kettell, state chaplain of the American Legion. The benediction will be by Chaplain Rev. Willard W. Jones, and the program will close with "The Star Spangled Banner," played by the American Legion Band.

Commissioner Nier, who issued the order for the band to appear in the procession, said today the whole matter has been dropped—in fact, that it never was taken up so far as any trouble is concerned.

"The city binds itself, in its contract with the band," said the commissioner, "to abide by musicians' union rules and decisions. The union declined to permit the band to parade because non-union musicians were in the line of march, and the city was obliged to abide by the decision."

Commissioner Nier denied he ever had any misunderstanding with Herman Dossenbach, conductor of the band. The band will continue uninterrupted in its season's program in the parks, he said.

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Advertisement for Underwear, featuring the text 'Underwear' and 'NO TROUBLE AT ALL OVER BAND, DECLARES NIER'.

Advertisement for Underwear, featuring the text 'Underwear' and 'Denies Any Misunderstanding With Director Over Non-Appearance in Orphans' Parade.'

Advertisement for Underwear, featuring the text 'Underwear' and 'No discord exists in the city's relations with its Park Band, despite refusal of the band, for union reasons, to play in the Orphans' Parade Wednesday, says Commissioner of Public Safety George J. Nier.'

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Nier Sets Hearing Date Next Tuesday For Charles Raitt

Suspended Park Director Not Ready to State Whether Time Is Satisfactory or If He Will Appear to Answer Charges—Action Against Leake Pending.

Separate hearings will be given Charles B. Raitt and Chester B. Leake, suspended from their offices of director of parks and superintendent of playgrounds, respectively, on charges of neglect of duty growing out of a drowning at Ontario Beach Park.

Announcement they will not be heard jointly was made today by George J. Nier, commissioner of public safety, who last night served formal charge against Mr. Raitt, notifying him he could be heard, if he wished, next Tuesday at 10 a. m. in Mr. Nier's office.

Mr. Raitt was not prepared at noon today to state whether or not the date set by Mr. Nier is suitable or whether he will take advantage of the hearing at all. He said he is conferring with counsel and does not know when the decision will be reached.

When asked outright if he would appear for a hearing, he replied, "I cannot say at present."

Until Raitt acknowledges receipt of the charges, Commissioner Nier will hold the charge against Mr. Leake in abeyance. A date for hearing for Mr. Leake will be set by Mr. Nier as soon as he hears from Mr. Raitt's agents whether Tuesday is satisfactory to him.

The commissioner expects to send a formal charge to Leake within two days, anticipating an early reply from Raitt.

No statement was forthcoming from Mr. Nier as to what evidence he would introduce at the hearing, but he declared the deposed director would be given a fair and impartial trial. It is considered that will call on other city officials for testimony to contradict some of Mr. Raitt's statements in his own defense.

The formal charge, which was today in the hands of Mr. Raitt, says: "Please take notice that I, George J. Nier, commissioner of public safety, propose to remove and dismiss you from office as director of parks for the reasons that you have been incompetent, lax, and negligent in the discharge of your duties as such director, and more particularly in that you did not provide and maintain adequate protection and safety facilities on and at the Municipal Beach at Ontario Beach Park when it opened on June 16 and thereafter, that you did fail to provide sufficient life guards for the protection of said beach, and that you did fail to equip the life guards with boats for the purpose of patrol, as a result of which Raymond G. Gartland was drowned while swimming in the waters at said beach.

You have until Tuesday, July 2, 1929, to reply to this notice, and, if you wish, you may have a hearing on the above charges on Tuesday forenoon at my office in the City Hall at Rochester.

Save the Pinnacle

Rochester Council of Civic Clubs formed a notable public service in calling on other city officials for testimony to contradict some of Mr. Raitt's statements in his own defense.

id and beautiful civic landmark expressed too emphatically. To-day in the hands of Mr. Raitt said: "Please take notice that I, George J. Nier, commissioner of public safety, propose to remove and dis-

miss you from office as director of parks for the reasons that you have been incompetent, lax, and negligent in the discharge of your duties as such director, and more particularly in that you did not provide and maintain adequate protection and safety facilities on and at the Municipal Beach at Ontario Beach Park when it opened on June 16 and thereafter, that you did fail to provide sufficient life guards for the protection of said beach, and that you did fail to equip the life guards with boats for the purpose of patrol, as a result of which Raymond G. Gartland was drowned while swimming in the waters at said beach.

Although surrounded on all sides by the increasing pressure of a great city which has crept up to its slopes, the Pinnacle Hill remains as one unspoiled mark of Rochester's original landscape. Here one may still find reward for a toilsome climb by gazing across a panorama that stretches out to the four points of the compass. The steam shovel and the concrete mixer have not yet defiled the rough beauty of this knob of earth that guards the southern gateway of the city today as it did when the pioneers looked upon it. Across one part of it stretches a strip of original timber—or did a few years ago.

Arguments for preserving the Pinnacle are so numerous and weighty that it is hard to believe there can be serious opposition to them. It may in time be useful for another reservoir, it is an admirable site for another park, it has historical and sentimental interest. Beyond all that, it is a bit of natural beauty thrust up into the center of a man-made community, which is reason enough in itself for its preservation.

Formal Hearing Ordered

Commissioner Nier has set a time for a formal hearing of the charges on which Charles B. Raitt, park director, was suspended from office. This will give Mr. Raitt an opportunity, to which he is clearly entitled under civil service regulations and also as a matter of justice, to hear the charges against him and to answer them in a proceeding in which witnesses are placed under oath and the evidence submitted according to legal forms.

This is a much more dignified procedure than issuing statements and counter-statements to the newspapers. The latter method provokes controversy without settling anything. It also is too suggestive of washing-dirty linen in public, an occupation that never helped any cause and that always leaves a bad impression regardless of the merits of the original dispute.

CUT SIGHTED IN CITY FIRE POLICY RATE

Underwriters Map Survey at Meeting With Syracuse Rating Men Here

STORY PREDICTS SLASH Prevention Moves, Advances in Protection Good Sign, City Manager Says

The first formal move preparatory to reduction of fire insurance rates in Rochester was made yesterday morning in City Manager Story's office when the fire underwriters' committee of this city, headed by E. L. Greene, conferred with representatives of the Syracuse district of the New York Fire Insurance Rating Organization in respect to changes in conditions here which entitle the city to lower rates than prevail now.

The conference, at which Lawrence Dew of the rating organization and one of the company's engineers were present, was in the nature of a preliminary survey by which the visitors were apprised of improvements in fire prevention and protection which have been made since the last formal survey was conducted in 1922.

Improvements in fire apparatus, in training of firemen, in building laws and other changes were discussed and a large number of details brought up to demonstrate that the city's rating by fire underwriters should be improved.

"There is no doubt that the present rating will be reduced when the formal survey is made," Mr. Story said. "Since 1922, the date of the survey on which present rates are based, and 1926, when a less complete study was made, there have been many advances in fire protective and preventive measures in Rochester.

"But it will be some time before any changes are made. The survey will consume a considerable period of time once it gets under way. When it is completed we may hope that Rochester will be placed on a higher level by the fire underwriting organization."

Rochester underwriters represented at the conference were unanimous, Mr. Story said, in the opinion that the present rates will be lowered. The city's rate at present, according to insurance men, is favorable, comparing with any in the country, but there is considerable possibility that the new survey will make it still lower.

CITY COUNCIL WILL WIND UP WORK TONIGHT

A wind-up of city affairs for the summer months is scheduled for tonight in an adjourned City Council meeting. No regular meetings are scheduled during July and August, but tonight's session is an adjournment from last week.

Routine matters, action on minor local improvements, but no verbal fireworks in advance of the Fourth of July are anticipated.

A special meeting will be called July 22 and others, for hearings on local improvements, will be held Aug. 5 and 12.

Labor Asks Concrete Span, Not Steel, at Smith Street

Aid to Unemployed, Job for City Contractor, Whereas Steel Would Be Fabricated Out of Rochester, Trades Council Says

Disapproval by organized labor of the proposed construction of a steel bridge at Smith Street by the city may result from the action of the Central Trades and Labor Council which has voted to circulate members of labor groups requesting that they proceed against the steel structure in favor of one of concrete.

The council's action is expected to reveal the sentiment of organized labor and the circular is so worded as to suggest a disapproval. The council argues that construction of a concrete bridge would give work to many unemployed Rochesterians and in turn would probably be effected by a Rochester contracting concern. On the other hand, it is argued, a steel bridge probably would be constructed by an out-of-town contractor and it probably would be fabricated outside the city.

This action supports the contention of Carl F. Lomb, vice-president of the Bausch & Lomb Optical Company, who was one of the first to argue for a concrete bridge. He is interested in the project because of the nearness of the site to his company's factory buildings.

The cards which are to be mailed to union members and then be submitted with signatures to City Manager Stephen B. Story are worded as follows: "I wish to enter my protest against the construction of the Smith Street bridge by the use of all steel. I favor concrete because it will be more enduring and ornamental. Besides, it will give work to many unemployed Rochesterians. Do it for Rochester."

The two lifeguards in the tower jumped out, ran to the water and started swimming in the direction of the log just after I heard it," Knight declared. "About seven minutes later, another guard came out with the oars for the boat."

One of the guards on duty, Charles D. Mercer, among other things, testified that Gartland's body was all doubled up when he found him in the water, indicating that the unfortunate young track athlete had been seized with cramps.

Gartland's brother, Sylvester, who was with him and who told his excited version of the affair, said the drowned youth was subject to chills from swimming. He also said the two of them had eaten a fairly full meal a little more than an hour before going to the beach.

After Mercer, the first lifeguard on the stand had testified that he had heard the cries for help while patrolling the beach, he said he started for the direction of the cries immediately but turned back when he saw Robert A. Hage and Eugene De Hage, life guards, swimming in the same direction.

"I turned back to get a boat in the belief that they would reach the drowning person as soon as I could," Mercer said. "When I got to shore, there were no oars, so I went up to our quarters, where they were locked up. I had to break the lock, because the key was not available.

I got back as soon as I could, but someone had pushed the boat out of the log where Gartland had gone down. So I swam out and got in the boat to look for the body with the other two guards."

Mercer also said he had not, as in the other three seasons as lifeguard on Rochester beaches, received any instructions concerning his duties from Chester B. Hage, who was next witness. Asked by Coroner Atwater to tell what he knew of the drowning, he said he was patrolling the beach from the west end, when he heard a number of cries for help coming from the water.

He stopped and tried to find where they came from. He rushed out about fifty feet, when he saw his two co-workers. He said he believed that they would get there, so he turned back to get a boat. He said he asked several swimmers to get a boat.

Q. What boat did you ask them to get? A. I told them to get our own if possible, but if not, to get one from one of the cottages. Q. You have a boat there, don't you? A. Yes. Q. Wasn't it there? A. No, it was on the porch of the bath-house. All were bathers. When we reached the other two life guards, we asked the bathers to get out, and the life guards got in. One of the other guards found the body, dove for it and recovered it.

BROTHER OF VICTIM IS HEARD AT INQUEST

Eye Witness Says Guards on Way to Rescue Few Seconds After Call for Help

Testimony of two lifeguards on duty at Ontario Beach Park when Raymond Gartland, U. of R. junior, drowned June 18, to the effect that they swam to his aid immediately after they heard his cry for help was corroborated by a civilian witness today at the inquest opened before Coroner Atwater.

The witness was Frank J. Knight, 12 Ridgeway Avenue, who said he was standing at the foot of the lifeguard tower at the time the first cries were heard. "The two lifeguards in the tower jumped out, ran to the water and started swimming in the direction of the log just after I heard it," Knight declared.

"About seven minutes later, another guard came out with the oars for the boat." One of the guards on duty, Charles D. Mercer, among other things, testified that Gartland's body was all doubled up when he found him in the water, indicating that the unfortunate young track athlete had been seized with cramps.

Gartland's brother, Sylvester, who was with him and who told his excited version of the affair, said the drowned youth was subject to chills from swimming. He also said the two of them had eaten a fairly full meal a little more than an hour before going to the beach.

After Mercer, the first lifeguard on the stand had testified that he had heard the cries for help while patrolling the beach, he said he started for the direction of the cries immediately but turned back when he saw Robert A. Hage and Eugene De Hage, life guards, swimming in the same direction.

"I turned back to get a boat in the belief that they would reach the drowning person as soon as I could," Mercer said. "When I got to shore, there were no oars, so I went up to our quarters, where they were locked up. I had to break the lock, because the key was not available.

I got back as soon as I could, but someone had pushed the boat out of the log where Gartland had gone down. So I swam out and got in the boat to look for the body with the other two guards."

Mercer also said he had not, as in the other three seasons as lifeguard on Rochester beaches, received any instructions concerning his duties from Chester B. Hage, who was next witness. Asked by Coroner Atwater to tell what he knew of the drowning, he said he was patrolling the beach from the west end, when he heard a number of cries for help coming from the water.

He stopped and tried to find where they came from. He rushed out about fifty feet, when he saw his two co-workers. He said he believed that they would get there, so he turned back to get a boat. He said he asked several swimmers to get a boat.

Q. What boat did you ask them to get? A. I told them to get our own if possible, but if not, to get one from one of the cottages. Q. You have a boat there, don't you? A. Yes. Q. Wasn't it there? A. No, it was on the porch of the bath-house. All were bathers. When we reached the other two life guards, we asked the bathers to get out, and the life guards got in. One of the other guards found the body, dove for it and recovered it.

before you came down? A. A very light meal.

EASY SWIM TO SHORE James Mann, attorney for Chester B. Leake, took over the witness.

Q. How good a swimmer are you? A. I have been swimming about three or four years.

Q. Can you swim 1,000 feet? A. I don't know.

Q. How did you know you could swim from the log to shore? A. Well we could see it was easy.

Q. How well could your brother swim? A. Oh, better than I.

Q. Were there any other swimmers out on that log? A. Yes, one other fellow. He left the same time we did, but I don't know his name.

Q. Was there a big crowd on the beach? A. Yes, there was a big crowd there.

Q. How far were you from shore when you heard the "help" call? A. I can't tell exactly. About 150 feet, maybe.

CALLS HALF DOZEN TIMES Q. You say he called several times. A. At least a half dozen times.

Q. You were terrified? A. Yes, I guess I was. You know, with my brother going down, I was very weak.

Q. Who told you at the tower that two men had gone out for your brother? A. It was sort of a chorus. I don't know who spoke to me.

Q. Who gave you the board? A. I can't tell.

Q. When did the boat make its appearance? A. I didn't see the boat put in, but I'm sure it was after I got into shore.

Q. Did any other but these two swimmers go out to help your brother? A. No one that I saw.

Q. What did the other fellow who was on the log with you do? A. I asked him to go back for my brother, but he looked around and said he didn't see anyone.

COAST GUARD STORY Captain Mason B. McCune, in charge of the Sumnerville Coast Guard Station, was the next witness. He said that at 7:55 p. m. he got a telephone call that a youth was drowning off the beach.

He ordered out a rowboat equipped with grapnel and then went in the regular coast guard boat and got there in about eight minutes.

They started to grapple for the body, he said, but the life guards recovered it and took it ashore.

They worked on the body one hour and thirty-one minutes. The questioning was taken over by Coroner Atwater.

Q. Then the drowning was over when you got there. A. Yes. Q. Was the life guard boat out then? A. Yes.

Q. Was it equipped with oars? A. Yes. There were three men in it.

BOAT IN GOOD CONDITION Q. The boat was in working order? A. It seemed to be.

Mr. Mann took over the witness. Q. How closely did you examine the boat? A. Twice on the beach and when I was asked to fetch the boat to the station next day.

Q. Was it in the water? A. Yes. It seemed to be all right. They were using it. It was in good condition.

Q. Was it leaky? A. No, it took a little water, but it seemed all right.

Q. Was it freshly painted? A. Yes, new paint, but not soft paint.

Charles D. Mercer, life guard, was next witness. Asked by Coroner Atwater to tell what he knew of the drowning, he said he was patrolling the beach from the west end, when he heard a number of cries for help coming from the water.

He stopped and tried to find where they came from. He rushed out about fifty feet, when he saw his two co-workers. He said he believed that they would get there, so he turned back to get a boat. He said he asked several swimmers to get a boat.

Q. What boat did you ask them to get? A. I told them to get our own if possible, but if not, to get one from one of the cottages. Q. You have a boat there, don't you? A. Yes. Q. Wasn't it there? A. No, it was on the porch of the bath-house. All were bathers. When we reached the other two life guards, we asked the bathers to get out, and the life guards got in. One of the other guards found the body, dove for it and recovered it.

They brought the body back in the boat. I swam ashore.

Mr. Mann questioned Mercer. Q. Did you see the Gartland boys out on the log? A. No.

Q. Why couldn't you see them? There were very many people out there.

RULES FROM LEAKE Q. Do you have any rules as to the patrol of the beach? A. Yes, verbal ones.

Q. From whom do you get those verbal ones? A. Mr. Leake.

Q. Did you get those instructions this year? A. No.

Q. But you did get them every other season that you worked as a life guard? A. Yes.

Q. When did you first see the boat? A. Sunday, when I came on duty.

Q. Was it on the beach? A. Yes. Mr. Davis tried it out Sunday, but said we couldn't use it any more. Then it was taken out of the water and a carpenter was asked to work on it.

Q. When did the carpenter show up? A. It was after noon on Monday.

Q. Did you see the carpenters work on the boat? A. Yes, but I couldn't say what they were doing. My impression is they were also working on it Tuesday.

Q. How many guards were there at the beach on Sunday and Monday? A. There were just two of us. Be Hage came on Tuesday.

NEXT TO TOWER Frank J. Knight, No. 112 Ridge-way Avenue, who was on the beach at the time of the drowning, next took the stand. He was questioned by the Coroner as follows:

Q. Did you witness the circumstances about the drowning of Raymond Gartland? A. Yes. I was about four feet from the life guard tower on the beach. Some children out in the water cried, "Somebody's drowning." Guards leaped into the water toward the place where the children were pointing.

Q. Did you see Sylvester, brother of the drowned boy, come out of the water? A. No.

Q. Did you help them launch the boat? A. Yes, they pushed the boat out in the place where the body was thought to be.

Q. How long from the time you first heard the alarm for help before the boat was launched into the water? A. Five to seven minutes.

Q. It was seven minutes from the time the boat was put into the water until the fellow came with the oars? A. Yes.

Q. Did you go out with the boat? A. No.

WAS NEWLY PAINTED Q. After you got the boat off the porch, were there any indications that the boat was out of commission? A. No.

Q. Did the boat look as if it was newly painted? A. Yes, it did look as if it was newly painted, but it did not rub off on my clothes.

Robert Davis, No. 631 Arnett Boulevard, another lifeguard at Ontario Beach Park on duty at the time of the drowning, stood the stand. He was questioned by Assistant District Attorney Holbrook as follows:

Q. Were you on duty when Raymond Gartland was drowned? A. Yes.

SIX OR SEVEN ON LOG Q. Did you see both the Gartland boys on the log? A. There were about six or seven people on the log.

Q. About how far was the log from the shore? A. I would say about 250 feet.

Was the log directly out from the shore. A. I would say about 250 feet.

Q. Was the log directly out from the life guard tower? A. The log was west of the tower.

Q. What did you do when you heard these cries? I ran down from the tower into the water.

Q. How long was it before the boat got there? A. Four or five minutes.

Q. Did you see Sylvester Gartland come in? A. No.

land come in? A. No.

Q. When was the boat used first? A. Sunday noon.

Q. When was the boat repaired? A. It was repaired Monday afternoon and taken to the porch of the bathing cottage.

Q. Was there anyone there to work on it Monday? A. A carpenter and another man worked on the boat.

Q. Did they finish repairing the boat Monday afternoon? A. I was not told that the boat had been repaired.

NO OTHER BOAT SUPPLIED Q. After finishing the repair of the boat, who would be notified as to its completion? A. Either Mrs. Waller or I would be notified.

Q. Was another boat supplied while this boat was being repaired? A. No.

Q. What time did this accident occur? A. About 8 p. m.

Q. How many men were on duty as life guards? A. Three, including myself.

Q. How long have you worked as a guard? A. This is my second Summer as a life guard.

Eugene BeHage, a life guard, was asked by Coroner Atwater, was asked to give his version of the drowning.

He said he was at the foot of the life guard tower when he heard cries for help. He and another life guard, Davis, sprang into the water and swam to the spot where it was said a man was down.

BOTH STARTED DIVING They both started diving. Q. How long was it before the boat came? A. Five minutes.

Q. You two kept on diving? A. We both dove a while and then Davis went in for more help, while I kept on diving.

Q. How did they get the boat out? A. They paddled it with their hands.

Q. How long did you row around before you found the body? A. Fifteen minutes, about.

Q. Which one discovered the body? A. I did, but Mercer recovered it.

Q. Where was the body? A. On the bottom.

Q. What was its position? A. I couldn't see it very well. The water was muddy. It looked like it was flat.

Assistant District Attorney Holbrook took over the questioning.

Q. How long have you been a life guard? A. Three years.

Q. What instructions do you have? A. One guard is to be in the tower, and the other two on patrol.

Q. Did you get those instructions this year? A. No, there was nothing said to us since last year except what Mrs. Waller told us.

TALKED OF BOAT LACK Q. Did you meet Sylvester Gartland on your way out? A. No.

Q. Was there any talk among you life guards about the lack of a boat on Sunday and Monday? A. Some.

Q. You knew it was undergoing repairs? A. Yes.

Questioning was taken over by James Mann.

Q. That boat was found to be serviceable and could have been used and was used, wasn't it? A. Yes.

Mr. Holbrook resumed questioning.

Q. How much water came in the boat? A. A half inch, about.

Mr. Mann: Q. You don't know whether it leaked in or not? A. No. Q. It may have come from swimmers and divers getting in and out of the boat, mayn't it? A. Maybe. Mrs. Waller was called to the stand. She told the familiar facts regarding the position of the boat on the locker room porch, and said the oars were in the life guard quarters. Coroner Atwater questioned her.

A. Yes, it was in the water but I knew it needed repairs. I knew before the opening that it should have been repaired. Mr. Leake promised us last season that if we did the best we could that it would get a new one at this year's Opening. Monday it was launched again, and water came in. Finally the carpenter came on Monday. He started working on the boat. I thought we would get a new one in its place while repairing was being done.

Q. Did the carpenter finish repair work on Monday? A. No, he came back Tuesday and worked on it.

Q. Did he report it was again serviceable? A. No.

Q. Wouldn't he report it to you? He should, but he didn't. He was painting it Tuesday, and leading it. There was not floor board in it.

Q. On Wednesday, preceding the opening, were you called to Mr. Leake's office? A. Yes, he said he wanted to give me instructions.

Q. What did he say to you? A. He didn't say anything much except that he would have a man come down and fix up the locker room.

TOLD LEAKE OF BOAT Q. Did you tell him at that time that you needed a new boat? A. Yes, I told him again that the boat was leaking.

Q. Did you say anything more? A. No, I thought that was enough.

Q. Was Mr. Raitt there? A. He came in at the last of the conference.

Q. Did he speak to you? A. Yes, he said he was appointing a man to have charge of the life guards. He said he was taking all that away from me.

Q. Was Leake at the park before the opening? A. Yes, he was on the porch of the bath house. I showed him the boat. Mr. Waller, who was with me at the time, said it was a crime to use that boat. Leake said she didn't see that it needed so much.

Q. Could you see through the cracks, A. Yes.

Q. Did Leake do anything at that time? A. Yes, he put in the seal.

Q. How many guards were on duty at the opening? A. There were two on Sunday and Monday. A third came Tuesday.

USUALLY FOUR GUARDS Q. Did any one row the boat on patrol? A. Yes, Davis did, on Sunday and Monday, before he was told to take the boat out of the water for repairs.

Q. What are your duties? A. I am in charge of all help at the beach.

Q. Have you given any instructions to the life guards? A. Yes, I told them to have one man in the tower and two on patrol.

Q. How many should there be there? A. Usually four.

District Attorney Love questioned Mrs. Waller.

Q. How many keys were there to the locker where the oars were kept? A. Only one, as far as I know.

Q. Who had it? A. I believe Mercer.

GUARDS NOT IN UNIFORM Q. What is the uniform of the life guards on the beach? A. It differs in various years. The regular suits for this year were not ordered in time to get here for the opening, so they have been wearing their own suits.

Q. Were there any other people on the beach with similar suits? A. Yes, many of them.</

Nier Sets Hearing Date Next Tuesday For Charles Raitt

Suspended Park Director Not Ready to State Whether Time Is Satisfactory or If He Will Appear to Answer Charges—Action Against Leake Pending.

Separate hearings will be given Charles B. Raitt and Chester B. Leake, suspended from their offices of director of parks and superintendent of playgrounds, respectively, on charges of neglect of duty growing out of a drowning at Ontario Beach Park.

Announcement they will not be heard jointly was made today by George J. Nier, commissioner of public safety, last night served formal notice to Mr. Raitt, Mr. Leake and Mr. Atwater, superintendent of playgrounds, that they would be heard on July 2, 1929, at 10 o'clock in the city office in the City at Rochester.

Mr. Nier, who was suspended from his office on June 16 and thereafter, that you did fail to provide sufficient guards for the protection of said beach at said beach, Ontario Beach Park, on July 2, 1929, at 10 o'clock in the city office in the City at Rochester.

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Save the Pinnacle The Rochester Council of Civic Clubs has performed a notable public service in launching a movement for the preservation of the Pinnacle Hill. Sentiment on behalf of this old and beautiful civic landmark cannot be expressed too emphatically. To cut it up into building lots or to destroy any of its natural dignity and charm would be a tragic loss to all the future generations that may live in Rochester.

Although surrounded on all sides by the increasing pressure of a great city which has crept up to its slopes, the Pinnacle Hill remains as one unspoiled mark of Rochester's original landscape. Here one may still find reward for a toilsome climb by gazing across a panorama that stretches out to the four points of the compass. The steam shovel and the concrete mixer have not yet defiled the rough beauty of this knob of earth that guards the southern gateway of the city today as it did when the pioneers looked upon it. Across one part of it stretches a strip of original timber—or did a few years ago.

Arguments for preserving the Pinnacle are so numerous and weighty that it is hard to believe there can be serious opposition to them. It may in time be useful for another reservoir, it is an admirable site for another park, it has historical and sentimental interest. Beyond all that, it is a bit of natural beauty thrust up into the center of a man-made community, which is reason enough in itself for its preservation.

Formal Hearing Ordered

Commissioner Nier has set a time for a formal hearing of the charges on which Charles B. Raitt, park director, was suspended from office. This will give Mr. Raitt an opportunity, to which he is clearly entitled under civil service regulations and also as a matter of justice, to hear the charges against him and to answer them in a proceeding in which witnesses are placed under oath and the evidence submitted according to legal forms.

This is a much more dignified procedure than issuing statements and counter-statements to the newspapers. The latter method provokes controversy without settling anything. It also is too suggestive of washing-dirty linen in public, an occupation that never helped any cause and that always leaves a bad impression regardless of the merits of the original dispute.

CUT SIGHTED IN CITY FIRE POLICY RATE

Underwriters Map Survey at Meeting With Syracuse Rating Men Here

STORY PREDICTS SLASH Prevention Moves, Advances in Protection Good Sign, City Manager Says

The first formal move preparatory to reduction of fire insurance rates in Rochester was made yesterday morning in City Manager Story's office when the fire underwriters' committee of this city, headed by F. L. Greene, conferred with representatives of the Syracuse district of the New York Fire Insurance Rating Organization in respect to changes in conditions here which entitle the city to lower rates than prevail now.

The conference, at which Lawrence Daw of the rating organization and one of the company's engineers were present, was in the nature of a preliminary survey by which the visitors were apprised of improvements in fire prevention and protection which have been made since the last formal survey was conducted in 1922.

Improvements in fire apparatus, in training of firemen, in building laws and other changes were discussed and a large number of details brought up to demonstrate that the city's rating by fire underwriters should be improved. "There is no doubt that the present rating will be reduced when the formal survey is made," Mr. Story said. "Since 1922, the date of the survey on which present rates are based, and 1926, when a less complete study was made, there have been many advances in fire protective and preventive measures in Rochester.

"But it will be some time before any changes are made. The survey will consume a considerable period of time once it gets underway. When it is completed we may hope that Rochester will be placed on a higher level by the fire underwriting organization."

CITY COUNCIL WILL WIND UP WORK TONIGHT

A wind-up of city affairs for the summer months is scheduled for tonight in an adjourned City Council meeting. No regular meetings are scheduled during July and August, but tonight's session is an adjournment from last week. Routine matters, action on minor local improvements, but no verbal fireworks in advance of the Fourth of July are anticipated. A special meeting will be called July 22 and others, for hearings on local improvements, will be held Aug. 5 and 12.

Labor Asks Concrete Span, Not Steel, at Smith Street

Aid to Unemployed, Job for City Contractor, Whereas Steel Would Be Fabricated Out of Rochester, Trades Council Says

Disapproval by organized labor of the proposed construction of a steel bridge at Smith Street by the city may result from the action of the Central Trades and Labor Council which has voted to circularize members of labor groups requesting that they protest against the steel structure in favor of one of concrete. The council's action is expected to reveal the sentiment of organized labor and the circular is so worded as to suggest a disapproval. The council argues that construction of a concrete bridge would give work to many unemployed Rochesterians and in turn would probably be effected by a Rochester contracting concern. On the other hand, it is argued, a steel bridge probably would be constructed by an out-of-town contractor and it probably would be fabricated outside the city.

SATURDAY, JUNE 29, 1929

Urge Pinnacle For Park

Pinnacle Hill, highest part of the ridge in the southeast portion of Rochester, has long been regarded as a possible site for a city park. This matter has again been brought forward by the Rochester Council of Civic Clubs, which is circulating a petition asking action by city officials.

The tendency has been for the unspoiled and unoccupied area to grow less and less. Big sandpits cut into one flank years ago, and on the other streets have been sweeping up closer and closer to the wooded part of the hill. Now excavation work has begun which is said to be a forerunner of leveling off the portion adjacent to Hillside Home for building lots. That would leave only the part of the hill occupied by a Catholic cemetery. No burials have been made there for years and presumably the land will eventually be deconsecrated.

An earlier agitation for purchase of the Pinnacle was backed mainly by persons residing in the immediate vicinity. The action of the Council of Civic Clubs represents an effort to obtain city-wide support in preserving for public use a site which has great natural beauty and commands a fine view in all directions.

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The witness was Frank J. Knight, No. 12 Ridgeway Avenue, who said he was standing at the foot of the lifeguard tower at the time the first cries were heard. "The two lifeguards in the tower jumped out, ran to the water and started swimming in the direction of the call just after I heard it," Knight declared. "About seven minutes later, another guard came out with the oars for the boat."

One of the guards on duty, Charles D. Meyer, among other things, testified that Gartland's body was all doubled up when he found him in the water, indicating that the unfortunate young track athlete had seized with spasms.

Sylvester, who told he was his affair. He had eaten a more Ontario Beach before this year. "Your brother hadn't been at the beach for some time," Sylvester said. "I don't know any more about it."

BOAT AND OARS APART Q. Why? A. It was being repaired, as far as I know. Q. Weren't you told why? A. Yes. One of the other guards told me it was not fit and was being repaired.

Q. Where were the oars? A. They were in the life guard quarters. Q. Was that in the same building as the boat? A. No, it was about sixty feet away.

Q. Did considerable time elapse before you got the oars. A. Yes. They were locked up at the time. I had to get a key, and there was none available, so I had to break the lock. When I got back with the oars, the boat was just about out there.

before you came down? A. A very light meal.

EASY SWIM TO SHORE James Mann, attorney for Chester B. Leake, took over the witness.

Q. How good a swimmer are you? A. I have been swimming about three or four years. Q. Can you swim 1,000 feet? A. I don't know.

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Q. How well could your brother swim? A. Oh, better than I. Q. Were there any other swimmers out on that log? A. Yes, one other fellow. He left the same time we did, but I don't know his name.

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CALLED HALF DOZEN TIMES Q. You say he called several times. A. At least a half dozen times.

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Q. Did any other boat besides the two swimmers go out to help your brother? A. No one that I saw.

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He ordered out a rowboat equipped with grapnels and then went in the regular coast guard boat and got there in about eight minutes.

They started to grapple for the body, but the life guards recovered it before they could get to the boat. "I saw the body when it was being hoisted," Sylvester said. "It looked like a log."

Q. Did you see Sylvester? A. Yes, I saw him. Q. Did you see the boat? A. Yes, I saw it.

Q. How long was the boat out there? A. About five minutes. Q. Did you see Sylvester Gart-

land come in? A. No. Q. When was the boat used first? A. Sunday noon.

Q. Did you see the boat repaired? A. It was repaired Monday afternoon and taken to the porch of the bathing cottage.

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Q. How long have you worked as a guard? A. This is my second Summer as a life guard.

Eugene BeHage, a life guard, questioned by Coroner Atwater, was asked to give his version of the drowning.

He said he was at the foot of the life guard tower when he heard cries for help. He and another life guard, Davis, sprang into the water and swam to the spot where it was said a man was down.

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Assistant District Attorney Holbrook took over the questioning. Q. How long have you been a life guard? A. Three years.

Q. What instructions do you have? A. One guard is to be in the tower, and the other two on patrol.

Q. Did you get those instructions this year? A. No.

Q. But you did get them every other season that you worked as a life guard? A. Yes.

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Q. It was seven minutes from the time the boat was put into the water until the fellow came with the oars? A. Yes.

Q. Did you go out with the boat? A. No.

WAS NEWLY PAINTED Q. After you got the boat off the porch, were there any indications that the boat was out of commission? A. No.

Q. Did the boat look as if it was newly painted? A. Yes, it did look as if it was newly painted, but it did not rub off on my clothes.

Robert Davis, No. 631 Arnett Boulevard, another lifeguard at Ontario Beach Park on duty at the time of the drowning, stood the stand. He was questioned by Assistant District Attorney Holbrook as follows:

Q. Were you on duty when Raymond Gartland was drowned? A. Yes.

Q. How many keys were there to the locker where the oars were kept? A. Only one, as far as I know.

Q. Who had it? A. I believe Mercer.

Mr. Holbrook resumed questioning. Q. How much water came in the boat? A. A half inch, about.

Q. You don't know whether it leaked in or not? A. No.

Q. It may have come from swimmers and divers getting in and out of the boat, mayn't it? A. Maybe.

Mrs. Waller was called to the stand. She told the familiar facts regarding the position of the boat on the locker room porch, and said the oars were in the life guard quarters. Coroner Atwater questioned her.

PROMISED NEW BOAT Q. The beach was opened the Sunday before the tragedy, wasn't it? A. Yes.

Q. Had the boat been in use? A. Yes, it was in the water but I knew it needed repairs. I knew before the opening that it should have been repaired.

Mr. Leake promised us last season that if we did the best we could that we would get a new one at this year's opening. Monday it was launched again, and water came in. Finally the carpenter came on Monday. He started working on the boat. I thought we would get a new one in its place while repairing was being done.

Q. Did the carpenter finish repair work on Monday? A. No, he came back Tuesday and worked on it.

Q. Did he report it was again serviceable? A. No.

Q. Wouldn't he report it to you? He should, but he didn't. He was painting it Tuesday, and leading it. There was not floor board in it.

Q. On Wednesday, preceding the opening, were you called to Mr. Leake's office? A. Yes, he said he wanted to give me instructions.

Q. What did he say to you? A. He didn't say anything much except that he would have a man come down and fix up the locker room.

TOLD LEAKE OF BOAT Q. Did you tell him at that time that you needed a new boat? A. Yes, I told him again that the boat was leaking.

Q. Did you say anything more? A. No, I thought that was enough.

Q. Was Mr. Raitt there? A. He came in at the last of the conference.

Q. Did he speak to you? A. Yes, he said he was appointing a man to have charge of the life guards. He said he was taking all that away from me.

Q. Was Leake at the park before the opening? A. Yes, he was on the porch of the bath house. I showed him the boat. Mr. Waller, who was with me at the time, said it was a crime to use that boat. Leake said he didn't see that it needed so much.

Q. Could you see through the cracks, A. Yes.

Q. Did Leake do anything at that time? A. Yes, he put in the seat.

Q. How many guards were on duty at the opening? A. There were two on Sunday and Monday. A third came Tuesday.

USUALLY FOUR GUARDS Q. Did any one row the boat on patrol? A. Yes, Davis did, on Sunday and Monday, before he was told to take the boat out of the water for repairs.

Q. What are your duties? A. I am in charge of all help at the beach.

Q. Have you given any instructions to the life guards? A. Yes, I told them to have one man in the tower and two on patrol.

Q. How many should there be there? A. Usually four.

Q. You knew it was undergoing repairs? A. Yes.

Questioning was taken over by James Mann.

Q. That boat was found to be serviceable and could have been used and was used, wasn't it? A. Yes.

Mr. Holbrook resumed questioning.

Q. How much water came in the boat? A. A half inch, about.

Mr. Mann: Q. You don't know whether it leaked in or not? A. No.

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WAR PLAQUES WILL BE HUNG AT CITY HALL

Peanuts and Candy To Take Place of Pyrotechnics in Hands of Young

HEAVY PICNIC SCHEDULE

Summer Schools Open Today; County Supervisors and City Council To Meet

Community celebrations will be in order this week as faithful citizens, at the urgent pleas of young-ster, but no less faithful, citizens, no doubt, observe the one hundred and fifty-third anniversary of the signing of the Declaration of Independence. This year, as last, will be marked by a lack of private celebrations, due to the action of the city lawmakers in banning the retail sale of pyrotechnics.

A more patriotic demonstration, however, will be the unveiling of the soldier's memorial plaque on the Broad Street side of City Hall. The plaque will contain the names of approximately 668 persons, mounted on a Barre granite building, and will be attached to City Hall until a suitable civic building is erected, according to the report of the committee.

Plaque Program in Morning

The program will begin at 10 o'clock Thursday morning with the singing of "America" by the assembled people, after which the national colors will be advanced. The invocation will be pronounced by Rev. John Dennis, and the memorial will be unveiled by two Gold Star mothers.

Anthony Infantino will sound brass, as the next part of the program and, after a musical selection, Rev. Dr. George Kettell will deliver the main address. The benediction will be pronounced by Rev. Willard V. Jones.

City officials have co-operated readily to make the event a success, and have arranged that Broad Street be roped off, and seats provided. The services will be open to the public.

City Manager will sit, he probably will appear with his attorney. He has up to 10 o'clock to appear; and it is generally expected that he will appear, as he has retained Edward N. Ogden as his attorney.

Commissioner Nier, in transmitting the charges against Mr. Raitt to City Manager Story, sent the following communication:

"I am attaching hereto a copy of the notice proposing to remove and dismiss Charles B. Raitt as director of parks."

"While he has not replied to this notice, he has caused to be published statements that I would not render to him a fair trial.

"Inasmuch as I have no personal interest in this matter, I would, therefore, ask that you hear the proceeding on Tuesday, July 2, 1929."

City Manager to Try Charge Against Director of Parks

Consents on Request of Commissioner of Public Safety to Hear Evidence; Mr. Raitt Expected to Appear

To preclude any possibility that a fair and impartial trial might not be accorded Charles B. Raitt, suspended park director, George J. Nier, commissioner of public safety, last evening requested City Manager Stephen B. Story to conduct the hearing scheduled for 10 o'clock this morning.

Mr. Story consented to conduct the hearing on the charges preferred by Commissioner Nier, and Mr. Nier will present his evidence.

Among the witnesses who are scheduled to appear are Mrs. Edna M. Waller, beach manager; three life guards, and other persons, including citizens who were on the beach. Mr. Raitt said last evening that if the hearing is conducted by City Manager Story, and if he, Raitt, is officially notified that the

Former Associate in Los Angeles Highly Praises Ability of Raitt

Says That in Twenty Years Service There He Had Absolute Confidence of Public as Man of High Ideals, Fine Standards, Blameless Character

Charles F. Garfield of the Garfield Real Estate Company has received a letter forwarded to him by Tom S. Ingersoll, executive secretary of the Los Angeles Realty Board, Los Angeles, Calif., in which the writer, Mrs. Arthur C. Wier, praises highly the character and executive ability of Charles B. Raitt.

Mr. Raitt, recently suspended from his office as director of the Rochester park system by George J. Nier, commissioner of Public Safety, organized the Playground and Recreation Department of Los Angeles and was for twenty years its superintendent.

Commissioner Seven Years

Mrs. Wier bases the statements in her letter on her seven years association with Mr. Raitt as a member of the Los Angeles Playground and Recreation Commission.

In commenting on the letter of Mrs. Wier, Mr. Garfield says that Mr. Raitt's friends were reluctant to have him come to Rochester, and that they think Mr. Raitt is being done a great injustice in the present situation.

Mrs. Wier's letter follows: "Los Angeles, Calif., May 24, 1929. "To All to Whom It May Concern: "It was the privilege of the undersigned, Mrs. Arthur C. Wier, to have served as a member of the Playground and Recreation Commission of the city of Los Angeles from July, 1921, to July, 1928, and she feels that she knows something of the character and ability of Mr. Charles B. Raitt.

"In 1923, through the efforts of Mr. Raitt, a bond issue for \$1,500,000 was voted by the citizens of Los Angeles to buy more playgrounds. About the same time and served as its superintendent for twenty years. Through his initiative and splendid executive ability there was created and developed for this city one of the best playground

AT INQUEST INTO GARTLAND DEATH

Testimony Conflicts on Condition of Boat and Time Taken to Get Oars; Drowned Youth's Brother Called

RAITT AND LEAKE ON STAND; ACCIDENT, CORONER DECIDES

At the inquest into the death of Raymond J. Gartland, University of Rochester junior, at Ontario Beach Park on June 18, and as a result of which two city officials have been suspended.

With the verdict, Coroner Atwater included recommendations for more strict enforcement of the present regulations, or the creation of further rules to provide greater safeguards for the bathing public. His verdict and recommendations follow:

Coroner's Findings

"Coroner's Decision in the case of Raymond Gartland. "Death due to accidental drowning. "I recommend more strict enforcement of the existing, or the creation of proper rules to more carefully guard the safety of the public at bathing beaches. "David H. Atwater, Coroner."

Charles B. Raitt, former director of parks, and Chester B. Leake, former superintendent of playgrounds, suspended by order of Public Safety Commissioner George J. Nier after an investigation of the drowning, were two of the nearly 20 witnesses called by Coroner Atwater at the inquest. Attorney Edward N. Ogden was present on behalf of Mr. Raitt, and Mr. Leake was represented by Attorney James Mann.

To a direct question of Coroner Atwater as to whether he knew the life boat at the beach was out of commission, Mr. Raitt replied he did not.

When asked the same question, Leake testified that although he knew the boat was being repaired, he believed it to be out of commission only a few hours a day while the necessary repairs were being made, and only when the beach was not open to bathers.

Raitt Tells of Preparations

At the suggestion of his attorney, Mr. Raitt gave a detailed outline of the preparations made under his direction for the opening of the beach, most of which was an actual count of the work of his office and that of Mr. Leake as far as the beach was concerned.

He said that as early as the middle of May he inspected the beach in company with Mr. Leake, and found that there were not sufficient life boats to warrant night bathing with the necessary degree of safety.

"I authorized that four more food life boats be installed above the number of those used last year, making eight altogether," Mr. Raitt said.

"I also directed that they be properly focused on the water so as to insure every possibility of safety in guarding those bathing at night. I found that the lights last year were readjusted properly focused."

The latter part of May, Mr. Raitt continued, he authorized Mr. Leake to get ready to open the beach and ordered him to put a crew of men to work to prepare it for the official opening. When the work was completed he inspected the beach in a company with Mr. Leake.

One of the reasons given when Assistant District Attorney Holbrook called Mr. Raitt in for his testimony on June 16.

Mr. Ogden, attorney for Mr. Raitt, objected to the question, but after a few moments of discussion

When asked if he had any other questions, Mr. Raitt said he had none.

Atwater then turned to the testimony of the life guards. The first witness was Frank J. Knight, 12 Ridgeway Avenue, a civilian witness, who said he was standing at the foot of the life guard tower at the time the first cries were heard. Knight said: "The two life guards in the tower jumped out, ran to the water and started swimming in the direction of the call just after I heard it. About seven minutes later, another guard came out with the oars for the boat."

Nier Not Present

Coroner Atwater was assisted in conducting the investigation by District Attorney William F. Lave and Assistant District Attorney Fred S. Holbrook, both of whom took part in the questioning in an effort to determine whether there was any evidence that might justify a Grand Jury inquiry. Anticipating possible damage suits, Assistant Corporation Counsel Benjamin Forsyth appeared in behalf of the city. Commissioner Nier, who preferred the charge of laxity in the performance of their duties against the two suspended officials, was not present at the inquest.

Many Dog Owners Visit City Hall

There was a great flow of people into the City Hall yesterday. The semi-annual payment of taxes were due and the office of City Treasurer Kane was filled to overflowing. There were also 840 persons who received dog licenses, City Clerk Thomas P. O'Leary and his staff were busy all day accommodating the dog owners.

Testimony of Gartland's brother, Sylvester, who was with him when he drowned, was taken and he gave for the first time, the following account of the affair:

"Raymond and I went down to the beach about 7:15 o'clock. We went into the water, and we found it was dirty near the shore, so we swam out to a log about two hundred feet from shore. The water was over our heads, about seven feet deep.

"The log was about twenty feet long and was floating free in the water. We dived from the log a few times and swam around, then went back to the log and rested, watching the people. A motorboat went past us very fast. We watched that and then swam some more. About that time, after we had been in the water a little more than half an hour, Ray said it was about time we went back.

"So we both slipped into the water. I swam a little faster than my brother and was some distance ahead of him. I asked him (when he could touch bottom and then suddenly I heard him holler for help. I tried to go back, but when I saw him go up and down, I lost my strength and couldn't seem to swim. I turned toward the shore to get help.

"One of the life guards I agreed to go out to help my brother. He said he had to get the oars for the boat. I don't know what he did then, but I went to the life guard tower. They told me there that two life guards had gone out to help my brother. They gave me a stick, about four feet long. I was very cold and I couldn't swim. I jumped into the water again and tried to swim. But I knew I was helpless."

Questioned by Coroner Atwater, Sylvester said that it was about fifteen or twenty minutes before the oars were obtained. He and his brother had only a light meal before going to the beach and his brother at no time complained of feeling ill, he said.

Captain Mason B. McCune, in charge of the Summerville Coast Guard Station, was called and told how he and a crew took a rowboat equipped with grappling to the scene in an effort to recover the body a short time after the drowning.

When asked if the boat appeared

order, Captain McCune did not examine it twice, on the beach, and when he was asked to take the boat to the coast-guard station the next day. He said it seemed to be in good condition.

Testimony of Robert Davis, one of three life guards employed at the beach, brought out that the only lifeboat available for use there had been declared "unfit for use" by Davis two days before the drowning occurred.

Davis said he reported the condition of the boat to Mr. Leake on Sunday, June 15, and that two men came to the beach at noon on the following day to repair the boat. They worked against the boat Tuesday, he testified, but at one time thereafter was informed the lifeboat was ready for use.

Davis' testimony was substantiated by that of Charles D. Mercer, another life guard at the beach. Both said that verbal instructions, such as had always been given to the life guards in previous years, were omitted this year by their superior, J. C. Waller, beach manager, also called, and testified he reported the condition of the boat to Mr. Leake.

Frank Kregel, the carpenter who repaired the boat, was called. He said that the craft was in fairly good condition before he worked on it.

The testimony of both life guards that they swam to Gartland's aid immediately after they heard his cry for help was corroborated by Frank J. Knight, 12 Ridgeway Avenue, a civilian witness, who said he was standing at the foot of the life guard tower at the time the first cries were heard. Knight said: "The two life guards in the tower jumped out, ran to the water and started swimming in the direction of the call just after I heard it. About seven minutes later, another guard came out with the oars for the boat."

Business transacted last evening by the City Council included the following matters:

Adopted an ordinance for an asphalt paving in State Street, between Main and Commercial streets.

Heard a vigorous debate between Councilman Harry C. Goodwin and representatives of the Central Trades and Labor Council with reference to the use of concrete or steel as the material for the new Smith Street bridge.

Authorized the expenditure of \$750,000 for the widening and construction of new approaches to the Smith Street bridge.

Approved the abandonment of the trolley lines in Plymouth and Mount Hope avenues and authorized the substitution of bus services in their place.

Adopted an ordinance for the creation of a City Planning Board and fixing its powers; raised the salary of election inspectors from \$9 to \$10, and transacted a volume of routine business before adjourning until July 22.

Representatives of the Ellwanger & Barry Building and the Monroe County Savings Bank declared that they favored the ordinance, as being for the Council, providing a satisfactory work was laid. Hymen J. Cohen, owner of 177 foot frontage, favored an improvement, but made several requests for costs, especially if the street was widened.

Harry B. Guilford, owner of a parcel of property at State and Andrews Streets, and who will erect a new lighting, and this street was also supported by Arthur E. Headley, representing two parcels of property. Mr. Guilford said that the street was "wide" and a real improvement would revive it. He said that the sidewalks could be cut back six feet on each side, and favored the reduction of the walk, even though the street was only widened four or six feet. Mr. Powers made the point that the only widening that would be beneficial would be that providing an additional traffic lane.

What Councilmen Did Last Night

Walter W. Powers, representing the Powers Commercial Buildings, favored the ordinance, but objected against that phase which provides for a sidewalk similar in construction to that in Main Street. Mr. Powers maintained that the walk is disintegrating, the cement is breaking away from the stones, making a very objectionable condition.

City Manager Story pointed out that without any amendment to the ordinance it will be possible for a walk with a cement surface, rather than of concrete mixture entirely, to be prepared, and both Councilmen Louis S. Foulkes and Nelson A. Milne suggested that since the property owners were to pay the expense, they were entitled to what they desired. Mr. Story pointed out the engineering department would co-operate and the necessary change in the specifications would be made to provide the walk they wished. He suggested that faulty materials might have entered into the walk in front of the Powers Building and it may be necessary to check off the top half inch and lay another surface. Mr. Story said that this had been done several times on the subway.

Delay Asked By Suspended Head of Parks

Time Needed To Prepare Case, Attorney Says—Nier on Hand With Number of Witnesses.

Hearing of Charles B. Raitt, suspended director of Rochester parks, was today adjourned to 10 a. m. Friday, on request of Edward N. Ogden, counsel for Mr. Raitt.

Illness of Mr. Raitt after the strain of the coroner's inquest yesterday into the drowning of Raymond J. Gartland, and more opportunity to prepare the defense, were reasons given in the plea for adjournment.

The hearing of Mr. Raitt on a charge of neglect of duty in connection with the drowning was scheduled for 10 this morning before City Manager Stephen B. Story, in the art commissioner room of the City Hall Annex.

Mr. Raitt did not appear, but was represented by his attorney, George Nier, commissioner of public safety, who was accompanied by a group of witnesses ready to bolster his reasons for summarily suspending Mr. Raitt and Chester B. Leake, superintendent of playgrounds, after the drowning tragedy at Ontario Beach park, June 18.

COUNCIL VOTES ASPHALT PAVING IN STATE STREET

Supporters of Concrete for Smith Street Bridge Propose Change From Steel; \$750,000 Appropriated for Approaches

The asphalt repaving of State Street, from Main to Commercial Streets, was authorized last evening by the City Council following favorable report on the ordinance by the Local Improvement Committee, made up of Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson and Councilman Chester A. Peake.

There was unanimous opinion favoring improvement among the property owners present at the hearing which preceded action on the ordinance, but differences were expressed as to whether the street should be widened. At the suggestion of Councilman Harry C. Goodwin an estimate of the cost of widening of the street will be prepared by Harold W. Baker, commissioner of public works, and it will be submitted to the property owners. Then, if by majority petition they desire the street widened, the present ordinance can be amended, it was brought out.

By HIRAN MARKS

Mr. Koveleski said that if Councilman Goodwin meant that to mean that the Central Trades and Labor Council delegation represented any body other than the workers of Rochester, that he was in error and added "I don't like it." To the statement that if the concrete bridge was proposed that the ironworkers would object, Mr. Koveleski asserted that the representatives of this local sat in at the meeting last Thursday evening that authorized the protest to the City Council.

To Continue Agitation

That more than 1,000 cards had already been sent to City Manager Story urging reconsideration of the bridge matter, and the use of concrete rather than steel, was mentioned by Mr. Koveleski and, he said that within the next few days this number would reach 5,000. City Clerk Thomas P. O'Leary said that about 700 cards were on hand in his office.

When Mr. Hiler requested more time for the consideration of the matter, Mayor Wilson pointed out that there had been two public hearings, and that there was opportunity then for expression of views, and Mr. Hiler felt that the matter was being rushed, protesting that he did not feel that this was the spirit of the city manager government. Mayor Wilson said that there was no disposition to "choke you off," as declared by Mr. Hiler and he said that the steel plans were recommended by the experts and accepted by the Council on the basis of what was believed to be the best construction for that location. Mr. Goodwin made it clear that he would not change his vote. There was no formal resolution before the Council and the matter concluded with the discussion so far as last evening's session was concerned. The proponents of a concrete structure maintained they would continue their agitation in an effort to induce the Council to reconsider the matter.

May Revise Street

Representatives of the Ellwanger & Barry Building and the Monroe County Savings Bank declared that they favored the ordinance, as being for the Council, providing a satisfactory work was laid. Hymen J. Cohen, owner of 177 foot frontage, favored an improvement, but made several requests for costs, especially if the street was widened.

Harry B. Guilford, owner of a parcel of property at State and Andrews Streets, and who will erect a new lighting, and this street was also supported by Arthur E. Headley, representing two parcels of property. Mr. Guilford said that the street was "wide" and a real improvement would revive it. He said that the sidewalks could be cut back six feet on each side, and favored the reduction of the walk, even though the street was only widened four or six feet. Mr. Powers made the point that the only widening that would be beneficial would be that providing an additional traffic lane.

Labor Asks Concrete

Spirited debate developed last evening between representatives of the Central Trades and Labor Council and Councilman Harry C. Goodwin regarding the matter that should be used for the Smith Street river bridge. The Council has approved by a vote of eight to one, with Councilman William F. Durran in the negative, plans for a steel bridge in preference to a concrete structure. The bridge will cost approximately \$1,000,000 and from several designs that were prepared, under the direction of Frank McKibben, bridge expert, it was decided to use steel because of difficulties in raising the bridge on the east side of the river. Concrete and steel mangers, that

work be delayed; and that plans be prepared for a concrete bridge. Mr. Goodwin asserted that they did not make the most of their opportunity and that when the matter was up he called attention to the agitation for concrete and the city officials were prepared then to consider any proposals. He pointed out that Edwin A. Fisher was in complete accord with Mr. McKibben's findings; that Mr. McKibben was essentially for concrete, not steel, as charged by the delegation; that his prominence and ability in the bridge line could not be questioned; and he said that the technical arguments favoring a steel bridge at the Smith Street location had not been met by the proponents of a concrete structure.

Goodwin asserted that when the Ridge Road bridge plans are announced that presumably the steel men will be here urging their material and he said that the only difference between the steel and cement groups is that the steel men fight in the open.

Mr. Koveleski said that if Councilman Goodwin meant that to mean that the Central Trades and Labor Council delegation represented any body other than the workers of Rochester, that he was in error and added "I don't like it." To the statement that if the concrete bridge was proposed that the ironworkers would object, Mr. Koveleski asserted that the representatives of this local sat in at the meeting last Thursday evening that authorized the protest to the City Council.

Planning Board Created

An ordinance creating a City Planning Board and granting it additional powers in accordance with measures adopted by the City Council, was adopted last evening, after it was proposed by Councilman Chester A. Peake, chairman of the city planning and zoning committee. The ordinance is effective immediately, and within a few days City Manager Story will announce the personnel of the board. The board will have additional scope under the regulations, enabling it to map streets and to perform its duties with greater local authority.

By a communication to the City Council, announcement was made by City Manager Story that he has prescribed the positions of two additional probation officers in the City Court, at a salary of \$2,400 each. He also prescribed positions of inspectors in the Fire and Police departments to serve for four months, four laborers in all, at fifty-five cents an hour.

The William B. Morse Lumber

Company submitted a remonstrance against the asphalt paving of Hillton Street, and property owners spoke in favor of the measure. John Morse of the company said that an effort would be made to adjust the differences.

Raise for Election Inspectors

The ordinance introduced by Councilman Goodwin raising the pay of the election inspectors from \$9 to \$10 a day was adopted by unanimous vote. This increase provides for the six days that the inspectors work, which are primary day, four registration days and Election Day. The finance committee approved the increase.

The ordinances providing for sewers, walks, and grading in Woodside Place and a concrete pavement, walks, and sewers in Havenly Street, were adopted. Comptroller Higgins was authorized to invest assets of the city's sinking fund in Rochester securities. The Rochester Gas & Electric Corporation was granted permission to construct steam mains in Alexander and other streets.

Councilman Goodwin introduced a resolution providing for the purchase of a life line at Ontario Beach Park. Councilman Madison filed a petition for lights in Spencer Street. Mayor Wilson filed a communication with reference to the 150th anniversary of the death of General Pulaski, Revolutionary War hero. City Clerk O'Leary filed a petition of the Charlton Deimar Sewer District of Irondequoit to connect with city water. Councilman Milne filed a resolution requesting the changing of the name of Ruby Alley to Ruby Place. Councilman Peake filed a resolution giving permission to the Madison Theater to erect signs.

Upon the motion of Councilman Foulkes, the Council adjourned to Monday evening, July 22.

Life-Line To At Municipal Beach To Keep Bathers Near Shore

Life-line to warn bathers at Ontario Beach Park from venturing too far out in the water will be erected shortly, Commissioner of Public Safety George J. Nier announced today.

Seven buoys have been ordered. A float a rope which will limit the area where bathers may swim to about 200 feet off shore. The depth of the water will be maintained at about 10 feet, and, as the lake level

recedes later in the season, the buoys will be moved further out.

Permission for the rope to be purchased without competitive bidding was given by City Council last night in adoption of a resolution by Councilman Harry C. Goodwin.

The life-line is not an outgrowth of the recent drowning of Raymond J. Gartland, said Commissioner Nier, but had been previously planned in the beach program.

Another splendid achievement was the establishment of a Municipal Men's Club, which is housed in a three-story brick building, and owned by the Playground Department. Raitt had made a survey of the needs of men in our East Side downtown district. This club has game rooms, library, billiard room, and other conveniences for men whose funds are very low. Mr. Raitt men use this club daily.

"Under Mr. Raitt's leadership the Americanization work being done by the Playground Department was carried on and assigned. Mrs. Arthur C. Wier, who served as a member of the Playground and Recreation Commission of the city of Los Angeles from July, 1921, to July, 1928, and she feels that she knows something of the character and ability of Mr. Charles B. Raitt.

"In 1923, through the efforts of Mr. Raitt, a bond issue for \$1,500,000 was voted by the citizens of Los Angeles to buy more playgrounds. About the same time and served as its superintendent for twenty years. Through his initiative and splendid executive ability there was created and developed for this city one of the best playground

At the suggestion of his attorney, Mr. Raitt gave a detailed outline of the preparations made under his direction for the opening of the beach, most of which was an actual count of the work of his office and that of Mr. Leake as far as the beach was concerned.

He said that as early as the middle of May he inspected the beach in company with Mr. Leake, and found that there were not sufficient life boats to warrant night bathing with the necessary degree of safety.

"I authorized that four more food life boats be installed above the number of those used last year, making eight altogether," Mr. Raitt said.

"I also directed that they be properly focused on the water so as to insure every possibility of safety in guarding those bathing at night. I found that the lights last year were readjusted properly focused."

The latter part of May, Mr. Raitt continued, he authorized Mr. Leake to get ready to open the beach and ordered him to put a crew of men to work to prepare it for the official opening. When the work was completed he inspected the beach in a company with Mr. Leake.

One of the reasons given when Assistant District Attorney Holbrook called Mr. Raitt in for his testimony on June 16.

Mr. Ogden, attorney for Mr. Raitt, objected to the question, but after a few moments of discussion

WAR PLAQUES WILL BE HUNG AT CITY HALL
 Peanuts and Candy To Take Place of Pyrotechnics in Hands of Young
HEAVY PICNIC SCHEDULE
 Summer Schools Open Today; County Supervisors and City Council To Meet

Community celebrations will be in order this week as faithful citizens, at the urgent pleas of youngsters, but no less faithful, citizens, no doubt, observe the one hundred and fifty-third anniversary of the signing of the Declaration of Independence. This year, as last, will be marked by a lack of private celebrations, due to the action of the city lawmakers in banning the retail sale of pyrotechnics.

A more patriotic demonstration, however, will be the unveiling of the soldier's memorial plaque on the Broad Street side of City Hall. The plaque will contain the names of approximately 688 persons, mounted on a Barre granite backing, and will be attached to City Hall until a suitable civic building is erected, according to the report of the committee.

Plaque Program in Morning
 The program will begin at 10 o'clock Thursday morning with the unveiling of "America" by the assembled people, after which the national colors will be advanced. The invocation will be pronounced by Rev. John Dennis, and the memorial will be unveiled by two Gold Star mothers.

Life-Line To Be Erected At Municipal Beach To Keep Bathers Near Shore

Life-line to warn bathers at Municipal Beach Park from venturing too far out in the water will be erected shortly, Commissioner of Public Safety George J. Nier announced today.

City Manager to Try Charge Against Director of Parks
 Consents on Request of Commissioner of Public Safety to Hear Evidence; Mr. Raitt Expected to Appear

To preclude any possibility that a fair and impartial trial might not be accorded Charles B. Raitt, suspended park director, George J. Nier, commissioner of public safety, last evening requested City Manager Stephen B. Story to conduct the hearing scheduled for 10 o'clock this morning.

Mr. Story consented to conduct the hearing on the charges preferred by Commissioner Nier, and Mr. Nier will present his evidence. Among the witnesses who are scheduled to appear are Mrs. Edna M. Waller, beach manager; three life guards, and other persons, including citizens who were on the beach. Mr. Raitt said last evening that if the hearing is conducted by City Manager Story, and if he is not present, he will appear at the hearing.

Mount Morris Firm Wins Road Contract
 The contract for the construction of the Belmont road, from the intersection of the Belmont road and the Belmont road, was awarded to the Mount Morris firm.

Ability of Raitt in Los Angeles
 Public Service There He Had Blameless Character

Los Angeles was the first city in which Raitt was employed. Through his devotion to the work, wise planning, and technical knowledge, he saved the city thousands of dollars in its many projects.

ACCOUNTS DIFFER AT INQUEST INTO GARTLAND DEATH

Testimony Conflicts on Condition of Boat and Time Taken to Get Oars; Drowned Youth's Brother Called RAITT AND LEAKE ON STAND; ACCIDENT, CORONER DECIDES

A verdict of death owing to a combination of factors, including the creation of an inquest at the Morgue J. Gartland, University of Rochester Park on June 18, and as a result of been suspended.

Interpretation Named
 Mr. Raitt expressed his desire to answer it. He replied, "Mr. Nier told me in May to open the beach when the weather was warm enough."

Delay Asked by Suspended Head of Parks
 Time Needed To Prepare Case, Attorney Says—Nier on Hand With Number of Witnesses.

Hearing of Charles B. Raitt, suspended director of Rochester parks, was today adjourned to 10 a. m. Friday, on request of Edward N. Ogden, counsel for Mr. Raitt.

With a score of people gathered for the hearing, including witnesses, city officials, two city councilmen and newspapermen, Raitt's attorney came in and conferred in an undisturbed way with Mr. Story and Commissioner Nier. The adjournment to Friday morning was announced by Commissioner Nier.

COUNCIL VOTES ASPHALT PAVING IN STATE STREET

Supporters of Concrete for Smith Street Bridge Propose Change From Steel; \$750,000 Appropriated for Approaches

The asphalt repaving of State Street, from Main to Commercial Streets, was authorized last evening by the City Council following favorable report on the ordinance by the Local Improvement Committee, made up of Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson and Councilman Chester A. Peake.

What Councilmen Did Last Night
 Business transacted last evening by the City Council included the following matters:

May Revise Street
 Representatives of the Ellwanger & Barry Building and the Monroe Savings Bank declared that they favored the ordinance, as before the Council, providing a satisfactory work was laid.

Labor Asks Concrete
 Spirited debate developed last evening between representatives of the Central Trades and Labor Council and Councilman Harry C. Goodwin regarding the material that should be used for the Smith Street river bridge.

At the public hearing on the concrete and steel bridges, various arguments favoring a concrete bridge at the Smith Street location had not been met by the proponents of a concrete structure.

Interpretation Named

Mr. Raitt expressed his desire to answer it. He replied, "Mr. Nier told me in May to open the beach when the weather was warm enough."

Mr. Raitt also outlined in detail to the coroner the preparations made for the opening of the beach, the safety measures provided, and the safety made in company with Mr. Raitt. His testimony corroborated that of Mr. Raitt.

Garland's Brother Testifies
 Testimony of Gartland's brother, Sylvester, who was with him when he drowned, was taken and he gave for the first time, the following account of the affair:

Raymond and I went down to the beach about 7:15 o'clock. We went into the water, and we found it was very deep. As we were swimming out to a log about two hundred feet from shore, the water was over our heads, about seven feet deep.

The log was about twenty feet long and was floating free in the water. We dived from the log a few times and swam around, then went back to the log and rested, watching the people. A motorboat went past us very fast. We watched that and then swam some more. About that time, after we had been in the water a little more than half an hour, Ray said it was about time we went to bed.

"So we both slipped into the water. I swam a little faster than my brother and was some distance ahead of him. I asked him twice if he could touch bottom and then suddenly I heard him holler for help. I tried to go back, but when I saw him go up and down, I lost my strength and couldn't seem to swim. I turned toward the shore to get help.

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Plaque Program in Morning

The program will begin at 10 o'clock Thursday morning with the unveiling of "America" by the assembled people, after which the national colors will be advanced. The invocation will be pronounced by Rev. John Dennis, and the memorial will be unveiled by two Gold Star mothers.

Anthony Infantolino will sound the bugle, as the next part of the program and, after a musical selection, by Rev. George Kettell will deliver the main address. The benediction will be pronounced by Rev. Willard V. Jones.

City officials have co-operated readily to make the event a success, and have arranged that Broad Street be roped off, and seats provided. The services will be open to the public.

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City Manager to Against Director

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Mr. Story consented to conduct the hearing on the charges preferred by Commissioner Nier, and Mr. Nier will present his evidence. Among the witnesses who are scheduled to appear are Mrs. Edna M. Waller, beach manager; three life guards, and other persons, including citizens who were on the beach. Mr. Raitt said last evening that if the hearing is conducted by City Manager Story, and if he, Mr. Story, is present, the hearing will be a fair trial.

Mr. Story is expected to appear at the hearing on the charges preferred by Commissioner Nier, and Mr. Nier will present his evidence. Among the witnesses who are scheduled to appear are Mrs. Edna M. Waller, beach manager; three life guards, and other persons, including citizens who were on the beach. Mr. Raitt said last evening that if the hearing is conducted by City Manager Story, and if he, Mr. Story, is present, the hearing will be a fair trial.

in Los Angeles Ability of Raitt

Public Service There He Had Blameless Character

Los Angeles, July 21.—The contract for the construction of the Tarrant Bridge road, which opens to traffic today, is the first of a series of similar contracts for the construction of roads in Los Angeles.

Mr. Raitt, who was with him when he was drowned, was taken and he gave for the first time, the following account of the affair:

"Raymond and I went down to the beach about 7:15 o'clock. We went into the water, and we found it was dirty near the shore, so we swam out to a log about two hundred feet from shore. The water was very deep.

"The log was about twenty feet long and was floating free in the water. We dived from the log a few times and swam around, then went back to the log and rested, watching the people. A motorboat went past us very fast. We watched that and then swam some more. About that time, after we had been in the water a little more than half an hour, Ray said it was about time we got out.

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"I was out of the water. I asked him to go out to help my brother. He said he had to get the oars for the boat. I don't know what he did then, but I went to the life guard tower. They told me there that two life guards had gone out. Questioned concerning his knowledge of the alleged condition of the boat, Mr. Raitt said that on June 13 he visited the beach with Mr. Leske and saw the boat on the porch being painted and made ready for use.

Ordered Boat Repaired

At that time, he said, he noticed the bow of the boat was in need of slight repairs, not sufficient to place the boat out of commission, and that he ordered those repairs to be made immediately.

A slight break in the steady taking of testimony came when Assistant District Attorney Holbrook asked Mr. Raitt if he "had informed Mr. Nier of the boat was ordered officially on June 16."

Mr. Ogden, attorney for Mr. Raitt, objected to the question, but after a few moments of discussion

COUNTS DIFFER INQUEST INTO PORTLAND DEATH

y Conflicts on Condition of Time Taken to Get Oars; Youth's Brother Called

LEAKE ON STAND; CORONER DECIDES

Portland, June 18.—The coroner's inquest into the death of Raymond J. Gartland, who was drowned in the water at the Municipal Beach, today adjourned to 10 a. m. Friday, on request of Edward N. Ogden, counsel for Mr. Raitt.

Mr. Raitt expressed his desire to answer it. He replied.

"Mr. Nier told me in May to open the beach when the weather was warm enough."

Mr. Leske also outlined in detail to the coroner the preparations made for the opening of the beach, and the safety measures provided, and the visits made in company with Mr. Raitt. His testimony corroborated that of Mr. Raitt.

Gartland's Brother Testifies

Testimony of Gartland's brother, Sylvester, who was with him when he was drowned, was taken and he gave for the first time, the following account of the affair:

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DELAy ASKED BY SUSPENDED HEAD OF PARKS

Time Needed to Prepare Case, Attorney Says— Nier on Hand With Number of Witnesses.

Hearing of Charles B. Raitt, suspended director of Rochester parks, was today adjourned to 10 a. m. Friday, on request of Edward N. Ogden, counsel for Mr. Raitt.

Mr. Raitt and his counsel had determined to ignore the proffered hearing, were Commissioner Nier and Assistant District Attorney Holbrook to conduct it, because they fully considered he would not give a fully impartial hearing. When at the inquest, City Manager Story consented to preside, on request of Commissioner Nier himself, Raitt's attorney said they would appear, but would not present it this morning.

With a score of people gathered for the hearing, including witnesses, city officials, two city councilmen and newspapermen, Raitt's attorney came in and conferred in an undertone with Mr. Story and Commissioner Nier. The adjournment to Friday morning was announced shortly.

Commissioner Nier was prepared to examine a number of witnesses, including Mrs. Edna Waller, beach manager, three life guards, a few citizen witnesses who had been at the beach, including J. Cody Waller, and Frank Frey, architect who was involved when Mr. Raitt charged that work he was doing on the Mount Hope avenue golf clubhouse had been needlessly delayed.

Who would be witnesses for Mr. Raitt was not divulged.

COUNCIL VOTES ASPHALT PAVING IN STATE STREET

Supporters of Concrete for Smith Bridge Propose Change \$750,000 Appropriated

By HIRAM MARKS

The asphalt repaving of State Street, commercial streets, was authorized last evening following favorable report on the ordinance Improvement Committee, made up of Councilmen Milne, chairman; Mayor Joseph C. Wilson and Chester A. Peake.

There was unanimous opinion favoring among the property owners present, as to whether the street widening of the street, commissioner of public safety, the street widened, the project brought out.

What Councilmen Did Last N

Business transacted last night by the City Council included the following matters:

Adopted an ordinance for asphalt paving in State Street between Main and Commercial streets.

Heard a vigorous debate between Councilman Harry Goodwin and representatives of the Central Trades and Labor Council with reference to use of concrete or steel for material for the new Smith Street bridge.

Authorized the expenditure of \$750,000 for the widening and construction of new approach to the Smith Street bridge.

Approved the abandonment of the trolley line in Plymouth and Mount Hope avenues and authorized the substitution of bus service in their place.

Adopted an ordinance for the creation of a City Planning Board and fixing its powers and salary of election inspectors from \$9 to \$10, and transacted a volume of routine business before adjourning until July 22d.

WILBER COONS SHOES

NEW!
Wilber Coons Shoes
25c doz.
33c doz.

Upright Piano
Used Buys a Fine \$59

This action was taken last Monday evening against the protest of Julius Hoestery, Jr., representing the Steuben Society. Mr. McKibben said that he favored steel only because of the foundation difficulties and it was brought out that the Ridge Road bridge would probably be of concrete.

A large delegation from the Central Trades and Labor Council, representing in Rochester workers affiliated with the American Federation of Labor, were on hand last evening to present arguments in favor of a concrete structure. They contended that besides being more durable and lending itself better to ornamentation, it would mean that 75 per cent. of the money would go to Rochester labor, and that most of the materials would be purchased here. They contended that if steel was used that the material would be fabricated out of town, workmen from outside brought in, and that there would be no lessening of unemployment among the construction crafts.

Represent Steuben Group

Representing the Central Trades and Labor Council were Emanuel Koveleski; Jack Flynn, president, and John D. Holden, vice-president, and Julius Hoestery Jr. and Otto Hiler, representing the Steuben Society, spoke, they asserted, for 10,000 German-Americans.

The men asked that there be competitive bidding between the concrete and steel builders; that

PLANNING BOARD CREATING

Additional Powers in Planning City Council, was adopted last evening, after it was proposed by Councilman Chester A. Peake, chairman of the city planning and zoning committee. The ordinance is effective immediately, and within a few days City Manager Story will announce the personnel of the board. The board will have additional scope under the regulations, that it duties with greater legal authority.

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The William B. Morse Lumber

RAISE FOR ELECTION INSPECTORS

The ordinance introduced by Councilman Goodwin raising the pay of the election inspectors from \$9 to \$10 a day was adopted by unanimous vote. This increase provides for the six days that the inspectors work, which are primary day, four registration days and Election Day. The finance committee approved the increase.

This ordinance providing for sewers, walks, and grading in Woodside Place and a concrete pavement, walks, and sewers in Henley Street, were adopted. Comptroller Higgins was authorized to invest assets of the city's sinking fund in Rochester securities. The Rochester Gas & Electric Corporation was granted permission to construct steam mains in Alexander and other streets.

Councilman Goodwin introduced a resolution providing for the purchase of a life line at Ontario Beach Park. Councilman Milne filed a petition for lights in Spencer Street. Mayor Wilson filed a communication with reference to the 150th anniversary of the death of General Putski, Revolutionary War hero. City Clerk O'Leary filed a petition of the Charlton Madison Theater to erect signs.

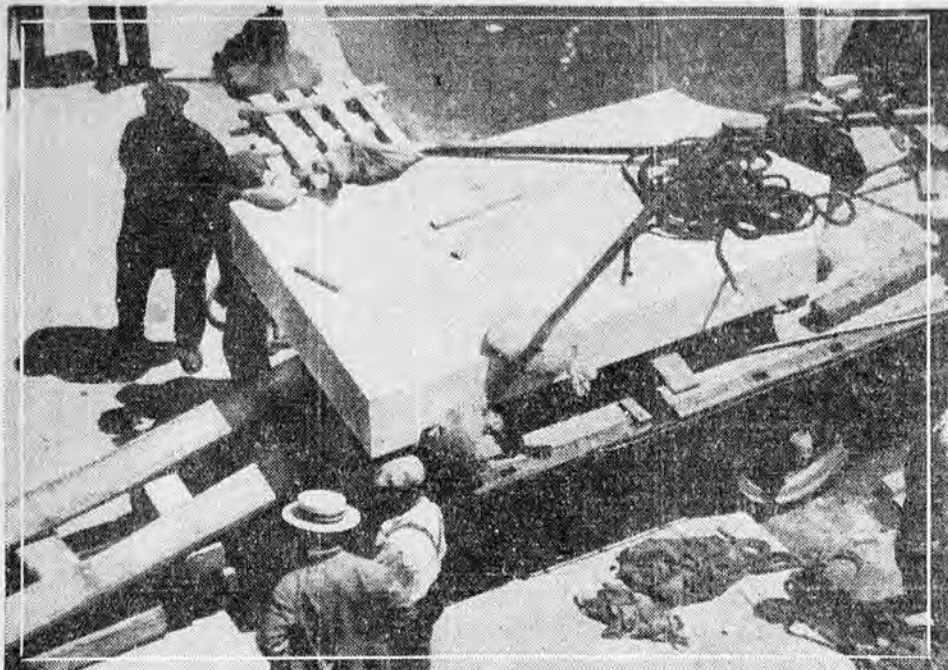
Upon the motion of Councilman Foulkes, the Council adjourned to Monday evening, July 22.

NEW BRIDGE TO BE BUILT

The new bridge will be 80 feet wide, with a 66-foot road, providing four traffic lanes, and there will be double approaches to it both on the east and west ends. City Manager Story, in conjunction with the Finance Committee, made up of Mayor Joseph C. Wilson, Vice-Mayor Isaac Adler and Councilman Edward P. Flynn, favored the steel bridge. Under the ordinance, which was introduced by Councilman elson A. Milne and William F. Duran authority is given to Comptroller Clarence E. Higgins to borrow the money for the improvement.

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War Memorial Reaches Destination



Here are workmen shown unloading the new Monroe County War Memorial to be set in place on the Broad Street side of the City Hall where it will be dedicated on July 4.

Mr. Story was reluctant to ask one of the men to retire from the service, as was compulsory, as the new ordinance provides that two members of the board shall be city officials. This measure is in accordance with legislation passed at Albany and is for the purpose of bringing the city planning activities in more official and direct contact with the municipal administration, giving it more definite legal status and providing for it added powers by increasing the importance and scope of its work.

With the appointment of two city officials necessary, Mr. Story selected the three men by lot. In the elimination drawing, done by Mr. Story's executive secretary, Miss Rebecca C. Roehford, it was necessary to drop Howard C. Rupert, realtor, who has been a member of the commission, since the beginning of Mr. Story's administration. Mr. Rupert, who was present at the drawing, took the elimination in good spirit and told Mr. Story that while he was not a member of the new board, he would cooperate with it in any way and wished it success.

Expect Warner as Chairman
J. Foster Warner, architect, was chairman of the retiring city planning commission, and at the organization meeting of the new board it is expected that he will be continued in the chairmanship.

One of the important powers that comes to the new city planning board, under the ordinance that was fostered in the City Council by Chester A. Peabody, Councilman at-Large, is the mapping of streets, providing for a setback line, which prevents property owners from constructing new buildings beyond this line. By the enforcement of this line, eventually streets are widened, at no substantial expenditure to the city, no compensation being paid for the parcels outside the line and the property owners benefiting on equal terms with each other.

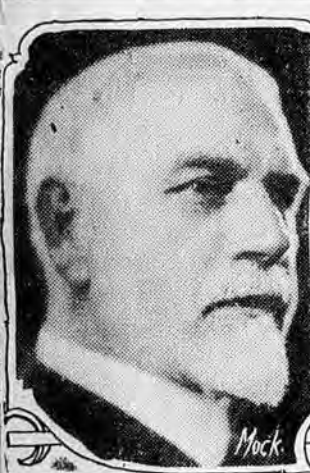
During the progress of reconstruction of the older buildings, sometimes requiring a number of years, the street line is irregular, but in the few cities where this method of widening streets has been undertaken, it was found that the construction of a new building on the setback line, serves often as stimulus to adjacent property to conform with the new street width.

City Plan Advances
The work of preparing the city plan under the direction of Harland Bartholomew is advancing and Harold W. Baker, commissioner of public works, and his staff is co-operating. The major street plan and civic center studies will be ready this fall and with the completion of the work, which is being accomplished under the general supervision of Mr. Story. With much of the field and technical work being done by Mr. Bartholomew with the co-operation of Commissioner Baker, a tremendous responsibility will fall on the new City Planning Board, which has charge of the promulgation of the program, under authority of the Council.

City Manager Story said that Rochester was fortunate in having such men as are on the City Planning Board who are willing, at great personal sacrifice, and without compensation, to undertake the work that is before the board. He said that their functions require the exercise of judgment, discretion and keen civic spirit and added that each of them possess qualifications that bring to the board a wealth of valuable experience and a sense of impartial administration of their responsibilities in the best interests of the city and its residents.

Three Elected by Lot
This placed City Manager Story in a quandary, as all of the men have shown enthusiastic interest in the large responsibilities that came to them in their work serving without compensation, and lending their efforts to the activities which Mr. Story feels is a most constructive endeavor in behalf of the city, and one of far reaching importance to the future development of Rochester.

MEMBERS OF NEW PLANNING BOARD OF WIDER POWER NAMED BY STORY



Platt, Fulreader, Howe, Miner and Warner Comprise New Unit

THREE SELECTED FROM OLD BOARD

Street Mapping Is New Duty Expected To Aid in Bettering City



Members of the new City Planning Commission, top, from left, J. Foster Warner, Edward G. Miner and Henry L. Howe; lower, from left, John W. Fulreader and Clarence M. Platt.

Two More Counties Vote Sesqui Funds

The treasury of the Sullivan Sesquicentennial celebration in the Genesee Country was swelled yesterday by action of the Boards of Supervisors in Monroe and Wyoming counties. Monroe appropriated \$1,000 and Wyoming \$500. Previously Livingston County voters voted \$2,000 and in Allegheny County \$500. Today the matter will be presented to the Genesee County board.

BLAIN GAMBLER GOT SUMMONS, WITNESS AVERS

Boxing Promoter Bears Out Story of Telephone Call

Steel Bridge Can Be Attractive Too, Says Engineer Body Head

Convinced as an Architect That River Can Be Spanned in Metal as Beautifully as In Concrete, C. Storrs Barrows Declares Anent Smith Street Row.

"As an architect, I am convinced that you can do things in steel just as attractively as in concrete," says C. Storrs Barrows, president of the Rochester Engineering Society, anent the debated issue of materials for the proposed new bridge over the Genesee River at Smith Street.

Since the Common Council adopted plans for a steel structure at its session Monday night of last week, the question has been raised outside the official circle as to whether concrete would not be more satisfactory.

Carl F. Lomb, vice-president of Banach & Lomb Optical Company, whose property adjoins the bridge approach, in a long statement advanced the cause of concrete, urging greater beauty, its widespread adoption in modern bridge building, and longer length of service, as arguments.

Next, the Central Trades and Labor Council indicated a leaning toward concrete construction because of the employment it would give to Rochester workers and has circulated among members of the various trades cards, protesting a steel structure, to be signed and sent to City Manager Story. It is too early, however, for the results of this move to be determined.

No Personal Objection
As to the relative merits of steel and concrete in the case of the Smith Street structure, the engineering society president refused to go on record.

Without studying the problem in detail, he says, "any opinion on my part would be quite valueless."

"I have no personal objections to steel fabrication on a bridge, however," he adds. "You can have things of steel that are beautiful just as well as of concrete."

"The problem must be considered from practical and aesthetic angles, both."

"I certainly think that some attention should be given to the appearance of the bridge when it is done. Steel can be beautiful or not according to the way it is handled and it does not cost very much more to make it beautiful."

Some Beautiful Steel Bridges
"Normally in handling a job of this kind it is planned to allow a little additional cost to make the result attractive."

Mr. Barrows cited as examples of steel bridges of beauty those across the East River in New York City and some of the St. Lawrence structures.

Although the maintenance factor is higher on a steel structure, in the long run it would not necessarily run the total cost higher than for concrete which has a larger initial cost if one considers such factors as interest on the money tied up in larger investment in making the comparison, Mr. Barrows points out.

NEW PLANNING BOARD
The city manager's new City Planning Board, which under recent home rule legislation of the City Council, will regulate supervised street mapping, fix setback lines and otherwise establish building limitations, will be of altogether different powers than the Board of Appeals.

The new board, announced today by City Manager Story, includes three members of the old City Planning Commission, which was abolished with the adoption of a new zoning code, and two city officials, as follows:

J. Foster Warner, Edward G. Miner and John W. Fulreader, former planning commissioners; Clarence M. Platt, corporation counsel, and Henry L. Howe, director of the Bureau of Design and Construction. **FREY RESIGNS**
Choices of the first three members was determined by lot, as there were four remaining from the old Planning Commission. Originally there were five members, but Frank Frey resigned shortly before the old commission was abolished.

In the drawing Howard C. Rupert of the old commission was eliminated.

GOODWIN WILL RUN AGAIN FOR COUNCIL POST

Councilman-at-Large Says Campaign Will Be in Harmony With New Non-Partisan Law.

The earliest candidate for councilman-at-large to announce his entry into the political field with primary petitions is Harry C. Goodwin, seeking re-election as an independent Republican.

Mr. Goodwin's campaign will be in full harmony with the intent of the new nonpartisan election law, he promises, and to prove it he has placed two Republicans and a Democrat on his committee to fill vacancies.

The Republicans he designated are T. Carr Nixon and City Judge Harry Rosenberg, and the Democrat Leroy E. Snyder. "I am absolutely independent of all groups and factions," the candidate asserted.

Petition blanks were mailed to Goodwin supporters in all sections of the city today with a request that as many of them as possible be returned by July 13. His supporters are losing no time in putting his drive under way, as yesterday was the first day for circulating petitions, and they cannot be filed with the election commission until Aug. 13.

Councilman Since 1927
Mr. Goodwin has been councilman-at-large since the city manager victory in 1927, and it has been his first and only public office since he ran for Congress against James E. Caff in 1926, and lost.

The councilman is a graduate of Hamilton College. He came to Rochester 26 years ago as a reporter on the Rochester Herald, later becoming its Sunday editor. He was subsequently city editor of the Post Express.

A short time after leaving journalism in favor of advertising, Mr. Goodwin established his own advertising agency, and is now president of H. C. Goodwin, Inc., at 70 Exchange Street.

In his conduct during office in the council, Mr. Goodwin has remained conspicuously independent in his talking and voting.

A personal letter from Mr. Goodwin accompanies the blank petitions to each supporter. They were sent only to volunteers who had asked for them, he said.

Signing of Petitions
"In asking anyone to sign the petition," he advises the circulators, "you can tell them that signing one for me leaves them free to sign for four other candidates."

"Anyone who voted at the last election or who is a registered voter is eligible to sign—it doesn't matter whether he is a Democrat or Republican."

"If it will cause you any embarrassment to ask anyone to sign one of these, or to ask anyone to get signatures, please return them, as it is my desire not to ask anyone to embarrass themselves by supporting me, even to the extent of getting signatures for my primary petition."

"Should I do anything later that may cause anyone to desire that his or her name be withdrawn, if such person will notify me, I'll be glad to remove the name."

NEW CHARGES IN RAITT TRIAL

More than alleged negligence of Charles B. Raitt, suspended park director, in failing to supervise the preparations for the Ontario Beach Park bathing season, was to be aired Friday in his trial before City Manager Story.

A published statement by Mr. Raitt that Mr. Nier directed the employment of "his personal architect" against the wishes of Mr. Raitt for the preparation of plans for a new golf reformatory in Genesee Valley Park, was to be brought out by Frank Frey, former city planning commissioner, as a witness.

STORY TO TESTIFY
Mr. Frey has been engaged on plans for the reformatory for two months. He was to testify, it was said, that his friend in the City Hall was not Mr. Nier at all, but rather City Manager Story to whom he owed his engagement.

Mr. Story, it was predicted, would be asked to establish the fact that he engaged Mr. Frey.

Mr. Nier, who was to serve as prosecutor rather than judge, said that more than incidents connected with the city's failure to adequately prepare for the opening of the bathing season, would be considered as Mr. Raitt had opened the way for a wide investigation by statements to newspapers.

LEAKE TRIAL FOLLOWS
Alleged failure of the city to adequately prepare for the opening of the bathing season was charged after the drowning of Raymond J. Gartland, a University junior.

Mr. Nier said he would not fix a date for the trial of Chester B. Leake, suspended playground superintendent who also is charged with laxity in preparing for the opening of the bathing season, until after the trial of Mr. Raitt.

Mr. Raitt was reported ill yesterday when his trial was called, and his attorney Edward N. Weston asked for a postponement to Friday at 10 a. m. 1929

WILSON NAMES APPELLATE BOARD

A Board of Appeals to function under the new municipal zoning and building laws recently enacted by the City Council was announced today by Mayor Wilson. His appointments followed closely the naming of a new City Planning Board by City Manager Story.

The appellate board, which will consider all questions raised against building decisions of the Bureau of Buildings, is made up of representatives of large property interests as follows:

Albert A. Hopeman, president of A. W. Hopeman & Sons Co., in charge of the construction of new University of Rochester buildings.

Clarence A. Livingston, general superintendent of buildings and grounds of the University of Rochester.

Elmer Roblin, director of Sibley, Lindsay & Carr Co.

William G. Kaehler of Gordon & Kaehler, architects.

Clayton G. Hall of Garfield Real Estate Company.

This is to be the most responsible body of nonsalaried officials in the city's history, and eventually must decide to what extent apartment houses may be permitted to invade exclusively residential zones.

It also will hear appeals on height, area and use regulations which must be enforced under the new zoning and building laws.

Mr. Hopeman, alone, is of previous public service. He was chairman of the zoning advisory board which was abolished when the new zoning laws were adopted.

NEW PLANNING BOARD
The city manager's new City Planning Board, which under recent home rule legislation of the City Council, will regulate supervised street mapping, fix setback lines and otherwise establish building limitations, will be of altogether different powers than the Board of Appeals.

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JOURNAL JUL 2 1929
Get Your Street Paved
State Street's Success Should Be Hint to Those on Some Other Streets.

Authority given by the City Council for the asphalt repaving of State Street between Main and Commercial Streets at an estimated cost of \$158,000 will give to this fine business thoroughfare a pavement in harmony with its surroundings and needs.

Whether the street will be widened or not will be a subject for further consideration by property owners. In any event, the street is to be much improved for traffic and in appearance. And that interests not merely those in business there, but the entire city.

Some other streets in the downtown section—a part of South Avenue, for instance—are in as great need of repaving as State Street. To have the work done is to prepare the way for more and better business, which will come from more traffic on them.

State Street property owners, recognizing the value in having a well paved street, are showing the way to have it done—which is merely to ASK for it, have the plan approved and pay for it.

And owners of property in some other downtown street will confer a favor on THEMSELVES, the street on which they do business and the public in general if they will go and do likewise.

A start has been made here in making the streets modern. The work should be continued until it is brought to a successful conclusion.

NEW ZONING PERSONNEL ANNOUNCED

Five Members of Board of Appeals Created Under New Ordinance Named

HOPEMAN LIKELY HEAD Chairman of Former Zoning Advisory Board May Be Chairman of Group

Personnel of the Board of Appeals appointed under the provisions of the new zoning ordinance was announced yesterday by Mayor Joseph Wilson.

Under the provisions of the new zoning ordinance, which regulates the height, use and area of buildings constructed in Rochester, the Board of Appeals has these powers:

- 1. Grant a permit wherever it is provided in this ordinance that the approval of the Board of Appeals is required.
2. Permit the location of any accessory structure in any residential district nearer the street or the lot line than is required in the particular district affected.
3. Permit the location of a use prohibited under the ordinance in any heavy industrial district on any lot that is adjacent to a railroad or river or adjacent to a non-conforming use.
4. Permit the location of a use permitted in any heavy industrial district on any lot in any light industrial district adjacent to a railroad or river or adjacent to a non-conforming use.
5. Permit the extension of a non-conforming use or structure upon the lot occupied by such use or structure at the time when this ordinance goes into effect.
6. Permit the extension of a use or structure into a more restricted district immediately adjacent thereto under such conditions as will not be in contravention of the requirements of this ordinance.
7. Permit the change of a non-conforming use to another no more detrimental.
8. Permit the establishment and maintenance of a garage class A, or a gasoline filling station in any commercial or any residential district.
9. Permit the establishment and maintenance of any commercial or light industrial use as accessory in any residential district, where such use will not be detrimental to or tend to change the character of the neighborhood.
10. Permit in any industrial district a structure to cover more than the prescribed percentage of the lot.
11. Permit in any industrial district an aviation field, cemetery, or public utility structure.
12. Permit in any district two accessory structures with a party wall.
13. Permit in any industrial district any use therein prohibited by this ordinance.
14. Permit a part of a structure to be more than 17 feet, but not more than 24 feet above the established grade level wherever it is provided that such part may be 17 feet above the established grade level.

Progress in City Planning

The new City Planning Board, which has been given broader powers than was possessed by its predecessor the City Planning Commission, is destined to play an important part in the development of a city plan, and also in directing the city's future physical expansion and safeguarding its natural advantages.

The new board is composed of J. Foster Warner, Edward G. Miner, John W. Fulreader, Corporation Counsel Clarence M. Platt and Henry L. Howe, director of the Bureau of Design and Construction.

The enlarged powers of the board give it authority in mapping city streets, to provide for a setback line. New buildings constructed on streets where such a line has been ordered must be placed back of this line, instead of following the original building line.

Work on the new city plan is progressing, and the studies now being made probably will be ready for consideration this fall.

Work on the new city plan is progressing, and the studies now being made probably will be ready for consideration this fall.

The New Style Fourth

It may be that some children now living in Rochester will be able to tell their grandchildren that they once heard a firecracker explode on the Fourth of July, but few who passed the holiday in Rochester yesterday will be among the favored ones.

The ordinance against the sale of fireworks within the city limits appeared to be better enforced this year than ever before.

The passing years leave no doubt that the old fashioned Fourth actually has gone. Memories of it will linger for many generations, like the memories of a great war.

No doubt the children today are better off in the newer style of Fourth of July celebrations; at any rate they make good listeners when their elders insist on telling about the stirring battlefields of other years.

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Councilman Urges Conference Friday With Tram Officials

Present Agreement With Street Car Company Expires July 31—Goodwin Says He Is Not Committed to Any Definite Position.

By Robert D. Burns

Speedy action on the question of renewing the trolley fare agreement which the city made in 1920 with the New York State Railways, was indicated today when Councilman Harry C. Goodwin, chairman of the utilities committee of the City Council, requested City Manager Stephen B. Story to notify James F. Hamilton, president of the traction system, and Charles R. Barnes, commissioner of city railways, to attend a conference with the committee next Friday.

On this committee, besides the chairman, are Councilmen Duran and Guzzetta. Mr. Story also is to sit in the conference.

Unless the City Council authorizes Mayor Joseph C. Wilson on or before July 31 next to renew the agreement, it will expire at midnight July 31, 1930.

It is possible that the agreement will be permitted to lapse through failure of the mayor to serve notice on the terms of the contract.

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Popple City Hall While Plaque to War Dead Is Unveiled Before Throng

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Gold Star Mothers Uncover Bronze Memorial Place Wreath, After Dr. Kettell Speaks Eulogy to Heroes of World War

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For a Better City Planning Board Appointments Insure Benefit of Wise and Experienced Counsel

Appointments by City Manager Story of three members of the old City Planning Commission to membership on the new City Planning Board and the selection of two capable city officials for it, insures to the city the continuance of wise and experienced counsel in the important work ahead.

J. Foster Warner, John W. Fulreader and Edward G. Miner were transferred from the old commission to the new board, their choice being by lot because Howard C. Runert, as a member of the commission, had served the city with equal distinction, but all could not be reappointed.

Clarence M. Platt, corporation counsel, and Henry L. Howe, city engineer, are the city officials who were named to the board under the provisions of the new state law, which requires two representatives of the city government on city planning boards.

When such men as Mr. Warner, Mr. Fulreader and Mr. Miner give, without any compensation, the full benefits of their counsel regarding what the city needs, and business judgment regarding the way to attain the ends sought, it is a hopeful sign of what WILL be done.

And when such officials as Mr. Platt, versed in every phase of the city's legal affairs, and Mr. Howe, who knows its engineering problems, are also made members of the board, it is certain to be strengthened and of greater service to the city.

Besides the work of mapping out new streets and providing for a setback line, there will be work of the greatest importance in assisting in the plans that are being made by Harland Bartholomew, expert, with whom Public Works Commissioner Baker is associated in the work.

Work on the plans is advancing, and it is hoped that there will not be much delay before at least the street plans are announced. The city should know as promptly as possible which streets are to be extended and widened.

When this is done, work may be started on them. And then, in a more leisurely manner, the making of other plans may proceed.

OFFICIAL ILL OF HEART TROUBLE

Hearing on formal charges of laxity in office, filed against Park Director Charles B. Raitt, was postponed today for the second time, when counsel for the accused official produced a physician's certificate of serious illness.

Through his attorney, Edward M. Ogden, Raitt had promised to be on hand today for a hearing in the Art Commission rooms of the City Hall Annex, Court Street.

But Dr. Norris G. Orchard, No. 53 South Fitzhugh Street, informed City Manager Story that Raitt was suffering from chronic cardiac involvement, intensified by the ordeal of testifying at a coroner's inquest last Monday into the drowning of Raymond J. Gartland, University of Rochester junior.

Dr. Orchard said he had ordered absolute rest for the accused official. Mr. Raitt has been in bed since Monday, the physician told Mr. Story.

As a result the hearing was set down tentatively for next Tuesday at 10 a. m. By that time it is expected that Raitt's ability to appear in his own defense will be fully determined.

The hearing, originally scheduled for last Tuesday, was postponed until today at the request of Raitt's attorney, who said that his client was not only very ill, but had not had time to prepare his defense.

Since there was no objection from Commissioner Nier at that time, the postponement was granted.

Charges against Mr. Raitt and Chester B. Leake, superintendent of playgrounds, were filed by Safety Commissioner Nier after the drowning of Gartland.

Mr. Nier charged that failure of the two officials to prepare properly for the opening of the bathing season was responsible in a large measure for the inability of life guards to reach the drowning boy in time to save his life.

DEATH HELD ACCIDENT

After an inquest into the drowning, held by Coroner David H. Atwater, the death of Gartland was labeled accidental.

At that hearing, a total of twenty witnesses testified, including both Raitt and Leake, the manager of the beach at Ontario Park; the three lieutenants on duty at the time, and a number of bathers who were on the beach at the moment calls for help came from the spot in the lake where young Gartland, a promising track athlete, had been swimming with his younger brother.

Commissioner Nier first suspended the two officials and later filed the formal charges. He announced then that Raitt would be granted a formal hearing before him.

When Raitt stated in an interview given to the newspapers that he could not expect a fair trial before Nier, that official promptly sent the hearing to City Manager Story, explaining he "had no personal interest in the matter."

Raitt said he would not appear at any hearing conducted by his accuser, but added that he would present his own defense in the event that City Manager Story presided at the hearing.

Commissioner Nier said no move to prefer dismissal charges against Chester B. Leake, superintendent of playgrounds, who was suspended at the same time as Raitt, would be made until disposition of the Raitt case had been made.

NEW ZONING PERSONNEL ANNOUNCED

Five Members of Board of Appeals Created Under New Ordinance Named

HOPEMAN LIKELY HEAD

Chairman of Former Zoning Advisory Board May Be Chairman of Group

Personnel of the Board of Appeals appointed under the provisions of the new zoning ordinance was announced yesterday by Mayor Joseph Wilson. Its members are Albert A. Hopeman, Clarence A. Livingston, Elmer Roblin, William G. Kaelber and Slayton G. Hall. Mr. Hopeman is a contractor, Mr. Livingston is an architect, Mr. Kaelber is a member of the architectural firm of Gordon & Kaelber and Mr. Hall is connected with the Garfield Real Estate Company. Mr. Hopeman was chairman of the Zoning Advisory Board, now abolished, and he will probably be chairman of the Board of Appeals.

Under the provisions of the new zoning ordinance, which regulates the height, use and area of buildings constructed in Rochester, the Board of Appeals has these powers:

1. Grant a permit wherever it is provided in this ordinance that the approval of the Board of Appeals is required.
2. Permit the location of any accessory structure in any residence district nearer the street or the lot line than is required in the particular district affected.
3. Permit the location of a use prohibited under the ordinance in any heavy industrial district on any lot that is adjacent to a railroad or river or adjacent to a non-conforming use.
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5. Permit the extension of a non-conforming use or structure upon the lot occupied by such use or structure at the time when this ordinance goes into effect.
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The enlarged powers of the board give it authority in mapping city streets, to provide for a setback line. New buildings constructed on streets where such a line has been ordered must be placed back of this line, instead of following the original building line. The idea has been found useful in other cities. By enforcement of this line streets are widened as new buildings are erected, at no cost to the city.

The New Style Fourth

It may be that some children now living in Rochester will be able to tell their grandchildren that they once heard a firecracker explode on the Fourth of July, but few who passed the holiday in Rochester yesterday will be among the favored ones. It was as silent and dignified a holiday as safety and sanity could make it. The nearest approach to explosiveness was a punctured tire or the pop of a cork in a sarsaparilla bottle.

The passing years leave no doubt that the old fashioned Fourth actually has gone. Memories of it will linger for many generations, like the memories of a great war. Indeed, those who lived through some of the more desperate celebrations of years past feel much like those who have lived through a great war. They do not wish their children to go through the same thing; just the same, they would not lose one job of the thrill with which they boast about the "Fourth when I was a boy." The principal satisfaction of serving in a war is in telling about it to anyone who will listen years later; it is much the same way with persons who survived the horrors of the old fashioned Fourth.

No doubt the children today are better off in the newer style of Fourth of July celebrations; at any rate they make good listeners when their elders insist on telling about the stirring battlefields of other years.

Councilman Urges Conference Friday With Tram Officials

Present Agreement With Street Car Company Expires July 31—Goodwin Says He Is Not Committed to Any Definite Position.

Speedy action on the question of renewing the trolley fare agreement which the city made in 1920 with the New York State Railways, was indicated today when Councilman Harry C. Goodwin, chairman of the utilities committee of the City Council, requested City Manager Stephen B. Story to notify James F. Hamilton, president of the traction system, and Charles R. Barnes, commissioner of city railways, to attend a conference with the committee next Friday.

On this committee, besides the chairman, are Councilmen Durnan and Guzzetta. Mr. Story also is to sit in the conference.

Unless the City Council authorizes Mayor Joseph C. Wilson on or before July 31 next to renew the agreement, it will expire at midnight July 31, 1929. The council is expected to take definite action at a meeting scheduled for July 22, when it will receive the report and recommendations of its utility committee.

It is possible that the agreement will be permitted to lapse through the failure of the mayor to serve on the trolley company as a condition by the terms of the contract. Several grounds for this are suggested.

One ground is that the agreement is not a contract, but a mere understanding. Another is that the agreement is not a contract, but a mere understanding. Another is that the agreement is not a contract, but a mere understanding.

Poppies to City Hall While Plaque to War Dead Is Unveiled Before Throng



The annual ceremony of placing poppies in the City Hall window and unveiling a plaque to the war dead was held today. A large throng of people gathered for the occasion.

The unveiling of the plaque to the war dead was a touching ceremony. The plaque was unveiled by a group of veterans.

The ceremony was held in the presence of many guests. The poppies were placed in the window of City Hall.

The ceremony was a fitting tribute to the war dead. The poppies were placed in the window of City Hall.

For a Better City

Planning Board Appointments Insure Benefit of Wise and Experienced Counsel

Appointment by City Manager Story of three members of the old City Planning Commission to membership on the new City Planning Board and the selection of two capable city officials for it, insures to the city the continuance of wise and experienced counsel in the important work ahead.

When such men as Mr. Warner, Mr. Fulreader and Mr. Miner give, without any compensation, the full benefits of their counsel regarding what the city needs, and business judgment regarding the way to attain the ends sought, it is a hopeful sign of what WILL be done.

When this is done, work may be started on them. And then, in a more leisurely manner, the making of other plans may proceed.

Some thousands of people gathered for the unveiling of the plaque to the war dead. The ceremony was held in the presence of many guests.

The ceremony was a touching one. The plaque was unveiled by a group of veterans.

The ceremony was held in the presence of many guests. The poppies were placed in the window of City Hall.

The ceremony was a fitting tribute to the war dead. The poppies were placed in the window of City Hall.

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DEATH HELD ACCIDENT

After an inquest into the drowning, held by Coroner David H. Atwater, the death of Gartland was labeled accidental.

At that hearing, a total of twenty witnesses testified, including both Raitt and Leake; the manager of the beach at Ontario Park; the three lifeguards on duty at the time; and a number of bathers who were on the beach at the moment calls for help came from the spot in the lake where young Gartland, a promising track athlete, had been swimming with his younger brother.

Raitt said he would not appear at any hearing conducted by his accuser, but added that he would present his own defense in the event that City Manager Story presided at the hearing.

PA... NEW ZONING PERSONNEL ANNOUNCED... Five Members of Board of Appeals Created Under New Ordinance Named... HOPEMAN LIKELY HEAD... EXCEPTIONAL VALUES... Wagon Drug Stores... Could Her Trial of Nuptio...

Progress in City Planning

The new City Planning Board, which has been given broader powers than was possessed by its predecessor the City Planning Commission, is destined to play an important part in the development of a city plan, and also in directing the city's future physical expansion and safeguarding its natural advantages.

The enlarged powers of the board give it authority in mapping city streets, to provide for a setback line. New buildings constructed on streets where such a line has been ordered must be placed back of this line, instead of following the original building line.

Work on the new city plan is progressing, and the studies now being made probably will be ready for consideration this fall. With a City Planning Board with enlarged powers and a city plan taking shape, Rochester is making rapid progress in a matter which will vitally influence its future prosperity.

The New Style Fourth

It may be that some children now living in Rochester will be able to tell their grandchildren that they once heard a firecracker explode on the Fourth of July, but few who passed the holiday in Rochester yesterday will be among the favored ones.

The ordinance against the sale of fireworks within the city limits appeared to be better enforced this year than ever before. Although the ban has nominally been in effect for a number of years, firecrackers often appeared from some mysterious source, and policemen sent out to investigate were lucky if a squib did not explode behind them while they were looking for the culprit.

The passing years leave no doubt that the old fashioned Fourth actually has gone. Memories of it will linger for many generations, like the memories of a great war. Indeed, those who lived through some of the more desperate celebrations of years past feel much like those who have lived through a great war. They do not wish their children to go through the same thing; just the same, they would not lose one jot of the thrill with which they boast about the "Fourth when I was a boy."

No doubt the children today are better off in the newer style of Fourth of July celebrations; at any rate they make good listeners when their elders insist on telling about the stirring battlefields of other years.

Councilman Urges Conference Friday With Tram Officials

Present Agreement With Street Car Company Expires July 31—Goodwin Says He Is Not Committed to Any Definite Position.

Speedy action on the question of renewing the trolley fare agreement which the city made in 1920 with the New York State Railways, was indicated today when Councilman Harry C. Goodwin, chairman of the utilities committee of the City Council, requested City Manager Stephen B. Story to notify James F. Hamilton, president of the traction system, and Charles R. Barnes, commissioner of city railways, to attend a conference with the committee next Friday.

On this committee, besides the chairman, are Councilmen Durnan and Guzzetta. Mr. Story also is to sit in the conference. Unless the City Council authorizes Mayor Joseph C. Wilson on or before July 31 next to renew the agreement, it will expire at midnight July 31, 1930. The council is expected to take definite action at a meeting scheduled for July 22 when it will receive the report and recommendations of its utility committee.

It is possible that the agreement will be permitted to lapse through failure of the mayor to serve notice on the trolley company as required by the terms of the contract. There are several grounds for this belief.

Opposes Present Arrangement. Councilman Goodwin said today he is not committed to any definite position on the renewal of the agreement or its discard. He did say positively that he was opposed to the present arrangement which places the commissioner of railways, the administrator of the contract for the city, on the trolley company's payroll. In this stand he seems to have the backing of research experts who have studied similar operations under service-at-cost contracts in other cities of the United States.

Has Proved Barrier. This amendment has proved a barrier to a lower fare in Rochester and placed an extraordinary burden on the car rider and the balancing fund which controls the rate of fare to be paid in Rochester. Under this amendment the company has been permitted to withdraw from the general fund full compensation for all its scrapped equipment, including tracks, automobiles, trolley wires and street pavements.

Under this amended contract the company has compensated itself at peak prices for material no longer useful in the service and this compensation was not for depreciated property, but for brand new rails, pavements and the like. Big credits to the company appear in the reports filed with the city authorities as "value of property replaced."

Story Silent On Issue. Mr. Story declined to make any comment on the renewal question. He takes the position that this renewal is a matter of policy and as such belongs exclusively to the City Council.

The utility committee, however, is in an advantageous position to give the trolley agreement careful consideration. The Bureau of Municipal Research has placed at the disposal of Mr. Goodwin and his colleagues the voluminous data which bureau experts gathered on a wide-rung survey of street car operations in the cities comparable with Rochester. The main point which this survey appears to bring out is the fact that the cities in other parts of the country operating under parts similar to the arrangement in Rochester, pay from public funds their representative who administers the terms of the agreement in behalf of the municipality.

Reference is given to such cities as Cincinnati, Louisville and Cleveland. In Cincinnati where the scheme appears to be working out agreeably to the car riders and the operating company, there is in charge a city official, known as the director of utilities. He receives his pay from the city, and the city in turn collects from the company. The Cincinnati agreement was entered into in 1925 and runs for 25 years. The rate of return allowed the company over and above its operating expenses is based on the capital stock issue.

City used and useful in the service, placed a war-time value on the road and its equipment and although the system was run down and inadequate for a decent service the appraisers valued it as if it were newly installed, brand new and shiny and failed to deduct a nickel for depreciation. Such was the value fixed on the company property and such under the amended contract was the value taken out of car rider funds, for the worn out property that was replaced.

Rates in Toronto

In Toronto, which Earl Weller, director of the Rochester Bureau of Municipal Research, declared was operating the prize trolley system of the country, the entire system is municipally owned, and the street car fare is seven cents for cash, four tickets for 25 cents, 16 for a dollar, and 50 tickets for \$3, or at the rate of six cents a ride to destination.

Detroit is another city-owned traction system town. Report of operations in the big automobile metropolis as well as in Grand Rapids, Michigan and other cities studied are now available for the councilmanic utilities committee.

There is, however, another angle of the Rochester agreement which seems far more important than the question of whether the city or the trolley company shall pay the city's administrator, his salary, and that is the amendment to the original agreement which the former Common Council adopted.

This amendment has proved a barrier to a lower fare in Rochester and placed an extraordinary burden on the car rider and the balancing fund which controls the rate of fare to be paid in Rochester. Under this amendment the company has been permitted to withdraw from the general fund full compensation for all its scrapped equipment, including tracks, automobiles, trolley wires and street pavements.

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It is of moment now that the appraisers, when they determined the value of the company's property used and useful in the service, placed a war-time value on the road and its equipment and although the system was run down and inadequate for a decent service the appraisers valued it as if it were newly installed, brand new and shiny and failed to deduct a nickel for depreciation. Such was the value fixed on the company property and such under the amended contract was the value taken out of car rider funds, for the worn out property that was replaced.

In a word, the company, strictly within the terms of the contract as amended, rehabilitated its worn-out road and rolling stock at the expense of the car riders and not at the expense of the stockholders of the company.

City Hall While Plaque to War Dead Is Unveiled Before Throng



Scenes at ceremony of unveiling Monroe County War Memorial on City Hall yesterday: Above, rifle salute by National Guardsmen under direction of Major Arthur T. Smith; below, Mrs. Mary Robertshaw (left) and Mrs. George Evans of the Gold Star Mothers drawing back the veil of flags and Mrs. Anna K. Walters placing wreath on plaque. Inset, Rev. George F. Kettell, state chaplain of the American Legion, giving dedication address.

Gold Star Mothers Uncover Bronze Memorial Place Wreath, After Dr. Kettell Speaks Eulogy to Heroes of World War

Here in the heart of the pulsating city we have perpetuated in bronze what we long have had in our hearts, a monument to those gallant lads who went across the sea to carry on the glorious tradition of America, and at whose coming the French nation sang that psalm of gratitude, "Thank God, the Americans have come!"

Out of the western sky, at the significant moment when a solemn hush hung over the throng at the conclusion of Rev. Dr. George Kettell's address at the dedication of the new Monroe County memorial to World War dead yesterday, came the whirl of wings. A moment later a squadron of airplanes soared above the City Hall, letting fall a shower of poppies, emblematical of Flanders' Fields, where lie so many American soldiers.

Guardsmen pointed their rifles above the heads of the crowd, and the quiet was punctuated with staccato rifle shots as three salutes were fired into the air.

For a Better City Planning Board Appointments Insure Benefit of Wise and Experienced Counsel

Appointment by City Manager Story of three members of the old City Planning Commission to membership on the new City Planning Board and the selection of two capable city officials for it, insures to the city the continuance of wise and experienced counsel in the important work ahead.

J. Foster Warner, John W. Fulreader and Edward G. Miner were transferred from the old commission to the new board, their choice being by lot because Howard C. Rupert, as a member of the commission, had served the city with equal distinction, but all could not be reappointed.

Clarence M. Platt, corporation counsel, and Henry L. Howe, city engineer, are the city officials who were named to the board under the provisions of the new state law, which requires two representatives of the city government on city planning boards.

When such men as Mr. Warner, Mr. Fulreader and Mr. Miner give, without any compensation, the full benefits of their counsel regarding what the city needs, and business judgment regarding the way to attain the ends sought, it is a hopeful sign of what WILL be done.

And when such officials as Mr. Platt, versed in every phase of the city's legal affairs, and Mr. Howe, who knows its engineering problems, are also made members of the board, it is certain to be strengthened and of greater service to the city. Besides the work of mapping out new streets and providing for a setback line, there will be work of the greatest importance in assisting in the plans that are being made by Harland Bartholomew, expert, with whom Public Works Commissioner Baker is associated in the work.

Work on the plans is advancing, and it is hoped that there will not be much delay before at least the street plans are announced. The city should know as promptly as possible which streets are to be extended and widened.

When this is done, work may be started on them. And then, in a more leisurely manner, the making of other plans may proceed.

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Through his attorney, Edward M. Ogden, Raitt had promised to be on hand today for a hearing in the Art Commission rooms of the City Hall Annex, Court Street.

But Dr. Norris G. Orchard, No. 52 South Fitzhugh Street, informed City Manager Story that Raitt was suffering from chronic cardiac involvement, intensified by the ordeal of testifying at a coroner's inquest last Monday into the drowning of Raymond J. Gartland, University of Rochester junior.

As a result the hearing was set down tentatively for next Tuesday at 10 a. m. By that time it is expected that Raitt's ability to appear in his own defense will be fully determined.

When Raitt stated in an interview given to the newspapers that he could not expect a fair trial before Nier, that official promptly sent the hearing to City Manager Story, explaining he "had no personal interest in the matter."

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ABSOLUTE REST. Dr. Orchard said he had ordered absolute rest for the accused official. Mr. Raitt has been in bed since Monday, the physician told Mr. Story.

Charges against Mr. Raitt and Chester B. Leake, superintendent of playgrounds, were filed by Safety Commissioner Nier after the drowning of Gartland.

Mr. Nier charged that failure of the two officials to prepare properly for the opening of the bathing season was responsible in a large measure for the inability of life guards to reach the drowning boy in time to save his life.

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Labor Council Here Continues Fight On Smith Street Bridge

Official Declares 1,000 Individual Protests Against Proposed Steel Span Have Been Sent to City Manager—Want Concrete Structure.

A thousand individual protests against the erection of a new steel bridge over the river at Smith Street, endorsing a concrete structure instead, have been sent to City Manager Stephen B. Story by organized labor in Rochester, Emanuel Koveleski, vice-president of the New York State Federation of Labor, said today.

Between 15,000 and 20,000 protests in all probably will be entered by the workers as their movement against replacing the present Smith Street bridge with another steel structure gets under way, Mr. Koveleski forecasts.

The Central Trades and Labor Council, in which Mr. Koveleski is chairman of the legislative committee, formally opposed at a session last Thursday the steel structure authorized last week by the City Council. It also distributed cards to be signed by individual workers and transmitted to City Manager Story registering individual protest.

"We want a concrete bridge that will give Rochester people work, Mr. Koveleski stated. "If they build a steel bridge here we will get only about 2 per cent. of the work—that of the common laborer. The builders will not hire structural steel workers here. They will carry their own crew, bringing in men from Pennsylvania," Mr. Koveleski argued.

"Also, we have more unemployment in Rochester among the building trades right now than we had six months ago. And those people who are out of work are taxpayers—own their own little homes here."

Forty per cent. of the labor which would be needed to erect a concrete bridge would be unskilled, the skilled workers being carpenters, concrete mixers, etc., he says.

The Central Trades and Labor Council, which is heading the labor opposition to the City Council's decision, acts as spokesman for the American Federation of Labor and represents the organized labor movement, Mr. Koveleski said.

Just how far the Labor Council will carry its opposition, Mr. Koveleski said he did not know. "They did not take so kindly to us when we spoke up," he said, referring to the City Council at its hearing before the passage of the ordinance authorizing the debated bridge.

Business Men Hold New Bridge Should Be Well Designed

Believe Industrial Site of Smith Street Span Deserves Structure of Beauty—Plans Not Regarded as Impressive From This Point of View.

Location of the Smith Street bridge in the industrial section of the city is no reason for building a new river span without giving due consideration to its aesthetic as well as practical points, in the opinion of a number of Rochester business men.

Any new river bridge should be designed with an eye to beauty as well as service, they say, regardless of whether it is situated in park or factory district.

A new steel structure to replace the present Smith Street bridge was authorized by the City Council last week and has been the subject of protest since from many quarters. A concrete bridge, it has been argued, would be more beautiful and more durable and not so much more expensive than a steel span as to make it impracticable, in view of the longer life. In addition, organized labor has thrown its forces against the use of steel, holding that the erection of a concrete bridge would furnish much needed employment in the Rochester building trades and that a steel bridge would not.

"From what I have seen of the designs of the proposed Smith Street bridge," says William G. Kaelber, architect of the firm of Gordon & Kaelber, "I do not consider it particularly beautiful. "And, I see no reason for making anything of that kind unattractive even though it can be seen from only a limited number of places.

"I have seen many good looking steel as well as concrete bridges, and also many ugly bridges of both types. Concrete, however, is a more plastic material and lends itself more easily to beautiful treatment."

A vote in favor of concrete bridges as more beautiful than steel, and therefore more desirable where possible, is placed by Frederick S. Miller, president of the Chamber of Commerce, and president of the firm of Hubbard, Eldredge & Miller.

"Personally, I like concrete better than steel," says Mr. Miller. "As I have seen bridges in different parts of the country, concrete has seemed to me more artistic," he added, citing concrete spans in Cleveland and the Cambridge Bridge in Boston as examples.

"I believe the new Smith Street Bridge should be artistic whatever its type of construction. It can readily be seen from both Lake Avenue and St. Paul Street," he said.

CITIZENS GROUP BACKS STORY FOR TWO YEARS MORE

County, City Manager Units Thought Ready to Join in Primary UNITED COUNCIL COULD AID WORK

Longer Test of Policy Now Governing City Believed to Be Wise

By HIRAM MARKS Continuation of the administration of municipal affairs under the direction of City Manager Stephen B. Story for two more years is the program of a substantial group of citizens, and on this basis a compromise is said likely to be effected between the city manager group and the Republican county organization, under the leadership of Harry J. Bareham.

Persons interested in the promotion of the progress of Rochester through the efficient management of public business have undertaken to reconceive the attitude of the city manager proponents and that of the county organization in an effort to avoid a strenuous primary fight on Sept. 17.

Both Groups Have One Goal This activity is indicated on the viewpoint that both the city manager group and the county organization should have one purpose and that being the fostering of the efficient government of Rochester in the interests of all its residents.

Mr. Bareham has reiterated repeatedly that the county organization, under his direction, stands for what is best in the handling of municipal affairs along the most constructive, businesslike lines.

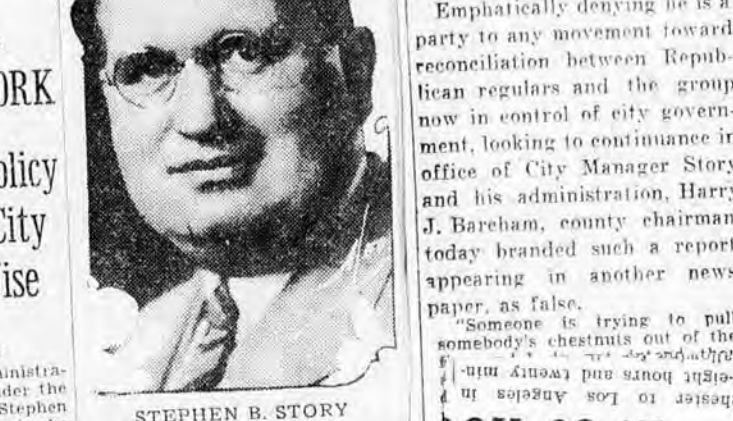
That the continuance of Mr. Story's administration for two more years, before he is held to account for his stewardship of public business, is a constructive step and squares with the principles enunciated by the county chairman, is the declaration of advocates of the plan to effect a compromise program for the two groups in the community.

It is pointed out that out of all of the confusion and difficulties confronted by the new administration, changing over from the old under a charter that had not been tried, there has been started a number of projects of large moment to the public, including such matters as the inauguration of the city plan study; recodification and general revamping of the zoning, city planning and building laws; reconstruction of bridges and other municipal activities, all of which are at present in their transition stages and require the attention of Mr. Story and his associates to work out satisfactorily, before they are held to account for the activities.

Individual Candidates 'Out' The selection of five councilmen pledged to such a program has been suggested as the happy solution of the situation, with the county organization and the city manager group co-operating in their nomination and election. Much missionary work on this score has been accomplished, with Mr. Bareham considering all phases of the proposition, and a concerted drive to effect such a compromise is likely within the next 21 days.

FALSE, SAYS BAREHAM OF STORY AID

No Negotiations with Manager Forces, Declares G. O. P. Leader



STEPHEN B. STORY

Individual candidacies of aspirants for the Council will have no general effect on the compromise plan, its proponents feeling that the united support of the county organization and the city manager group is sufficient to assure success of the ticket, despite any claims of support of individuals to attract the post.

In any event, it is pointed out, the city manager group is not to be permitted their efforts in the last two years to go by default. Only 200 signatures are required for a nominating petition for councilman-at-large. They can not be filed before August 13 with H. Alden Nichols, commissioner of elections, thus affording ample opportunity for the proponents of a compromise ticket, pledged to the continuance for two more years of Mr. Story's administration, to work toward their goal.

One of the questions to be decided by Mr. Bareham is whether he will be a candidate to succeed himself as county treasurer. The heavy pressure of his personal business, together with the responsibilities as county chairman, have caused him to give some thought to retiring as county treasurer.

This position pays only \$4,500, a salary out of line with other county officers, and his position as county chairman is without compensation, and is in fact a drain on his private resources. Whether he will retire from the only office that pays a salary will be decided by Mr. Bareham within the next week or two.

Selection of a candidate for county superintendent of poor is also a problem for the county chairman and his next three weeks will be filled with much political activity.

The "substantial group of citizens," to find a leader to head their forces against the Republican organization. But so far no leader has come to light.

CITY RIGHTS MENACED BY LEGISLATION

Revamped Multiple Dwelling Law Said To Abrogate Home Rule Act

Corporation Counsel Platt To Aid in Protest Before Court of Appeals

Confronted with the possibility of nullification in a substantial measure of the scope of the Home Rule act, under which municipalities enact legislation through their governing bodies with special reference to their particular requirements, the city of Rochester is taking steps to protest before the U. S. Department of Agriculture.

The weather reports which are being prepared by the city of Rochester are being prepared by the city of Rochester.

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GOODWIN SEEKS NOMINATION

City Councilman Goodwin's petition, for renomination in the municipal nonpartisan primary in September were placed in circulation in all sections of the city today.

Mr. Goodwin named as a committee to fill vacancies, in accordance with the election law, two Republicans—T. Carl Nixon, former Republican insurgent organizer, and Harry Rosenberg, City Court judge—and Leroy E. Snyder, former candidate for mayor on the Democratic ticket.

FORBIDS PLEA FOR VOTE Mr. Goodwin's petitions were in the hands of friends, who were expected to circulate them in all wards of the city, with an idea of having at least the required three hundred signatures to assure renomination by August 13, the first day for filing petitions.

In a letter to his workers, Mr. Goodwin urged them under no circumstance to plead for signatures, and to accept signatures only where the voters indicated enthusiasm over the councilman's record and a conviction that he was honestly endeavoring to carry on the public's business openly and above board.

FIRST ENTRY IN RACE This candidacy was the only one so far announced. As the major parties have until July 29 in which to notify election authorities of the positions they would fill, it was said no move to disclose what part they would play in the nonpartisan primary would be made before then.

Neither Harry J. Bareham, Republican chairman, nor William J. Hunt, Democratic chairman, would admit any councilman or other candidates would be considered before then.

Enough Drownings

The circumstances attending a recent drowning at Ontario Beach were sufficiently scandalous to arouse the anger of the City of Rochester, and it is a foregone conclusion that a period of vigilance will follow in which the tax-payers will look to that some of the

Miss Mary Anderson, director of United States Civil Service Commission, Department of Labor, United States Department of Interior, United States Department of Agriculture, United States Department of Commerce, United States Department of Justice, United States Department of State, United States Department of War, United States Department of Navy, United States Department of the Interior, United States Department of the Army, United States Department of the Navy, United States Department of the Air Force, United States Department of the Coast Guard, United States Department of the Marine Corps, United States Department of the Army, United States Department of the Navy, United States Department of the Air Force, United States Department of the Coast Guard, United States Department of the Marine Corps.

At the time of the last pier drowning and when the coast guards were grappling feverishly in an effort to save the last spark of life the pier was black with gaping people. There were close to a thousand in the mob of men, women and children, who felt that their presence was absolutely necessary to the success of the coast guard efforts. They were massed to the pier edge. One mis-step, a wild grab, and two or three others might have been added to the death roll.

The coast guard service has hard enough work in its efforts to save life, what with special regulations and its enlistment on behalf of ale-less shores. The operations of a life saving crew cannot be advantageously carried on with a jam of people milling around on the brink of deep water.

The harbor is for shipping; it is not equipped as a natatorium.

ROCHESTER IN 36 HOURS

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MORE DELAY IN HEARING FOR RAITT

Serious Illness of Suspended Park Director Again Postpones Airing of Charges.

Further delay in the hearing of Charles B. Raitt, suspended director of parks, is expected on the basis of physician's advice. Mr. Raitt is too ill to leave his room for three or four days, his doctor said today.

A hearing postponed from last week was to have been held in 10 a. m. tomorrow, before City Manager Stephen B. Story, on a charge of negligence in office for which he was suspended in connection with the drowning of Raymond J. Garland at Ontario Beach Park.

A new date for the trial has not yet been set. Friday was suggested as a tentative time by Raitt's advisers, but Mr. Story said he would be absent from the city then.

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Raitt Assured Fair Trial

Commissioner Nier Gives Most Effective Reply To Charges of Prejudice.

Although there is universal regret over the tragic event which terminated in the suspension of Park Director Raitt, with a charge of laxity in office against him, Safety Commissioner Nier has followed precisely the procedure taken in the case of any subordinate under similar circumstances.

And, although that laxity is claimed to have resulted in the loss of a human life, Commissioner Nier, in asking City Manager Story to preside at the trial in which the commissioner is empowered to act, has gone to an extreme to assure him of fairness and justice.

Many subordinates in the Department of Safety have been tried before its head on various charges and have accepted the verdicts without questioning the fairness of the proceedings.

By this action Commissioner Nier has given the most effective answer that could be made to the charge by Mr. Raitt that he is prejudiced.

Raymond J. Gartland, University of Rochester junior, lost his life by drowning at Ontario Beach—possibly because lifeguards did not have a boat to go quickly to his assistance when he sank while swimming.

Testimony before Coroner Atwater was that the only boat at the beach had just been painted and repaired for leaks and had not been returned for service.

It showed that a complaint the boat could not be used until repaired had been made to Chester B. Leake, playground superintendent and immediate subordinate of Mr. Raitt.

Despite this fact, the beach was opened and swimming permitted WITHOUT any lifeboat being available for use.

It may be said that having the boat ready was a "routine" matter for others to look after, yet Mr. Raitt was looking after such routine details as sending two scrubwomen to the bathhouse to clean it.

Certainly making preparations for opening Ontario Beach should have been the most important matter to engage the attention of Mr. Raitt at the time.

And the most important matter that he COULD have had was to try to make sure that the lives of those who used the beach would be safe.

Providing a lifeboat that was safe, and the required number of lifeguards, would be the chief essentials of safety there. Commissioner Nier said Mr. Raitt did not obey his orders to PREPARE for the opening, and said he had disobeyed orders on other occasions.

The most conclusive evidence of insubordination on the part of Mr. Raitt seems to be given in his recent statements criticizing his superior.

The public of Rochester is not interested in statements of the head of the Playground League of America and Los Angeles friends of Mr. Raitt praising him at this particular time.

But it IS vitally interested in having a capable park director who will not only GIVE orders and see that they are carried out, but will TAKE orders and carry them out.

M'GRATH TRIAL TOMORROW IN CITY FUNDS CHARGE

Edward M. McGrath, former City Hall employee, charged with the theft of city funds, will go to trial for first degree grand larceny, before Judge Dutcher and a jury in County Court, tomorrow.

The case originally was set down for last Friday, but a four day adjournment was granted on motion of Assistant District Attorney Holbrook, who is prosecuting McGrath.

The trial will be the last of the present term of court, according to Judge Dutcher. At the conclusion of the case, formal adjournment will be taken to September.

McGrath, a former Department of Public Works bookkeeper, is alleged to have appropriated money for his own use through manipulation of accounts. He is specifically charged with the theft of \$895.

Goodwin Opens Campaign

With characteristic energy, Harry C. Goodwin has led the way in the city campaign. His petitions for designation in the councilmanic primaries are now in the hands of a group of volunteers, including members of both the major national parties.

Under the test of public office and responsibility, Mr. Goodwin has unquestionably proved himself a man of force and ability. If his methods are sometimes spectacular, he has also, as a rule, taken the trouble to inquire into the matters which come before the council and to form an opinion of his own.

To Harry Goodwin, more than to any of his fellow members, is due the credit for conducting the city's legislative business in the open, so that the sessions of the City Council amount to something.

Many Rochester citizens have felt that this open discussion of important matters is valuable. It gives the people a better idea of what is going on, brings the city government in closer touch with public opinion, and makes that opinion itself better informed.

The new charter, by providing for a smaller council, pointed the way to this change, but Mr. Goodwin has done much to make it effective.

Mr. Goodwin has been an energetic supporter of the City Manager Plan. He has defended the administration when attacked and has undertaken to expose what he regarded as efforts to undermine the principles, while perhaps upholding the form, of city manager government.

Not every position Mr. Goodwin has taken has been popular. In some instances he has no doubt been mistaken. But he has always made clear just where he stands and why he advocates any given course of action. And his readiness to subordinate his campaign for extension of Broad Street to advancement of work on the City Plan as a whole shows he is not "pigheaded" or stubbornly obstinate.

Thus Mr. Goodwin comes before the voters as a candidate for re-election to the City Council with a record that is positive, not negative, and as a man who has formed and supported his opinions without that cautious fear of offending this, that or the other group, which marks the seasoned politician and confirmed office-seeker.

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STATE OPENS THEFT TRIAL OF M'GRATH

Defense Will Claim Former City Employee Deposited Firm's Check for City

Commissioner of Public Works Harold W. Baker and five former fellow employees of Edward M. McGrath, who is under indictment for first degree larceny on charges of having stolen \$895.10 of the city's money while he was employed as a bookkeeper in the Department of Public Works, were called to the witness stand by the prosecution yesterday when McGrath's trial opened in County Court.

Because of disclosures made in the investigation into the former bookkeeper's alleged embezzlements, Commissioner Baker testified, the department has changed its methods of handling funds. Previously he said under cross-examination by Hampton H. Halsey, attorney for McGrath, checks were held until the bookkeeper was specifically ordered to deposit them with the city treasurer, and that sometimes they were allowed to accumulate for a week, and even a month.

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M'GRATH ON STAND TODAY

Defense Rests; Jury Will Receive Bookkeeper's Case Before Nightfall.

Both the defense and prosecution in the trial of Edward M. McGrath, No. 581 Melville Street, former City Hall bookkeeper accused of stealing \$895.10 from municipal funds, rested a few minutes after the opening of this afternoon's session of County Court.

Only the rival summations and the charge of County Judge Dutcher remained before the case was to be given to the jury late today.

McGrath, who took the stand in his own defense, was the last witness.

McGrath denied emphatically the theft of any money from the city's petty cash funds.

He insisted he had deposited the sum he is alleged to have stolen to the city's credit and created a sensation from the stand when he declared that it had been the practice in the department of public works, where he was employed, for city employees to borrow money from the box in his care, substituting personal I. O. U.'s.

Placed on the stand, Harold W. Baker, head of the department, had indulged in the practice on at least one occasion, according to the defendant.

That he had placed his own "certificate of debt" in the cash box and taken out corresponding sums on several occasions, McGrath admitted on the stand.

The state's case, produced under the direction of Assistant District Attorney Fred S. Holbrook, rested chiefly on the "confession" made by McGrath before Safety Commissioner George J. Nier. It was read by John J. Haggerty, police stenographer.

In the reading it developed that McGrath admitted the shortage in his accounts to Commissioner Nier and asked whether he "could make good the amount." The official is said to have replied:

"I have nothing to do with that."

McGrath then asked whether the charge of taking \$895.10 would be the only one placed against him. Nier said it would be, but added that he "could pin a half dozen others onto" the bookkeeper.

"If I acknowledge this theft, will there be a criminal charge placed against me?" McGrath is said to have asked.

"It is certainly will," the commissioner said.

This exchange of question and answer followed:

Q. Did you take the money? A. Yes, I did.

Q. You understand that I am not forcing you to make these statements against your will? A. Yes.

On cross-examination of the stenographer, Hampton H. Halsey, attorney for McGrath asked Haggerty:

Q. Were your superiors familiar with this practice? A. Yes.

Q. Now, Mr. McGrath, explain what practice you followed in making deposits in the bank. A. When accounts were entered in the cash book I would take the cash and checks, balance up the cash books, and deposit the money.

Q. Did you pay any attention to what sources the money was intended for? A. No.

Q. You would take sufficient money, no matter for whom it was intended? A. Yes.

Q. Is it a fact that the check from Braham & MacFarland was deposited to the sewer fund? A. Yes.

Q. The check was received by you? A. Yes.

Q. Do you remember the date it was received? A. I can't recall.

Q. Had you any authority to endorse these checks with the rubber stamp? A. I endorsed them. There was nothing any question.

Q. Who had access to the safe beside yourself? A. McIntyre.

DIDN'T TAKE MONEY Q. Did you, between June 1 and 16, 1928, seek any money and use it for your own use? A. I did not.

Q. Did you take \$895.10 in cash or check and use it for your own use? A. I did not.

Q. What was the custom of employees of the department in taking money from the cash box? A. They generally took the money and left it, O. U.'s.

Q. How long did this practice exist? A. Before my time.

Q. Did all of the employees do this? A. Most of them.

Q. Did Mr. Baker (Public Works) do this? A. I couldn't say.

Q. Can you tell how long these checks were left in the safe? A. Well, I found some of them in there for as long as a year.

Q. Did McIntyre know about this? A. Well, I called his attention to it.

KEPT 6 TO 8 MONTHS The witness then testified that on one occasion a man who rented property from the city sent in his monthly check. These checks were kept for from six to eight months and when an attempt was made to cash them, it was found that the man's account at the bank had been closed.

Q. Was there a time in January, 1928, when you were ordered by Baker to deposit the money more frequently? A. No.

Q. Was there a suggestion made to that effect? A. Yes.

Q. Did you follow the suggestion? A. To a certain extent, as much as was able.

Concrete For Bridge Is Favored By Heads Of Steuben Society

German-Americans Favor Concrete For Smith Street River Bridge as 'a Matter of Civic Economy,' Julius R. Hoster, Treasurer, Says.

Eminent engineers have given it as their opinion that a concrete bridge across the river is feasible at the Smith Street location, says Julius R. Hoster, Jr., treasurer of the Steuben Society, which has vigorously opposed the plans of the city administration to replace the present structure with a new one of steel.

The Steuben Society is made up of delegates from all of the German-American societies of the city and devotes itself to a study of municipal, state and national questions. It is regarded as the political expression of the German-American residents of the city.

To a hearing before the adoption of the ordinance two weeks ago by the City Council authorizing a new Smith Street bridge to be constructed of steel, the Steuben Society sent a delegation, which presented arguments in favor of concrete.

Concrete Advocated in 1902 As early as 1902 concrete was advocated for the Smith Street location by Commissioner J. W. McClintock of the Department of Public Works as affording greater economy in the long run as well as a structure of permanent beauty, Mr. Hoster points out. At that time it was being considered whether the present structure should be repaired and strengthened to last another 10 or 20 years.

Mr. McClintock was quoted in the Rochester press, Mr. Hoster says, as saying that a concrete bridge "could carry any weight which could come to it and at any speed. It would not burn up or rust away and would not require replanking and painting at short intervals."

"It would endure for centuries and, in its solidity and grandeur would be an inspiration to this and coming generations. It would be one of the greatest features of a picturesque city and would add to the value of every piece of property near it. The cost would be distributed to labor here, instead of going to the greatest of all trusts, as would be the case with a large extent if it was built of metal."

Mr. McClintock was speaking of a concrete structure 950 feet long, its roadway 110 feet above the river, with two arches of 150-foot span each and a number of shorter arch spans.

"We feel that the city of Rochester," says Mr. Hoster for his society, "being a first class city, is entitled to the best that engineering skill can provide and that the city should build not only for the immediate future but such construction as will stand for an indefinite period, as a matter of sound common sense and economy."

"We further feel that from an economic standpoint, if steel were employed for this bridge most of the money spent would leave Rochester and very little local labor would be employed. Steel trusses would be fabricated in some other locality. On the other hand, concrete work is done on the site of the bridge and 83 per cent of the cost would be spent in Rochester among its industries and labor."

"We have gathered technical information from eminent engineers on both concrete and steel for comparison, and in no instance have we found that the cost of concrete bridges very greatly exceeded that of steel."

"Also in no instance, not even when we discussed this bridge at Smith Street with Engineer Frank P. McKibben, has it been maintained that a concrete bridge is not feasible in the Smith Street location."

"They did not maintain that a concrete bridge was not feasible. Their contention was based principally on the fact that in their estimate steel was best suited to that location and that the steel initial cost would be somewhat lower than that of concrete."

"Their principal objection to a concrete bridge was based on their findings that at the east side of the river they would have to sink piles to a depth of 70 feet before striking rock to furnish a solid foundation for the east pier."

"We feel, after making a thorough investigation, that it is not essential or necessary to assume that a concrete bridge must be of single arch construction, and that if an additional arch were placed in the center of the bridge, which would not increase the cost, but rather tend to decrease it, foundations could be found that would sustain the weight of that kind of a bridge. The logic of our contention was not contested or opposed."

Former city administrations have made surveys from time to time on the situation of the Smith Street bridge. We ourselves have referred this problem to four of the foremost concrete constructing engineers in the country before coming to our conclusion in favor of concrete, and our only interest, as a society in this bridge is on the basis of sound civic economy."

The hearing on the charges preferred against Charles E. Raitt, suspended director of Parks, was postponed yesterday by City Manager Stephen B. Story until next Tuesday morning at 10 o'clock. Continued illness of Mr. Raitt made the adjournment necessary.

That Mr. Raitt is improving is indicated by the following letter from his physician, Dr. Norris G. Orchard:

Dear Sir: Mr. Charles E. Raitt has made excellent progress in the past few days. Unless some wholly unexpected phase arises he should be able to take part in the postponed hearing in about three or four days. In fairness to Mr. Raitt it should be stated that his illness has been occasioned by a functional rather than organic disturbance of the heart. To be sure it has been present for some time, but with moderate care, even, he may look forward to a long period of usefulness.

RAITT BETTER, HEARING TO BE BEGUN TUESDAY

Physician Reports Progress Made by Patient Awaiting Suspension Discussion

Raitt Assured Fair Trial

Commissioner Nier Gives Most Effective Reply To Charges of Prejudice.

Although there is universal regret over the tragic event which terminated in the suspension of Park Director Raitt, with a charge of laxity in office against him, Safety Commissioner Nier has followed precisely the procedure taken in the case of any subordinate under similar circumstances.

And, although that laxity is claimed to have resulted in the loss of a human life, Commissioner Nier, in asking City Manager Story to preside at the trial in which the commissioner is empowered to act, has gone to an extreme to assure him of fairness and justice.

Many subordinates in the Department of Safety have been tried before his head on various charges and have accepted the verdicts without questioning the fairness of the proceedings.

By this action Commissioner Nier has given the most effective answer that could be made to the charge by Mr. Raitt that he is prejudiced.

Raymond J. Gartland, University of Rochester junior, lost his life by drowning at Ontario Beach Park—possibly because lifeguards did not have a boat to go quickly to his assistance when he sank while swimming.

Testimony before Coroner Atwater was that the only boat at the beach had just been painted and repaired for leaks and had not been returned for service.

It showed that a complaint the boat could not be used until repaired had been made to Chester B. Leake, playground superintendent and immediate subordinate of Mr. Raitt.

Despite this fact, the beach was opened and swimming permitted WITHOUT any lifeboat being available for use.

It may be said that having the boat ready was a "routine" matter for others to look after, yet Mr. Raitt was looking after such routine details as sending two scrubwomen to the bathhouse to clean it.

Certainly making preparations for opening Ontario Beach should have been the most important matter to engage the attention of Mr. Raitt at the time.

And the most important matter that he COULD have had was to try to make sure that the lives of those who used the beach would be safe.

Providing a lifeboat that was safe, and the required number of lifeguards, would be the chief essentials of safety there. Commissioner Nier said Mr. Raitt did not obey his orders to PREPARE for the opening, and said he had disobeyed orders on other occasions.

The most conclusive evidence of insubordination on the part of Mr. Raitt seems to be given in his recent statements criticizing his superior.

The public of Rochester is not interested in statements of the head of the Playground League of America and Los Angeles friends of Mr. Raitt praising him at this particular time.

But it IS vitally interested in having a capable park director who will not only GIVE orders and see that they are carried out, but will TAKE orders and carry them out.

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Not every position Mr. Goodwin has taken has been popular. In some instances he has no doubt been mistaken. But he has always made clear just where he stands and why he advocates any given course of action. And his readiness to subordinate his campaign for extension of Broad Street to advancement of work on the City Plan as a whole shows he is not "pigheaded" or stubbornly obstinate.

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Many commendations on Volume Seven of the Rochester Historical Society Publication Fund Series are being printed in the book reviews of historical and genealogical magazines throughout the United States.

The Quarterly Journal of the New York State Historical Association of Albany, in its last issue, says:

"The Rochester Historical Society under the intelligent and enthusiastic leadership of its president, Charles H. Willis, and editor, Edward R. Foreman, is performing a service of great value to Rochester and Monroe County, New York State and the United States through its well-edited publications. Volume Seven of its Publication Fund Series contains, besides information about the society, 23 papers by different individuals. Naturally a great variety of subjects makes up the volume. Particular value is attached to such contributions as 'Early Births in Rochester,' by Mrs. George H. Harris; 'Thomas Morris,' by Charles F. Milliken; 'John Mastick,' by John D. Lynn; 'The Scramton Letters,' by Mrs. George H. Harris; 'The Historical Significance of Irondequoit Bay and the Indian Landing,' by Peter Nelson; 'Indian Possessions and Settled Areas in New York State from 1777 to 1820,' by W. Pierrepont White, and particularly 'Old Northampton in Western New York,' by Albert Hazen White. This last contribution is a veritable mine of source material, maps, notes and interpretations."

The New York Genealogical and Biographical Record, a quarterly publication of New York City, also comments on the "Old Northampton" article as of much value to the genealogist. It says:

"The Rochester Historical Society Publication Fund Series, Volume Seven, contains many valuable articles on Rochester's history and people. The 'Area Maps of New York State' are most instructive and the article on 'Old Northampton in Western New York' is of real value to the genealogist, containing as it does, the Northampton Town Records, Northampton originally comprised all the territory of New York between the Genesee River and Lake Erie. Excellently printed and presented, the volume is heartily recommended to historical libraries."

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STATE OPENS THEFT TRIAL OF M'GRATH

Defense Will Claim Former City Employee Deposited Firm's Check for City

Commissioner of Public Works Harold W. Baker and five former fellow employees of Edward M. McGrath, who is under indictment for first degree larceny on charges of having stolen \$895.10 of the city's money while he was employed as a bookkeeper in the Department of Public Works, were called to the witness stand by the prosecution yesterday, when McGrath's trial opened in County Court.

Because of disclosures made in the investigation into the former bookkeeper's alleged speculations, Commissioner Baker testified, the department city has changed its methods of handling funds. Previously, he said under cross-examination by Hampton H. Halsey, attorney for McGrath, checks were held until the bookkeeper was specifically ordered to deposit them with the city treasurer, and that sometimes they were allowed to accumulate for a week, and even a month.

Another rather informal practice in regard to the handling of city funds was revealed by John T. McIntyre, chief of the Bureau of Accounting and Records, who admitted that employees in the department who ran short of money before pay day were allowed to take money from the safe and leave it in their I. O. U. slips for the amount which, he said, was usually returned on the following day.

Only he said McGrath, however, possessed his combination to the safe where the money was kept, he declared.

Both Baker and McIntyre, as well as Charles Koogh, a clerk in the city office, were called upon to identify petty cash account books, which the defendant is alleged to have falsified, and E. J. Roberts, cashier in the city treasurer's office, who said he had not seen McGrath's deposit slips of sums deposited in the city treasurer's office by McGrath.

Defense Says Check Deposited Joseph H. McMahon, inspector and collector in the Department of Public Works, identified a check for \$895.10, signed by the Bureau of MacFarland Company, which McGrath is accused of having converted to his own use.

In its opening address to the jury, the defense claimed it would show that this check had been deposited to the city's account, and not to McGrath's, as charged in the indictment.

John J. Haggerty, secretary to Captain of Detectives John P. McDonald, was the last witness called by Assistant District Attorney Fred S. Holbrook yesterday afternoon, and read the record of the examination of the check.

The defense opened its case by calling four character witnesses to stand. They were William H. Ellis, automobile dealer; Leo McIntee, president of the Street Railways Signal Company; and Herbert W. Pierce, former commissioner of public works.

Grath to the stand in his own defense. Testimony in part follows: Q. What did you usually do with the money received? A. I put it in an envelope, marked it with the date and put it in the safe. Q. Did you always put it in the safe? A. Yes, when I got around to it I put it in the cash book. Q. Tell us the practise in entering this money in the cash book. A. When I got around to it, I entered it. Some times it was several days, several weeks, or even a month.

M'GRATH ON STAND TODAY

Defense Rests; Jury Will Receive Bookkeeper's Case Before Nightfall.

Both the defense and prosecution in the trial of Edward McGrath, No. 581 Melville Street, former City Hall bookkeeper accused of stealing \$895.10 from municipal funds, rested a few minutes after the opening of this afternoon's session of County Court.

Only the rival summations and the charge of County Judge Dutcher remained before the case was to be given to the jury late today.

McGrath, who took the stand in his own defense, was the last witness.

McGrath denied emphatically the theft of any money from the city's petty cash funds. He insisted he had deposited the sum he is alleged to have stolen, to the city's credit and created a sensation far from mild when he declared that it was a "pigeon hole" fund.

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TELLS PRACTICE

Q. Were your superior's family with this practise? A. Yes. Q. Now, Mr. McGrath, explain what practise you followed in making deposits in the bank. A. When accounts were entered in each book of different bookkeepers...

Q. How long were you at the police station? A. Until 5 o'clock that afternoon. Q. Did you have any breakfast at the time the attendant called for you? A. No. Q. Did they give you any lunch? A. No. Q. Did you ask if you could consult an attorney? A. Yes, but they said I didn't need any. Q. Have you ever been in any trouble before? A. No. Q. How old are you? A. Fifty.

CROSS EXAMINATION Cross examination of McGrath by Mr. Holbrook follows: Q. June 11 you deposited \$895.10? A. I believe I did. Q. Here is the deposit slip from the Central Trust Company; is this one you made out? A. I made one out like it. Q. Was it for cash deposits or checks? A. Probably both. Q. But you heard the testimony of Mr. Cook of the bank, who said only checks were deposited on that day? A. Yes, I did. Q. Why didn't you deposit cash that day? A. For the same reason I gave before. I hadn't finished my work and gotten around to finish up the cash book. Q. On June 15 you deposited \$896.47? A. Yes.

WOULDN'T DOUBT STATEMENT Q. Why did you not deposit cash on that day? A. I didn't know that I didn't. Q. But you heard the statement of Mr. Cook? A. Yes. Q. Would you dispute Mr. Cook's statement? A. No.

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Concrete For Bridge Is Favored By Heads Of Steuben Society

German-Americans Favor Concrete For Smith Street River Bridge as 'a Matter of Civic Economy,' Julius R. Hoesterey Jr., Treasurer, Says.

Eminent engineers have given it as their opinion that a concrete bridge across the river is feasible at the Smith Street location, says Julius R. Hoesterey Jr., treasurer of the Steuben Society, which has vigorously opposed the plans of the city administration to replace the present structure with a new one of steel.

The Steuben Society is made up of delegates from all of the German-American societies of the city and devotes itself to a study of municipal, state and national questions. It is regarded as the political expression of the German-American residents of the city.

To a hearing before the adoption of the ordinance two weeks ago by the City Council authorizing a new Smith Street bridge to be constructed of steel, the Steuben Society sent a delegation, which presented arguments in favor of concrete.

Concrete Advocated in 1902 As early as 1902, concrete was advocated for the Smith Street location by Commissioner J. W. McClintock of the Department of Public Works as affording greater economy in the long run as well as a structure of permanent beauty. Mr. Hoesterey points out. At that time it was being considered whether the present structure should be repaired and strengthened to last another 10 or 20 years.

Mr. McClintock was quoted in the Rochester press, Mr. Hoesterey shows, as saying that a concrete bridge "would carry any weight which could come to it and at any time it would not burn up or rust away and would not require replanking and painting at short intervals."

"It would endure for centuries and, in its solidity and grandeur, would be an inspiration to this and coming generations. It would be one of the greatest features of a picturesque city and would add to the value of every piece of property near it. The cost would be distributed to labor here, instead of going to the greatest of all trusts, as would be the case to a large extent if it were built of metal."

Mr. McClintock was speaking of a concrete structure 850 feet long, its roadway 110 feet above the river, with two arches of 150-foot spans and a number of shorter spans.

Physician Reports Progress Made by Patient Awaiting Suspension Discussion

The hearing on the charges preferred against Charles B. Raitt, suspended director of Parks, was postponed yesterday by City Manager Stephen B. Story until next Tuesday morning at 10 o'clock. Continued illness of Mr. Raitt made the adjournment necessary.

That Mr. Raitt is improving is indicated by the following letter from his physician, Dr. Norris G. Orchard: City Manager Story, City Hall, Rochester. Dear Sir:

Mr. Charles E. Raitt has made excellent progress in the past few days. Unless some wholly unexpected phase arises he should be able to take part in the postponed hearing in about three or four days. In fairness to Mr. Raitt it should be stated that his illness has been occasioned by a functional rather than organic disturbance of the heart. To be sure it has been present for some time, but with moderate care, even he may look forward to a long period of usefulness.

Conferred With Officials Otto Miller, president of the United German Societies of the Steuben Society, with Mr. Hoesterey had a conference with City Manager Story, Commissioner of Public Works Baker and Dr. McClintock, bridge expert of Schoenbrunn, on the subject of the proposed bridge before the passage of the ordinance.

"Even in this conference," continues Mr. Hoesterey, "they did not maintain that a concrete bridge was not feasible. Their contention was based principally on the fact that in their estimate steel was best suited to that location and that the steel initial cost would be somewhat lower than that of concrete."

Their principal objection to a concrete bridge was based on their findings that at the east side of the river they would have to sink

JUL 9

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Contract Awarded For Second Hangar At City's Airport

Structure Will Cost \$49,830—Will Be of Concrete and Steel—Drain Pipe For Landing Field Also Ordered—Bid of \$6,732 Accepted by Bureau.

Municipal Airport's second hangar will be under construction shortly.

The contract for the building was awarded today by the Bureau of Purchase and Supply to Stewart & Bennett. The cost will be \$49,830.

The new structure, to be known as Hangar 2, is a principal phase of the season's expansion and improvement program at the airport, for which City Council last Spring authorized the expenditure of \$150,000. The fund is also to provide for the extension of runways.

Concrete and steel will be the building materials for the hangar with cinder block for the walls. Specifications call for hangar doors 18 feet high in the clear. An ornamental wrought iron railing will be installed at the front entrance.

Contract for drain pipe at the airport, which will be installed by the city as an item separate from the hangar contract, was let to Bashford-McCord Company for \$6,732.

The purchasing bureau today also gave contracts to Whitmore Rauber & Viemus, for precast curbing in Mount Hope Cemetery, \$3,300.90; and Wambi Manufacturing Company for textile strips to be used in traffic marking, \$1,400.

Engineer Of Subway Favors Concrete As Material For Bridge

John A. O'Connor, Formerly Employed by City as Supervisor, Believes It More Desirable For Smith Street Structure If Money Is Available.

A bridge of concrete across the river at Smith Street would be attractive, from an architectural standpoint and doubtless would endure beyond a steel structure, as claimed by those who favor such a bridge, according to John A. O'Connor, who was employed by the city as supervising engineer in charge of construction of the subway.

"Naturally, being out of the municipal service, I am not conversant with conditions which will be met in any plan for construction of a bridge across the river," he said. "With respect to this particular bridge, insofar as concrete is concerned, I do not know anything about the foundations of the present bridge nor the condition of the river bed."

"Concrete is a very acceptable material and its use for a bridge in Smith Street would undoubtedly produce a beautiful structure. Personally, I would be in favor of a concrete bridge if the money was available."

PLANNING BODY PICKS WARNER AS CHAIRMAN

Group To Carry Out City Plan Organizes; Will Meet July 17

At the organization meeting of the new City Planning Board held yesterday, J. Foster Warner, architect, was elected chairman, and John W. Fulreader, vice-chairman.

Other members of the board are Edward G. Miner, Corporation Counsel Clarence M. Platt, and Henry L. Howe, director of the Bureau of Design and Construction. Arthur Vedder, superintendent of surveys of the city engineering department, was elected secretary. Mr. Warner served as chairman and Mr. Vedder as secretary of the City Planning Commission, which has been legislated out of existence by the act setting up the new City Planning Board, with increased authority. This board will have charge of carrying out the city plan, the study of which is under way.

The board changed its time of regular meetings, fixing the first and third Wednesday afternoons, at 4 o'clock, at the City Hall Annex. The first meeting will be on July 17.

CITY PLANNING GROUP GETTING READY TO ACT

Citizens' Committee, Appointed Last December, Meets With Officials To Hear Progress.

As the city plan begins to take definite steps the Civic Improvement Committee, a group of citizens appointed by City Manager Stephen B. Story last December to consider city planning, is about to become active.

The committee met at noon today with the city manager, Harold W. Baker, commissioner of public works, and Edwin A. Fisher, consulting city engineer, to hear Mr. Story outline progress on the city plan to date.

With the major street plan due for completion on Nov. 1 by Hansland Bartholomew and his city planning staff, and with the civic center plan to be submitted on Dec. 1, Mr. Story said the committee intends to be ready soon for functioning.

The committee has been more or less quiescent since its appointment, as it is merely an unofficial group to back up the city plan and form a liaison between the public and the official planners. Its duties cannot begin until sections of the city plan are actually done.

Edward Halbleb is chairman. Other members are Herman Russell, Henry T. Noyes, H. H. Sullivan, Carl Hallauer, Chester P. Hevener, Dr. Harvey J. Burkhardt, and Frederick S. Miller. Alfred D. Heggie of the Chamber of Commerce staff is temporary secretary.

CITY WILL AID IN HOME RULE COURT BATTLE

Corporation Counsel Platt Leaves for New York To Help Prepare Brief in Dwelling Law Case.

Rochester will use whatever pressure its legal resources can muster to aid the fight of the New York State Corporation Counsel's Association against what it sees as a move towards nullifying the Home Rule Act.

Instructions were given by City Manager Stephen B. Story to Corporation Counsel Clarence M. Platt before he left to attend a conference in New York and to help formulate a brief defending the self-governing rights of cities.

Mr. Platt is working with corporation counsels of New York, Buffalo, and Schenectady in preparing the brief for submission to the Court of Appeals Thursday.

The offending legislation is a revamping of the multiple dwelling law which, though not affecting New York State cities outside New York City, is considered by the corporation counsels an infringement on the Home Rule Act under which Rochester installed its city manager government.

MOVE FOR CITY OBSERVANCE OF PULASKI MEMORIAL DAY

In a petition handed to Mayor Wilson today, Polish-American organizations of Rochester ask the City Council to designate October 11 as General Casimir Pulaski Memorial Day.

It will mark the one hundred and fiftieth anniversary of the death in action, during the American War of Independence, of the gallant Polish soldier, who was brigadier-general of the Continental Army and commander of the historic corps known as "Pulaski's Legion."

The day is to be given national-wide observance. General Pulaski died October 11, 1779 from wounds received at the Siege of Savannah, Ga.

The petition follows: "Herewith enclosed is a joint resolution, which we would ask you to refer to the next session of the assembly of the Rochester City Council, for their consideration and action.

"At the regular session of Congress at Washington, D. C., that body passed a resolution which President Coolidge readily signed, designating October 11, 1829, as Brigadier General Casimir Pulaski Memorial Day, which is the 150th anniversary of his death.

"Several states of the Union, including New York, have already adopted similar resolutions, and a copy of the resolution, herein enclosed, has been sent to our state senator in Albany, Cosmo A. Chano, and also to Governor Roosevelt, asking that the State of New York adopt this resolution, which already has been done.

"A short history of this great patriot, soldier, general and leader among men is incorporated in the enclosed resolution.

"May your City Council of Rochester, N. Y., join in the movement by establishing a commission which would provide for the appropriate observance and commemoration of the life and sacrifice of this great patriot, soldier and Revolutionary War hero.

"Assuring you of our sincere appreciation, we remain: Stanley K. Kowalski, president, Polish-American Central Citizens' Committee; John F. Felerski, president, Polonia Republican League; Paul P. Kwiatkowski, president, Pulaski Post, American Legion; Frank Mularz, president, Community No. 27, Polish National Alliance of America; Frank Niedzialek, president, Post No. 27, Veterans of Polish Army of America; John P. Leszczynski, president, Polish Falcons Gymnastic Association of America; Stan. Rozewski, president, Polish-American Business Men's Association of America; W. Kolacki, president, (Spojnia) Polish National Union of America; W. Nowicki, president, Polish-American Young Men's Citizens' Political Club; Joseph Gawlowicz, Polish National Catholic Church Parish; Maciej Krasinski, president, Polish-American Citizens' Political Club; St. J. Kwiatkowski, president, (Echo) Polish-American Singing Association of America; St. Bednarski, president, Polish R. C. United Societies of America; Theresa Lelek, president, Polish R. C. Union of America; K. Dembowski, president, (New Life) Polish Welfare Society of Rochester; Casimir Dembowski, president, Polish People Home Insurance Association of Rochester; the Rev. St. J. Szupa, St. Stanislaus Polish R. C. Church; the Rev. Michael J. Drzewicki, St. Theresa Polish R. C. Church; the Rev. August E. Krusz, St. Casimir Polish National Catholic Church; the Rev. John A. Czajkowski, Polish Baptist Church of Rochester, N. Y.

CITY OFFICIALS INVESTIGATING BUILDING FALL

Two-Story Structure at 90 Clinton Avenue South Collapses During Alterations—3 Injured.

City officials today are investigating the collapse of a two-story building at 90 Clinton Avenue South, which injured three workmen and nearly took the lives of a dozen others late yesterday.

The building, which until recently housed the Arcadia Dance Hall, was undergoing alteration for occupancy by a grocer. A preliminary rumble gave workmen and pedestrians on the street an opportunity to scurry for safety before a 100-ton "T" beam hurtled down from the roof, carrying with it great masses of twisted timbers and masonry.

The injured workmen are: Robert J. McKnight, 47, of 315 Orange Street, lacerations and bruises; Fortunato Pisano of Lyell Avenue, cuts and bruises, and Otto Paris of 433 Hudson Avenue, cuts and bruises.

Several workmen escaped death by taking shelter under automobile trucks and the cab of a steam shovel which had been excavating in the building. At the sound of the crash pedestrians in Clinton Avenue South took refuge in the doorways of nearby buildings.

The south wall of the building tumbled out into the Plaza Park, landing Station nearly burying eight automobiles. A new automobile in the middle of the line escaped with hardly a scratch.

The collapse was caused by the carelessness of the excavator and the neglect of the contractor if not placing sufficient shoring about the building supports. Superintendent of Buildings John G. Ellend announced after a preliminary investigation.

Buildings within a radius of several hundred feet were shaken by the falling wreckage. A thick cloud of dust arising from the debris settled over nearby streets like a gray pall.

Police reserves were called out to clear Clinton Avenue for traffic and keep a crowd of several thousand persons from danger. Firemen under Acting Chief Stiefel searched the ruins for any persons who might have been trapped. City Manager Stephen B. Story and Public Safety Commissioner George J. Nier arrived on the scene a few minutes after the crash.

Editor, Rochester Journal.

In writing this letter in a contemplation of the statements that someone, signing himself "A. L. S." has been moved to make with reference to my previous articles. His statements being so far from the truth and so deliberately force me to believe that they are deliberate misrepresentations, made with the hope of confusing the truth. In the future, unless this unknown individual confines himself to the truth and facts, or signs his name, I will ignore any further communications from him.

I have been asked by him "what follows" regarding the 16,000 unemployed Rochesterians to whom I referred in a previous letter. May I state that they are still with us, and the burden of their existence is growing worse, with little or no relief in sight.

He also asks what the city manager has to do with this condition, and my opinion regarding the new Smith Street bridge. I will answer these two questions in conjunction with each other.

Personally, I am not concerned whether the bridge be of steel or concrete, except where labor and cost is affected. As Mr. Carl F. Lomb has so ably stated in his defense of a concrete bridge, local labor would be employed and the materials used by concrete construction. Unfortunately, the city manager and his committee of public works are not concerned with these two items.

This is an answer to the city manager's relationship to the city's 16,000 unemployed. The city's only argument in defense of a steel bridge is an estimated saving of \$350,000. On the other hand, to counteract this desirable saving, the city still has the problem of feeding its unemployed, each of whom requires at least \$1 a day.

It is estimated that it will take at least one year to complete this bridge. In the same length of time it will cost \$5,540,000 to feed these 16,000 at the rate of \$1 a day. Clothing and shelter is not even being taken into consideration in these figures. I leave you to your own deduction as to which would be the more economical bridge.

It also is an unwise thing to divert all the present Smith Street traffic onto the Platt Street and Driving Park bridges. The pliers and abutments of the bridge are such that guards are kept there on duty night and day. What a calamity if one of these bridges were to collapse about 5:30 some afternoon!

Why not the proposed Ridge Road bridge constructed first so that it could have taken some of the burden? The city takes a heavy responsibility on itself if it permits its city manager and his imported experts to handle this municipal development in such a dangerous manner.

To spike another untrue statement, that he had found on "inquiry" that the cash discount law was passed, but that it was a "joker" as "there was never a cash discount taken until the new government came into power," I respectfully ask him to "inquire" at the city comptroller's office, where he will find that there is on their books a statement showing a cash discount amounting to \$11,151.84 for the year 1927.

Finally, this unknown marvel of political knowledge informs me that the old councilmen were a lot of yes-men, while the present council is a "real honest, business-like, progressive government, such as the "Flower City" has never witnessed before." This statement hardly needs an answer.

Yes, I am thankful to say Rochester has never witnessed such spectacles as the haggling that is now being done between the city manager's five councilmen and the four independent Republicans. I close by saying that I also await the fall election with a great hope.

ARTHUR G. CROMWELL, 264 Plymouth Avenue South.

Bridge Company Head Replies To Arguments By Concrete Endorsers

Denies Money Paid For Bridge Of Steel Would Go Outside

Harmon Hershey, President of Genesee Co., Declares Propaganda Has Included False Statements—Holds Durability of Concrete Still a Question.

Denial of contentions that the lion's share of the cost of erecting a new steel bridge over the river at Smith Street would be paid to out of town firms, was made today by Harmon Hershey, president of the Genesee Bridge Company of Rochester.

"As a matter of fact," said Mr. Hershey, in an interview, "the chance of a steel bridge representing as much local work as a concrete bridge is very good."

In reply to advocates of the concrete type of construction for this bridge, who have opposed the City Council's action in authorizing a new structure of steel, Mr. Hershey says:

"A very large amount of false propaganda against structural steel has been made in this controversy. There exist in Rochester a number of steel fabricating and erecting organizations employing about 300 men and having an annual payroll of \$600,000. They employ and have been employing these men for many years. They feel it unjust that there should be so much agitation for concrete.

"The statement that most of the money spent on a concrete bridge will be spent in Rochester, while most of the money spent on a steel bridge will go outside, is erroneous. The pliers and abutments of the bridge will represent from 40 per cent. to 50 per cent. of the total cost and they will return about the same money to Rochester, whether for a concrete or a steel bridge," Mr. Hershey continued.

"The cost of the cement and the bar reinforcement on a concrete structure represents a large percentage of the total cost. The cement will probably be manufactured in Allentown, Pa., and is \$15,000, the \$250,000 representing the minimum saving on initial cost of a steel over a concrete structure.

Mr. Hershey added that the cost of painting the Smith Street bridge would amount to about \$1,500 per year, and pointed out that the interest on \$250,000 at 6 per cent. is \$15,000, the \$250,000 representing the minimum saving on initial cost of a steel over a concrete structure.

Mr. Hershey exhibited photographs of badly deteriorated concrete structures, and said he would be glad to present the evidence to anyone sufficiently interested.

When questioned on first cost, Mr. Hershey stated that a steel bridge usually cost from 10 per cent. to 25 per cent. less than a concrete structure for a given condition. He expressed the hope that both steel and concrete bids would be solicited on the Smith Street bridge to verify this.

"There are a number of steel bridges in this country around 50 years old. The majority of the concrete structures are less than 20 years old. Although in existence so short a time, so much trouble is experienced with deterioration of concrete structures that it is causing considerable discussion in technical societies and journals."

As an example, Mr. Hershey quoted the following editorial from the Engineering News Record of Jan. 17, 1929:

"Two concrete structures built a few years ago under similar conditions were recently examined. Both had been built by experienced engineers and capable contractors, under approved specifications. Yet one of them now looks clean and new, while the other has a decaying surface. Why? An answer has not been found, but we believe the question is as serious as any now before the engineering world. It might be thought that the one contractor was less skilled than the other. But some miles away there is a third structure, involving only one contractor and one set of workmen, which shows parts that are going to pieces and other parts that have remained sound; it is hard to believe that this contractor was competent at one moment and incompetent at another. Something else must have been at fault. We happen to know personally that in all three cases the engineers had complied with their specifications. If, then, a specification carried out with at least average skill and faithfulness does not assure the expected results, we are forced to ask whether the specification does in fact specify effectively. Puzzles of the kind presented by the three structures mentioned are neither new nor rare, but lately they have been getting insistently obtrusive."

Painting Cost
Questions Permanence
"Another false statement which has been repeatedly made is that a concrete bridge will last for ages and cost nothing to maintain, while a steel bridge will last only a short time and will cost an enormous sum to keep painted.

GOODWIN FIRES FIRST GUN FOR RENOMINATION

Announces He Will Enter Fall Primaries on Independent, City Manager Platform.

The gaze of battle with the Republican organization was definitely thrown down today by Councilman Harry C. Goodwin, actively seeking renomination in the fall primaries on an independent, city manager platform.

He made clear his point of view that city manager candidates must maintain their unity, and that none must be dropped by the friends of the city manager administration, if any semblance of the present municipal government is to be retained after Jan. 1.

"I do not look for any compromise between the Republican organization and advocates of the city manager form of government," the councilman averred, "and I can't for the life of me see how Mr. Barcham, after all he has said through his official organ, the Monroe County Republican, which carries his name at the head of the editorial column, could endorse Mr. Adler, Mr. Flynn, and myself."

Harry J. Barcham, chairman of the Monroe County Republican Committee, early this week repudiated reports that he was considering compromise with the present city manager administration for the coming election.

He said he was not prepared to state whether his organization would endorse any of the present councilmen, but that any later action in that direction would be in accord with the dictates of the people.

Councilmen Goodwin, Isaac Adler and Edward P. Flynn, not to mention Mayor Wilson, whose candidacy this year is problematical, constitute the city manager majority of the five councilmen-at-large whose terms expire this year.

Joseph L. Guzzetta is the fifth, reputedly an organization man. Mr. Goodwin continues his comment on Mr. Barcham's position: "In one editorial the Monroe Republican questioned Mr. Story's integrity. I don't see how anyone who has the interests of the city manager plan at heart, and who favors the continuance of Mr. Story as city manager, can endorse any ticket that leaves Mr. Adler, Mr. Flynn and myself off the ticket."

"If the city manager friends drop me, for example, it will show an insincerity that would be hard to explain."

ARTHUR G. CROMWELL, 264 Plymouth Avenue South.

M'GRATH JURY IS LOCKED UP DURING NIGHT

Fails To Arrive at Verdict in Embezzlement Trial of Former City Worker

When it had failed to agree on a verdict after seven hours' deliberation, the County Court jury in the trial of Edward M. McGrath, under indictment on a charge of embezzling the city's money, was locked up for the night a midnight last night. It will resume its deliberation this morning.

At 11:30 o'clock last night, the jury came into the court room to have two pieces of testimony read. It then returned to the jury room, and after taking another ballot, announced that it had not reached a verdict.

One part of the testimony requested had to do with the question of what was meant by the indication of no balance on Exhibit 5, the street and sewer account book, as of June 16, 1928, McGrath's testimony to the effect that while there was money in the safe there was none in the street and sewer fund. The other question was as to whether or not it was shown in the testimony that there was \$536.45 in the city treasurer's office on June 14. McGrath's testimony was again read to the effect that there was a balance on hand in the safe of \$722, as shown in Exhibit 5.

The case went to the jury at 4 o'clock yesterday afternoon, and the jurors were taken to dinner at the Osburn House at 6 o'clock. McGrath is accused of having stolen large sums of money from the city through the manipulation of account books in the Department of Public Works, for which he was a bookkeeper for 22 years. The specific sum with which he is charged with having stolen is \$895.10, on or about June 11, 1928.

He was arrested Aug. 17 and subjected to a grilling examination by Commissioner of Public Safety George J. Nier and Commissioner of Public Works Harold Baker. Later he was indicted by the Grand Jury, and his case went to trial Wednesday morning before County Judge Frederick L. Dutcher.

Confession Said Unfair

McGrath asked, according to the record: "Will there be any criminal charge placed against me if I acknowledge this theft?" "Yes, there certainly will," Commissioner Nier answered. In his summary, Hampton H. Halsey, defense counsel, declared that the so-called confession was obtained in an unfair manner, without the defendant's being allowed to consult his attorney. He said that while he granted the contention that the method of keeping books in the office where McGrath had formerly been employed was careless, there was no reason why his client should be found guilty because the city's business had been conducted in a slipshod manner. He pointed to the practices, admitted by other employees in the department on the witness stand, of allowing employees to take money from the safe to tide them over until pay day, for which they submitted their I. O. U. slips, as being further evidence of the informality which marked the handling of money in the office. There was nothing to show, he said, that the money, if stolen, had not been taken by others in the office.

McGrath, placed on the stand to testify in his own defense, said that he had held positions of trust for many years prior to his entering the city's employ 22 years ago, and that he had never been in difficulty before.

Denies Taking Money Money for three funds, the water works, street and sewer, and general disbursement came into his hands through his work as bookkeeper, McGrath testified. Sometimes this money, in the form of cash and checks, was allowed to lie in the safe for as much as a month, and in some cases even a year, before it was entered in the books. This inefficient method had been in practice for many years, he said, and with the full knowledge of Commissioner Baker and his other superiors. On one occasion, checks paid for the rental of a house owned by the city had been allowed to accumulate for eight months. When the checks were presented at the bank, it was found the account had been discontinued. The practice of allowing employees to take money from the safe had been in effect even before he entered the city's employ, McGrath said.

Asked by his attorney if he had ever stolen any money from the city, and if he had taken the \$895 referred to, McGrath answered: "I did not." The defendant was cross-examined by Assistant District Attorney Holbrook in regard to alleged discrepancies in the entries in the petty cash account book which was one of the chief exhibits in the trial.

"The check for \$895.10 received from Bareham and MacFarlane in May should be in the water works account book, shouldn't it?" he asked McGrath. "Why, yes." "It isn't there, is it?" "I didn't find it." "Why isn't it?" "Why, I might not have got around to entering it on the day the money was deposited with the city treasurer."

The deposit referred to consisted of \$8,150.94 placed in the Central Trust Company bank on June 11. In this was the check for \$895.10. The prosecution claimed that McGrath took that amount of cash from the safe and turned over the check to the city treasurer's office to cover it. Four character witnesses were called by the defense, and testified that they had known the defendant for many years, and that he had always enjoyed a good reputation. They were Herbert W. Pierce, former commissioner of public works; Leo McIntee, undertaker; John H. Powers, president of the Street Railways Signal Company; and William H. Ellis, automobile dealer.

Storyites Unable To Trap Bareham By Fake Yarn On Support of City Manager

Newspaper Canard Arouses Merriment in Party Circles CITY HALL NERVOUS Gannett-Goodwin-Story Is Latest Political Lineup

The past week in Rochester's political life proved to be the most active since the fateful tallies of the voting machines registered last fall's sweep for Herbert Hoover and the complete Monroe County Republican ticket. Nervous almost to the point of explosion the Story administration sponsors in the city council have been engaged in a most undignified and un-nonsensical scramble for "position" in the autumnal political race. Featuring the week was a newspaper canard which greeted the reading public last Monday, and which purported to be an "inside" forecast that Chairman Harry J. Bareham of the Republican County Committee was or was to be a party to some negotiations looking toward the endorsement of Story for another period of managership. A check-up on the affair revealed the fact that an amateur diplomat who has been undertaking to conduct the concerns of the Story administration hoped to "stampede" the Republican County committee into committing itself to a program of compromise with Rochester's city hall "experts". The writer of the "May Support Story" dream was enlisted in the effort and attempted to repay many city hall kindnesses by an unsuccessful effort to compromise the Republican Chairman. From all portions of political Rochester came such unmistakable signs of merriment at the Monday yarn that Chairman Bareham found it necessary to make only the briefest denial that the party's integrity had been debauched by Story's overtures.

The Times-Union Monday afternoon blossomed into editorial bloom with a boom for Harry C. Goodwin for re-election. Following this editorial was another in which the sage Times-Union recommended to the townships of Monroe County to do away with its Board of Supervisors and substitute an "executive" government, modeled presumably upon that now conducted by Story of Rochester. This suggestion arrested the attention of the townships of Monroe like 100,000 volts, and from many villages came messages that the hardy denizens of the county's hamlets and farms would taken down their shotguns and sharpen their scythes into swords before they would have any traffic with any new forms of government involving little or no representation. It was scarcely necessary for the Republican town leaders to reassure their followers that the county was not yet to be handed over to "experts".

The "county manager" editorial, however, served to fortify the conviction held by many that Rochester's political public is about to be treated to a political combine consisting of Harry C. Goodwin, Frank E. Gannett, publisher of The Times-Union, Stephen B. Story "and such others as may care to be present". The press end of the combine is to be conducted by LeRoy Snyder, former candidate for the mayoralty on the Democratic ticket and the local Warwick of the Gannett organization when the publisher is away buying newspapers or selling bonds. Mr. Snyder exercises editorial dictation over the destinies of the Times-Union, and it is understood that he is under orders to "lean Independent-Democrat". Mr. Gannett's morning newspaper having shown strong sympathies of "leaning Independent-Republican", thereby showing a happy political balance that has as yet fooled nobody sufficiently interested to consider the local effects of the Gannett press.

Goodwin is said to be convinced that he had better run his campaign for re-election independently of Story's political fortunes, a decision revealing more than the councilman's usual acumen, and he is said to be preparing a series of withering verbal barrages in which he intends to prove that the city manager is a success. That Monroe County is miserably mismanaged under the organized Republican Party and that he, Goodwin, is a champion of the people. Mr. Goodwin expects to distract attention from Story by this strategy, thereby earning the rewards of the hundreds of thousands of Story's supporters whose existence is assumed by Mr. Goodwin, and he is already said to be confident that the public will swing triumphantly into line with him.

Other councilmen are prudently maintaining an almost deafening silence. Some of them are now reported to be sorry that they ever pretended to be non-partisan, and wish awfully that the immediate past be forgotten by the enrolled voters of the Republican Party. Story himself is most emphatically dumb, but is very frank in telling his close friends that he wants the city managership of Rochester "some more," and is beginning to be slightly petulant when the periodic squabbles arise in his expert departments. He is said to feel that as a last resort he can claim that the people gave him a terrible council majority to work with, and that his failures have been failures of the council. His political advisors, however, have gently pointed out to him that the council has followed him obediently at almost every turn and that it would be most unbecoming of him to try to throw the council overboard in an attempt to "lighten his ship." If he finds himself actually an issue he is said to bank upon his "city plan" to win support.

Mr. Story is reported as being amazed at the apathy shown by many of the "stalwarts" who turned out to help him two years ago. He has made many personal appeals for activity and for the formation of a "militant non-partisan fighting force"—in plain English, a political organization. But to his irritation he has found this one "too busy," that one "bass fishing in Canada" and the other one "through with insurgent politics." The city manager's milk of human kindness is said to be curdling in his bosom.

LOVE UNDECIDED ON NEW TRIAL FOR M'GRATH

A charge of first degree grand larceny still stood against Edward M. McGrath, former city employee today, after a County Court jury selected to decide his fate was discharged in a hopeless deadlock at 3 p. m. yesterday.

District Attorney Love said today it had not been decided whether a motion for a new trial would be made at the September term of court. County Judge Dutcher ordered McGrath's bail to be continued.

REPORT VOTE 6 TO 6 After nearly twenty ballots had been taken in twelve hours of deliberations, the jury's vote was reported to have stood at six to six at the time of the discharge. The jury went out at 3:50 p. m. Wednesday.

An alleged confession that he stole \$895.10 from the city funds formed the basis of the state's case against McGrath during the trial. The alleged confession was said to have been made to Commissioner of Public Safety Nier at the time of McGrath's arrest. The defense claimed that a check for the amount McGrath is alleged to have stolen was deposited by the defendant to the credit of the city. On the stand in his own defense, McGrath made a general denial of all charges contained in the indictment. He was preceded by four character witnesses.

At 10:55 a. m. yesterday, the jury came into the courtroom and reported to Judge Dutcher that no verdict had yet been reached.

ASK FIVE QUESTIONS

- Five questions were asked by the jurors at that time. They were: 1. Does the evidence show that a check was made on the contents of the safe on or about the date Mr. McGrath was notified to appear at police headquarters? 2. Does the evidence show the date the alleged shortage was discovered? 3. Does the evidence show a check was made of the funds in the safe on the date the alleged shortage was supposed to exist? 4. Does the evidence show that on the date the shortage was discovered an audit was made? 5. Does the evidence show on what dates McGrath started and returned from his automobile trip?

Judge Dutcher answered in the negative to the first four questions. In answer to the fifth he ordered testimony read showing that the defendant left about August 1 and returned about August 17.

11 DISAGREEMENTS

Disagreement of the McGraw jury brought the total of jury disagreements in the Monroe County courts to eleven within the past year.

During the May term, three major trials, the Petrossi case and the two fraudulent trials resulted in jury disagreements. Other jury disagreements within the past year resulted in the first Petrossi trial, the three trials of "Captain" George D. Ball, the trial of Joseph "Goat" Miller, and the trial of Thomas M. 100, charged with having taken part in the holdup.

The Raitt Case

The ability of the Story administration to do the wrong thing at the right time amounts to a positive talent. The troubles over Mr. Raitt, director of parks, is so perfectly characteristic of the regime of experts now in office that The Monroe Republican may be forgiven for commenting on the affair in its final stage.

In the first place, of course, Mr. Raitt should never have been appointed. That was apparent before it happened and is still apparent. But appointed he was, apparently, in spite of the wishes of the department head who appointed him. Tersely, Mr. Story ordered Mr. Nier to appoint Mr. Raitt. He was rated No. 1, following a civil service examination and it was said that Mr. Story had been promising the job to Raitt for months and had kept him dawdling around Rochester with a desk in the Bureau of Municipal Research headquarters until such time as he might "be taken care of." When the deal was put through there was a long pained yowl from the people of Rochester, who had utterly ceased to be delighted with "experts" from a far country. The reaction was what the doctors call "Four Plus Positive." Mr. Story found himself charged with having a fellow feeling for carpet baggers, a most happy piece of invective that filled many people with envy toward its inventor, the city having been eagerly looking for just such a word. So Raitt came into office under a dark civic cloud. All the press boosting that could be brought to bear failed to convince "experts" that the man was an answer to our civic prayers. But he was named and automatically came under civil service protection. Nier was still fretful about it, and Story was glumly smarting under the carpet-bagger salvo. Raitt had hardly got his official chair cushion broken in when the scandal attending a lakeside drowning broke. Whether or not Raitt was competent or in the least sense morally or officially responsible for the drowning and failure of the guards, was not gone into. The Story administration sought to right one wrong with another one. Mr. Raitt was unceremoniously suspended. A "play" was to be made to Rochester, and the poor, forlorn Raitt was cast in the role of the goat. Having inherited a staff of unknown capability and not having had time to organize his service, assuming for the sake of argument that he would have done so, he was dogged from the city payroll. Being roundly barked at by the big boys, the small fry gave tongue, and all of the pent-up nervousness and bedlam of the Story administration broke loose in a wild melody of jehbah. As the matter stands, as this is written, Mr. Story is to act in a quasi-judicial role of chief inquisitor in the case of Mr. Raitt, and Commissioner Nier a brisk young recruit to the ranks of local non-partisanship will prosecute. This in itself is a most dubious proceeding, Raitt being Story's hand-picked park director, and Nier being his own appointment. Judges aren't supposed to be "buddies" of litigants. In addition a very unpleasant dilemma is a lively possibility. If Raitt is thrown out by "Judge" Story, or if some regular judge authorizes his dismissal then the family of the drowned boy may very properly start an extremely heavy damage action which will have been decided in their favor before the trial even starts. Even if Raitt is exonerated he may have a very tidy damage action of his own against Nier. Raitt is probably ruined as an effective park director in this city, and as Nier has been fairly malicious in his attacks upon Raitt as well as has Goodwin, who was unable to restrain his tongue, it may be that Raitt has suffered measurable damage, for which he may collect. He would probably have the active backing and possible financial support of the national recreation or playground league, of which he is a member. He can not very well leave Rochester "under a cloud," and he may be just sufficiently irritated to want to teach some of Rochester's local experts a few things about hiring and firing out-of-town experts.

The whole Raitt affair is a perfect example of inept administration. It only serves to fortify us in the convention voiced by some shrewd person or other that "an expert is a man who knows more and more about less and less."

'Clip' Out To Pacify Battling Factions Within Party Fold

Primary Contests Over Nominations For Supervisor Threatened in Wards—Bostwick Attempting Mediation to Present Solid Front Sept. 17.

By Charles E. Welch

With rumblings of discontent disturbing the political serenity of several city wards where primary contests over nominations for supervisor are threatened, Charles E. Bostwick, Republican leader of the Tenth Ward, has voluntarily assumed the role of pacifier and is endeavoring to straighten out factions in certain wards to the end that a solid front may be presented by the organization forces in the election Sept. 17.

The most serious political disturbances reported to date are threatening trouble in the Eleventh and the Seventeenth wards and there is evidence of an immediate outbreak in the Twentieth Ward, where several Republicans, known to be opposed to Supervisor William Reader, met last night and discussed plans for staging a primary fight.

The most complicated situation of all affecting ward supervisorships is the one created in the Eleventh Ward through the action taken by Frank Crouch, recognized ward leader, and Republican ward and county committeeman in designating Charles Hawken, fire alarm telegraph bureau operator, for supervisor in opposition to Supervisor William J. Callahan.

It has been reported that Supervisor Callahan is persona non grata with the Republican organization, but this is very far from the truth. Supervisor Callahan, during the time he has been identified with the county board, has been properly regarded as an insurance because of his activity in behalf of the group, formerly headed by Leo A. MacSweeney, who successfully opposed the Republican organization two years ago and two years before that. But the conditions which obtained in a political sense, two and four years ago, do not exist today and all those leaders, including Mr. MacSweeney, Mr. Bostwick, John H. Law, James T. O'Grady, Fred B. Weinman and several other active ward Republicans, are now strongly entrenched in the organization camp. Also among those who have "made up" with County Chairman Harry J. Bareham and have pledged their support to him, is none other than Supervisor Callahan himself, and among Mr. Callahan's closest friends and political associates is Eugene J. O'Neill, also back in the organization camp and "back at the pen," which was the principal thing that his old friend Bill weaned.

Therefore, with an organization candidate backing another candidate who has pledged his support to Mr. Bareham, the situation in the Eleventh looks rather comical. It is a condition, some Republican leaders fear, that is not going to help those candidates for city councilman who are to get the organization's endorsement. Mr. Bostwick, in his role of political pacifier, however, will delegate to himself the task of attempting to straighten this situation out.

Conflict in 17th

"Clip" is facing another hard task in the seventeenth where Julius Friedrich refuses to sit down and stay down unless Morris Van Graafeiland relinquishes the ward leadership. Mr. Friedrich says he has no personal aspiration to the leadership but he doesn't want Van Graafeiland. And active Republicans in the ward ask the question: If Van Graafeiland doesn't retain the leadership who are we going to get for the leader? There are several men in the ward who would the boys stayed late and were still later in reporting today. "Clip" at the time to take a hand in the Dutch-town scrap, too, just as soon as he can free himself a little from his legal duties. On top of that he has trouble on his own political doorstep on which some of the Tenth Ward boys are peering in opposition to Special County Judge Sheed who wants to be redesignated.

HOLDS BRIDGE AT RIDGE ROAD IS VITAL NEED

MacSweeney Is for Steel Smith St. Structure, but Says Lower River Span Should Come First.

A substantial adequate bridge over the lower river is what is needed at the present time, more than a new structure in Smith Street, in the opinion of Leo A. MacSweeney.

Mr. MacSweeney, who has been identified with road and highway construction work for many years, first with the State Highway Department and since then as a producer of road-building material, expressed the opinion that steel is the most advantageous material for use in construction of the new Smith Street bridge. Concrete would prove too costly, he said, considering the expense in which the city would have to incur in constructing a bridge of the size and height required to span the river in this location.

Service Requisite

"It's all right to talk about concrete from the standpoint of ornamentation," he said, "but what is there beautiful about the approach to Smith Street bridge on either side of the river? What is there beautiful about a garbage reduction plant and a gas plant? It's all nonsense to talk about a concrete bridge over the river in Smith Street from the standpoint of architectural beauty. What we need there is a bridge that is going to give service, one that will be able to stand the puff, so to speak, in the years to come. I think steel is the thing to use."

"But why all this talk about Smith Street bridge anyway? What we need more than a new bridge in Smith Street is a new bridge across the river below Driving Park Avenue. If a new bridge is constructed it will mean the traffic north of Platt Street will be diverted across the river at Driving Park Avenue. I dare say this bridge, with its trolley buses, is burdened with more traffic now than Smith Street Bridge, and if this bridge is closed, how do we know that Driving Park Avenue bridge will be able to take care of the increased traffic that will pour across the river at that point?"

Need Ridge Road Bridge

"The city has bought the land needed for the approaches to the proposed new bridge at Ridge Road. Why not build it? Why spend a lot of money now on a new bridge in Smith Street when the crying need is for a new bridge north of Driving Park Avenue? If Smith Street bridge needs repairing, it should be repaired. If a new bridge is needed there, we should have a new bridge. You can quote me as saying I am for it. But first I am for a new bridge below Driving Park Avenue, because I am firmly convinced it represents the city's first need in its bridge program."

RECEPTION OF GOVERNOR BY CITY CRITICISED

Governor's Friends Feel Vice-Mayor Should Have Welcomed Executive—Police Escort Tardy.

Considerable criticism of the reception accorded Governor Roosevelt by the City of Rochester in his official capacity was voiced this morning by members of the Governor's entourage while here. While the Governor was met at the Barge Canal Terminal, where the state yacht inspector docked last night, by Commissioner of Public Safety George J. Nier and uniformed police as well as a delegation representing the Monroe County Democratic organization, some members of the group surmising him felt that Vice-Mayor Isaac Adler should have represented the city in the absence of Mayor Joseph C. Wilson.

"I didn't know the mayor was out of town," explained Mr. Adler, "and nobody notified me of the time the Governor was arriving." This morning when Mr. Roosevelt went from the yacht on which he passed the night to the Deaf Mute School his escort of motorcycle cops was missing. It developed later that the police were working on Eastern Standard Time and the Governor and his party on Eastern Daylight Time.

The motorcycle escort sprinted to the Deaf Mute School and picked up the Governor there, escorting him the rest of his stay in the city, later to the State Industrial and Agricultural School at Industry and from there to Spencerport, where he rejoined his yacht.

Acting under orders from Chief Kavanagh two detectives met the governor's yacht at Pittsford and accompanied him as a bodyguard during the rest of his stay here.

City Manager Stephen B. Story, when asked this afternoon why he had not greeted the Governor, replied that he had received no intimation from any source as to when Mr. Roosevelt was due to arrive. "I think as a matter of common courtesy that the city officials might have been notified of these points," he continued, "and personally I never have had any desire to intrude where I'm not invited."

M'GRATH JURY IS LOCKED UP DURING NIGHT

Fails To Arrive at Verdict in Embezzlement Trial of Former City Worker

When it had failed to agree on a verdict after seven hours' deliberation, the County Court jury in the trial of Edward M. McGrath...

At 11:30 o'clock last night, the jury came into the court room to have two pieces of testimony read.

One part of the testimony requested had to do with the explanation of what was meant by the indication of no balance on Exhibit 5...

The case went to the jury at 4 o'clock yesterday afternoon, and the jurors were taken to dinner at the Osburn House at 6 o'clock.

McGrath is accused of having stolen large sums of money from the city through the manipulation of account books in the Department of Public Works...

Assistant District Attorney Fred S. Holbrook completed his prosecution yesterday morning, and the defense, after placing McGrath and four character witnesses on the stand, rested its case at 2:30 o'clock in the afternoon.

McGrath's alleged confession, made during the investigation proceedings conducted by Commissioner of Public Safety George J. Nier...

According to the stenographic notes made by Haggerty, McGrath admitted, without any undue pressure on the part of Nier, that he had taken the \$895 from the safe in the office of the Department of Public Works...

Four character witnesses were called by the defense, and testified that they had known the defendant for many years, and that he had always enjoyed a good reputation.

Confession Said Unfair

McGrath asked, according to the records: "Will there be any criminal charge placed against me if I acknowledge this theft?"

In his summary, Hampton H. Halsey, defense counsel, declared that the so-called confession was obtained in an unfair manner, without the defendant's being allowed to consult his attorney.

He pointed to the practice, admitted by other employees in the department on the witness stand, of allowing employees to take money from the safe to tide them over until pay day...

McGrath, placed on the stand to testify in his own defense, said that he had made the deposit for many years prior to his entering the city's employ 22 years ago...

Denies Taking Money

Money for three funds, the water works, street and sewer, and general disbursement came into his hands through his work as bookkeeper, McGrath testified.

Asked by his attorney if he had ever stolen any money from the city, and if he had taken the \$895 referred to, McGrath answered: "I did not."

The defendant was cross-examined by Assistant District Attorney Holbrook in regard to alleged discrepancies in the entries in the petty cash account book which was one of the chief exhibits in the trial.

"The check for \$895.10 received from Bareham and MacFarlane in May should be in the water works account book, shouldn't it?" he asked McGrath.

"Why, yes." "It isn't there, is it?" "I didn't find it." "Why isn't it?"

"Why, I might not have got around to entering it on the day the money was deposited with the city treasurer."

The deposit referred to consisted of \$8,150.94 placed in the Central Trust Company bank on June 11. In this was the check for \$895.10.

Four character witnesses were called by the defense, and testified that they had known the defendant for many years, and that he had always enjoyed a good reputation.

Storyites Unable To Trap Bareham By Fake Yarn On Support of City Manager

Newspaper Canard Arouses Merriment in Party Circles

CITY HALL NERVOUS Gannett-Goodwin-Story Is Latest Political Lineup

The past week in Rochester's political life proved to be the most active since the fateful tallies of the voting machines registered last fall's sweep for Herbert Hoover...

The Times-Union Monday afternoon blossomed into editorial bloom with a boom for Harry C. Goodwin for re-election.

Other councilmen are prudently maintaining an almost deafening silence. Some of them are now reported to be sorry that they ever pretended to be non-partisan...

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The "county manager" editorial, however, served to fortify the conviction held by many that Rochester's political public is about to be treated to a political combine...

The press end of the combine is to be conducted by LeRoy Snyder, former candidate for the mayorality on the Democratic ticket...

An alleged confession that he stole \$895.10 from the city funds formed the basis of the state's case against McGrath during the trial.

The defense claimed that a check for the amount McGrath is alleged to have stolen was deposited by the defendant to the credit of the city.

At 10:35 a. m. yesterday, the jury came into the courtroom and reported to Judge Dutcher that no verdict had yet been reached.

Five questions were asked by the jurors at that time. They were: 1. Does the evidence show that a check was made on the contents of the safe on or about the date Mr. McGrath was notified to appear at police headquarters?

2. Does the evidence show the date the alleged shortage was discovered? 3. Does the evidence show a check was made of the funds in the safe on the date the alleged shortage was supposed to exist?

4. Does the evidence show that on the date the shortage was discovered an audit was made? 5. Does the evidence show on what dates McGrath started and returned from his automobile trip?

Judge Dutcher answered in the negative to the first four questions. In answer to the fifth he ordered testimony read showing that the defendant left about August 1 and returned about August 17.

Disagreement of the McGrath jury brought the total of jury days in the Monroe County courts to eleven within the past year.

During the May term, three major trials, the Petrozzi case and the two Irondequoit trials resulted in jury disagreements.

Other jury disagreements within the past year resulted in the first Petrozzi trial, the three trials of "Captain" George D. Ball, the trial of Joseph "Goat" Miller, and the three trials of Thomas M. Hill, charged with having taken part in the holdup.

Mr. Story is reported as being amazed at the apathy shown by many of the "stalwarts" who turned out to help him two years ago.

He has made many personal appeals for activity and for the formation of a "militant non-partisan fighting force"—in plain English, a political organization.

But to his irritation he has found this one "too busy," that one "back fishing in Canada," and the other one "through with insurgent politics."

The city manager's milk of human kindness is said to be curdling in his bosom.

LOVE UNDECIDED ON NEW TRIAL FOR M'GRATH

REPORT VOTE 6 TO 6 After nearly twenty ballots had been taken in twelve hours of deliberations, the jury's vote was reported to have stood at six to six at the time of the discharge.

The jury went out at 3:50 p. m. Wednesday.

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The Raitt Case

The ability of the Story administration to do the wrong thing at the right time amounts to a positive talent. The troubles over Mr. Raitt, director of parks, is so perfectly characteristic of the regime of experts now in office that The Monroe Republican may be forgiven for commenting on the affair in its final stage.

In the first place, of course, Mr. Raitt should never have been appointed. That was apparent before it happened and is still apparent.

But appointed he was, apparently, in spite of the wishes of the department head who appointed him. Tersey, Mr. Story ordered Mr. Nier to appoint Mr. Raitt.

He was rated No. 1, following a civil service examination and it was said that Mr. Story had been promising the job to Raitt for months and had kept him dawdling around Rochester with a desk in the Bureau of Municipal Research headquarters until such time as he might "be taken care of."

When the deal was put through there was a long pained yowl from the people of Rochester, who had utterly ceased to be delighted with experts "from a far country."

The reaction was what the doctors call "Four Plus Positive." Mr. Story found himself charged with having a fellow feeling for carpet baggers, a most happy piece of invective that filled many people with envy toward its inventor, the city having been eagerly looking for just such a word.

So Raitt came into office under a dark civic cloud. All the press boosting that could be brought to bear failed to convince Rochester that the man was an answer to our civic prayers.

But he was named and automatically came under civil service protection. Nier was still fretful about it, and Story was glumly smarting under the carpet-bagger salvo.

Raitt had hardly got his official chair cushion broken in when the scandal attending a lakeside drowning broke. Whether or not Raitt was competent or in the least sense morally or officially responsible for the drowning and failure of the guards, was not gone into.

The Story administration sought to right one wrong with another one. Mr. Raitt was unceremoniously suspended. A "play" was to be made to Rochester, and the poor, forlorn Raitt was cast in the role of the goat.

Having inherited a staff of unknown capability and not having had time to organize his service, assuming for the sake of argument that he would have done so, he was dogged from the city payroll.

Being roundly barked at by the big boys, the small fry gave tongue, and all of the pent-up nervousness and bedlam of the Story administration broke loose in a wild medley of jabber.

As the matter stands, as this is written, Mr. Story is to act in a quasi-judicial role of chief inquisitor in the case of Mr. Raitt, and Commissioner Nier a brisk young recruit to the ranks of local non-partisanship will prosecute.

This in itself is a most dubious proceeding, Raitt being his own appointment. Judges aren't supposed to be "buddies" of litigants. In addition a very unpleasant dilemma is a lively possibility.

If Raitt is thrown out by "Judge" Story, or if some regular judge authorizes his dismissal then the family of the drowned boy may very properly start an extremely heavy damage action which will have been decided in their favor before the trial even starts.

Even if Raitt is exonerated he may have a very tidy damage action of his own against Nier. Raitt is probably ruined as an effective park director in this city, and as Nier has been fairly malicious in his attacks upon Raitt as well as has Goodwin, who was unable to restrain his tongue, it may be that Raitt has suffered measurable damage, for which he may collect.

He would probably have the active backing and possible financial support of the national recreation or playground league, of which he is a member. He can not very well leave Rochester "under a cloud," and he may be just sufficiently irritated to want to teach some of Rochester's local experts a few things about hiring and firing out-of-town experts.

The whole Raitt affair is a perfect example of inept administration. It only serves to fortify us in the convention voiced by some shrewd person or other that "an expert is a man who knows more and more about less and less."

'Clip' Out To Pacify Battling Factions Within Party Fold

Primary Contests Over Nominations For Supervisor Threatened in Wards—Bostwick Attempting Mediation to Present Solid Front Sept. 17.

With rumblings of discontent disturbing the political serenity of several city wards where primary contests over nominations for supervisor are threatened, Charles E. Bostwick, Republican leader of the Tenth Ward, has voluntarily assumed the role of pacifier and is endeavoring to straighten out factions in certain wards to the end that a solid front may be presented by the organization forces in the election Sept. 17.

The most serious political disturbances reported to date are threatening trouble in the Eleventh and the Seventeenth wards and there is evidence of an immediate outbreak in the Twentieth Ward where several Republicans, known to be opposed to Supervisor William Reader, met last night and discussed plans for staging a primary fight.

The most complicated situation is the one created in the Eleventh Ward through the action of all affecting ward supervisors.

Considerable criticism of the reception accorded Governor Roosevelt by the City of Rochester in its official capacity was voiced this morning by members of the Governor's entourage while here.

While the Governor was met at the Barge Canal Terminal, where the state yacht inspector docked last night, by Commissioner of Public Safety George J. Nier and a delegation representing the Monroe County Democratic organization, some members of the group surrounding him felt that Vice-Mayor Isaac Adler should have represented the city in the absence of Mayor Joseph C. Wilson.

"I didn't know the mayor was out of town," explained Mr. Adler, "and nobody notified me of the time the Governor was arriving."

This morning when Mr. Roosevelt went from the yacht on which he passed the night to the Deaf Mute School, his escort of motorcycle cops was missing. It developed later that the police were working on Eastern Standard Time and the Governor and his party on Eastern Daylight Time.

The motorcycle escort sprinted to the Deaf Mute School and picked up the Governor there, escorting him the rest of his stay in the city, later to the State Industrial and Agricultural School at Industry and from there to Spencerport, where he rejoined his yacht.

Acting under orders from Chief Kavanagh two detectives met the governor's yacht at Pittsford and accompanied him as a bodyguard during the rest of his stay here.

City Manager Stephen B. Story, when asked this afternoon why he had not greeted the Governor, replied that he had received no information from any source as to when Mr. Roosevelt was due to arrive.

"I think as a matter of common courtesy that the city officials might have been notified of these points," he continued, "and personally I never have had any desire to intrude where I'm not invited."

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HOLDS BRIDGE AT RIDGE ROAD IS VITAL NEED

MacSweeney Is for Steel Smith St. Structure, but Says Lower River Span Should Come First.

A substantial adequate bridge over the lower river is what is needed at the present time, more than a new structure in Smith Street, in the opinion of Leo A. MacSweeney.

Mr. MacSweeney, who has been identified with road and highway construction work for many years, first with the State Highway Department and since then as a producer of road-building material, expressed the opinion that steel is the most advantageous material for use in construction of the new Smith Street bridge.

Concrete would prove too costly, he said, considering the extent to which the city would have to go in constructing a bridge of the size and height required to span the river in this location.

Service Requisite. "It's all right to talk about concrete from the standpoint of ornamentation," he said, "but what is there beautiful about the approach to Smith Street bridge on either side of the river? What is there beautiful about a garbage reduction plant and a gas plant? It's all nonsense to talk about a concrete bridge over the river in Smith Street from the standpoint of architectural beauty. What we need there is a bridge that is going to give service, one that will be able to stand the graft, so to speak, in the years to come. I think steel is the thing to use."

"But why all this talk about Smith Street bridge anyway? What we need more than a new bridge in Smith Street is a new bridge across the river below Driving Park Avenue. If a new bridge is constructed over the river in Smith Street it will mean that all traffic north of Platt Street will be diverted across the river at Driving Park Avenue. I dare say this bridge, with its trolley busses, is burdened with more traffic now than Smith Street bridge, and if this bridge is closed, how do we know that Driving Park Avenue bridge will be able to take care of the increased traffic that will pour across the river at that point?"

Need Ridge Road Bridge. "The city has bought the land needed for the approaches to the proposed new bridge at Ridge Road. Why not build it? Why spend a lot of money now on a new bridge in Smith Street when the crying need is for a new bridge north of Driving Park Avenue? If Smith Street bridge needs repairing, it should be repaired. If a new bridge is needed there, we should have a new bridge. You can quote me as saying I am for it. But first I am for a new bridge below Driving Park Avenue, because I am firmly convinced it represents the city's first need in its bridge program."

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Paste Tube advertisement with illustrations of a tube and a paste applicator.

Buffalo, Rochester Assist In Battle On Dwelling Law

Appeals Court Asked to Declare Legislation Affecting New York City Unconstitutional—Three Arguments Against Measure Are Presented.

Rochester and Buffalo have allied themselves, through legal representatives, with New York City in an assault on the Legislature's multiple-dwelling law, declaring it a threat to local self-government.

Corporation Counsel Clarence M. Platt of Rochester joined yesterday with Andrew P. Roman, assistant corporation counsel of Buffalo, in filing a brief with the Court of Appeals at Albany, arguing that the law passed by the last Legislature, affecting tenement houses in New York City, is unconstitutional.

Mr. Platt returned to the city this morning and says the real point of the case is: "Does the subject matter of the multiple dwelling laws relate to the property, affairs, or government of cities?"

The Court of Appeals, after considering the brief for five hours yesterday, adjourned without reaching a decision. The next regular sitting of the court will begin Sept. 30, but it is anticipated a decision may be handed down before then.

While the multiple dwelling legislation affects millions of dollars worth of building operations in New York City, it does not directly apply to other cities in the state. The opposition's contention is that it nullifies in part the Home Rule amendment giving the cities self-governing rights, and that, if held constitutional, the law is apt to lead to further infringement on those rights.

Mr. Platt declares that, if the multiple-dwelling law does involve the property, affairs or government of cities, it should have been passed as a special emergency act, since it relates only to New York City, instead of general state legislation.

The brief in which Mr. Platt cooperated began: "The cities of Buffalo and Rochester and all cities of the state are very deeply interested and concerned in sustaining the order and opinion of the special term in the action above entitled. For years the cities of this state had been battling in the legislative halls for the right of autonomy."

"After many years of effort before the Legislature, the Home Rule amendments, so-called, to the Constitution were adopted by the Legislature and ratified by the people. For many years complaints had been made by the various cities that under the guise of general statutes many laws, general in terms, but in reality local and particular in effect, had been passed by the Legislature and the cities deprived of any opportunity to exercise any power of veto."

"The amendments to Article 12 of the Constitution now in effect were clearly designed to correct any of the abuses which had been prevalent prior to the time of their adoption."

Three Points Cited The brief cited three points in its argument. They are:

Point 1—"The statute in question is special and local in its terms and its effect and is not a general law which in terms and effect applies alike to all cities."

Point 2—"The statute in question relates to the property, affairs or government of the city and was not enacted on message from the Governor declaring that an emergency existed, and the concurrent action of two-thirds of the members of each House of the Legislature."

Point 3—"It is therefore respectfully submitted that the multiple dwellings law violates the provisions of article XII of the constitution and should be adjudged unconstitutional and void."

The corporation counsels said, in their conclusion:

"We believe that it is of the utmost importance that not only the form but the spirit of the home rule amendment must be observed, as the matter has been more fully put by Justice Cardozo:

Judge Cited

"Home rule for cities, adopted by the people with much ado and after many years of agitation, will be another statute of uses, a form of words and little else, if the courts in applying the new tests shall ignore the new spirit that dictated their adoption. The municipality is to be protected in its autonomy against the inroads of evasion."

The multiple dwellings law was held unconstitutional by Supreme Court Justice Lydon at New York on June 25. An imposing array of legal counsel argued on both sides of the case yesterday.

Expresses Thanks For Police Escort

Warm appreciation for the police escort given Governor Roosevelt during his visit to Rochester and for the co-operation of city officials was expressed today by William J. Hunt, chairman of the Democratic County Committee.

"We very much appreciate the way Commissioner Nier and the police department assisted," said Mr. Hunt. "They went out of their way to co-operate, volunteering things which we had not even expected, and police were sent out of the city to accompany the Governor to Industry and Spencerport."

He said the reason city officials were not asked to receive the Governor on his arrival Wednesday night was that, up until the last moment, the committee had expected the yacht would anchor at Pittsford for the night.

"After many years of effort before the Legislature, the Home Rule amendments, so-called, to the Constitution were adopted by the Legislature and ratified by the people. For many years complaints had been made by the various cities that under the guise of general statutes many laws, general in terms, but in reality local and particular in effect, had been passed by the Legislature and the cities deprived of any opportunity to exercise any power of veto."

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Dr. Fairchild Urges City Make Park Of Pinnacle Hill Range

University of Rochester Professor Says if City Officials Had Not Been 'Derelict,' Hills Range Long Ago Would Have Been Purchased.

Had city officials not been "derelict," Pinnacle Hill and its entire range of eminences would have long since been purchased by the city for park purposes, in the opinion of Dr. Herman L. Fairchild of 106 Winterthor Street, a professor emeritus at University of Rochester.

In a communication to The Times-Union, Dr. Fairchild urged acquisition of the property, a petition for which is in committee in City Council following introduction some weeks ago by Councilman Harry C. Goodwin.

Dr. Fairchild deplors the fact some of the most attractive parts of the Pinnacle range have been pooled under private ownership, for gravel excavation and real estate development. "City ownership of the Pinnacle," he says, "is not a matter of much money but one of large civic spirit."

Dr. Fairchild says: "The desirability of saving not only the Pinnacle but the entire Pinnacle Range for park and reservoir purposes should always have been clearly evident, and if our city officials had not been derelict the hills would long since have been acquired. It is said that when the elder Olmstead was consulted about the proposed city park, he advised that the hills and said, 'There is your park.' Right then the range should have been taken as a pleasure ground for the people and for its scenic, scientific and educational value. Unfortunately, except for Mount Hope Cemetery, Highland Park and Cobbs Hill with the Danck, the range is now being used as the prey of private interests. The eastern stretch near Brighton has been entirely destroyed by gravel excavation and real estate improvement."

The Peat Bog The stretch between South Clinton and South Goodman Street was the most singular and interesting portion of the whole range. It held some open, circular and graceful bowls or "kettles" and a unique feature, the Peat Bog. In its botany, biology, and geology this peat-filled basin in a natural forest, with at least 25 feet depth of decayed vegetable matter, was of educational value. Unfortunately, except for Mount Hope Cemetery, Highland Park and Cobbs Hill with the Danck, the range is now being used as the prey of private interests. The eastern stretch near Brighton has been entirely destroyed by gravel excavation and real estate improvement."

But Rochester had so many interesting features that these were ignored. Many millions of dollars could be spent on formal education but a very few thousand could be used to save many acres of land for the study of nature. The present movement to save the Pinnacle from destruction or commercial exploitation deserves praise and hearty support. The city should acquire it for civic use will require more than verbal resolutions judging from former experiences. As long ago as in 1895 there was an earnest effort for acquisition of the Pinnacle, and the record may be found in the Rochester newspapers of April 23-25 in that year. The Academy of Science, Proceedings, volume 3, pages 201-204.

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Ward 9 Supervisor Wants Concrete In Smith Street Span

Interest of Workingman and Attractiveness of Structure Influence Him, Says Pietro Roncone—Advocates Uniformity of All New Bridges Over River.

Pietro Roncone, supervisor of the Ninth Ward, favors a bridge of concrete construction across the river in Smith Street. As supervisor of one of the two wards which will be directly affected by this improvement, Mr. Roncone is interested in the type of bridge to be built. In favoring a bridge built of concrete, he says he first has in mind the interests of many working men in Rochester and, secondly, he considers the matter of attractiveness in design of the structure of sufficient importance to merit careful study of the project.

"With the city interesting itself in what has come to be known as a general city plan, it seems to me it would be well to carefully consider the question of material in the construction of this projected bridge in Smith Street," Supervisor Roncone said.

"Naturally, I am interested in the proposal to substitute the present antiquated structure with a new bridge and, that of all, I am in favor of concrete because of the opportunity it will provide for the employment of a large number of Rochester laboring men. If we can use material in the construction of this new bridge that will insure employment to the workmen of our city then I am heartily in favor of the use of concrete."

"It is simply a matter of time, I understand, before we shall require new crossings over the river in both Platt Street and Driving Park Avenue. Also, we are to have a new bridge across the river north of Driving Park Avenue. What sort of structures are these to be? Why not decide upon a general plan of uniformity now?"

"Central Avenue bridge is one of the most substantial and attractive structures spanning the Genesee River in Rochester. Why should not Smith Street bridge be built to conform with this structure and why should the city not have in mind similar structures, of uniform design, in Platt Street, Driving Park Avenue, and over the river at Ridge Road?"

"I think that if all these bridges were built of concrete and a general plan of uniformity of design and construction character were followed, it would not only mean needed employment for a large group of Rochester workers, but it would undoubtedly lend attractiveness to whatever general city plan is decided upon."

STATUS UNCERTAIN Just what would be the status of the city's pending suits for an appraisal of the railways to determine the justice of the original base valuation of \$20,000,000, on which the railways have collected 6 per cent. for nine years, no city official would predict.

The city has made court gestures from time to time, but has yet to get even well started for a reappraisal.

Mr. Goodwin said there would be many conferences before terms of a new contract were accepted, even if the renewal were authorized by the City Council.

APPROXIMATES \$50,000 With salaries of Mr. Barnes' office staff and other costs, the whole bill for administering the contract has approximated \$50,000 annually. All of this was borne by the railways.

Under an ordinance to be submitted to the City Council next Tuesday night, when a special meeting is to be held, a renewal of the contract will be proposed. In it will be a provision giving the city authority to demand any amendments which may be deemed necessary.

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GOODWIN HAS 340 NAMES

City Councilman Harry C. Goodwin is ready for the municipal non-partisan primary in September, according to an announcement today. He has nominating petitions signed by 340 voters, forty more signatures than required by law.

"The response has been mighty pleasing to me," said Mr. Goodwin. "I have had requests for petitions from about 150 men and women. Few of these agree with me wholly, but they have expressed themselves in no uncertain terms that they approve of the course I have followed in the Council; that I have tried to get all the information possible on questions and then voted according to my personal convictions."

"One fact stands out clearly and that is, instead of losing friends as the result of being voted down eight to one frequently in the Council, I have gained friends. If any one thing stands out from others, it is the fact that I opposed changes in the non-partisan election law, which seems to have drawn more people to me."

"I shall file enough names to assure my designation. The names in excess I shall keep to myself."

Mr. Goodwin cannot file his petitions until August 13.

CITY WILL PAY RAILWAYS COMMISSIONER

To the office of Commissioner of Railways above all suspicion of being subject to any influence of the New York State Railways, it will be made a strictly municipal job, with salary provided in the city budget, it was announced today at City Hall.

This action, however, is contingent upon a renewal of the service-at-cost contract under which the Rochester street railway system has been operated during the last nine years, and which expires August 1, 1929.

Charles R. Barnes has been commissioner of railways since the service-at-cost contract became effective, and his salary, \$12,000 a year, has been paid entirely by the railways.

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City Awards Three Paving Contracts To Petrossi Firm

Acting on advice from Corporation Counsel Clarence M. Platt, the Bureau of Purchase and Supply today awarded three paving jobs to the John Petrossi Company.

This is one more job than the city administration planned to give the contractor when Mr. Platt first handed down an opinion yesterday that the contracting company was no longer an irresponsible bidder on public improvements.

This reversal of attitude by the city administration came in consequence of dismissal of an indictment against John Petrossi charging bribery. Mr. Platt announced the city's appeal would be continued against an injunction Petrossi obtained on Lattimore Road paving, after his low bid was rejected, on the ground of the company's alleged irresponsibility.

The three contracts which Petrossi has today, cover asphalt pavements in Raleigh Street, at \$26,703.90; White Street at \$13,802.20, and Farmington Road at \$14,934.70.

Mr. Platt directed City Purchasing Agent Wendell Andrews to consider the Petrossi Company a responsible bidder until the Appellate Division decides the injunction suit.

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Fire Truck Victim Is Identified As Thomas Thurston

Man Killed When Hit by Truck 10 as He Steps Into Street—Apparatus Was Making Run to Two Thousand-Dollar Barn Fire.

Identity of a man killed last night when he stepped in the path of a speeding fire truck in Mount Hope Avenue was established at noon today when a neighbor called at the morgue and recognized the body as that of Thomas Thurston, 301 Monroe Avenue.

A wife and three small children survive, together with a sister in Brockport, whose name could not be learned. He is about 40 years old.

J. D. Montanye of 307 Monroe Avenue, established identification after an acquaintance of Thurston's had viewed the body at the morgue. The accident occurred when firemen were speeding to a barn fire in Kirley Alley, between Alexander and Comfort Streets.

Damage to the barn amounted to \$2,000. One horse was killed. Battalion Chief Sweeney attributed the fire to spontaneous combustion caused by improperly cured hay.

The man was killed by Truck 10, operated by Crist Hart. He stepped out into the street apparently engrossed by the reflection in the sky and though Hart swerved sharply to avoid him he was struck by the left front fender. Fireman Fred Blum was detailed to care for the man and the truck continued on its way. Blum hailed a passing motorist who drove the man to Genesee Hospital. He was pronounced dead on arrival.

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Buffalo, Rochester Assist In Battle On Dwelling Law

Appeals Court Asked to Declare Legislation Affecting New York City Unconstitutional—Three Arguments Against Measure Are Presented.

Rochester and Buffalo have allied themselves, through legal representatives, with New York City in an assault on the Legislature's multiple-dwelling law, declaring it a threat to local self-government.

Corporation Counsel Clarence M. Platt of Rochester joined yesterday with Andrew P. Ronan, assistant corporation counsel of Buffalo, in filing a brief with the Court of Appeals at Albany, arguing that the law passed by the last Legislature, affecting tenement houses in New York City, is unconstitutional.

Mr. Platt returned to the city this morning and says the real point of the case is "Does the subject matter of the multiple-dwelling laws relate to the property, affairs, or government of cities?"

The Court of Appeals, after considering the brief for five hours yesterday, adjourned without reaching a decision. The next regular sitting of the court will begin Sept. 30, but it is anticipated a decision may be handed down before then.

While the multiple dwelling legislation affects millions of dollars worth of building operations in New York City, it does not directly apply to other cities in the state. The opposition's contention is that it nullifies in part the Home Rule amendment giving the cities self-governing rights, and that, if held constitutional, the law is apt to lead to further infringement on those rights.

Mr. Platt declares that, if the multiple-dwelling law does involve the property, affairs or government of cities, it should have been passed as a special emergency act, since it relates only to New York City, instead of general state legislation.

The brief in which Mr. Platt co-operated began: "The cities of Buffalo and Rochester and all cities of the state are very deeply interested and concerned in sustaining the order and opinion of the special term in the action above entitled. For years the cities of this state have been battling in the legislative halls for the right of autonomy."

"After many years of effort before the Legislature, the Home Rule amendments, so-called, to the Constitution were adopted by the Legislature and ratified by the people. For many years complaints had been made by the various cities that under the guise of general statutes many laws, general in terms, but in reality local and particular in effect, had been passed by the Legislature and the cities deprived of any opportunity to exercise any power of veto.

"The amendments to Article 12 of the Constitution now in effect were clearly designed to correct any of the abuses which had been prevalent prior to the time of their adoption."

Three Points Cited
The brief cited three points in its arguments. They are: Point 1—"The statute in question is special and local in its terms and its effect and is not a general law which in terms and effect applies alike to all cities."

Point 2—"The statute in question relates to the property, affairs or government of the city and was not passed in an emergency. The Governor declaring that an emergency existed, and the concurrent action of two-thirds of the members of each House of the Legislature."

Point 3—"It is therefore respectfully submitted that the multiple-dwelling law violates the provisions of article XII of the constitution and should be adjudged unconstitutional and void."

Judge Cited

"Home rule for cities, adopted by the people with much ado, and after many years of agitation, will be another statute of uses, a form of words and little else, if the courts in applying the new tests shall ignore the new spirit that dictated their adoption. The municipality is to be protected in its autonomy against the inroads of evasion."

The multiple dwellings law was held unconstitutional by Supreme Court Justice Lyon at New York on June 25. An imposing array of legal counsel argued on both sides of the case yesterday.

Expresses Thanks For Police Escort

Warm appreciation for the police escort given Governor Roosevelt during his visit to Rochester and for the co-operation of city officials was expressed today by William J. Hunt, chairman of the Democratic County Committee.

"We very much appreciate the way Commissioner Nier and the police department assisted," said Mr. Hunt. "They went out of their way to co-operate, volunteering to accompany the Governor to Industry and Spencerport."

He said the reason city officials were not asked to receive the Governor on his arrival Wednesday night was that, up until the last moment, the committee had expected the yacht would anchor at Pittsford for the night.

Dr. Fairchild Urges City Make Park Of Pinnacle Hill Range

University of Rochester Professor Says if City Officials Had Not Been 'Derelict,' Hills Range Long Ago Would Have Been Purchased.

Had city officials not been "derelict," Pinnacle Hill and its entire range of eminences would have long since been purchased by the city for park purposes, in the opinion of Dr. Herman L. Fairchild of 106 Winterroth Street, a professor emeritus at University of Rochester.

That movement, by idealists and altruists, the impractical and visionary and the "practical" education with no mercenary advantage, had no appeal for the "practical" politicians and their boss. It was a pitiful illustration of the impotence of the citizenry under the political regime of that day. Ejection of the boss-selected officials ended the power of the people over their government.

In later years there have been conferences over the matter of the Pinnacle. Mayor Van Zandt was interested. Harper Sibley, who owns a plot reaching to the apex of the hill and to the city if Bishop Hickey would release his old cemetery, would release it to the city if that tract would appear as if that tract of the abandoned cemetery might be deconsecrated and given to the city.

Outside City Limits
Here a very important fact and serious complication must be noted. The Pinnacle and the St. Patrick's Cemetery are outside the city and beyond the jurisdiction of the city government. A glance at a map of the city will show the absurd limits in the city boundary which exclude these lands.

In this connection it may be said that with the present political regime the crookedest city in America. The city lines Rochester is probably the most singular and grotesque system of our officials are more representative and more responsive to the public. Of course there are insistent demands for necessary public work which involve many millions of dollars. However, city ownership of the Pinnacle is not a matter of mere money but one of large civic spirit.

If the present movement for the acquisition of the Pinnacle is vigorously pushed we may at least learn the nature of the opposition.

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"With the city interesting itself in what has come to be known as a general city plan, it seems to me it would be well to carefully consider the question of material in the construction of this projected bridge in Smith Street," Supervisor Roncone said.

"Naturally, I am interested in the proposal to substitute the present antiquated structure with a new bridge and, first of all, I am in favor of concrete because of the opportunity it will provide for the employment of a large number of Rochester laboring men. If we can use material in the construction of this new bridge that will insure employment to the workmen of our city then I am heartily in favor of the use of concrete."

"It is simply a matter of time, I understand, before we shall require new crossings over the river in both Platt Street and Driving Park Avenue. Also, we are to have a new bridge across the river north of Driving Park Avenue. What sort of structures are these to be? Why not decide upon a general plan of uniformity now?"

"Central Avenue bridge is one of the most substantial and attractive structures spanning the Genesee River in Rochester. Why should not Smith Street bridge be built to conform with this structure and why should the city not have in mind similar structures of uniform design, in Platt Street, Driving Park Avenue, and over the river at Ridge Road?"

"I think that if all these bridges were built of concrete and a general plan of uniformity of design and construction character were followed, it would not only mean needed employment for a large group of Rochester workers, but it would undoubtedly lend attractiveness to whatever general city plan is decided upon."

CITY WILL PAY RAILWAYS COMMISSIONER

To fit the office of Commissioner of Railways above all suspicion of being subject to any influence of the New York State Railways, it will be made a strictly municipal job, with a salary provided in the city budget, it was announced today at City Hall.

This action, however, is contingent upon a renewal of the service-at-cost contract under which the Rochester street railway system has been operated during the last nine years, and which expires August 1, 1930.

Charles R. Barnes has been commissioner of railways since the service-at-cost contract became effective, and his salary, \$12,000 a year, has been paid entirely by the railways.

APPROXIMATES \$50,000

With salaries of Mr. Barnes' office staff and other costs, the whole bill for administering the contract has approximated \$50,000 annually. All of this was borne by the railways.

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City Awards Three Paving Contracts To Petrossi Firm

Acting on advice from Corporation Counsel Clarence M. Platt, the Bureau of Purchase and Supply today awarded three paving jobs to the John Petrossi Company.

This is one more job than the city administration planned to give the contractor when Mr. Platt first handed down an opinion yesterday that the contracting company was no longer an irresponsible bidder on public improvements.

This reversal of attitude by the city administration came in consequence of dismissal of an indictment against John Petrossi charging bribery. Mr. Platt announced the city's appeal would be continued against an injunction Petrossi obtained on Lattimore Road paving, after his low bid was rejected, on the ground of the company's alleged irresponsibility.

The three contracts which Petrossi has today, cover asphalt pavements in Raleigh Street, at \$26,703.90; White Street at \$13,802.20, and Farmington Road at \$14,934.70.

Mr. Platt directed City Purchasing Agent Wendell Andrews to consider the Petrossi Company a responsible bidder until the Appellate Division decides the injunction suit.

Fire Truck Victim Is Identified As Thomas Thurston

Man Killed When Hit by Truck 10 as He Steps Into Street—Apparatus Was Making Run to Two Thousand-Dollar Barn Fire.

Identity of a man killed last night when he stepped in the path of a speeding fire truck in Mount Hope Avenue was established at noon today when a neighbor called at the Morgue and recognized the body as that of Thomas Thurston, 301 Monroe Avenue.

A wife and three small children survive, together with a sister in Brockport, whose name could not be learned. He is about 40 years old.

J. D. Montanye of 307 Monroe Avenue, established identification after an acquaintance of Thurston's had viewed the body at the morgue.

The accident occurred when firemen were speeding to a barn fire in Kirley Alley, between Alexander and Comfort Streets.

Damage to the barn amounted to \$2,000. One horse was killed. Battalion Chief Stiefel attributed the accident to spontaneous combustion caused by improperly cured hay.

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GOODWIN HAS 340 NAMES

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Railway Commissioner To Be Made Municipal Office

STATUS CHANGE TO BE MADE IN NEW CONTRACT

Plan To Place Job Above Any Possible Influence; Work on Municipal Ordinance

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Such action was to be contingent on a renewal of the service at cost contract under which the street railway system has been operated for nine years and which expires August 1, 1930.

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One such amendment would take Mr. Barnes' office, with its entire payroll, from under the wing of the New York State Railways, City Councilman Goodwin said.

That the city may speedily get the question of renewal out of the way, the Public Utilities Committee of the Council will hold a hearing on the question Tuesday night, that action may follow fourteen days later and the railways be notified by August 1 of the city's course. The railways must be notified by then under the terms of the contract, although actual renewal cannot take place until August 1, 1930.

STATUS UNCERTAIN

Just what would be the status of the city's pending suits for an appraisal of the railways to determine the justice of the original base valuation of \$20,000,000, on which the railways have collected 6 per cent. for nine years, no city official would predict.

The city has made court gestures from time to time, but has yet to get even well started for a reappraisal.

Mr. Goodwin said there would be many conferences before terms for a new contract were accepted, even if the renewal were authorized by the City Council.

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The Petrossi Company which had been under fire since Mr. Petrossi was indicted for bribing a city paving inspector, got all three street paving jobs, and he will get still a fourth this week, city officials said.

Failure of two juries to convict Mr. Petrossi compelled the city to award him the contracts, Corporation Platt held.

This change of front on the part of the city administration followed dismissal of the bribery indictment against Petrossi, Corporation Counsel Platt held that while the status of contracts for paving Gladstone, Ottilia and Orleans Streets, involved in injunction proceedings, was undisturbed, there was no occasion for longer denying the Petrossi company improvement work.

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The time set was originally 10 a. m., but Mr. Story wired from Chicago today he could not arrive in Rochester by that time, and directed that the hour be changed to 2:30 p. m. Tuesday.

Edward M. Ogden, attorney for Mr. Raitt, and Safety Commissioner Nier who suspended the park director, both said today they would be ready. The city will have a representative from the corporation's office.

It is expected heavy claim for damage will be filed against the city, as the charges against Mr. Raitt imply negligence on the part of municipal authorities, which allegedly contributed to the drowning of Raymond Gartland, a student at the University of Rochester, three days after the season opened at the beach.

It is charged that the life boat was on the porch of the bath house, and that it had not been prepared for duty in the patrol of the waters.

Following disposition of the Raitt case, it is expected Commissioner Nier will move the trial of Chester B. Leake, former playgrounds superintendent, who was suspended on similar charges.

The Street Car Contract

The Public Utilities Committee of the City Council will conduct a public hearing Tuesday evening on the proposed renewal of the service-at-cost contract between the city and the New York State Railways, which is near the end of its ten-year term. Everybody with ideas on the matter should express them at this hearing. August 1 is the final date on which the contract can be renewed for another ten-year period.

In the ten years of its existence, the service-at-cost contract has worked out rather better for the street car company than for the city. Under it, fares have been increased from five cents to ten cents and the city has been powerless to protest because the company's figures invariably have shown a deficit from operations.

So long as that exists, the company may retain the higher fares. The company profits, also, by the high appraisal upon which its return on investment is figured, and the city stands small chance of reducing that appraisal even if the court action which has been pending for a number of years is pushed to conclusion.

In spite of its advantages under the contract, the company reports steadily diminishing revenues, attributable mainly to the increasing use of the automobile. There is every indication that this situation will grow worse rather than better. Unless further economies are effected and unless the company is relieved of the necessity of paying for the cost of pavement between tracks, it will have a sound excuse against reduction of fares.

If the contract is renewed as conditions stand now, it may mean still further increases in fare; if it is not renewed it may mean steady demoralization of service. Citizens should decide whether they wish either of these alternatives, or whether they have some other proposal by which both may be avoided.

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Police Chief Kavanaugh declared today that a thorough investigation of the whole affair would be made, which would include an inquiry into reasons why some of the facts were withheld from him.

As a result, Inspector Young and Assistant District Attorney Ark have been asked to obtain statements from all persons implicated.

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That one of the policemen was badly hurt was indicated in a report that it had been necessary to take seventeen stitches in his head before he was taken home. Which was the one hurt has not been determined.

DRIVER'S STATEMENT

Trynoski, who is believed to be listed in police records with several convictions for minor offenses against him, gave a statement to Captain Collins and Sergeant Roth just after the mishap. He said, in part:

"Early yesterday morning I got a call and took two girls to No. 8 Atlantic Avenue. I left them there, but was instructed to return at 4:05 in the morning.

"When I came back the two girls got in the cab and asked to be driven to Atlantic and University Avenues. There we picked up two policemen in uniform. One of them I knew as Tim Collins."

This statement, according to chief Kavanaugh, was taken by the two investigating officers, but was not forwarded to him. When he learned the facts, he said, he asked Inspector Young why he had not investigated the accident personally.

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At the Genesee Hospital, where the Kelly girl is confined, Inspector Young learned that the two policemen on the sick list today were actually in the cab with her another woman, whom she said was Mrs. Earle Switzer, No. 58 Studley Street.

2 POLICEMAN NAMED IN AUTO CRASH QUIZ

In Taxi That Struck Sedan, Killing Woman, Chief Is Told.

Crash of a taxicab and a privately owned car in Main Street East at University Avenue, had these consequences today:

1. Death of one woman, Miss Lella Walton, thirty-five, Attica, and possible fatal injuries to three others.

2. Disclosure that two Third Precinct policemen were passengers in the taxicab, and fled after the fatal collision.

3. Placing of a guard at the Highland Hospital cot of Joseph Trynoski, thirty-two, No. 27 South Union Street, driver of the cab involved, who is to be charged with second degree manslaughter, as soon as he recovers.

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Expect Buffalo Rd. And Plymouth Jobs To Total \$418,000

Two of Biggest Improvement Contracts to Be Let Soon—Bids to Be Opened Wednesday—Maple Trees to Go to Allow Fifty-Foot Pavement.

Bids on two of the biggest street improvement jobs undertaken by the city in the last five years will be opened Wednesday and contracts awarded probably next Friday. Engineers estimate the cost of the two improvements at upwards of \$418,000.

The contracts call for concrete pavements and sewers in Plymouth Avenue South from the Pennsylvania Railroad bridge at Clarissa Street to the railroad crossing at Barton Street, and on Buffalo Road easterly from the Barge Canal to West Avenue. The cost of the Plymouth Avenue job is put at \$211,147.75, and that of Buffalo Road at \$206,852.25 by engineers.

This improvement of two important highways will provide a long demanded adequate approach to the city's main stem from the South and West for heavy traffic.

Must Remove 204 Maples

Work on Plymouth Avenue improvement means the abandonment and scrapping of the two trolley tracks that have been operated for years between the curb and sidewalks, and it also means the removal of 204 maple trees, of which 165 have been reported good sound trees by City Forester T. P. Maloy. These trees must go to make way for the 50-foot roadway with its six lanes of traffic. It appears that a width of at least 10 feet is required to meet traffic conditions.

The city forester made a survey of the trees at the request of Henry L. Howe, director of the bureau of design and construction in the Department of Public Works. He was instructed to determine the condition of the trees and the maximum of pavement that could be laid and still save a majority of trees. Mr. Maloy reported that of the 204 trees, 165 were sound, 24 were in fair condition and 15 were poor, and that the remainder would be removed no matter what width of pavement was laid.

If a 42-foot pavement were decided upon, Mr. Maloy said, it would be safe to let 64 sound trees remain, but in that case there were 10 doubtful ones, and 130 that must be removed.

Easy Traffic Lanes

The new road width provides many traffic lanes for busses operating in opposite directions, and also for two lines of trucks and pleasure cars, as well as parking space at either curb. The street has a width of 66 feet which will leave eight feet strips for sidewalks which will be 6 1/2 feet wide. The trolley tracks and overhead wires are to be removed, and bus service installed. The abandonment of the trolley property means a reduction in the valuation on which the street railways company receives a six per cent. return.

Do you favor the retention of Commissioner Baker?

An affirmative answer will bring the union on record against the candidate," Mr. Skelly said.

UNFAIR DISCRIMINATION

Two labor unions—painters and bricklayers—today raised new charges of unfair discrimination against Mr. Baker. They said he was responsible for the use of laborers in putting off stones in the City Hall, the exterior of which has just been cleaned by sand blasters. They said the work should have been done by skilled union men. They also charged he permitted the sand blasters to employ workers more than eight hours, at unfair rates.

Edward Becker, business agent of the Painters' Union, and John G. White, business agent of the bricklayers, sent a request to Mrs. Frances Perkins, state labor commissioner, that she immediately undertake an investigation of municipal labor conditions here.

OUT OF TOWN

Mr. Baker was at Hemlock Lake today, inspecting construction work. City Manager Story was in Chicago.

Other city officials explained that the City Hall work was done by outside labor, with contracts let under a Syracuse firm.

Another charge by Mr. White against Mr. Baker was that when Rochester workmen asked for employment under Mr. Baker they are first asked:

"Do you live in Rochester?" "If they reply in the affirmative they are not considered," said Mr. White, "as the city does not want any union men who might complain against unfair wages paid."

ORGANIZED LABOR DEMANDS REMOVAL OF BAKER

Organized labor inaugurated a movement today to demand of all City Council candidates it supports in the primary, a pledge to seek the removal of Public Works Commissioner Baker after January 1.

John J. Skelly, attorney for most of the building trades crafts, announced that one question would be put to each candidate. This question was:

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PLATT ADVISES CITY TO GIVE PETROSSI JOBS

Unless a program, announced by Corporation Counsel Platt at noon, miscarries, John Petrossi, street improvement contractor, twice tried for bribery, was to score another victory over the city before night a nearly tomorrow.

Mr. Platt was to advise the Bureau of Purchase and Supply that under recent court decisions Mr. Petrossi should be awarded the contracts for pavement improvements in Farmington Road and White Street, on which his company was the low bidder.

Engineering officials declined to comment on the situation or announce the Petrossi company's loss. Injunction proceedings awaiting consideration in the Appellate Division are now tying up four other street pavements on contracts for which the Petrossi company is low.

Mr. Platt said that the decision to award the Farmington Road and White Street jobs to the Petrossi company would not interfere with the court actions involving Lattimore and Gladstone Roads and Ottilia and Orleans Streets.

The city discarded the Petrossi bids on these streets when Platt, head of the firm, was indicted for alleged bribing of a city street improvement inspector. The action was based on alleged "moral irresponsibility."

When the indictment against Petrossi was dismissed recently, following disagreement by two trial juries, Mr. Platt said Petrossi's status was changed.

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Everybody with ideas on the matter should express them at this hearing, August 1 is the final date on which the contract can be renewed for another ten-year period.

In the ten years of its existence, the service-at-cost contract has worked out rather better for the street car company than for the city. Under it, fares have been increased from five cents to ten cents and the city has been powerless to protest because the company's figures invariably have shown a deficit from operations.

So long as that exists, the company may retain the higher fares. The company profits, also, by the high appraisal upon which its return on investment is figured, and the city stands small chance of reducing that appraisal even if the court action which has been pending for a number of years is pushed to conclusion.

In spite of its advantages under the contract, the company reports steadily diminishing revenues, attributable mainly to the increasing use of the automobile. There is every indication that this situation will grow worse rather than better. Unless further economies are effected and unless the company is relieved of the necessity of paying for the cost of pavement between tracks, it will have a sound excuse against reduction of fares.

If the contract is renewed as conditions stand now, it may mean still further increases in fare; if it is not renewed it may mean steady demoralization of service. Citizens should decide whether they wish either of these alternatives, or whether they have some other proposal by which both may be avoided.

RAITT TRIAL TOMORROW

Trial of Charles E. Raitt, suspended park director, on charges of falling to adequately provide for the opening of Ontario Beach Park's bathing season, will take place after a series of postponements, at 2 p. m. tomorrow, before City Manager Story in his office in the City Hall.

The trial postponed to 10 a. m. tomorrow was further deferred to the afternoon by Mr. Story by wire from Chicago today.

He said he would not be home in time for a morning session. RAITT READY That Mr. Raitt, whose illness led to two postponements, he would be ready was expected, his counsel, Edward M. Ogden said.

"So far as I know we shall be ready," said Mr. Ogden. Safety Commissioner Nier who is to act as inquisitor for the people said he would be ready.

The trial is expected to bring a rally of special counsels, as a claim for damages is expected from the family of Raymond Gartland, University senior who was drowned three days after the bathing season opened when, it was shown, the lifeboat was under repairs on the porch of one of the bath houses.

As a result, Inspector Young and Assistant District Attorney Ark have been asked to obtain statements from all persons implicated. Collins, who is a desk man at the University Avenue Station, and Essig, a police chauffeur, both reported sick today and were believed to be at home in bed.

That one of the policemen was badly hurt was indicated in a report that it had been necessary to take seventeen stitches in his head before he was taken home. Which was the one hurt has not been determined.

DRIVER'S STATEMENT Trynoski, who is believed to be listed in police records with several convictions for minor offenses against him, gave a statement to Captain Collins and Sergeant Roth just after the mishap. He said, in part: "Early yesterday morning I got a call and took two girls to No. 5 Atlantic Avenue. I left them there, but was instructed to return at 4:05 in the morning."

"When I came back the two girls got in the cab and asked to be driven to Atlantic and University Avenues. There we picked up two policemen in uniform. One of them I knew as Tim Collins."

This statement, according to Chief Kavanaugh, was taken by the two investigating officers, but was not forwarded to him. When he learned the facts, he said, he asked Inspector Young why he had not investigated the accident personally.

That official replied that he had relied upon the two officers who went to the scene and had accepted their version of the affair. "What I am incensed about," Chief Kavanaugh exclaimed, "is that almost every one in the department knew the real facts of this accident except myself. Now, I intend to find out all about it, and also why I wasn't told everything sooner."

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2 POLICEMAN NAMED IN AUTO CRASH QUIZ

In Taxi That Struck Sedan, Killing Woman, Chief Is Told.

Crash of a taxicab and a privately owned car in Main Street East at University Avenue, had these consequences today:

- 1. Death of one woman, Miss Leila Walton, thirty-five, Attica, and possible fatal injuries to three others.
- 2. Disclosure that two Third Precinct policemen were passengers in the taxicab, and fled after the fatal collision.
- 3. Placing of a guard at the Highland Hospital cot of Joseph Trynoski, thirty-two, No. 27 South Union Street, driver of the cab involved, who is to be charged with second degree manslaughter, as soon as he recovers.

Bernadette Kelly, seriously injured in the accident, in a statement to Police Inspector Young and Assistant District Attorney Jacob Ark named Timothy Collins, nephew of Captain James Collins of the Second Precinct, and Albert Essig as the two policemen involved.

Police Chief Kavanaugh declared today that a thorough investigation of the whole affair would be made, which would include an inquiry into reasons why some of the facts were withheld from him.

As a result, Inspector Young and Assistant District Attorney Ark have been asked to obtain statements from all persons implicated. Collins, who is a desk man at the University Avenue Station, and Essig, a police chauffeur, both reported sick today and were believed to be at home in bed.

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SUPERIORS TO BE QUIZZED

She is now known as Bernadette Kelly, but had been married to a John A. Martino, from whom she has since been divorced, it was said. She has been living with Mrs. Switzer, it was stated.

Neither Captain Collins nor Sergeant Roth could be located for a statement on the affair today, since both are taking a day off. Inspector Young is under instructions to see these officers, as well as the others, in order to complete his report to Chief Kavanaugh.

The crash that resulted in the series of injuries occurred at Main Street East and University Avenue, early yesterday morning, when Trynoski's cab, traveling at high speed, collided with a sedan bearing five Attica tourists on their way to the Thousand Islands.

DEAD AND INJURED The list of dead and injured: Miss Leila Walton, thirty-five, Attica, killed instantly.

Mrs. Owen Bowman, fifty-four, Attica, at Genesee Hospital in serious condition.

Miss Allyn Bowman, twenty, Attica, her daughter, also at Genesee Hospital, in critical condition with internal injuries and fractured right shoulder.

Bernadette Kelly, twenty-five, No. 55 Studley Street, passenger in the taxicab, at Genesee Hospital, in serious condition.

Miss Juanita Bowman, thirty-one, Attica, driver of the sedan, in Highland Hospital with body lacerations.

Walter Bowman, twenty-three, Attica, also at Highland Hospital with head lacerations.

ON WAY TO PARTY The Attica party was on the way to spend a week-end at Alexandria Bay when the taxicab, owned by the 808 Taxicab Company, and said to have been crossing Main Street at University Avenue, hit the car of town machine and turned it completely around.

Miss Walton, the dead woman, was hurled from the rear seat through an open window to the pavement. She landed on her head and was killed instantly. Her skull was fractured.

Expect Buffalo Rd. And Plymouth Jobs To Total \$418,000

Two of Biggest Improvement Contracts to Be Let Soon—Bids to Be Opened Wednesday—Maple Trees to Go to Allow Fifty-Foot Pavement.

Bids on two of the biggest street improvement jobs undertaken by the city in the last five years will be opened Wednesday and contracts awarded probably next Friday. Engineers estimate the cost of the two improvements at upwards of \$418,000.

The contracts call for concrete pavements and sewers in Plymouth Avenue South from the Pennsylvania Railroad bridge at Clarissa Street to the railroad crossing at Barton Street, and on Buffalo Road easterly from the Barge Canal to West Avenue. The cost of the Plymouth Avenue job is put at \$211,111.75, and that of Buffalo Road at \$206,888.25, by engineers.

This improvement of two important highways will provide a long demanded adequate approach to the city's main stem from the South and West for heavy traffic.

Must Remove 204 Maples Work on Plymouth Avenue improvement means the abandonment and scrapping of the two trolley tracks that have been operated for years between the curbs and sidewalks, and it also means the removal of 204 maple trees, of which 165 have been reported good sound trees by City Forester T. P. Maloy.

These trees must go to make way for the 50-foot roadway with its six lanes of traffic. It appears that a width of at least 50 feet is required to meet traffic conditions.

The city forester made a survey of the trees at the request of Henry L. Howe, director of the bureau of design and construction in the Department of Public Works. He was instructed to determine the condition of the trees and the maximum of pavement that could be laid and still save a majority of trees. Mr. Maloy reported that of the 204 trees, 165 were sound, 24 were in fair condition and 15 were poor, and that the latter would be removed no matter what width of pavement was laid.

If a 42-foot pavement were decided upon, Mr. Maloy said, it would be safe to let 61 sound trees remain, but in that case there were 10 doubtful ones, and 139 that must be removed.

Easy Traffic Lanes The new road width provides easy traffic lanes for buses operating in opposite directions and also for two lines of trucks and pleasure cars, as well as parking space at either curb. The street has a width of 66 feet which will leave eight feet strips for sidewalks which will be 6 1/2 feet wide. The trolley tracks and overhead wires are to be removed, and bus service installed. The abandonment of the trolley property means a reduction in the valuation on which the street railways company pays a six per cent. return.

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ORGANIZED LABOR DEMANDS REMOVAL OF BAKER

Organized labor inaugurated a movement today to demand of all City Council candidates it supports the removal of Public Works Commissioner Baker after January 1.

John J. Skelly, attorney for most of the building trades crafts, announced that one question would be put to each candidate. This question was: "Do you favor the retention of Commissioner Baker?"

An affirmative answer will bring the union on record against the candidate," Mr. Skelly said. UNFAIR DISCRIMINATION Two labor unions—painters and bricklayers—today raised new charges of unfair discrimination against Mr. Baker. They said he was responsible for the use of laborers in pointing off stones in the City Hall, the exterior of which has just been cleaned by sand blasters. They said the work should have been done by skilled union men. They also charged that he permitted the sand blasters to employ workers more than eight hours, at unfair rates.

Edward Becker, business agent of the Painters' Union, and John G. White, business agent of the bricklayers, sent a request to Mrs. Frances Perkins, state labor commissioner, that she immediately undertake an investigation of municipal labor conditions here. OUT OF TOWN Mr. Baker was at Hemlock Lake today, inspecting construction work. City Manager Story was in Chicago. Other city officials explained that the City Hall work was done by outside labor, with contracts let under a Syracuse firm. Another charge by Mr. White against Mr. Baker was that when Rochester workmen asked for employment under Mr. Baker they are first asked: "Do you live in Rochester?" "If they reply in the affirmative they are not considered," said Mr. White, "as the city does not want any union men who might complain against unfair wages paid."

PLATT ADVISES CITY TO GIVE PETROSSI JOBS

Unless a program, announced by Corporation Counsel Platt at noon, miscarries, John Petrossi, street improvement contractor, twice tried for bribery, was to score another victory over the city before night a nearly tomorrow.

Mr. Platt was to advise the Bureau of Purchase and Supply that under recent court decisions Mr. Petrossi should be awarded the contracts for pavement improvements in Farmington Road and White Street, on which his company was the low bidder.

Engineering officials declined to comment on the situation or announce the Petrossi company's bids, in the interim proceedings awarded consideration of the Appellate Division are now tying up four other street pavements on contracts for which the Petrossi company is low.

Mr. Platt said that the decision to award the Farmington Road and White Street jobs to the Petrossi company would not interfere with the court actions involving Lattimore and Gladstone Roads and Ottilia and Orleans Streets.

The city discarded the Petrossi bids on these streets when Petrossi's bid was rejected by two trial juries, Mr. Platt said Petrossi's status was changed.

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Urges Taxpayers To Fight Machine

Editor Times-Union: To the taxpayers of Rochester: I see Harry Baram states that he, and I suppose he includes the Republican machine is not going to back Mr. Story and the City Manager Plan. Nobody but an idiot would believe him if he said he would support a city manager, unless he was a staunch Republican machine politician that he could control. Anyone that has followed the proceedings of our City Council must have noticed how the Republican machine members of the council have not supported our city manager, but have done just the reverse. If Mr. Baram does not want to lose control of Monroe County he had better keep his hands off our city government for the taxpayers of our city want a square deal, something we have never had under the Republican machine.

That \$10,000,000 machine run our city into six million dollars of debt before they turned the city over to the present government, that has to pay interest on that sixty million dollars besides paying the running expenses of our city. And then they have the gall to tell the taxpayers that they have been giving us a business administration! Pure bunk! It has been rank incompetence or graft. Take Exposition Park. The taxpayers of our city have paid all the expenses of all the buildings, grandstands for the horse show, and all the other shows and have not received any returns on the investment of at least \$2,000,000. The city has no contract or agreement with the Exposition company according to our corporation counsel or city manager so the Exposition company is illegally handling city property: the city furnishing the park, paying for the keeping it in good shape, and the Exposition company using the income as they see fit.

The Republican machine has always catered to the railway company. When the company asked for a six-cent fare their good friends the Republican machine gave them seven-cent fares. Now the fare is ten cents and the people do not ride short distances.

Before the city makes any more contracts with the railway company why not have their account audited and show our taxpayers how much they owe the city. Some years back the company owed our city \$500,000 for paving between the tracks, as stated by our newspapers. They paid no interest on this amount. I believe if the account was dug up from the city vaults, as Mr. Budd says that his were, it is quite probable that it would amount to a million by now.

Now Mr. and Mrs. Taxpayer if you do not want to run the chance of being run another sixty million dollars into a debt for you and your grandchildren to pay interest on you had better not vote for any Republican machine nominees.

We ought to send Harry Goodwin back and some more independent like him; Dr. Franklin Bock and Leroy Snyder, if they would run, or men of their caliber that would give Mr. Story a chance to cut the borrowings of our city another million dollars. He cut one million last year and can do it again if we give him men as councilmen that are in favor of giving the city manager and the taxpayers a square deal.

F. R. JUTSUM 825 Flower City Park, July 13, 1929.

Thinks Cromwell Right In Views

Editor, Times-Union: I have been reading in your columns the letters of Mr. Cromwell. Like all other true Rochesterians who have not been influenced by our present imported government, I wish to congratulate Mr. Cromwell on the stand he has taken.

INTERESTED TAXPAYER.

Considers Mr. Nier Poor Commissioner

To Editor Times-Union: We often read in the news about the neck of the city manager government is none other than our present commissioner of public safety. Said to have been appointed in return for political support or reward by a group, he has been the great stumbling block of the present regime.

We often read in the news about the splendid police department we have in Rochester. In the past year we have read in our newspapers of members of the department contending for laurels in drinking bouts and as a result finding trouble for themselves which has reflected adversely on the public force. The commissioner would do well to at least caution his men to avoid questionable places for meals. Not so long ago in the 5th precinct, Charlotte Street, there was a drunken brawl between a sergeant and a patrolman. The punishment was probably suspension and loss of pay for a month. A poor attempt at discipline to say the least. About two months ago two members of the police department were practicing for the bomb squad. They threw fake bombs at the headquarters of the Charlotte precinct house and one at Exchange Street headquarters. One member was allowed to resign and the other had sufficient character witnesses to recite his respectable past. He was probably given a month's vacation without pay after which he will likely be given his old job. The only point I would make is that there must be a woeful lack of character, leadership and discipline in the police department to say nothing of esprit de corps.

Hit and run drivers have a paradise in Rochester. Many auto owners have obscured rear license plates and thousands more have them so dirty the numbers cannot be read. A job of the police department is to educate the public, with fines if necessary, that plates must be clean and clearly visible. The place to start is within the department itself. More than once I have seen extremely dirty plates that grow dark and other cars of the department.

The things I have mentioned all apply to Mr. Nier's department. The city manager should summarily dismiss him for failing to apprehend hit and run drivers, lack of discipline and display of negativism in his department which has brought discredit on our city. He has been a weak executive, lacks leadership and is the millstone about the city manager's neck.

Criticizes Placing Of Traffic Lights

Editor Times-Union: Mr. G. Clifton in last Tuesday's Times asks for a traffic light at Clifton and Jefferson and if the City is short on supply, or if it is not, there is a perfectly good traffic light at Lyell Avenue and Child Street which is not only unnecessary but a nuisance. It is opposite Child Street, which ends on the south side of Lyell Avenue.

Comparatively little traffic enters Lyell from Child. I should say that there are 100 cars in Lyell to one in Child Street, yet all Lyell Avenue traffic is held up while often nothing comes out of Child Street. Of all the examples of poor judgment in placing traffic lights this is one that causes more cussing than the average. There is a traffic light at Murray Street and Lyell, another place where very little traffic comes out to Lyell Avenue.

Stop and go signs on Murray and on Child would answer all the requirements at both places, and there are scores of dangerous crossings where these two lights would be far more useful, like Smith and Broad for example, or Brown and Broad.

A great tide of traffic is also unnecessarily held up in Lake Avenue for a small amount of side street traffic at Seneca Parkway. Stop and go signs there would relieve the heavy Lake Avenue traffic of this stop which is but a short way south of Lewiston Avenue.

Rochester, July 12, 1929. C. H. Q.

BAKER WON'T COMMENT ON LABOR CHARGE

Says He Has No Complaints Against Use of Non-Union Workers on City Hall Job.

Harold W. Baker, commissioner of public works, declined today to be drawn into any controversy respecting the charges of local labor leaders that the city is employing workers on the City Hall job who are considered unfair to organized labor.

The commissioner said no complaint had been filed with him. A complaint to this effect has been mailed to State Commissioner of Labor Francis Perkins at Albany by Edward Decker, business agent of the painters' union, and John G. White, business agent of the bricklayers' local.

Harry C. Goodwin, councilman-at-large, who is seeking re-election at the Fall primaries, took a hand in the dispute and declared he investigated a painting job at the county farm where he saw painters at work in prison garb, and that at the penitentiary he saw painters at work in the conventional painters' jumpers. "I assume they were union painters, but I do not know," he said.

The councilman's full statement follows: "While all this talk is going on about the city using city employees to do painting and other odd jobs instead of employing union labor, and the Labor Herald is publishing statements about the City of Cincinnati working prisoners, I drove out to the county farm and there I saw prisoners painting the barn—that is the men painting were wearing the prisoners' uniform. I came back to the penitentiary and saw painters in regular painter's uniforms and I assume that they were union painters, but I don't know."

APPEAL BOARD ORGANIZES

The Board of Appeals under the new Zoning and Building Code recently adopted by the city, organized today by electing A. A. Hopeman chairman, Elmer Roblin, vice chairman, and C. N. Munger, secretary.

The board studied a plan of procedure but took no action. It was said no action on building permit applications would be possible before August 1.

The board voted to meet bi-monthly on the first and fourth Tuesdays of each month.

Why Assume This Burden?

This evening the utilities committee of the City Council will hold a public hearing on the question of renewal of the service-at-cost contract.

To reach a proper decision it is necessary to balance the possible benefits against the obligations assumed. If the burden of the contract is greater than its benefits it ought not to be renewed.

The purpose of the contract was to assure maximum service at minimum cost. But the cost is now at or close to the maximum with a cash rate of ten cents. That is about the top rate anywhere, the only possible advance being a slight increase in the ticket rate, which seems likely to come soon if the contract basis continues.

As to service, while there may be some advantages in the local control exercised by the commissioner of railways, it is doubtful whether this is, after all, more effective than supervision by the Public Service Commission.

Thus it does not appear that the city and the car riders stand to lose anything if the contract is allowed to lapse next Summer.

How about the obligations which would be assumed by renewal? Such renewal places definitely on the shoulders of street car patrons the obligation to pay 6 per cent. on a valuation which has been shown to be high, but cannot be reduced save as the result of court action.

Why assume this obligation for another ten years? Above all, why guarantee the earnings of a street railway system at a time when methods of local transit are changing so rapidly?

During the nine years since the contract was drawn up the earning power of the street car system has been progressively reduced by increasing automobile competition. That is one reason why the rate of fare has gone up. Still greater changes may impend in the future.

It would be foolish to assume the burden of this guarantee of earnings. The contract should not be renewed.

DEM & GUB. JUL 1 6 1929

Raitt Hearing To Be Held This Afternoon

Hearing on the charges preferred against Charles B. Raitt, suspended director of parks, will be held at 2:30 o'clock this afternoon by City Manager Stephen E. Story. The hearing will be presided by George J. Nier, commissioner of public safety. There will be a number of witnesses. Mr. Raitt will be represented by his attorney, Edward M. Ogden. The city will be represented by Corporation Counsel Clarence M. Platt.

It was planned to hold the hearing at 10 o'clock this morning, but City Manager Stephen E. Story, who is in Chicago, wired that he could not get back in time to convene the hearing at that time and fixed it for the afternoon.

DEM & GUB. JUL 1 5 1929

Says Rubbish Pile Adjoins Park Pool

Editor Times-Union: Having had occasion frequently during the summer to visit the Y. M. C. A. Canoe Club at South Park, which is adjacent to the City's swimming pool, the chief feature of the landscape seems to be an unsightly pile of debris at the northeast corner of the swimming pool embankment, which is certainly a poor advertisement for the present city park management.

Here's hoping this will give someone a chance to clean it up before there are any further suspensions. EMBERALD ISLE. Rochester, July 12, 1929.

Renewal Contract Ordinance Will Be Presented Tonight

Ordinance Calls For Continuation of Agreement For Ten Years on Present Tram Service—Existing Valuation Being Contested by City.

A full City Council is expected to attend the public hearing called for tonight at 8 o'clock by the public utilities committee which is considering an ordinance authorizing Mayor Wilson to notify the New York State Railways the service-at-cost contract, controlling the rate of street car fares in Rochester will be continued for another period of 10 years from July 31, 1930.

There are no strings attached to the ordinance, the committee will introduce. It will be a plain notice of renewal which will be recommended, or the agreement will be allowed to lapse through lack of notice to the company. This is the mode prescribed in the contract itself.

Only recently the council took action in the matter of considering the renewal. One of the first things City Manager Story emphasized in his first message to the newly organized City Council, January 3, 1929 was this issue of the contract's renewal.

"In 1929.55 wrote Mr. Story, 'notice must be given to the New York State Railways if the city desires a 10 years' extension of the contract. This decision cannot be lightly made.'

Public attention already has been directed in these columns to a number of conditions in the contract which apparently make a continuance of the contract terms undesirable from the car riders' viewpoint. There is the high valuation of the company's property on which the rider must pay a 6 per cent. return besides all operating expenses of the railway and bus lines, and taxes. This net income available for investors in the system annually has amounted to more than a \$1,000,000.

This huge sum is raised through a high street car fare. If the property of the company were appraised on any of the recognized bases, such as reproduction new, the income assured the trolley interests would be considerably reduced, and a lower fare would be ample to produce revenues out of which a fair return might be paid.

The city is now at the point of renewing a contract on the main point—the valuation—of which it with a view of cutting down the high appraisal figures.

The ordinance, if it is presented to the Council tonight, under the members 14 days, and then Mayor Wilson, if authorized, will give due notice of renewal to the company.

DEM & GUB. JUL 1 6 1929

FIRST MEETING CONDUCTED BY APPEALS BOARD

The new board of appeals, created under the recently adopted zoning ordinance, met today for the first time in the room of the Municipal Art Commission in City Hall annex, elected officers and men entered into an extended discussion of methods of procedure to be followed.

This appellate group, which will consider appeals from rulings of the superintendent of city building, is made up of Albert A. Hopeman, contractor, who was elected chairman of the new board; William G. Kaehler, architect; Elmer Roblin, a director in Sibley, Lindsay & Curr, who was chosen vice-chairman, and Clayton G. Hall, vice-president of the Garfield Real Estate Company. C. N. Munger was made secretary, a position he held under the old advisory board which is superseded, under the new legislation, by the present board of appeals. The board voted to hold meetings the 1st and 4th Tuesdays of each month.

TWO POLICE IN FATAL CRASH EXONERATED

Chief Kavanaugh Satisfied Pair Did Not Attempt To 'Cover Up'

Satisfied after a talk with Captain James Collins of the Second Precinct that there was no attempt to "cover up" any of the facts in the fatal crash between a taxicab and a private car in Main Street East, Sunday, Police Chief Kavanaugh today said the incident involving police was closed.

As a result of the crash, one woman was killed instantly; three others received serious injuries and two more suffered painful bruises and lacerations.

The conference between the two police officers followed a statement by Chief Kavanaugh yesterday that he had been ignored in the police report of the fatal accident, especially with reference to the information that two Third Precinct policemen were in the taxicab at the time of the collision.

EXPLAINS LAPSES

Captain Collins, however, explained any lapses in reporting the case. He said he had called Chief Kavanaugh as soon as he gathered any data on the case. The chief could not be reached, so he talked directly to Safety Commissioner Nier, superior of both officers.

Later in the day of the accident, Captain Collins said, he went to Highland Hospital and arrested Joseph Trynoski, thirty-two, No. 27 South Union Street, driver of the taxicab, taking a statement from him concerning the accident. Since Monday was his day off, the captain decided to wait until today to file the report.

The policemen named in the crash are Timothy Collins, a nephew of the captain, and Albert Esaki, both working in No. 3 Precinct. They are said to have been on their way from work when they took a ride with Bernadette Kelly and Mrs. Switzer, both of No. 58 Studley Street. The ride ended when the taxicab ploughed into the Altica machine.

GOODWIN HIS CHAMPION

Mr. Baker found a champion in City Councilman Goodwin, who said labor, if it were strictly on the square in complaining about employment of unorganized labor, would investigate the use of prisoners in painting county buildings.

"While all this talk is going on about using city employees to do painting and other odd jobs, instead of employing union labor, and labor's alleged friends are publishing statements about Cincinnati working prisoners, I drove out to the county farm this morning, and there I saw prisoners painting the barn—that is, the men painting were wearing the prisoners' uniforms. I came back to the penitentiary and saw painters in regular uniforms, and I assume that they were union painters, but I don't know."

County officials denied that any union painters were working on the penitentiary.

PAINTING ALMSHOUSE

"We are not painting the penitentiary," said Eugene O'Neill, deputy superintendent. "Mr. Goodwin must be cuckoo. Mr. Goodwin must be cuckoo. The union painters are at work on the almshouse."

"We have some painters doing odd jobs around here, and they are painting both here and at the county barns. But we have none working on penitentiary buildings in South Avenue who could be seen from the streets. "All the men painting out buildings are painters doing a stretch. The law requires they be kept busy. Some of them are union workers, perhaps, but they are not getting union wages for their work."

"Some are working on the county farms, too."

CLEAN SLATE IS SOUGHT BY REPUBLICANS

Chances Seen That Only One of Present Councilmen Will Be Endorsed for Re-election by Party

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If the wishes of certain Republican ward leaders are heeded by Harry J. Baram, county chairman, and those members of the executive committee who will confer with him when the selection of candidates to be endorsed is considered, then it will not be surprising if Dr. Joseph L. Guzzetta alone is endorsed.

But interest in the next election is not confined to speculation and guesswork as to who the Republican organization will endorse for councilman. In fact, interest in possible Republican candidates is considerably overshadowed by wonderment over what the City Manager forces intend to do. If City Manager Stephen B. Story has any ambition to remain in office after Jan. 1 next he necessarily will need a new council that is friendly toward him, and there are elements within the Republican organization, it is known, that will oppose endorsement of any councilman candidate who favors retention of Mr. Story.

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But now MacSweeney has stated frankly that he will not vote for the endorsement of Flynn and has refused to sign a petition designating Harry C. Goodwin for councilman again.

What! Sign that? he exclaimed, in open-eyed amazement. "Mike" Davin, who placed the petition before him. "I should say not. You take that back to Harry and tell him I'm not with him."

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But it is not expected that he will be a candidate. He is expected to state his position relative to continuing in public office after he returns from a needed vacation at Cape Cod.

The statement which Mayor Wilson is expected to make after his return from Massachusetts has been provided by a telegram sent by him and the tenor of which may indicate his intention to retire. The telegram evidently was inspired by a statement issued last week by Councilman Goodwin, Mayor Wilson says:

"This move looks to me like an effort on the part of someone to make trouble between the mayor and myself for selfish purposes."

"I have just read Councilman Goodwin's statement of some days ago, to the effect that I have sought designation as councilman from Mr. Baram. If Mr. Goodwin made such a statement, he is mistaken. I have not sought, and shall not seek, designation for any office from anyone at any time."

Sentiment of the majority of active leaders of the Republican party—and this includes all those who were identified with the MacSweeney organization, known as the Citizens Republican committee, which brought victory to the City Manager ticket two years ago—is for a clean slate, and County Chairman Baram is carefully weighing this demand and plans to be guided by the balancing of the scales of public opinion by the time he holds his conferences with his lieutenants.

Urges Taxpayers To Fight Machine

Editor Times-Union: To the taxpayers of Rochester: I see Harry Barcham states that he, and I suppose he includes the Republican machine is not going to back Mr. Story and the City Manager Plan. Nobody but an idiot would believe him. If he said he would support a city manager, unless he was a staunch Republican machine politician that he could control. Anyone that has followed the proceedings of our City Council must have noticed how the Republican machine members of the council have not supported our city manager, but have done just the reverse. If Mr. Barcham does not want to lose control of Monroe County he had better keep his hands off our city government for the taxpayers of our city want a square deal, something we have never had under the Republican machine.

That G. O. P. machine run our city into sixty million dollars of debt before they turned the city over to the present government, that has to pay interest on that sixty million dollars besides paying the running expenses of our city. And then they have the gall to tell the taxpayers that they have been giving us a business administration! Pure bunk! It has been rank incompetence or graft. Take Exposition Park. The taxpayers of our city have paid all the expenses of all the buildings, grandstands for the horse shows, and all the other shows and have not received any returns on the investment of at least \$2,000,000. The city has no contract or agreement with the Exposition company according to our corporation counsel or city manager so the Exposition company is illegally handling city property; the city furnishing the park, paying for the keeping it in good shape, and the Exposition company using the income as they see fit.

The Republican machine has always catered to the railway company. When the company asked for a six-cent fare their good friends the Republican machine gave them seven-cent fares. Now the fare is ten cents and the people do not ride short distances.

Before the city makes any more contracts with the railway company why not have their account audited and show our taxpayers how much they owe the city. Some years back the company owed our city \$500,000 for paving between the tracks, as stated by our newspapers. They paid no interest on this amount. I believe if the account was dug up from the city vaults, as Mr. Budd says that his were, it is quite probable that it would amount to a million by now.

Now Mr. and Mrs. Taxpayer if you do not want to run the chance of being run another sixty million dollars into a debt for you and your grandchildren to pay interest on you had better not vote for any Republican nominee.

We ought to send Harry Goodwin back and some more independents like him; Dr. Franklin Beck and Leroy Snyder, if they would run, or men of their caliber that would give Mr. Story a chance to cut the borrowings of our city another million dollars. He cut one million last year and can do it again if we give him men as councilmen that are in favor of giving the city manager and the taxpayers a square deal.

E. R. JUTSUM 525 Flower City Park July 13, 1929.

Thinks Cromwell Right In Views

Editor Times-Union: I have been reading in your columns the letters of Mr. Cromwell. Like all other true Rochesterians who have not been influenced by our present imported government, I wish to congratulate Mr. Cromwell on the stand he has taken.

INTERESTED TAXPAYER.

Considers Mr. Nier Poor Commissioner

To Editor Times-Union: In my opinion the milestone about the neck of the city manager government is not other than our present commissioner of public safety. Said to have been appointed in return for political support or reward by a group, he has been the great stumbling block of the present regime.

We often read in the news about the splendid police department we have in Rochester. In the past year we have read in our newspapers of members of the department contending for laurels in driving bouts and as a result finding trouble for themselves which has reflected adversely on the entire force. The commissioner would do well to at least caution his men to avoid questionable places for meals. Not so long ago in the 5th precinct, Charlotte Station, there was a drunk and a sergeant and a patrolman. The punishment was probably suspension and loss of pay for a month. A poor attempt at discipline to say the least. About two months ago two members of the police department were practicing for a bomb squad. They threw fake bombs at the doorway of the Charlotte precinct house and one at Exchange Street headquarters. One member was allowed to resign and the other had sufficient character witnesses to recite his respectable life. He was probably given a month's vacation without pay after which he will likely be given his old job. The only point I would make is that there must be a woeful lack of character, leadership and discipline in the police department to say nothing of esprit de corps.

Hit and run drivers have a paradise in Rochester. Many auto owners have obscured rear license plates and thousands more have been so dirty the numbers cannot be read. A job of the police department is to educate the public, with fines if necessary, that plates must be clean and clearly visible. The place to start is within the department itself. More than once I have seen extremely dirty plates on prowl cars and other cars of the department.

The things I have mentioned all apply to Mr. Nier's department. The city manager should summarily dismiss him for failing to apprehend hit and run drivers, lack of discipline and display of rowdiness in his department which has brought discredit on our city. He has been a weak executive, lacks leadership and is the millstone about the city manager's neck.

Criticizes Placing Of Traffic Lights

Editor Times-Union: Mr. G. Clifton in last Tuesday's Times asks for a traffic light at Clifton and Jefferson and if the city is short on supply, (or if it is not) there is a perfectly good traffic light at Lyell Avenue and Child Street which is not only unnecessary but a nuisance. It is opposite Child Street, which ends on the south side of Lyell Avenue.

Comparatively little traffic enters Lyell from Child. I should say that there are 100 cars in Lyell to one in Child Street, yet all Lyell Avenue traffic is held up while often nothing comes out of Child Street.

Of all the examples of poor judgment in placing traffic lights this is one that causes more cussing than the average. There is a traffic light at Murray Street and Lyell, another place where very little traffic comes out Lyell Avenue. Stop and go signs on Murray and on Child would answer all the requirements at both places, and greatly facilitate traffic in Lyell. There are scores of dangerous crossings where these two lights would be far more useful, like Smith and Broad for example, or Brown and Broad.

A great tide of traffic is also unnecessarily held up in Lake Avenue for a small amount of side street traffic at Seneca Parkway. Stop and go signs there would relieve the heavy Lake Avenue traffic of this stop which is but a short way south of Lewiston Avenue. Rochester, July 12, 1929. C. H. Q.

BAKER WON'T COMMENT ON LABOR CHARGE

Says He Has No Complaints Against Use of Non-Union Workers on City Hall Job.

Harold W. Baker, commissioner of public works, declined today to be drawn into any controversy respecting the charges of local labor leaders that the city is employing workers on the City Hall job who are considered unfair to organized labor.

The commissioner said no complaint had been filed with him. A complaint to this effect has been mailed to State Commissioner of Labor Francis Perkins at Albany by Edward Decker, business agent of the painters' union, and John G. White, business agent of the bricklayers' local.

Harry C. Goodwin, councilman-at-large, who is seeking renomination at the Fall primaries, took a hand in the dispute and declared he investigated a painting job at the county farm where he saw painters at work in prison garb, and that at the penitentiary he saw painters at work in the conventional painters' jumpers. "I assume they were union painters, but I do not know," he said.

The councilman's full statement follows: "While all this talk is going on about the city using city employees to do painting and other odd jobs instead of employing union labor, and the Labor Herald is publishing statements about the City of Cincinnati working prisoners, I drove out to the county farm and there I saw prisoners painting the barn—that is the men painting were wearing the prisoners' uniform. I came back to the penitentiary and saw painters in regular painter's uniforms and I assume that they were union painters, but I don't know."

APPEAL BOARD ORGANIZES

The Board of Appeals under the new Zoning and Building Code recently adopted by the city, organized today by electing A. A. Hopeman chairman, Elmer Roblin, vice chairman, and C. N. Munger, secretary.

The board studied a plan of procedure but took no action. It was said no action on building permit applications would be possible before August 1.

The board voted to meet bi-monthly on the first and fourth Tuesdays of each month. A great tide of traffic is also unnecessarily held up in Lake Avenue for a small amount of side street traffic at Seneca Parkway. Stop and go signs there would relieve the heavy Lake Avenue traffic of this stop which is but a short way south of Lewiston Avenue. Rochester, July 12, 1929. C. H. Q.

Why Assume This Burden?

This evening the utilities committee of the City Council will hold a public hearing on the question of renewal of the service-at-cost contract.

To reach a proper decision it is necessary to balance the possible benefits against the obligations assumed. If the burden of the contract is greater than its benefits it ought not to be renewed.

The purpose of the contract was to assure maximum service at minimum cost. But the cost is now at or close to the maximum with a cash rate of ten cents. That is about the top rate anywhere, the only possible advance being a slight increase in the ticket rate, which seems likely to come soon if the contract basis continues.

As to service, while there may be some advantages in the local control exercised by the commissioner of railways, it is doubtful whether this is, after all, more effective than supervision by the Public Service Commission.

Thus it does not appear that the city and the car riders stand to lose anything if the contract is allowed to lapse next Summer.

How about the obligations which would be assumed by renewal? Such renewal places definitely on the shoulders of street car patrons the obligation to pay 6 per cent. on a valuation which has been shown to be high, but cannot be reduced save as the result of court action.

Why assume this obligation for another ten years? Above all, why guarantee the earnings of a street railway system at a time when methods of local transit are changing so rapidly?

During the nine years since the contract was drawn up the earning power of the street car system has been progressively reduced by increasing automobile competition. That is one reason why the rate of fare has gone up. Still greater changes may impend in the future.

It would be foolish to assume the burden of this guarantee of earnings. The contract should not be renewed.

DEM & HERBON, JUL 16 1929

Raitt Hearing To Be Held This Afternoon

Hearing on the charges preferred against Charles E. Raitt, suspended director of parks, will be held at 2:30 o'clock this afternoon by City Manager Stephen B. Story. The charges will be presented by George J. Nier, commissioner of public safety. There will be a number of witnesses. Mr. Raitt will be represented by his attorney, Edward M. Ogden. The city will be represented by Corporation Counsel Clarence M. Platt.

It was planned to hold the hearing at 10 o'clock this morning, but City Manager Stephen B. Story, who is in Chicago, wired that he could not get back in time to convene the hearing at that time and fixed it for the afternoon.

Says Rubbish Pile Adjoins Park Pool

Editor Times-Union: Having had occasion frequently during the summer to visit the Y. M. C. A. Canoe Club at South Park, which is adjacent to the City's swimming pool, the chief feature of the landscape seems to be an unsightly pile of debris at the northeast corner of the swimming pool embankment, which is certainly a poor advertisement for the present city park management. Here's hoping this will give someone a chance to clean it up before there are any further suspensions. EMERALD ISLE, Rochester, July 12, 1929.

Renewal Contract Ordinance Will Be Presented Tonight

Ordinance Calls For Continuation of Agreement For Ten Years on Present Tram Service—Existing Valuation Being Contested by City.

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BAKER REFUSES TO ANSWER UNION MEN

Public Works Commissioner Baker declined to take issue with labor leaders today, following their complaint yesterday to Mrs. Frances Perkins, state industrial commissioner, that the city was employing cleaners and masons in renovating the exterior of City Hall who were unfair to organized labor.

"No complaint has been made to me," said Mr. Baker. "If I spent time meeting everybody who would pick a fight with me over one thing or another I would be unable to do any work for the city."

To the charge by Edward Decker, business agent of the Painters' Union, and John G. White, business agent of the Bricklayers, that Mr. Baker was discriminating against labor in favor of foreign labor, Mr. Baker said: "That is a joke. We employ Rochester labor when we need labor."

GOODWIN HIS CHAMPION

Mr. Baker found a champion in City Councilman Goodwin, who said labor, if it were strictly on the square in complaining about employment of unorganized labor, would investigate the use of prisoners in painting county buildings.

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County officials denied that any union painters were working on the penitentiary.

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"I am sure that the taxicab driver was in the city for some time," he said. "I am sure that the taxicab driver was in the city for some time."

DEMANDS JUSTICE

Meanwhile, Judge Charles B. Prescott, of Attica, a brother-in-law of Miss Leila Walton, who was killed in the crash, wrote letters to both Mayor Wilson and District Attorney Love demanding prompt justice for the taxicab driver, who is under guard on a Highland Hospital cot.

When he recovers he is to be charged with second degree manslaughter.

Judge Prescott also urged a complete and exhaustive investigation into the accident, especially the part played by the two policemen and the reasons why knowledge of their presence was suppressed.

Other persons injured in the wreck were: Miss Alysne Bowman, twenty, Attica, in critical condition at Genesee Hospital. Mrs. Owen Bowman, fifty-four, Attica, her mother, at the same hospital. Miss Juanita Bowman, thirty-one, Attica, driver of the sedan, who is at Highland Hospital with body lacerations.

ON VACATION TRIP

The Attons were on their way to the Thousand Islands for a vacation trip when the accident occurred. Charles Hutton, No. 196 Main Street West, an operator's license, adjourned to July 20. Edwin R. Tyler, No. 9 Waverly Street, improper license plates, adjourned to July 26. Frank Gerardi, No. 15 Rogers Avenue, reckless driving, adjourned to August 1. Erskine M. Beach, No. 276 Safford Street, speeding, fined \$20. Hugh Stollen, Gowanda, N. Y., speeding, fined \$15.

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The statement which Mayor Wilson is expected to make after his return from Massachusetts has been preceded by a telegram sent by him and the tenor of which may indicate his intention to retire. The telegram evidently was inspired by a statement issued last week by Councilman Goodwin. Mayor Wilson says:

"This move looks to me like an effort on the part of someone to make trouble between the mayor and myself for selfish purposes."

"I have just read Councilman Goodwin's statement of some days ago. To the effect that I have sought designation as councilman from Mr. Barcham. If Mr. Goodwin made such a statement, he is mistaken. I have not sought, and shall not seek, designation for any office from anyone at any time."

Sentiment of the majority of active leaders of the Republican party—and this includes all those who were identified with the MacSweeney organization, known as the Citizens' Republican committee, which brought victory to the City Manager ticket two years ago—is for a clean slate, and County Chairman Barcham is carefully weighing this demand and plans to be guided by the balancing of the scales of public opinion by the time he begins his conferences with his lieutenants.

Where Is City Manager League? In the meantime what's going on in City Manager's League circles? Are its members going to let the next election go by default?

These are questions which are being asked daily ever by the average citizen, the man who does not take an active part in things political. Public interest in the program of the group which is now in power in the City Hall and the organization of citizens that supported them with all its movement two years ago is unaccountably keen. The Citizens' Republican committee, which took charge of their campaign, has passed out of existence, and Mr. MacSweeney, the prime mover in the group, has gone over to the Republican organization, together with all those ward leaders who helped to make victory certain for Mr. Adler and the seven other candidates on the so-called City Manager ticket.

Only Five Weeks To Work Five weeks from today is the final day on which petitions can be filed with the commissioner of elections. None of those groups that will be involved in the political fracas Sept. 17 has made a move. The Republican organization has not reached the stage where it will consider candidates. The Democrats announced they would get together on the matter after the visit of Governor Roosevelt last week. Neither party has made a move, but they are admittedly in better shape than the City Manager group, insofar as organization is concerned. The Republicans are united and are waiting for the word to go. The Democrats have an organization and are likewise waiting for the leaders to display some signs of activity.

But the City Manager group, to all outward appearance, is lacking in the sort of an organization that will be needed if its influence is to be felt in the forthcoming campaign. Mr. Goodwin, who was on their ticket two years ago, is virtually playing the role of the lone wolf in that he is the only one of the five councilmen-at-large who has indulged in any activity in connection with the fall campaign.

Mr. Guzzetta has stated that he intends again to be a candidate, but none of the others—Mayor Wilson, Mr. Flynn or Mr. Adler—has given any intimation as to what he intends to do and Mr. Story and men who were actively identified with the City Manager campaign in 1927 are equally reticent as to their plans.

Councilman Goodwin today said that he had not issued any statement to the effect that Mr. Wilson was seeking the designation from Mr. Barcham.

"If any such statement has been credited to me," he said, "it is a deliberate misquotation. Knowing Mr. Wilson as I do, and knowing that Mr. Barcham seeks favors from Mr. Wilson rather than Mr. Wilson seeks favors from Mr. Barcham, I would be foolish to even think such a thing. Mr. Wilson is the most feared political leader in Rochester, by the politicians, and the most respected political leader, by the people."

"This move looks to me like an effort on the part of someone to make trouble between the mayor and myself for selfish purposes."

Urges Taxpayers To Fight Machine

Editor Times-Union: To the taxpayers of Rochester: I see Harry Barham states that he, and I suppose he includes the Republican machine is not going to back Mr. Story and the City Manager Plan. Nobody but an idiot would believe him. If he said he would support a city manager, unless he was a staunch Republican machine politician that he could control. Anyone that has followed the proceedings of our City Council must have noticed how the Republican machine members of the council have not supported our city manager, but have one just the reverse. If Mr. Barham does not want to lose control of Monroe County he had better keep his hands off our city government for the taxpayers of our city want a square deal, something we have never had under the Republican machine.

That G. O. P. machine run our city into six million dollars of debt before they turned the city over to the present government, that has to pay interest on that sixty million dollars besides paying the running expenses of our city. And then they have the gall to tell the taxpayers that they have been giving us a business administration! Pure bunk! It has been rank incompetence or graft. Take Exposition Park. The taxpayers of our city have paid all the expenses of all the buildings, grandstands for the horse show, and all the other shows and have not received any returns on the investment of at least \$2,000,000. The city has no contract or agreement with the Exposition company according to our corporation counsel or city manager so the Exposition company is illegally handling city property; the city furnishing the park, paying for the keeping it in good shape, and the Exposition company using the income as they see fit.

The Republican machine has always catered to the railway company. When the company asked for a six-cent fare, their good friends the Republican machine gave them seven-cent fares. Now the fare is ten cents and the people do not ride short distances.

Before the city makes any more contracts with the railway company why not have their account audited and show our taxpayers how much they owe the city. Some years back the company owed our city \$500,000 for paving between the tracks, as stated by our newspapers. They paid no interest on this amount. I believe if the account was dug up from the city vaults, as Mr. Budd says that it would, it is quite probable that it would amount to a million by now.

Now Mr. and Mrs. Taxpayer if you do not want to run the chance of being run another sixty million dollars into a debt for you and your grandchildren to pay interest on you had better not vote for any Republican nominees.

We ought to send Harry Goodwin back and some more independents like him: Dr. Franklin Bock and Leroy Snyder, if they would run, or men of their caliber that would give Mr. Story a chance to cut the borrowings of our city another million dollars. He cut one million last year and can do it again if we give him men as councilmen that are in favor of giving the city manager and the taxpayers a square deal.

F. R. JUTSUM 825 Flower City Park, July 13, 1929.

Thinks Cromwell Right In Views

Editor, Times-Union: I have been reading in your columns the letters of Mr. Cromwell. Like all other true Rochesterians who have not been influenced by our present imported government, I wish to congratulate Mr. Cromwell on the stand he has taken.

INTERESTED TAXPAYER.

Considers Mr. Nier Poor Commissioner

To Editor Times-Union: In my opinion the millstone about the neck of the city manager government is not the other present commissioner of public safety. Said to have been appointed in return for political support or reward by a group, he has been the great stumbling block of the present regime.

We often read in the news about the splendid police department we have in Rochester. In the past year we have read in our newspapers of members of the department contending for laurels in drinking bouts and as a result finding trouble for themselves which has reflected adversely on the entire force. The commissioner would do well to at least caution his men to avoid questionable places for meals. Not so long ago in the 5th precinct, Charlotte Station, there was a drunken brawl between a sergeant and a patrolman. The punishment was probably suspension and loss of pay for a month. A poor attempt at discipline to say the least. About two months ago two members of the police department were practicing for a bomb squad. They threw fake bombs at the doorsteps of the Charlotte precinct house and one at Exchange Street headquarters. One member was allowed to resign and the other had sufficient character witnesses to recite his respectable life. He was probably given a month's vacation without pay after which he will likely be given his old job. The only point I would make is that there must be a woeful lack of character, leadership and discipline in the police department to say nothing of esprit de corps.

Hit and run drivers have a paradise in Rochester. Many auto owners have obscured rear license plates and thousands more have been so dirty the numbers cannot be read. The police department is to educate the public, with fines if necessary, that plates must be clean and clearly visible. The place to start is within the department itself. More than once I have seen extremely dirty plates on prows cars and other cars of the department.

The things I have mentioned all apply to Mr. Nier's department. The city manager should summarily dismiss him for failing to apprehend hit and run drivers. Lack of discipline and display of rowdiness in his department which has brought discredit on our city. He has been a weak executive, lacks leadership and is the millstone about the city manager's neck.

Criticizes Placing Of Traffic Lights

Editor Times-Union: Mr. G. Clifton in last Tuesday's Times asks for a traffic light at Clifton and Jefferson and if the city is short on supply, (or if it is not) there is a perfectly good traffic light at Lyell Avenue and Child Street which is not only unnecessary but a nuisance. It is opposite Child Street, which ends on the south side of Lyell Avenue.

Comparatively little traffic enters Lyell from Child. I should say that there are 100 cars in Lyell to one in Child Street, yet all Lyell Avenue traffic is held up while often nothing comes out of Child Street.

Of all the examples of poor judgment in placing traffic lights this is one that causes more cursing than the average. There is a traffic light at Murray Street and Lyell, another place where very little traffic comes out to Lyell Avenue.

Stop and go signs on Murray and on Child would answer all the requirements at both places, and greatly facilitate traffic in Lyell. There are scores of dangerous crossings where these two lights would be far more useful, like Smith and Broad for example, or Brown and Broad.

A great tide of traffic is also unnecessarily held up in Lake Avenue for a small amount of side street traffic at Seneca Parkway. Stop and go signs there would relieve the heavy Lake Avenue traffic of this stop which is but a short way south of Lewiston Avenue.

Rochester, July 12, 1929. C. H. Q.

BAKER WON'T COMMENT ON LABOR CHARGE

Says He Has No Complaints Against Use of Non-Union Workers on City Hall Job.

Harold W. Baker, commissioner of public works, declined today to be drawn into any controversy respecting the charges of labor leader that the city is employing workers on the City Hall job who are considered unfair to organized labor.

The commissioner said no complaint had been filed with him. A complaint to this effect has been mailed to State Commissioner of Labor Francis Perkins at Albany by Edward Decker, business agent of the painters' union, and John G. White, business agent of the bricklayers' local.

Harry C. Goodwin, councilman-at-large, who is seeking renomination at the Fall primaries, took a hand in the dispute and declared he investigated a painting job at the county farm where he saw painters at work in prison garb, and that at the penitentiary he saw painters at work in the conventional painter's jumpers. "I assume they were union painters, but I do not know," he said.

The councilman's full statement follows: "While all this talk is going on about the city using city employees to do painting and other odd jobs instead of employing union labor, and the Labor Herald is publishing statements about the City of Cincinnati working prisoners, I drove out to the county farm and there I saw prisoners painting the barn—that is the men painting were wearing the prisoners' uniform. I came back to the penitentiary and saw painters in regular painter's uniforms and I assume that they were union painters, but I don't know."

In answer to this, Eugene O'Neill, deputy superintendent at the penitentiary said: "We are not painting the penitentiary. Mr. Goodwin must be 'cuckoo.' The union painters are working on the almshouse. We have some painters who are doing odd jobs here and at the county barns. There are none working on penitentiary buildings in South Avenue who can be seen from the street. All the men painting our buildings are serving time and the law requires that they be kept busy. Some are union workmen, perhaps, but they are not getting union wages for their work. Also we have some of them at work on the county barns."

APPEAL BOARD ORGANIZES

The Board of Appeals under the new Zoning and Building Code recently adopted by the city, organized today by electing A. A. Hopeman chairman, Elmer Roblin, vice chairman, and C. N. Munger, secretary.

The board studied a plan of procedure but took no action. It was said no action on building permit applications would be possible before August 1.

The board voted to meet bi-monthly on the first and fourth Tuesdays of each month.

Why Assume This Burden?

This evening the utilities committee of the City Council will hold a public hearing on the question of renewal of the service-at-cost contract.

To reach a proper decision it is necessary to balance the possible benefits against the obligations assumed. If the burden of the contract is greater than its benefits it ought not to be renewed.

The purpose of the contract was to assure maximum service at minimum cost. But the cost is now at or close to the maximum with a cash rate of ten cents. That is about the top rate anywhere, the only possible advance being a slight increase in the ticket rate, which seems likely to come soon if the contract basis continues.

As to service, while there may be some advantages in the local control exercised by the commissioner of railways, it is doubtful whether this is, after all, more effective than supervision by the Public Service Commission.

Thus it does not appear that the city and the car riders stand to lose anything if the contract is allowed to lapse next Summer.

How about the obligations which would be assumed by renewal? Such renewal places definitely on the shoulders of street car patrons the obligation to pay 6 per cent. on a valuation which has been shown to be high, but cannot be reduced save as the result of court action.

Why assume this obligation for another ten years? Above all, why guarantee the earnings of a street railway system at a time when methods of local transit are changing so rapidly?

During the nine years since the contract was drawn up the earning power of the street car system has been progressively reduced by increasing automobile competition. That is one reason why the rate of fare has gone up. Still greater changes may impend in the future.

It would be foolish to assume the burden of this guarantee of earnings. The contract should not be renewed.

DEM & GUBON. JUL 16 1929

Raitt Hearing To Be Held This Afternoon

Hearing on the charges preferred against Charles B. Raitt, suspended director of parks, will be held at 2:30 o'clock this afternoon by City Manager Stephen B. Story. The charges will be presented by George J. Nier, commissioner of public safety. There will be a number of witnesses. Mr. Raitt will be represented by his attorney, Edward M. Ogden. The city will be represented by Corporation Counsel Clarence M. Platt.

It was planned to hold the hearing at 10 o'clock this morning, but City Manager Stephen B. Story, who is in Chicago, wired that he could not get back in time to convene the hearing at that time and fixed it for the afternoon.

WITCHES-DIXON JUL 15 1929

Says Rubbish Pile Adjoins Park Pool

Editor Times-Union: Having had occasion frequently during the summer to visit the Y. M. C. A. Canoe Club at South Park, which is adjacent to the City's swimming pool, the chief feature of the landscape seems to be an unsightly pile of debris at the northeast corner of the swimming pool embankment, which is certainly a poor advertisement for the present city park management.

Here's hoping this will give someone a chance to clean it up before there are any further suspensions. EMERALD ISLE. Rochester, July 12, 1929.

Renewal Contract Ordinance Will Be Presented Tonight

Ordinance Calls For Continuation of Agreement For Ten Years on Present Tram Service—Existing Valuation Being Contested by City.

A full City Council is expected to attend the public hearing called for tonight at 8 o'clock by the public utilities committee which is considering an ordinance authorizing Mayor Wilson to notify the New York State Railways the service-at-cost contract, controlling the rate of street car fares in Rochester will be continued for another period of 10 years from July 31, 1930.

There are no strings attached to the ordinance, the committee will introduce. It will be a plain notice of renewal which will be recommended, or the agreement will be allowed to lapse through lack of notice to the company. This is the mode prescribed in the contract itself.

Only recently the council took action in the matter of considering the renewal. One of the first things City Manager Story emphasized in his first message to the newly organized City Council, January 3, 1929 was this issue of the contract's renewal.

"In 1929.55 wrote Mr. Story, 'notice must be given to the New York State Railways if the city desires a 10 years' extension of the contract. This decision cannot be lightly made.' Public attention already has been directed in these columns to a number of conditions in the contract which apparently make a continuance of the contract terms undesirable from the car riders' viewpoint. There is the high valuation of the company's property on which the rider must pay a 6 per cent. return besides all operating expenses of the railway and bus lines, and taxes. This net income available for investors in the system annually has amounted to more than a \$1,000,000.

This huge sum is raised through a high street car fare. If the property of the company were appraised on any of the recognized bases, such as reproduction new, the income assured the trolley interests would be considerably reduced, and a lower fare would be ample to produce revenues out of which a fair return might be paid.

The city is now at the point of renewing a contract on the main point—the valuation—of which it has a view of cutting down the high appraisal figures. The ordinance, if it is presented to the Council tonight, under the rules will be on the desks of the members 14 days, and then Mayor Wilson, if authorized, will give due notice of renewal to the company.

FIRST MEETING CONDUCTED BY APPEALS BOARD

The new board of appeals, created under the recently adopted zoning ordinance, met today for the first time in the room of the Municipal Art Commission in City Hall annex, elected officers and then entered into an extended discussion of methods of procedure to be followed.

This appellate group, which will consider appeals from rulings of the superintendent of city building, is made up of Albert A. Hopeman, contractor, who was elected chairman of the new board; William G. Kueber, architect; Elmer Roblin, a director in Sibley, Lindsay & Curr, who was chosen vice-chairman, and Clayton G. Hall, vice-president of the Garfield Real Estate Company. C. N. Munger was made secretary, a position he held under the old advisory board which is superseded, under the new legislation, by the present board of appeals. The board voted to hold meetings the first and fourth Tuesdays of each month.

WITCHES-DIXON JUL 16 1929

TWO POLICE IN FATAL CRASH EXONERATED

Chief Kavanaugh Satisfied Pair Did Not Attempt To 'Cover Up'

Satisfied after a talk with Captain James Collins of the Second Precinct that there was no attempt to "cover up" any of the facts in the fatal crash between a taxicab and a private car in Main Street East, Sunday, Police Chief Kavanaugh today said the incident involving police was closed.

As a result of the crash, one woman was killed instantly; three others received serious injuries and two more suffered painful bruises and lacerations.

The conference between the two police officials followed a statement by Chief Kavanaugh yesterday that he had been ignored in the police report of the fatal accident, especially with reference to the information that two Third Precinct policemen were in the taxicab at the time of the collision.

Explains lapses Captain Collins, however, explained any lapses in reporting the case. He said he had called Chief Kavanaugh as soon as he gathered the facts of the case. He said he had called Chief Kavanaugh as soon as he gathered the facts of the case. He said he had called Chief Kavanaugh as soon as he gathered the facts of the case.

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Charles Hutton, No. 196 Main Street West, an operator's license, adjourned to July 29. Edwin R. Tyler, No. 3 Waverly Street, improper license plates, adjourned to July 26. Frank Gerardi, No. 15 Rogers Avenue, reckless driving, adjourned to August 1. Erskine M. Beach, No. 276 Sanford Street, speeding, fined \$20. Hugh Stollen, Gowanda, N. Y., speeding, fined \$15.

CLEAN SLATE IS SOUGHT BY REPUBLICANS

Chances Seen That Only One of Present Councilmen Will Be Endorsed for Re-election by Party

By Charles E. Welch Likelihood that the Republican organization will endorse only one of the present councilmen whose terms expire this year was indicated today in the face of growing sentiment among Republican leaders for a council slate composed of new names and new faces.

If the wishes of certain Republican ward leaders are heeded by Harry J. Barham, county chairman, and those members of the executive committee who will confer with him when the selection of candidates to be endorsed is considered, then it will not be surprising if Dr. Joseph L. Guzzetta alone is endorsed.

But interest in the next election is not confined to speculation and guesswork as to who the Republican organization will endorse for councilman. In fact, interest in possible Republican candidates is considerably overshadowed by wonderment over what the City Manager forces intend to do. If City Manager Stephen B. Story has any ambition to remain in office after July 1 next he necessarily will need a new council that is friendly toward him, and there are elements within the Republican organization, it is known, that will oppose endorsement of any councilman candidate who favors retention of Mr. Story.

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Guards Tell Boat Leaked

SIDES CRACKED ON DAY OF OPENING

Foundered as Lifeguard Davis Attempted to Use It on First Day.

By DAVID E. KESSLER

Two instances of inadequate preparation for the opening of the bathing season at Ontario Beach Park were revealed today by testimony of two lifeguards at the hearing of Charles B. Raitt, suspended park director, on charges of laxity in office.

One of the guards, Robert Davis, said he inspected the lifeboat about an hour before the unofficial beach opening and found it had leaks in it big enough to let large patches of light through. The floorboard was out, he said, and a metal rim over the outside of the boat's bow was missing.

A short time later, the guard testified, he took the boat into the water and rowed it nearly the length of the beach. It shipped so much water, he added, that it started to sink and he was forced to jump out and pull it ashore.

The other witness at the morning session was Lifeguard Charles D. Mercer, one of whose outstanding organizations was that there was no agreement among the lifeguards as to their duties and no head guard had been appointed at the unofficial opening this year, as had been the case in former years.

ONLY EQUIPMENT

Mercer also stated that the sole equipment on the beach on opening day was the leaky boat. No tower had been erected for the lookout guard and no lifeguard suits had been issued on that date. Both were provided later, he said. Mercer added that he had worn a life-guard suit from last year.

Both guards testified that they had been given no instructions by either Mr. Raitt or Chester B. Leake, superintendent of playgrounds, prior to the season's opening.

For a time, the hearing appeared to be working at cross purposes. After the testimony of the lifeguards, the hearing was adjourned until 10 a. m. tomorrow.

Edward M. Ogden, attorney for Raitt, confined much of his effort in cross questioning to attempted impeachment of the lifeguards on various subjects, including their qualifications, responsibilities at the beach and their activities in connection with the drowning of Raymond J. Gartland at Ontario Beach Park two days after the unofficial season's opening.

It was Gartland's drowning that was the forerunner of the inquiry by Safety Commissioner Nier resulting in suspension of Raitt and Leake.

City Manager Story, presiding at the hearing, Deputy Corporation Counsel Charles B. Forsyth and Commissioner Nier devoted their questioning of the lifeguards to a determination of what was lacking at the beach for the safeguarding of bathers and what could be done to improve conditions there.

At the close of his testimony, Lifeguard Mercer asked Mr. Story for permission to make a suggestion, appointed at Ontario Beach park since the drowning and that a siren had been ordered for use in the life-guard tower to signal orders to the five guards now on duty there.

In response to other questioning by the city officials, the guards recommended that the tower might well be placed out in the water instead of on the beach and that it might be well to erect a rope line at the danger mark in the water, shoulder height for all swimmers. They also stated that life rings might profitably be installed.

Charles E. Mercer, lifeguard, was questioned by Mr. Story as follows:

Q. Will you tell us as to what happened at the time the accident occurred?

Mr. Mercer replied:

"I was walking at the west end of the beach when I heard cries for help. I went into the water and had gotten out fifty feet when I saw that the other lifeguards also were making for the place where the cries for help came from.

"I turned back and asked the assistant to get a life boat anywhere along the shore. I saw the assistant taking the boat from a porch. I went for the oars then. I asked several people whether the coastguard had been notified, and they answered it had. I then went to the locker to get the oars, but didn't have any key to it and had to break the lock.

"I ran to the beach, put them in the boat and ordered the citizens out of the boat. Meanwhile, the coastguard had located the body. I helped to put it in the boat and swam to the shore. I then worked on the body until it was seen that there was no chance of reviving him."

No Agreement Guards Without Definite Working Understanding

Q. How long had you served as a lifeguard at Durand-Eastman Park? A. I substituted for one year and then went on as a regular guard three years ago.

Q. Where did you qualify? A. At the Y. M. C. A. pool under Roy Benson.

Q. Was there any agreement between you and the other lifeguards? A. Yes.

Q. What was the first indication to you that someone was in trouble and needed assistance? Where did the cries come from? There were twenty or thirty cries scattered all around.

Q. From persons in the water? A. Yes.

Q. Had you noticed these two men sitting on a log? A. No.

Q. Did you notice the swell of the motorboat? A. No, I didn't.

Q. Ordinarily what are the requirements of a lifeguard doing patrol? A. Care for the beach, pick up glass and watch the little children so they will be safe.

Q. When you were at Durand-Eastman you had a lifeboat. Was that kept in service? A. Yes.

Q. Were the hours on duty the same as at Ontario Beach Park? A. They were not so long.

Q. Were the hours for the week the same? A. Yes.

Q. Councilman Flynn interrupted: Q. Prior to the opening this season had you received instructions regarding work at the beach? A. Yes.

Q. From whom? A. Mr. Leake and Miss Harnett.

Q. Was there any time last season the boat was not in service? A. No, we always had a boat.

Q. Did you make a report of the accident? A. I was ordered to by Leake.

Q. Did he make any suggestions that you leave out the facts about the boat? A. No.

Forsyth continued questioning: Deputy Corporation Counsel Q. You attended Yale University? A. Yes.

Q. Were you a member of the swimming team there? A. Yes.

Q. Are you thoroughly at home in the water? A. I believe so.

Q. This year did you receive any particular instructions as to your duties as lifeguard? A. No.

Q. In past years did you receive instructions? A. At City Hall Annex. At a meeting in the Spring.

Q. Who was the senior guard at the beach? A. We had no director.

Q. Was there any friction between you as to who should be the senior lifeguard? A. No, sir.

Q. How long is the beach? A. Six hundred yards.

Q. How wide is the sand beach which you had to patrol? A. Seventy-five feet.

Q. To what depth of water did you have to patrol? We had to be on guard for one hundred and fifty feet out.

Where is the tower? A. One

hundred and fifty yards from the west end of the beach.

Q. It is not in the center of the beach then? A. No.

Q. If the tower were out in the water would it be more convenient for the lifeguards to see those in trouble? A. It would be better for drownings, but not for watching the children near the shore.

Q. Was there a rope marking the distance past which the bathers could not go? A. No.

Ropes Elsewhere Lines Would Have Been Aid to Bathers

Q. Were there ropes at other beaches where you served as lifeguards? A. Yes.

Q. What was the purpose of the rope? A. To keep bathers from going farther.

Q. Would such a rope be of benefit at Ontario Beach? A. A decided benefit.

Q. Were there any life rings (Preserves) along the shore of the lake? A. No.

Q. What were you supplied with? A. A tower and a boat.

Q. Did you have a distinct uniform? A. Yes.

Q. Did you all have them? A. I don't know whether Davis had one or not.

Q. Did you think that Be Hage had one? A. Yes.

Q. Monday there were two guards on the beach? A. Yes.

Q. Tuesday, three guards? A. Yes.

Q. Did Mr. Leake or Mr. Raitt emphasize the necessity of patrolling the beach in the boat? A. Yes.

Q. Did you know Mr. Raitt? A. I met him once.

Q. Did you ever see him at the Beach? A. Sunday.

Q. Ever see Mr. Leake at the Beach? A. No.

Q. Your contacts were all with Mrs. Waller then? A. Yes.

Q. Where is Mrs. Waller usually? A. In the morning in the office and on the beach in the afternoon.

Q. How often does she usually come out on the beach? A. Six or seven times a week.

Q. Mrs. Waller then is usually very busy in her duties? A. Yes. Commissioner Nier questioned Mercer.

Q. Were you issued uniforms last year? A. Yes.

Q. This year? A. No.

Q. Is there a senior lifeguard on duty now? A. Yes.

Q. Was there at the time of the drowning? A. No.

Councilman Flynn interrupted: Q. Did you have a boat on Monday or Tuesday? A. No.

Q. Was Mrs. Waller dressed in white? A. Yes.

Mr. Nier resumed questioning: Mr. Nier is also a nurse dressed in white on duty at the beach? A. Yes, she is in the office at all times.

Mr. Story questioned the witness again:

Q. How long did it take to go from the beach to the locker room where the oars were kept and back again? A. Five minutes at together.

Attorney Ogden, Raitt's counsel, took up the cross examination:

Q. Mr. Leake gave you instructions in 1927 and 1928? A. Yes.

Q. Was the boat in the water on Sunday? A. Yes.

Q. You understood you were to carry over instructions of the year previous? A. Yes.

Q. The tower is at the west end of the beach where the accident occurred? A. Yes.

Q. Would a rope have the tendency to draw people to it? A. Yes.

Q. In case of a drowning would not the rope hinder the work of the guards in the boat? A. Yes.

Q. The beach was open two days before the accident? A. Yes.

Q. Mr. Raitt was there the day before the beach opened? A. Yes.

Q. Whether Davis, who was in the tower, wore a suit or not, would it matter? A. No. The people naturally look toward the tower when an accident occurs.

Q. At the time that the boat

to be on boat patrol? A. No set time.

Q. How long have you been in the boat on one time? Three hours without relief.

Q. You had no instructions from Mrs. Waller or Mr. Cox? A. No.

Q. You've been told that sirens had been ordered to be placed in the tower for signaling guards in emergencies? A. Yes.

Robert Davis, another lifeguard, took the stand and was asked by Mr. Story to give his version of the affair. He said:

"I was notified at 10 o'clock Sunday to report to the beach for duty. When I got there the boat was on the porch, upside down. I mentioned to a man that you could see light through its side. I told Mrs. Waller. The boat was then taken down to the beach and launched. It filled rapidly with water and I had to get out. We pulled the boat up to the beach and left it there the rest of the day. I told Mrs. Waller that it was unsafe for use.

"I went to work Monday at twelve. I rowed the boat about fifteen feet out from shore. The carpenter signaled me to come in and he helped me take the boat to the porch. We had no boat for the rest of the day and Tuesday.

At the time of the drowning I was sitting in the tower when I saw that something unusual was happening. I immediately left the tower and swam out, and dived several times.

"Two others rowed out in the boat and we recovered the body. After the drowning the guards were requested by Mr. Raitt to make out a statement."

Q. There were cracks in the board and ribs of the boat? A. Yes.

Q. Did you notice the log in the water? A. Yes.

Q. The motorboat? A. No.

Q. When you were notified to report for duty, you notified you? A. Mrs. Waller.

Q. You have served as lifeguard previous to this year? Last year was my first season at the beach.

Q. Last year after you were notified did you receive any instructions as to your duties at the beach? A. Yes. Mr. Leake and Miss Harnett gave us general instructions.

Q. Was a head lifeguard appointed last year? A. Yes. Edward Reifsteck, Le Roy High School athletic coach was appointed last year.

Q. Did you know that Reifsteck was at your head and authorized to give orders? A. Yes. We understood we were to take orders from Reifsteck and one man was to do patrol and one man to be in the boat.

Launch Boat Citizens Asked to Launch Rowboat

Q. Who gave orders to launch the lifeboat? A. I told several citizens to do it.

Q. Until you returned with the body did you see Mrs. Waller? A. No.

Q. The boat was used to recover the body? A. Yes.

Q. It gave adequate service. A. Yes.

Q. It's been a use ever since? A. Yes.

Q. Did you help carry the boat on Sunday? A. No.

Q. Did you see it before it was put in the water? A. Yes.

Q. There was nothing to indicate it wasn't serviceable? A. Yes.

Q. What equipment did you start with last year at Durand-Eastman Park? A. A small guard, a boat, part of the time, a pier.

Q. Part of Ontario Beach is not suitable? A. Yes.

Q. How much? A. Sixty to seventy feet.

Q. The area of patrol is reduced about twenty-five yards? A. Yes.

Questioned by Mr. Raitt:

Q. You mentioned that a tower in the water would make for better observation? A. Yes.

Q. Wouldn't that split your range of observation? A. Yes. Commissioner Nier resumed the cross examination:

Q. Isn't it easier to gaze the distance to the shore from the water than from the shore in a mark in the water? A. I believe it's just as easy either way.

Questioned by Raitt again:

Q. Doesn't the depth of water vary around the beach? A. Yes.

Q. Where is the first sandbar? A. One hundred and fifty feet off shore.

Q. You believe the tower should be placed in the water at shoulder depth? A. Yes.

Questioned by Mr. Nier:

Q. There are a great many people come to the beach now wearing their bathing suit? A. Yes.

Q. No check is kept of them, is there? A. No.

Questioned by Attorney Ogden:

Q. Did any one man have charge of the key? A. No.

Q. Is a boat necessary to recover a body? A. Yes.

Q. The guard does not need a boat to rescue? A. Yes.

Questioned by Councilman Adler:

Q. Who has charge of the boat? A. I think the beach manager, Mrs. Waller.

Q. Is it part of your duty to see that the boat is in the water? A. Yes.

Questioned by Mr. Story:

Q. Does the size of the guard fluctuate during the season? A. No. There are five on at all times.

Attorney Ogden resumed:

Q. Is it customary to start the season with fewer guards? A. Yes, as far as I can remember.

Q. The drowning occurred on the third day after the opening? A. Yes.

Questioned by Mr. Story:

Q. Do you have an organized system of rescue? A. No.

Q. You have no set rules of procedure? A. No.

Q. Is the uniform sufficiently distinctive? A. Yes.

General Orders No Specific Instructions Given to Guards

Q. Were there any instructions given this year. A. Mrs. Waller gave us general directions.

Q. What instructions did she give? A. She said that since there was no tower erected as yet, to keep one man on duty out in the boat in place of the tower watch and one man on patrol on the beach.

Q. Where did you qualify as lifeguard? A. I received my senior American Red Cross life saving certificate at the Y. M. C. A. in Baltimore.

Q. Did you note the condition of the boat on the first day? A. It was not in good shape and would have sunk, I believed, if left in the water.

Q. Was there water in the boat on Monday, showing that it had retained the water taken in Sunday when it was drawn up on the beach? A. There was water in the bow of the boat after it was taken out. Because the boat tipped forward and that part was not leaking.

Councilman Adler then interrupted the following questions:

Q. Did you note the condition of the boat last year when you were on duty? A. Yes. I noted that the seat was loose and that it was not in good repair.

Q. Did you call this condition to Mrs. Waller's attention? A. I think she knew.

Councilman Flynn then asked the

No Instructions Guards Received No Command from Heads

Q. The real lack then is of organization? A. Yes.

Attorney Ogden again:

Q. You still feel there is lack of organization? A. Yes.

Q. How long are you supposed

City Manager Story asked whether the body was rigid when it was taken over the stern of the boat. Davis answered that he was unable to remember whether or not the body was rigid.

Manager Story asked whether he assisted in the resuscitation and Davis answered he did.

Mr. Ogden then questioned the witness:

Q. Did you see any blood on the face of Gartland when his body was taken from the water? A. Yes, I did see blood on his face, but I can't tell just where it was.

Q. Do you know the source of the scratch that caused the blood? A. No.

Q. Were you present at the opening of the beach last year? A. I came on the day following the opening.

Q. Were there two guards on duty then? A. Yes.

Q. How long was it before a fourth life guard was added? A. A fourth was added on Sundays.

Three On Duty Fourth Guard Added on Sundays

Q. Then for a month there were only three lifeguards on duty, except on Sundays? A. Yes.

Q. How long have you lived in Rochester? A. One year and a half.

Q. Were you in high school in Baltimore after your family removed to this city? A. Yes.

Q. Where do you attend school now? A. I am a junior at West High School.

Q. How many inches of water were in the boat on Sunday, would you say? A. About four or five inches.

Q. You say you rowed it the length of the beach? A. Yes.

Q. And that there were no leaks in the boat? A. No.

Q. How long were the lids out in the water before the cries of help were heard? A. I don't know.

Q. How long had you been swimming before you applied for the position here? A. About five or six years.

Q. Where did you get your swimming experience? A. In Chicago and Baltimore, while I was attending school.

Q. Have you had much experience with boats? A. Not very much.

Q. Do you know that boats are apt to swell and that a leaking condition would be remedied after a time? A. Yes.

Q. You reported the condition of the boat to Mrs. Waller? A. Yes.

Q. You are using the same boat now? A. Yes, the boat has been fixed.

Mr. Story then asked Davis to locate the cracks which he testified previously were in the boat. They were between the planks of the boat, he said.

Mr. Ogden asked whether there had been only one boat last year. The witness answered there was.

Q. Are you using the same boat this year? A. Yes.

Q. Did you know that swimmers were allowed to go beyond shoulder depth? A. Yes.

Q. Yet you saw the boys apparently beyond shoulder depth and did not warn them? A. From my position you could not determine definitely whether they were in eight feet of water or at shoulder height.

Q. Did you make any effort to call them back in? A. No.

Q. How old are you? A. Nineteen.

Q. How old did you say you were when you entered West High School? A. I said I was seventeen at that time because I was behind in my studies and wanted to qualify for athletics.

Mr. Forsyth then interrupted to say that he saw no reason for bringing in this testimony as there was no question of perjury in this trial.

Mr. Ogden continued with his questioning:

Q. Where were you born? A. In Urbana, Ill.

Q. Have you a certificate as a senior life saver in the American Red Cross? A. I have one coming from Baltimore. I lost the one I received and have a telegram from Baltimore stating another one is being prepared.

Mr. Ogden's question as to whether the witness was sure he had met all qualifications as a senior lifeguard was objected to by Safety Commissioner Nier, who said:

"It is apparent, Mr. Ogden, that you have seen letters from the American Red Cross, stating that it had sent to Baltimore for Davis's qualifications. His instructor there—a very competent one—stated that he had qualified, but that as yet the necessary data had not been forwarded."

"I see no reason why Mr. Davis should be questioned further as to his qualifications."

Mr. Forsyth then suggested that all of the letters from the American Red Cross be placed on file with Mr. Story.

Councilman Adler then questioned the witness:

Q. Did you understand that the boat was there to save people who were in distress? A. Yes.

Q. You were in the tower and you know that people were not to be allowed to go beyond their depth? A. Yes.

Q. Then why didn't you warn these boys when you saw them apparently beyond their depth? A. I understood within a law-suit, over the trolley agreement. The company has balked the city's efforts to obtain access to its books and has refused to open them to experts retained for the court review of the appraisal. Mr. Platt said he added it would be necessary to go in court and get an order on the company to produce its books.

Depreciation Ignored?

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James C. Brewer and John C. White also spoke.

The committee adjourned for two weeks, when it will submit its recommendations to City Council. Notice of intention to renew the contract to the company must be given not later than Aug. 1.

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Review Of Company Property Appraisal, Topic At Hearing Corporation Counsel States Case on Renewal of Service-at-Cost Pact—Trolley Heads Would Welcome Revaluation, Predicting Increase of \$10,000,000.

By Robert D. Burns

Need of a stronger power than the city to control the New York State Railways in the matter of fare regulation was seen today following disclosures made by Corporation Counsel Clarence M. Platt at a public hearing on an ordinance authorizing renewal of the so-called service-at-cost contract for another period of 10 years.

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Raitt on Hand as Hearing Begins

Apparently being fully recovered from an illness which twice caused postponement of his trial before City Manager Story on charges of neglect of duty and laxity in office, Charles B. Raitt, suspended director of Rochester parks, was on hand at 2:30 p. m. today, when the long-deferred hearing opened.

Safety Commissioner George J. Nier, who brought the charges against Raitt and Chester B. Leake, suspended superintendent of playgrounds, expected to be the first witness in the proceedings, filed in the City Manager's office at City Hall.

Corporation Counsel Clarence M. Platt was on hand to represent the city.

Besides Mr. Nier, the suspended park official was to be confronted by a long list of additional witnesses, all attesting to his alleged neglect in conduct of his office. Among those to be called were:

Robert Davis, Eugene Be Hage and Charles Mercer, lifeguards at Ontario Beach Park; Mrs. Edna Waller, beach manager, and Frank Frey, an architect.

Originally, the hearing was to have been held at 10 a. m. today, but City Manager Story, who has been in Chicago on business this week, advised that he could not be here until 2 p. m. The hearing was, therefore, advanced to that time.

Charges against Raitt were preferred by Commissioner Nier a short time after the drowning of Raymond J. Gartland, on June 18, at Ontario Beach Park.

It was claimed that efforts to rescue Gartland proved futile because the lifeguards' boat was not in condition to be used.

The Easiest Way

The statement that the New York State Railways will welcome a court test of the valuation of its Rochester lines, confident that "it will mean an increased valuation of at least \$10,000,000," was made by Paul N. Folger, of counsel for the railways, at the hearing before the public utilities committee of the City Council last evening.

This shows, at least, that the street railway company believes it can successfully resist any attempt to cut down the valuation on which the service-at-cost contract pledges a 6 per cent. return to the New York State Railways. An effort to reduce it, then, involves a long lawsuit of which the issue may be doubtful.

Why assume the burden of guaranteeing the return on an investment in an industry which is undergoing such great changes as that of local transit?

The easiest way out is simply to refuse to renew the service-at-cost contract.

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DEFENSE ON RAITT HEARING

Mrs. Edna Waller, Beach Manager, Witness at Morning Session.

Mason B. McCune, captain of the Summerville coast guard detachment, was first witness to appear in behalf of Charles B. Raitt, suspended park director, as his defense opened this afternoon before City Manager Story.

By DAVID E. KESSLER

The affirmative side of laxity charges against Charles B. Raitt, suspended park director, was closed at today's first session of his hearing before City Manager Story with the testimony of Mrs. Edna A. Waller, manager at Ontario Beach Park, and her husband, John C. Waller.

Before adjournment was taken, it was agreed that Mr. Raitt and his attorney, Edward M. Ogden, were to produce their witnesses this afternoon to close the fact-finding inquiry.

These witnesses are expected to include Mr. Raitt himself, Coast Guard Captain Mason B. McCune, Phillip Kregal, former beach manager, and several other whomever identify the attorney refused to reveal in the hearing.

LITTLE HELP GIVEN

During most of the morning session, Mrs. Waller was on the stand.

She testified that little effort had been expended by her superiors in aiding her in preparation of the beach for its opening July 16.

Despite her protests to Superintendent of Playgrounds Chester B. Leake, she said, the help sent to her to clean out the bathhouse and shape the beach was hopelessly inadequate.

Prior to the opening date, the witness said, she had asked Leake for a new lifeboat, but he told her she would have to do the best she could with the old boat.

On the Saturday before the opening date, Mrs. Waller said, Leake asked her to inspect the beach with Mr. Raitt, but he called her on the telephone and said Raitt could not come because he was supervising a marble tournament.

TESTIFY BOAT LEAKY

Both Mrs. Waller and her husband testified that the lifeboat at the beach was very leaky and was not fit for service on the day of the opening. One of the lifeguards on duty, Robert N. Davis, who testified the boat that day in the water, gave similar testimony yesterday.

Waller gave the most telling testimony of the session when he explained that he, in company with his wife, two lifeguards and several other persons, had examined the lifeboat closely on the opening day at the beach.

"I could look between the seams," he said, "because the cracks were so wide. The center-board was also loose. One of the lifeguards told me the worst cracks were on the bottom of the boat."

"Just at that time, Leake advised me that the boat was not to be used on Friday."

In response to a question by the city official, Waller recommended that the lifeboat be placed out of the water, and that the center-board be well to erect.

The danger mark in the water around the lifeboat was also stated that it was profitable to install

river. I showed him how bad the boat was and then I told him that if the bathing season was opened with the boat in that condition and anything happened, he might as well throw his job in the ash can.

TOO BUSY FOR CONFERENCES

"I was practically told to mind my own business. In the next few days, I tried to see various city officials about the matter, but they were too busy at the times I was free."

The drowning of Raymond J. Gartland, which resulted in the park director's suspension, happened two days after Waller's conversation with Leake.

After Mrs. Waller completed her direct story of the alleged neglect at the beach, she was subjected to an intensive cross examination at the hands of Attorney Ogden.

In the course of it, Councilman Louis Foulkes, closely allied with the city manager faction in City Hall, interrupted to ask that the matter be confined more closely to the matter at issue.

"I don't know what my exact standing at this hearing is, but I do not believe that a number of these questions asked by Mr. Ogden have anything to do with the matter we are trying to settle," the councilman declared.

MILNE QUESTIONS

A brief discussion ensued, with Mr. Story, Deputy Corporation Counsel Charles B. Forsyth, Mr. Ogden and Safety Commissioner Nier as a result of it, Mr. Story concluded by cautioning the defense attorney once more about sticking to the issue and expediting the hearing as much as possible.

Councilman Nelson A. Milne, who attended the hearing for the first time, asked one question of Mrs. Waller:

"Was there ever a conference before the beach opening with Mr. Raitt and Mr. Leake present to discuss what was needed at the beach?"

Mrs. Waller replied that there had been no such meeting.

At one other point in her testimony, Mrs. Waller charged that Mr. Leake had influenced the lifeguards to leave all mention of the leaky lifeboat out of their reports of the drowning.

"I told Lifeguard Mercer to be sure to mention the boat in his report," Mrs. Waller testified. "But he said Mr. Leake had hinted that he should not mention it. I also saw Lifeguard Davis erasing written matter from his report."

LOCKED OARS UP

Did you lock up the oars at any time the boat was not in service? A. Yes, we always locked them up.

Q. Where were the keys to the locker kept? A. We were never supplied with a lock and last year the lifeguards bought one. There were only two boys who had keys for the locker.

Q. You mean that this was the locker where your clothes were kept and you locked it up every night because you kept your clothes in it? A. Yes.

Q. Will you be questioning Mr. Story about the events preceding and at the time of the drowning accident and any events pertaining to it, including the opening of the beach? A. I was called to Mr. Leake's office Wednesday, June 11, at 5 p. m. He told me to go down to the beach the next day and that I was to take care of the house.

"I told him that the house needed cleaning and that there was a great deal of work to be done. He gave me the names of several women, who were not to be charwomen but were expected to do the work of charwomen before the beach opened. There was nothing in the budget to provide for charwomen."

"I saw Mr. Raitt and told him the lockers were in bad condition. He did not give me any instructions except to tell me how to mix soap powder with hot water, which we didn't have."

Q. You went down on the 12th? A. I went on the 12th.

Q. How long has the boat been in service? A. Nine years or more.

Mr. Forsyth questioning: Q. From whom did you look for instructions? A. Mr. Leake.

Q. Whom did you feel was in charge? A. Mr. Leake.

Q. Suppose from the equipment on hand that you felt the beach was not ready for opening. Did you feel you had the authority to keep the beach closed? A. No. Mr. Story resumed questioning: Q. Who gave the order to open the beach? A. Mr. Leake.

had to take it out of the water. "On Monday, I went down to the beach and started to work on the boat Monday. I saw he was putting lead in the cracks of the boat and Tuesday that he was painting it. After that I did not pay much attention to him because I expected it would be ready for use."

"At 7:30 p. m. on the day of the accident I saw a commotion on the beach and ran down to the water's edge. I heard there was a drowning and saw that the lifeguards were all in the water. I met Mr. Raitt and he asked me where the police were. I told him it was not my duty to keep track of the police. He also asked me where the guards were and I told him that they were all in the water. I said: "That is the result of not having a boat on the beach."

"Mr. Raitt said: "Don't talk so loud."

LEAKE HEARD STATEMENT "Mr. Leake stood next to me when he said it. I went in the bath house and he asked me to what I could. I said to Bob Mercer, Don't forget to write all about the boat in your report. He said: "I don't think so."

Q. What instructions did you give the guards? A. I told them to follow the regular routine.

Q. What did you tell them the first day? A. I told them to patrol the beach inasmuch as the tower had not been erected.

Q. When was the tower put into service? A. Sunday afternoon, I think.

Q. By whom was the tower erected? A. By men from the Park Department.

Q. Were any instructions given the guards in case of accident? A. Not from me.

Q. Safety Commissioner Nier then questioned the witness: Q. Did Mr. Kliegel (the carpenter who repaired the boat) report to you at any time on his progress on the boat? A. No.

Q. Was Mr. Kliegel beach manager previous to the time you were in charge? A. Yes.

Q. Were there any difficulties in connection with his direction of the boat? A. Yes. There were complaints that the bathhouses were not kept clean.

LOCKED OARS UP Q. Did you lock up the oars at any time the boat was not in service? A. Yes, we always locked them up.

Q. Where were the keys to the locker kept? A. We were never supplied with a lock and last year the lifeguards bought one. There were only two boys who had keys for the locker.

Q. You mean that this was the locker where your clothes were kept and you locked it up every night because you kept your clothes in it? A. Yes.

Q. Will you be questioning Mr. Story about the events preceding and at the time of the drowning accident and any events pertaining to it, including the opening of the beach? A. I was called to Mr. Leake's office Wednesday, June 11, at 5 p. m. He told me to go down to the beach the next day and that I was to take care of the house.

"I told him that the house needed cleaning and that there was a great deal of work to be done. He gave me the names of several women, who were not to be charwomen but were expected to do the work of charwomen before the beach opened. There was nothing in the budget to provide for charwomen."

"I saw Mr. Raitt and told him the lockers were in bad condition. He did not give me any instructions except to tell me how to mix soap powder with hot water, which we didn't have."

Q. You went down on the 12th? A. I went on the 12th.

Q. How long has the boat been in service? A. Nine years or more.

Mr. Forsyth questioning: Q. From whom did you look for instructions? A. Mr. Leake.

Q. Whom did you feel was in charge? A. Mr. Leake.

Q. Suppose from the equipment on hand that you felt the beach was not ready for opening. Did you feel you had the authority to keep the beach closed? A. No. Mr. Story resumed questioning: Q. Who gave the order to open the beach? A. Mr. Leake.

Did you have any conversation with him about conditions at the beach? A. Yes. I told him the tower was not up and the lockers not cleaned.

Questioned by Mr. Raitt: Q. Do you recall my visit to the beach with Mr. Leake on Wednesday or Thursday before the beach opened? A. No.

Questioned by Mr. Nier: Q. Do you recall my visit to the beach the night of the accident and the two nights following? A. Yes.

Q. Do you recall telling me that Raitt was there the day after the drowning? A. Yes.

Questioned by Mr. Story: Q. Are the lifeguards still under your supervision? A. Yes.

Questioned by Mr. Nier again: Q. Did Mr. Raitt tell you that the lifeguards were to be taken from your control? A. Yes.

IN REGULAR ROUTINE Attorney Ogden questioning: Q. Did you understand that the guards were still under your control on the day of the accident? A. Yes.

Mr. Story again: Q. What instructions did you give the guards? A. I told them to follow the regular routine.

Q. What did you tell them the first day? A. I told them to patrol the beach inasmuch as the tower had not been erected.

Q. When was the tower put into service? A. Sunday afternoon, I think.

Q. By whom was the tower erected? A. By men from the Park Department.

Q. Were any instructions given the guards in case of accident? A. Not from me.

Q. Safety Commissioner Nier then questioned the witness: Q. Did Mr. Kliegel (the carpenter who repaired the boat) report to you at any time on his progress on the boat? A. No.

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Yes. Q. You say Mullen had instructions to make the emergency call? Do you recall that Mercer came in to ask if the Coast Guard had been called? Do you also recall that Davis came in to call the Coast Guard? A. No.

Q. Have you ever read any books on it? A. No.

Q. Did Mr. Nier give you the right to discharge incompetent help? A. Yes.

Q. If a guard was unsatisfactory could you have dismissed him? A. Yes.

RESPONSIBLE TO LEAKE Q. Were you also in charge of beach equipment? A. Yes.

Q. The bathhouse attendant and lifeguards then were responsible to you and to Mr. Leake? A. Yes.

Q. Was the upkeep and maintenance of the bathhouse in your control? A. Yes.

Q. Have you had any experience in taking care of emergencies? A. I have had my first aid instruction.

Q. In event of emergencies you were in control then unless Mr. Leake or Mr. Raitt were there? A. Yes.

Q. You believe ordinarily that a boat is important in the conduct of the beach? A. Yes.

Q. Do you believe that anything done to shorten the time to recover the body would help to save a life? A. No.

Q. You testified that "they" had promised you a new boat? Whom did you mean by "they"? A. Mr. Leake.

Q. Did you mention this to Mr. Raitt? A. Not to my recollection.

Q. You felt then that Mr. Leake was the responsible one to report this to? A. Yes.

Q. At no time last year were there more than four guards on the beach? A. Yes.

Q. Did you feel that this was adequate? A. Yes, the guards we had were excellent.

TALKED ABOUT BOAT Q. When you went to Mr. Leake's office, Tuesday, June 11, was the boat the first thing you talked about? A. Yes.

Q. And you stressed the condition of the boat at that time? A. Yes.

Q. Mr. Raitt came in at the end of the conversation, did he not? A. Yes.

Q. Then it is not likely that he heard anything about the boat, is it? A. Yes.

Q. When did you first see the boat this year? A. On Friday before the beach opened.

Q. You say it had been painted then? A. The boat had been dabbled, that was all that any boat would look at the beginning of a season, before it had been placed in the water? A. Yes.

Q. You knew then that you would have to use the boat this year? A. Yes.

Q. Did you know that in spite of its condition you noted the boat would improve after it was placed in the water? A. No. I felt that no amount of soaking would make it fit for use because the wood was so bad.

Q. You are using the boat now, are you not? A. Yes, but it could not be put in service was erroneous? A. The boat has been fully repaired since then.

Q. When did you first discover the boat was on the porch? A. Monday.

Q. Is there any reason why, after you saw the boat was being painted, you did not order a new boat? A. Mr. Nier then interrupted to say that Mr. Waller had no jurisdiction over Mr. Kregal, the carpenter, and that it was not his duty to insist on a new boat.

OTHER THINGS TO DO Mr. Ogden then proceeded with his questioning: Q. You say you did not go back to Mr. Kregal from 2 to 8 p. m. on Monday? A. Yes.

Q. For six hours then you did not bother to find out about the boat? A. I had plenty of other things to do.

Q. And you knew it was important that the boat be placed in the water as soon as possible? A. Yes.

Q. Were there any of the boat in writing? A. No.

NEWSBOY GETS INJUNCTION AGAINST CITY

Supreme Court Justice Marsh N. Taylor issued an injunction today against the City of Rochester, restraining City Manager Story from revoking the news stand permit of Sam Hoffman, eighteen, who sells newspapers magazines outside the Granite Building at Main Street East and St. Paul Street.

The injunction was obtained by George S. Van Schaick, who has taken an interest in the newsboy's welfare, after the Sibley, Lindsay & Curr Company had petitioned City Manager Story to remove the stand under the provisions of Section 2, Subdivision "C" of a city ordinance passed January 28, which reads:

"No news stand shall be maintained or used at any location against the protest of the owner or owners of the abutting property. Said protest may be filed with the city manager at any time and the permit for the maintenance of the news stand against which a protest of the abutting owner is served upon the city manager shall be revoked by the city manager and said stand shall be discontinued and removed within fifteen days after the filing of said protest."

INTRODUCED BY GOODWIN Councilman Arny Goodwin introduced this ordinance.

In ordering the injunction, the court said in part:

"It appearing to my satisfaction by the complaint herein verified and the annexed affidavit of Sam Hoffman and George S. Van Schaick that the plaintiff demands and is entitled to a judgment against the defendant restraining the commission and the continuance of the acts hereinafter enjoined on the ground that such acts are pursuant to a subdivision of an ordinance which is unconstitutional and void; that the commission and continuance of such acts during the pendency of the action would produce irreparable injury to the plaintiff."

Section C of the ordinance would be affected by this amendment. The first paragraph of the amendment is advertised to read:

Proposed Amendment "A protest against the maintenance of a news stand at a particular location may be filed with the city manager at any time by the owner or owners of the abutting property. Said protest shall state the grounds of objection."

The city manager shall have the power in his discretion in the public interest for good cause shown, to revoke the permit against which the protest is filed, but only after a hearing at which the protestor and the holder of the permit are given full opportunity to be heard.

Any revocation made hereunder shall take effect not sooner than 60 days after the revocation is made.

It is regrettable that the newsboys must resort to the courts for protection before there is had the hearing by the law committee of the City Council Monday night," Mr. Van Schaick declared today.

"Certainly a boy conducting a newsstand in a proper way under permit from the city should at least have a hearing before his permit is revoked. I have advised the boys that in my opinion there is doubt as to the constitutionality of the present ordinance unless amended in the manner that we have proposed."

"We are hopeful that we may be able to convince the law committee of the merit of the proposal. In the meantime the injunction has been obtained in order that irreparable damage may not be done the boys while the matter is under consideration by the law committee and the City Council."

"This is a vivid illustration of the evils of the present ordinance which we are seeking to amend. Certainly a boy conducting a news stand in a proper way under permit from the city should at least have a hearing before his permit is revoked. I have advised the boys that in my opinion there is no doubt as to the constitutionality of the present ordinance unless amended in the manner that we have proposed."

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Court Says Permit May Be Cancelled Only After Hearing

Sam Hoffman, 18-Year-Old High School Student, Petitions For Injunction Restraining the City From Revoking News Stand Permit After Complaint.

An injunction restraining the City of Rochester from revoking permits of street news stand owners without hearing because of complaints of adjoining property owners had been issued today.

The injunction was granted by Justice Marsh N. Taylor on petition of Sam Hoffman, 18-year-old high school student, who operates a stand at Main Street East and St. Paul streets. Hoffman had been ordered to remove his stand within 15 days following receipt of a complaint from the owners of the Granite Building under the terms of the news stand ordinance passed last winter.

The ordinance makes revocation of the permit mandatory on complaint of the adjoining property owner. Following revocation of permit it is provided that the stand must be removed within 15 days.

Justice Taylor's injunction not only prevents the removal of Hoffman's stand but restricts generally the city from enforcing the revocation clause without hearing.

In the petition filed by George S. Van Schaick, attorney for Hoffman, it is charged that the ordinance is unconstitutional and confiscatory of the property rights of the news boys and provides an improper delegation of governmental authority to individuals.

A public hearing will be held immediately after the City Council meeting Monday night by the law committee on an amendment to the present ordinance, which would make a hearing obligatory after the filing of a property owner's complaint and would make revocation of permit discretionary rather than mandatory.

Section C of the ordinance would be affected by this amendment. The first paragraph of the amendment is advertised to read:

Proposed Amendment "A protest against the maintenance of a news stand at a particular location may be filed with the city manager at any time by the owner or owners of the abutting property. Said protest shall state the grounds of objection."

The city manager shall have the power in his discretion in the public interest for good cause shown, to revoke the permit against which the protest is filed, but only after a hearing at which the protestor and the holder of the permit are given full opportunity to be heard.

Any revocation made hereunder shall take effect not sooner than 60 days after the revocation is made.

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BEACH MANAGER IS WITNESS AT RAITT HEARING

Mrs. Waller Says Leake Wanted Boat's Condition Suppressed - Session Adjourned to 2:30.

Chester B. Leake, suspended superintendent of playgrounds, intimidated to Charles Mercer, life guard, it would not be necessary to mention that the life boat at Ontario Beach was not ready for use at the time of the drowning of Raymond Gartland, it was testified today by Mrs. J. C. Waller, beach manager, when she was called to the stand in the hearing of Charles B. Raitt, suspended director of parks.

Mrs. Waller, first witness to take the stand today, said she had been instructed by Mr. Leake to make a report of the accident and that she had told Mercer to file a complete report and to state that the life boat was not ready.

She said Mercer's report did not mention the life boat and when she asked him why he replied that Mr. Leake told him not to. He added, she said, that Mr. Leake had not said this in so many words, but that

DEFENSE ON IN RAITT HEARING

Mrs. Edna Waller, Beach Manager, Witness at Morning Session.

Mason B. McCune, captain of the Summerville coast guard detachment, was the first witness to appear in behalf of Charles B. Raitt, suspended park director, as his defense opened this afternoon before City Manager Story.

The affirmative side of laxity charges against Charles B. Raitt, suspended park director, was closed at today's first session of his hearing before City Manager Story with the testimony of Mrs. Edna A. Waller, manager at Ontario Beach Park, and her husband, John C. Waller.

Before adjournment was taken, it was agreed that Mr. Raitt and his attorney, Edward M. Ogden, were to produce their witnesses this afternoon to close the fact-finding inquiry.

These witnesses are expected to include Mr. Raitt himself, Coast Guard Captain Mason B. McCune, Philip Kregal, former beach manager, and several others whose identity the attorney refused to reveal in the hearing.

LITTLE HELP GIVEN

During most of the morning session, Mrs. Waller was on the stand.

She testified that little effort had been expended by her superiors in aiding her in preparation of the beach for its opening July 16.

Despite her protests to Superintendent of Playgrounds Chester B. Leake, she said, the help sent to her to clean out the bathhouse and ship to other beach equipment in shape was hopelessly inadequate.

Prior to the opening date, the witness said, she had asked Leake for a new lifeboat, but he told her she "would have to do the best she could with the old boat."

On the Saturday before the opening date, Mrs. Waller said, Leake was to have inspected the beach with Mr. Raitt, but he called her on the telephone and said Raitt could not come because he was supervising a marble tournament.

TESTIFY BOAT LEAKY

Both Mrs. Waller and her husband testified that the lifeboat at the beach was very leaky and was not fit for service on the day of the opening. One of the lifeguards on duty, Robert A. Davis, who tested the boat that day in the water, gave similar testimony yesterday.

Waller gave the most telling testimony of the session when he explained that he, in company with his wife, two lifeguards and several other persons, had examined the lifeboat closely on the opening day at the beach.

"I could look between the seams," he said, "because the cracks were so wide. The center-board was also loose. One of the lifeguards told me the worst cracks were on the bottom of the boat."

"Just at that time, Leake arrived. I showed him how bad the boat was and then I told him that, if the bathing season was opened with the boat in that condition and anything happened, he might as well throw his job in the ash can."

The drowning of Raymond J. Gartland, which resulted in the park director's suspension, happened two days after Waller's conversation with Leake.

After Mrs. Waller completed her direct story of the alleged neglect at the beach, she was subjected to an intensive cross examination at the hands of Attorney Ogden.

TOO BUSY FOR CONFERENCES

"I was practically told to mind my own business. In the next few days, I tried to see various city officials about the matter, but they were too busy at the times I was free."

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In the course of it, Councilman Story, who presided at the hearing, had to talk so loud.

LEAKE HEARD STATEMENT

"Mr. Leake stood next to me when he said, 'I went in the bath house then and tried to do what I could. I said to Bob Mercer, Don't forget to write all about the boat in your report. He said: 'Mr. Leake said not to mention about the boat.'"

"The next day after reading the report, I said to Mercer: 'Why didn't you put in more about the boat?' He answered: 'Mr. Leake didn't actually say yesterday not to put anything about the boat. He just hinted at it.'"

At the time of the accident, did you call a doctor? A. No, Boyd Mullen did that.

Did he also call the Coast Guard? A. Yes, he knows it's his job to make these calls in emergency.

Did he call the police? A. Yes.

Questioned by Mr. Nier: Q. Is there always a policeman on the beach? A. Yes.

Questioned by Councilman Flynn: Q. Is there a nurse on duty at all times? A. Yes. She comes in at 1 P. M.

Attorney Ogden again: Q. Are you still continuing in charge of the guards, even though Raitt told you he was putting them in charge of someone else? A. Yes.

WASN'T READY TO OPEN Q. Do you still testify that you know nothing about boats? A. No. I know whether a boat is in good condition or not.

Q. Were you told to open the beach on Saturday, but did not? A. Yes.

Q. You then had some control over the situation? A. No. I told them I did not want to open because we were not ready.

Q. The beach then was not opened on Saturday? A. Yes.

Q. Did you know that the bathhouse had been cleaned by men ordered to do so? A. I was told so.

Q. Don't you recall Mr. Raitt's visit to the beach before it opened? A. No.

Questioned by Councilman Milne: Q. When did Leake tell you that the guards were to be taken from your charge? A. On the Tuesday before I was appointed.

Q. Was any meeting held prior to the beach opening, the discussion of the changes to be made? A. Yes.

Questioned by Attorney Nier: Q. When did you talk with Raitt? A. The first week in May.

Q. You talked with Mr. Nier did you not? A. Yes. I told him a great deal had to be done to make the beach ready.

TALKED WITH LEAKE Q. Did you talk with Mr. Leake on the Tuesday before the opening? A. Yes, I talked with him about an hour.

Q. Do you recall talking with Mr. Nier after the drowning? A. Yes.

Q. Do you recall saying that in your opinion the boat made no difference in saving the boy? A. Yes.

Q. You say that all three guards were in the water? A. Yes, I saw the boys start into the water.

Q. You then went back on the

guards whom you didn't believe were competent? A. No.

Q. Did you ever see the boat sink in the water before the drowning? A. No.

Q. Did you feel that the safety of the bathers was in your hands? A. I felt that that matter was the responsibility of the lifeguards.

Q. Did you ever requisition a boat in writing? A. No.

J. Cody Waller, husband of Mrs. Waller, was then called to the stand and was asked by Mr. Nier to tell what happened on Sunday, the day of the opening of the season.

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had to talk so loud. "On Monday, I went to the bath house, and couldn't, meanwhile, a center board came down and started to work on the boat Monday. I saw he was putting lead in the cracks of the boat and Tuesday that he was painting it. After that I did not pay much attention to him because I expected it would be ready for use."

"At 7:30 p. m. on the day of the accident I saw a commotion on the beach and ran down to the water's edge. I heard there was a drowning and saw that the lifeguards were all in the water. I met Mr. Raitt and he asked me where the police were. I told him it was not my duty to keep track of the police. He also asked me where the guards were and I told him that they were all in the water."

"That is the result of not having a boat on the beach. "Mr. Raitt said: "Don't talk so loud."

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Questioned by Mr. Nier: Q. Do you recall my visit to the beach the night of the accident and the two nights following? A. Yes.

Q. Do you recall telling me that Raitt was there the day after the drowning? A. Yes.

Questioned by Mr. Story: Q. Are the lifeguards still under your supervision? A. Yes.

Questioned by Mr. Nier again: Q. Did Mr. Raitt tell you that the lifeguards were to be taken from your control? A. Yes.

Attorney Ogden questioning: Q. Did you understand that the guards were still under your control on the day of the accident? A. Yes.

Mr. Story again: Q. What instructions did you give the guards? A. I told them to follow the regular routine.

Q. What did you tell them the first day? A. I told them to patrol the beach inasmuch as the tower had not been erected.

Q. When was the tower put into service? A. Sunday afternoon, I think.

Q. By whom was the tower erected? A. By men from the Park Department.

Q. Were any instructions given the guards in case of accident? A. Not from me.

Q. At the time of the accident did you call a doctor? A. No, Boyd Mullen did that.

Q. Did he also call the Coast Guard? A. Yes, he knows it's his job to make these calls in emergency.

Q. Did he call the police? A. Yes.

Questioned by Mr. Nier: Q. Is there always a policeman on the beach? A. Yes.

Questioned by Councilman Flynn: Q. Is there a nurse on duty at all times? A. Yes. She comes in at 1 P. M.

Attorney Ogden again: Q. Are you still continuing in charge of the guards, even though Raitt told you he was putting them in charge of someone else? A. Yes.

WASN'T READY TO OPEN Q. Do you still testify that you know nothing about boats? A. No. I know whether a boat is in good condition or not.

Q. Were you told to open the beach on Saturday, but did not? A. Yes.

Q. You then had some control over the situation? A. No. I told them I did not want to open because we were not ready.

Q. The beach then was not opened on Saturday? A. Yes.

Q. Did you know that the bathhouse had been cleaned by men ordered to do so? A. I was told so.

Q. Don't you recall Mr. Raitt's visit to the beach before it opened? A. No.

Questioned by Councilman Milne: Q. When did Leake tell you that the guards were to be taken from your charge? A. On the Tuesday before I was appointed.

Q. Was any meeting held prior to the beach opening, the discussion of the changes to be made? A. Yes.

Questioned by Attorney Nier: Q. When did you talk with Raitt? A. The first week in May.

Q. You talked with Mr. Nier did you not? A. Yes. I told him a great deal had to be done to make the beach ready.

TALKED WITH LEAKE Q. Did you talk with Mr. Leake on the Tuesday before the opening? A. Yes, I talked with him about an hour.

Q. Do you recall talking with Mr. Nier after the drowning? A. Yes.

Q. Do you recall saying that in your opinion the boat made no difference in saving the boy? A. Yes.

Q. You say that all three guards were in the water? A. Yes, I saw the boys start into the water.

Q. You then went back on the

guards whom you didn't believe were competent? A. No.

Q. Did you ever see the boat sink in the water before the drowning? A. No.

Q. Did you feel that the safety of the bathers was in your hands? A. I felt that that matter was the responsibility of the lifeguards.

Q. Did you ever requisition a boat in writing? A. No.

J. Cody Waller, husband of Mrs. Waller, was then called to the stand and was asked by Mr. Nier to tell what happened on Sunday, the day of the opening of the season.

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Yes. You say Mullen had instructions to make the emergency call? Do you recall that Mercer came in to ask if the Coast Guard had been called? Do you also recall that Davis came in to call the Coast Guard? A. No.

Q. Have you ever made a study of beach management? A. No, experience has taught me.

Q. Have you ever read any books on it? A. No.

Q. Did Mr. Nier give you the right to discharge incompetent help? A. Yes.

Q. If a guard was unsatisfactory could you have dismissed him? A. Yes.

RESPONSIBLE TO LEAKE Q. Were you also in charge of beach equipment? A. Yes.

Q. The bathhouse attendant and lifeguards then were responsible to you and to Mr. Leake? A. Yes.

Q. Was the upkeep and maintenance of the bathhouse in your control? A. Yes.

Q. Have you had any experience in taking care of emergencies? A. No, I have had my first aid instruction? A. No.

Q. In event of emergencies you were in control then unless Mr. Leake or Mr. Raitt were there? A. Yes.

Q. You believe ordinarily that a boat is important in the conduct of the beach? A. Yes.

Q. Do you believe that anything done to shorten the time to recover the body would help to save a life? A. No.

Q. You testified that "they" had promised you a new boat? Whom did you mean by "they"? A. Mr. Leake.

Q. Did you mention this to Mr. Raitt? A. Not to my recollection.

Q. You felt then that Mr. Leake was the responsible one to report this? A. Yes.

Q. At no time last year were there more than four guards on the beach? A. Yes.

Q. Did you feel that this was adequate? A. Yes, the guards we had were excellent.

TALKED ABOUT BOAT Q. When you went to Mr. Leake's office, Tuesday, June 11, was the boat the first thing you talked about? A. Yes.

Q. And you stressed the condition of the boat at that time? A. Yes.

Q. Mr. Raitt came in at the end of the conversation, did he not? A. Yes.

Q. Then it is not likely that he heard anything about the boat, is it? A. No.

Q. When did you first see the boat this year? A. On Friday before the beach opened.

Q. You say it had been painted then? A. The boat had been dabbled, that was all.

Q. And you know that any boat would leak at the beginning of a season, before it had been placed in the water? A. Yes.

Q. You knew then that you would have to use the boat this year? A. Yes.

Q. Did you know that in spite of its condition you noted, the boat would improve after it was placed in the water? A. No. I felt that no amount of soaking would make it fit for use because its condition was so bad.

Q. You are now in charge of the boat now, is that right? A. Yes.

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NEWSBOY GETS INJUNCTION AGAINST CITY

Supreme Court Justice Marsh N. Taylor issued an injunction today against the City of Rochester, restraining City Manager Story from revoking the news stand permit of Sam Hoffman, eighteen, who sells newspapers and magazines outside the Granite Building at Main Street East and St. Paul Street.

The injunction was obtained by George S. Van Schaick, who has taken an interest in the newsboys' welfare, after the Sibley, Lindsay & Curr Company had petitioned City Manager Story to remove the stand under the provisions of Section 2, Subdivision "C," of a city ordinance passed January 28, which reads:

"No news stand shall be maintained or used at any location against the protest of the owner or owners of the abutting property. Said protest may be filed with the city manager at any time and the permit for the maintenance and use of any stand against which a protest of the abutting owner is served upon the city manager shall be revoked by the city manager and said stand shall be discontinued and removed within fifteen days after the filing of said protest."

INTRODUCED BY GOODWIN Councilman Harry Goodwin introduced this ordinance. In ordering the injunction, the court said in part:

"It appearing to my satisfaction by the complaint herein verified and the annexed affidavit of Sam Hoffman and George S. Van Schaick, that the plaintiff demands and is entitled to a judgment against the defendant restraining the commission and the continuance of the acts hereinafter enjoined on the ground that such acts are pursuant to a subdivision of an ordinance which is unconstitutional and void; that the commission and continuance of such acts during the pendency of the action would produce irreparable injury to the plaintiff."

A public hearing will be held immediately after the City Council meeting Monday night by the law committee on an amendment to the present ordinance, which would make a hearing obligatory after the filing of a property owner's complaint and would make revocation of permit discretionary rather than mandatory.

News Boy's Statement In support of Mr. Van Schaick's stand Ben Walenitz, news vendor, issued the following statement: "I have conducted my stand in front of the Wilder Building for 10 years. No one has ever complained of the way I have run it. If everyone could see the number of people who buy newspapers and magazines

CITY FINANCES IN A HEALTHY STATE, REPORT

Comptroller's Record for Second Quarter Shows City Is \$13,000,000 Within Debt Limit.

Rochester owes on bonds, notes and contracts the tidy sum of \$85,701,844.33. It appears from a financial statement prepared by City Comptroller Higgins in connection with his report on the municipal debt at the close of business for the second quarter.

Against this debt burden there is on hand in cash and sinking funds a total of \$6,455,469.24, so the net debt burden amounts to \$79,246,375.09.

The authorized debt limit, 10 per cent of assessed valuation of real estate, is \$63,165,932, but the borrowing capacity of the city is not so close to the exhaustion line as the figures on the net debt load suggest, for the comptroller's statement indicates Rochester, under the constitutional limitations, may negotiate further borrowings to the extent of \$13,042,554.58.

This balance of more than \$13,000,000 has been made available because of legal deductions amounting to \$9,092,998.57 which have been made from the net debt, so the net constitutional debt of the city is now only \$50,123,377.52.

To recapitulate: the city owes on bonds, notes and contracts a sum of more than \$85,000,000, but with cash on hand, money in sinking funds, and legal deductions amounting to more than \$15,000,000, the actual sum the city owes is upwards of \$50,000,000 and still within the law it can expend or borrow upwards of \$13,000,000.

The statement prepared by Mr. Higgins shows a healthy financial condition. There are few cities in the United States, it is said, comparable with Rochester in the matter of schools, population, public construction and improvements, including utilities operated by the city, which can shoulder so heavy a debt burden and still have available for future enterprises so large a balance.

Details furnished by the comptroller indicate how the debt is distributed among the city's operations to meet current expenses pending collection of city taxes.

The largest contract item is charged to schools. This contract calls for nearly \$2,000,000, most of which is taken up with the construction of the Benjamin Franklin junior and senior high school.

A comparison of Rochester, respecting bonded indebtedness with 241 other cities has been made by a writer in the June number of National Municipal Review. In this tabulation Rochester, with an estimated population of 328,200, ranks 24th, slightly under Louisville, Ky.

A Lesson in Paving Finished Sections of Lake Avenue Show How Arterial Highways Should Be Paved

Finished sections of the wide new concrete pavement in Lake Avenue convincingly prove what many have long known—that pavements of this quality and width on such important traffic arteries constitute an asset to the street and the city far in excess of the cost of the improvement.

Naturally, there was some opposition on the part of taxpayers, when it was proposed to make the roadway fifty-four feet wide. But the necessity for such a width will soon be plainly apparent—as soon as repairs are made to sections not yet finished, permitting more extensive use.

Lake Avenue, when it is finally paved in accordance with the plans that have been made, will be greatly benefited through increased value of property; through more business attracted to its business houses, and through the greater convenience and comfort for all who use it.

Residents of other important arterial highways who are contemplating paving should inspect the section of the work that is nearing completion; see the transformation that has taken place in this thoroughfare and get ready to emulate the example of Lake Avenue.

City Solicits Bids On State St. Paving Job, To Cost \$97,000

Specifications Advertised For Improvement Between Four Corners and Commercial Street—Areaways Will Be Curtailed, Old Flagstone Removed.

The city began advertising for bids today on the proposed improvement of State Street between the Four Corners and Commercial Street.

In the Bureau of Design and Construction the cost of this work is estimated at \$97,343.05. The ordinance authorizing the improvement provided for a maximum cost of \$158,000.

The job includes the laying of a Medina stone curb six inches wide and 3,700 linear feet in length, 800 tons of stone filled sheet asphalt wearing surface two inches thick, and 425 tons of asphalt binder.

Removal of the old flag and some of the concrete walks with their skylights over an estimated area of 35,000 square feet, is also included. The old Medina block pavement is to be scrapped, which means removal and disposal of about 7,500 square yards of this cut stone which has been doing duty since 1894.

Areaways along the route of the improvement are to be curtailed and improved, under conditions of the contract advertised today. There are 300 cubic yards of earth to be excavated from the areaways; a number are to be cut back from the curb.

Cost of this particular improvement may be borne by the owner of the property affected, it was said today by Henry I. Howe, city engineer, but notice that this job has been let privately and a guarantee that it will be done as required under the improvement must be given the city authorities before the contract for the whole job is let.

There is no indication in the present plans, as specified in the ordinance or city engineering data, that the old street will be made to conform to a standard width of roadway. The present widths apparently are to be continued with a variation of 54 feet at the Four Corners to a width of 60 feet at Central Avenue, and thence a narrowing to 58 feet which is the present width of the roadway at Commercial Street.

The engineers estimate the State Street job can be completed in 75 days. After Leake had given his direct testimony in the case, in which he attempted to place blame for alleged inadequacy of preparation for the beach opening at Ontario Beach Park on Mrs. Edna Waller, beach manager, he was subjected to cross-examination by Safety Commissioner Nier.

In the course of the questioning, Mr. Nier first asked Leake to admit that he had talked over his testimony and the matter of appearing as a witness with Charles Stimpson, confidential advisor to Mr. Raitt, and a field director of the National Playground and Recreation Association.

Then the commissioner asked him: "Did you have any talk with Mr. Stimpson about taking care of you on a job if you testified here? A. I didn't ask anyone to take care of me."

Q. I didn't ask you that. Did he offer to take care of you? A. (After a long pause.) No, he didn't. Q. Now, Mr. Leake, you are under oath here. You are also under suspension, and I don't want to take advantage of you. But I want to ask you to give a truthful answer to my question, "Did Mr. Stimpson agree to look after you?" A. (Another long pause.) Well, he might have intended that. Q. Well, what did he say to you? A. He said he'd like to see me reinstated and get along well. But I told him I had a lawyer to look after me.

Objection to this testimony and questioning was made unsuccessfully by Edward M. Ogden, attorney for Raitt. City Manager Story said he would admit it and would judge it for what it was worth, as he has remarked about other disputed evidence at the hearing.

STIMPSON ASKS SECRECY At the close Leake's testimony, Stimpson was placed on the stand, with his own reservation that all he said was to be considered privileged and to be kept from publication.

Mr. Story then announced that, with the exception of possible new evidence that might be submitted by either side on the drowning controversy, the hearing was closed. Each side was ordered to submit a written summary of the evidence. With those summations and the stenographic report, which is expected to consume a week in preparation, the city manager said he would probably be able to make a decision on the charges against Raitt.

There was a possibility, he said, of a further hearing on the closely related but alleged incompetency in the internal administration of the city park bureau. Leake testified that he had asked Mrs. Waller on several occasions whether she needed any more help or any supplies at Ontario Beach and that she replied in the negative.

ASKED FOR ASSISTANCE He said she had asked for some women to help her in cleaning out the bath houses before the opening. He sent them down to her at once, he said. Before the beach opened, he said that he and Mr. Raitt had talked with Mrs. Waller and told her she

RAITT HEARING BEFORE STORY CONCLUDED

Leake Admits Hint of Job in Return for Defense Testimony

By DAVID E. KESSLER Under pressure of sharp questioning at the final hearing today of laxity charges against Charles B. Raitt, park director, Chester B. Leake, suspended playground superintendent, admitted that by inference, at least, he was to be "taken care of" for testifying for the defense.

After Leake had given his direct testimony in the case, in which he attempted to place blame for alleged inadequacy of preparation for the beach opening at Ontario Beach Park on Mrs. Edna Waller, beach manager, he was subjected to cross-examination by Safety Commissioner Nier.

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ASKED FOR ASSISTANCE He said she had asked for some women to help her in cleaning out the bath houses before the opening. He sent them down to her at once, he said. Before the beach opened, he said that he and Mr. Raitt had talked with Mrs. Waller and told her she

"was responsible for everything at the beach" and that she was to prepare for opening Saturday, June 15. It was too cool that day so she didn't open until Sunday, Leake declared.

"On the Sunday the beach opened," Leake testified, "Mrs. Waller asked me to look at the lifeboat, then on the porch at the bath house. I told her to have it put in the water to soak up the seams. She told me the boat leaked, so I sent a man down the next year to repair it."

"NEVER COMPLAINED." Mrs. Waller never requisitioned a new boat, Leake declared. Neither did she complain about the lack of life guards or other equipment, he said.

"When you sent a carpenter down to repair the boat," Mr. Nier asked, "you knew that repairs and painting could not be done while the boat was in the water?"

"Naturally not," the witness replied. "But I didn't know repairs were necessary, and the purpose of my next visit to the beach was to see what was happening. We saw the boat in the water, and it looked as if the persons in the boat were using their hands to propel it."

"Mrs. Waller came up to me and said: 'This is a fine state of affairs.' I said to her: 'Where are the oars?' She did not reply. When the body was recovered, it was brought to shore and the oars were worked over it. Our life guards were standing around, and I ordered Davis to tow the boat."

"But you have never had any permission from me, as head of the park department, to take part in the affairs of the Park Bureau, have you?" Mr. Nier queried.

"No, I did not think it was necessary," he replied. "With respect to a signed statement that was given to the newspapers over Mr. Stimpson's signature concerning the drowning of Raymond J. Gartland and around which the controversy centers, Mr. Nier then asked: 'You issued this statement after an impartial investigation. Did you talk to any of the life guards, Mrs. Waller or any other persons immediately concerned in the course of your investigation?'"

"No, I didn't want to see into that," the witness answered. LEAKE TELLS STORY Chester B. Leake, suspended superintendent of playgrounds, was the first witness on the stand at the opening of today's session, Mr. Story asked him to tell his version of the drowning and events preceding it. He said:

"During the first week of June, I ordered some men to the beaches to do some odd jobs, preparatory to the opening. On Monday or Tuesday before the opening I went to Ontario Beach with Mr. Raitt. While at the beach, Mr. Raitt, Mr. Kregal and I looked over the bathhouses. Mr. Raitt was dissatisfied with the condition of the lockers. He said they were not clean and ordered them to be cleaned more thoroughly."

"The next day Mrs. Waller came to my office at 4:30 p. m. I told her to take charge and have things cleaned up. I asked her whom she wanted for help. She recommended two women."

Q. Did she say it couldn't be used? A. She said that the boat leaked, and I told her that boats usually do when first put into use, but that I would have it fixed if that I would have it fixed.

Q. Did you know that the boat had been taken out of the water and put on the porch? A. No. Q. Did Raitt know? A. Not to my knowledge.

Q. Was the beach opened this year with the same number of guards on duty as last year? A. I believe so. Q. Was the job of cleaning this year the same as in years previous, but more thorough? A. Yes. Q. Did Mr. Nier personally attend the opening of the beach last year? A. I didn't see him.

Q. Where were you there? A. I don't recollect. Q. Was there any complaint last year about the guards? A. No. Q. Was there any complaint that there was no life rope in the water? A. No. Q. Is the equipment the same this year, except for additional lights? A. Yes.

Q. Was any steps taken last year to suspend anyone because of inadequate equipment or insufficient guards at the opening of the beach last year? A. I don't know.

TALKS WITH LIFE GUARDS Q. Did Mr. Raitt ask you on the night of the drowning to call a life guard? A. He did. Q. Did you say anything to anyone about leaving facts about the boat out of the report? A. I did not.

Q. Whom do you consider your superior? A. Mr. Raitt. Q. Whom did you consult about supplies for playgrounds or beaches? A. Mr. Raitt. Q. Were suits provided for life guards this year? A. I can't say. I believe the guards were the same as last year. They had them at home and simply used them again.

Q. Did you talk to the life guards this year at all about their duties at the beach? A. No, I did not. They were the same ones who were on duty last year and I assumed that they knew what their duties were and I wanted to impress on them what she said would go.

Q. Did she complain of lack of guards? A. No. Q. Mr. Raitt is your superior? A. Yes. Q. Mr. Nier is over Raitt? A. Yes. Q. Under you is Mrs. Waller? A. Yes.

Q. What was the nature of the conversation between you and Mrs. Waller preceding the opening of the beach? A. I simply told her that Raitt was dissatisfied and that they needed a more thorough cleaning. I asked her what women she would like to do the work. She told me and I showed these women and told them what was to be done. They said they were willing to do the work.

Q. How long were you at the beach on Sunday? A. About a half hour. Q. How many times have you talked to Mr. Stimpson since the drowning occurred? A. Once or twice, I should say, only in a general way about what was said at the hearing.

Q. Has Mr. Stimpson at any time since the drowning made overtures to you, saying he would take care of you in the way of a job? A. No, I never asked him.

Q. On Sunday evening Mrs. Waller said that the boat leaked? A. Yes. Q. Did she ask for a new boat?

Q. Did you know the boat had been repaired since the drowning? A. Yes. Q. You say you sent Mr. Kregal to repair the boat on the day before the drowning? A. Yes. Q. And you did not know whether or not the boat was put

in the water after the repairs were finished? A. No. Q. You mean you left the entire responsibility with Mrs. Waller? A. Yes, I left everything to her.

Q. You felt that the responsibility of the beach was up to Mrs. Waller? A. Yes. Mr. Nier then questioned the witness again: Q. How long have you been on the playgrounds, Mr. Leake? A. Fifteen years. Q. And how long have you been superintendent? A. Five years.

Q. Did you not consider the care and custody of the beaches and swimming pools the most important part of your duty? A. Yes. Q. Do you recall that there was a drowning at one of the park pools several years ago? A. Yes, Q. You knew from that time on, did you not, that the supervision of bathing places was the most important duty on the playgrounds? A. Yes. But the responsibility of the pools and beaches had to be left to life guards.

OGDEN OBJECTS TO QUIZ Q. Did you ever tell Mr. Raitt that you had discharged persons in the Bureau of Playgrounds and that they had been reinstated over your head? A. I haven't discharged any that I know of. Q. Didn't you say you discharged a girl two years ago, and that she was reinstated?

Mr. Ogden objected to Mr. Nier's questions, saying they were irrelevant. Mr. Story ruled that Mr. Ogden's objection be made a matter of record.

Mr. Nier then asked: Q. Have you any reason to believe that a person would be reinstated by me over your head? A. No. Q. Did you at your conference last year impress on life guards that the position of the man in the boat was the most important one? A. Yes.

Q. Would you consider the position of the man in the boat the most important one? A. No, I don't consider it any more important than the rest. MAN IN TOWER IMPORTANT Q. Which do you consider the most important? A. I should say the man in the tower is the most important.

Q. Why? A. Because he can see the farthest around the beach and can report any trouble. Q. What do you consider the duties of the man in the boat? A. To go between the bathers and shore, that they do not go beyond shoulder marks.

Q. What about objects in the water, such as logs? A. I can't keep the logs from coming in from out in the lake. Q. Don't you know that it is a violation of the rules to allow objects to play on hard objects or to have them around the beach? A. No.

Raitt occupied the stand almost all of yesterday afternoon. Permitted to tell his story in his own way, he made a long general statement of his aims in connection with administration of Rochester beaches and of his steps in preparation for the opening of the city beaches this year.

Apparently still hampered by the illness that resulted in several postponements of his hearing, Raitt expounded considerable difficulty in giving the first of his testimony. At one point, when he was moved to tell the select assemblage in City Manager Story's office how much this case means to him, the park director broke down and wept for a moment. In other parts of his testimony, he labored several moments in a labored effort to catch his breath.

With reference to the charges of laxity and negligence, I shall cite instances to show otherwise. "In preparation for the present season, I made a special trip to New York City in March. With the superintendent of the Westchester County Park, I made a visit to beaches and bath houses here. On my return I filed with Mr. Nier a report of the trip, in which a definite statement was made by me for the development of Ontario Beach Park, and particularly with reference to the bathhouse.

"A short time after that trip Fremont Chester of the Chamber of Commerce Safety Council came to my office with a Red Cross representative from Washington to discuss the question of beach management at Rochester. "I brought out three major points at this conference. First, with reference to adequate lighting of the beach; second, with ref-

erence to the lifeboats, and third, with reference to the life guards and patrol.

CONFERENCE ON LIGHTS "In May I conferred with Mr. Leake regarding the flood lights at Ontario Beach Park. Last year four were in use. I decided that these were not adequate. I learned that they were used last year at the Cobbs Hill skating rink. I requested Mr. Leake to send an electrician to the beach. This was done.

"We examined the lights and tested them to determine their range. I instructed Mr. Leake to have four additional lights installed and tested. This was done. Afterwards the electrician said that the lights placed there last year had been set up without consulting or testing.

At this point, Deputy Corporation Counsel Forsyth interrupted and asked that Mr. Raitt be confined to the issue. As the witness appeared highly agitated, Councilmen Adler and Foulkes insisted he be permitted to proceed in his own manner. Raitt broke down and wept and it appeared as if he was about to collapse.

"As part of my preparations for seeing that the beach was safe, I called on the Corporation Counsel several months ago and asked that the files on the pier be removed. I asked him who was responsible for injuries to the children diving from the pier. "He said that the city was responsible.

"As part of my reorganization plan, I suggested to Mrs. Waller and Mr. Leake that the life guards be placed under separate management. I discussed the matter with a man named Beach, who I thought would be well fitted to take up the job of life guard manager.

"I inquired about him at the Board of Education and in Mr. Norton's office. I checked up his records and found that he had been in charge of several swimming pools. He was swimming instructor and health education director at Monroe High school, and a graduate of Springfield Training School.

RECEIVED INSTRUCTIONS "I also had further plans for the improvement of the bath houses, which you all know were inadequate, modern and unsatisfactory in every way. "I received instructions from Mr. Nier in the early part of June to get the bath houses and beaches ready. I carried his instructions to Mr. Leake and told him to get the necessary service at the earliest possible moment.

"My preparations had pointed to an opening about July 1, and I realized that the facilities were inadequate. Nevertheless, I told Mr. Leake that he would have to go ahead for the present with the same equipment that he had last year.

"On June 10 I visited the bath houses with Mr. Leake, to see how the cleaning was getting along. "We went through four bath houses and I recall that the first buckets were rusty and that the place was not thoroughly cleaned. The cleaning, however, I want you to know, was the same that had been given in previous years.

"I told Mr. Leake that from now the cleaning would have to be done by the women attendants. On my visit to the bath houses, June 10, I saw a man working on the life boat. I rubbed my hand on the inside of the boat and noticed nothing particularly wrong with it.

BOAT OK, HE SAYS "I saw no daylight appearing through cracks, no split ribs and no overlapping planks. I noted that the brass railing on the outside of the boat was loose and called that to the attention of Mr. Leake. "When I saw Mrs. Waller, I told her it would be the duty of the women attendants to keep the place clean. And asked her to insist that they do it. I told her that she had the right to insist on any one whom she did not consider capable.

"Mrs. Waller made no mention whatever to me in this conversation as to the fitness and seaworthiness of the boat. "A short time afterwards I carried his instructions to his immediate subordinates. Of course, with respect to Ontario Beach Park, there is a little overlapping in the matter of administration. But I saw that it was planned a method of getting rid of that.

"It has been my position at all times to study every part of the park system in order to present

a plan for complete reorganization. I had a pleasant Winter here and was looking forward to a very pleasant Summer. I had a satisfactory plan in mind for a better park system for Rochester."

This statement was complete with that and his attorney, Mr. Ogden, then asked him a few more questions. Q. Was there any time before the accident that you were told or knew that lifeboat at Ontario Beach Park was not in service? A. No. Q. At the time you received notice of your suspension, had you talked with Mr. Nier? A. No. Q. Did you get any explanation of the suspension? A. No.

PLANNED 6 GUARDS Q. What was your plan as to life guards at Ontario Beach? A. My plan called for six guards as a maximum. Two were to be in boats, two on beach patrol, one in the tower and the sixth as a relief guard. This schedule was all made out. Q. What was your understanding as to the advisability of a rope there? A. If it is out far enough, it is apt to encourage swimmers who swim but slightly to reach the rope. I would hesitate to put a rope anywhere on the beach, except on the sands to keep children from venturing into the water. If a boat were in operation off the beach, it would be difficult to have such a life rope. Besides the matter of anchoring the rope at Ontario Beach would be a difficult one. I concluded that this matter of a rope required careful study before being placed there.

Deputy Corporation Counsel Charles R. Forsyth then took up the examination of Mr. Raitt: Q. Is it not your opinion, Mr. Raitt, that the opening of a beach is certain to require very close personal attention of some high executive for the first few days? A. Yes. Q. You felt that a lifeboat was a necessary part of equipment at the beach? A. Yes. Q. Did you make any inquiries as to the condition of the lifeboat at the beach? A. I left that to Mr. Leake. Q. Did you inquire then as to the number of life guards who were to be present for the opening day? A. No, I left that to Mr. Leake.

QUERIED ON EQUIPMENT Q. Did you make any equipment available for the first day? A. All that I know. Q. What is available there? A. All that was there last year. Q. You made no inquiries as to the boat? A. No, that was Mr. Leake's job. Mr. Story then asked a question: Q. Did you ever check back on your instructions to your subordinates? A. No. Mr. Forsyth resumed: Q. Did you feel it essential to have distinctive suits for the life guards the first day? A. The suits were in their lockers from last year. I assumed they had them. SUGGESTED LIFEBOAT Q. Did you ever suggest an additional lifeboat? I discussed it with Mr. Leake. That was our plan when the beach was functioning properly. Q. In other well equipped beaches there are life rings, are there not? Q. Did you go into that matter in your testimony? Raitt was then subjected to a brief examination by Mr. Nier. Q. You stated that after hearing my instructions regarding the beach opening, you went to Mr. Leake. What did he say? A. Well, I told him what was necessary. Naturally, I expected him to carry out instructions. Q. Didn't I always take an easy attitude toward you? A. Some times. Q. Didn't I tell you on at least four different occasions not to rely on Mr. Leake too much? A. You indicated that Mr. Leake was not a satisfactory superintendent of playgrounds. Q. Do you recall another conference in Mr. Story's office six weeks after the first time we talked about the beach? A. Yes, I recall that. FAILS TO RECALL Q. Do you recall my telling you to go over the personnel of all various departments with A. Not exactly. I think once referred to the fact that Leake was not exactly toky. Q. Did I not tell you particular attention to ground work and to Leake's work closely exactly, as I recall it.

CITY AWARDS 7 CONTRACTS FOR IMPROVEMENTS

F. W. Crouch Gets Plymouth Ave. Job and Vulcanite Co. Gets Buffalo Road Assignment.

Outstanding among seven city contracts awarded today were the Plymouth Avenue and Buffalo Road improvement jobs.

The successful bidders for these were announced by Purchasing Agent Wendell E. Andrews as follows: Plymouth Avenue pavement, F. W. Crouch, low bid of \$172,770.25, and Buffalo Road, Rochester Vulcanite Company, low bid of \$167,806.40.

The Plymouth Avenue concrete improvement will be started at once. The job includes the abandonment of the trolley tracks and overhead wires between the curbs and sidewalks and the removal of 204 shade trees necessitated by the proposed new width of the pavement. The present width of 25 feet will be extended to 54 feet between this bridge at Clarissa Street and Beaton Street.

Before the concrete pavement is laid in Buffalo Road the Rochester and Lake Ontario Water Company is to place 3,700 feet of eight-inch service main and the city will install sewers and sidewalks.

The new road from the Barge Canal to West Avenue will be 40 feet wide, but somewhat wider at the curve in front of the American Laundry Machine Company plant.

Other contracts awarded today included: Hudson Avenue walks and grading let to Phillip Petrossi, on bid of \$5,938.55. The Newport Construction Company's bid was lower, but was 20 per cent in excess of the engineers' estimate on two items and therefore discarded.

The contract for supplying band uniforms went to the Henderson-Ames Company for \$1,320.80. Contract for hanger No. 2 at the Municipal Airport went to William C. Barber for \$13,850.

Electric equipment at this hanger was allotted to F. A. Mott on the bid of \$2,760. Building of walls at Edgerton Park was awarded to Frank Litt Company for a bid of \$2,738.

CITY FINANCES IN A HEALTHY STATE, REPORT

Comptroller's Record for Second Quarter Shows City Is \$13,000,000 Within Debt Limit.

Rochester owes on bonds, notes and contracts the tidy sum of \$65,701,844.33. It appears from a financial statement prepared by City Comptroller Higgins in connection with his report on the municipal debt at the close of business for the second quarter.

Against this debt burden there is on hand in cash and sinking funds a total of \$6,485,469.24, so the net debt burden amounts to \$59,216,375.09.

The authorized debt limit, 10 per cent of assessed valuation of real estate, is \$63,165,832, but the borrowing capacity of the city is not so close to the exhaustion line as the figures on the net debt load suggest, for the comptroller's statement indicates Rochester, under the constitutional limitations, may negotiate further borrowings to the extent of \$13,042,554.58.

This balance of more than \$13,000,000 has been made available because of legal deductions amounting to \$9,092,998.57 which have been made from the debt, so the net constitutionally of the city is now only \$54,122,876.52.

To raise the city owes on bonds and notes a sum but with sinking fund payments of \$1,000,000, was in April.

For instance there have been issued for the canal and subway bonds and notes in the sum of \$10,168,000; schools, including contracts, \$14,208,031.67; general improvements, \$14,290,583.50; water works, \$12,326,000; local assessment improvements, \$13,709,229.16.

In addition, the debt includes notes for \$1,000,000 which were authorized to meet current expenses pending collection of city taxes.

The largest contract item is charged to schools. This contract calls for nearly \$2,000,000, most of which is taken up with the construction of the Benjamin Franklin junior and senior high school.

A comparison of Rochester, respecting bonded indebtedness, with 241 other cities has been made by a writer in the June number of National Municipal Review. In this tabulation Rochester, with an estimated population of 328,200, ranks 24th, slightly under Louisville, Ky.

Finished sections of the wide new concrete pavement in Lake Avenue convincingly prove what many have long known—that pavements of this quality and width on such important traffic arteries constitute an asset to the street and the city far in excess of the cost of the improvement.

Naturally, there was some opposition on the part of taxpayers, when it was proposed to make the roadway fifty-four feet wide. But the necessity for such a width will soon be plainly apparent—as soon as repairs are made to sections not yet finished, permitting more extensive use.

City Solicits Bids On State St. Paving Job, To Cost \$97,000

Specifications Advertised For Improvement Between Four Corners and Commercial Street—Areaways Will Be Curtailed, Old Flagstone Removed.

The city began advertising for bids today on the proposed improvement of State Street between the Four Corners and Commercial Street.

In the Bureau of Design and Construction the cost of this work is estimated at \$97,343.05. The ordinance authorizing the improvement provided for a maximum cost of \$158,000.

The job includes the laying of a Medina stone curb six inches wide and 3,700 linear feet in length, 800 tons of stone filled sheet asphalt wearing surface two inches thick, and 425 tons of asphalt binder.

Removal of the old flag and some of the concrete walks with their skylights over an estimated area of 35,000 square feet, is also included. The old Medina block pavement is to be scrapped, which means removal and disposal of about 7,500 square yards of this cut stone which has been doing duty since 1894.

Areaways along the route of the improvement are to be curtailed and improved, under conditions of the contract advertised today. There are 300 cubic yards of earth to be excavated from these areaways; a number are to be cut back from the curb.

Cost of this particular improvement may be borne by the owner of the property affected. It was said today by Henry I. Howe, city engineer, but notice that this job has been let privately and a guarantee that it will be done as required under the improvement must be given the city authorities before the contract for the whole job is let.

There is no indication in the present plans, as specified in the ordinance or city engineering data, that the old street will be made to conform to a standard width of roadway. The present widths apparently are to be continued with a variation of 54 feet at the Four Corners to a width of 60 feet at Central Avenue, and thence a narrowing to 58 feet which is the present width of the roadway at Commercial Street.

The engineers estimate the State Street job can be completed in 75 days.

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A Lesson in Paving Finished Sections of Lake Avenue Show How Arterial Highways Should Be Paved

CITY AWARDS 7 CONTRACTS FOR IMPROVEMENTS F. W. Crouch Gets Plymouth Ave. Job and Vulcanite Co. Gets Buffalo Road Assignment.

STIMPSON ASKS SECRECY At the close of Leake's testimony Stimpson was placed on the stand, with his own reservation that all he said was to be considered privileged and to be kept from publication.

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Mr. Bareham would not make predictions for any other candidates. He said he was opposed to continuing the present administration in City Hall, and would not advocate electing any group of councilmen strictly favorable to the present administration.

By this statement he could decline to support Mayor Wilson, if the mayor stood loyally by Messrs. Adler, Flynn and Goodwin.

Mr. Flynn's announcement yesterday follows:
"A strong believer that the city manager form of government is most efficient for our city and answering inquiries from many I have decided to enter the coming primaries as a candidate to succeed myself."

If the race is to the swift, Mr. Goodwin was really in the advantageous position of all candidates, as his primary petitions are all signed. He need only to have August 13 arrive to file them. They may not be filed except between August 13 and 20.

Mr. Flynn's announcement for the primary promised to embarrass Leo A. Mac Sweeney, who recently announced he had turned regular and deserted the Republican insurgency. The two are political comrades. Just how Mr. Mac Sweeney could stand loyal to the Republican organization and retain his political friendship with Mr. Flynn, was in doubt.

FLYNN FORCES G. O. P. FIGHT IN PRIMARIES

Main Entrance for City Hall on Broad Street Advocated

City Hall and Its Entrances



City's Back Turned on One of Its Principal Arteries, Developed at Big Expense

By C. S. EDWARDS

The City of Rochester figuratively has turned its back on Broad Street, on which it spent large sums of money to develop, in the opinion of real estate men in the city, who urge an immediate main entrance for the building facing the new thoroughfare. It is understood the civic planning committee of the Rochester Real Estate Board has been instructed by President Joseph F. Engel to make a survey of the situation with recommendations.

G. Q. Dunlop of the R. H. Carroll Corporation declares that the city is lax in allowing its main city building not only to be without an entrance on what is one of the main arteries, but in failing to have a main entrance of any sort. He declares that the addition to the Court House has eliminated the main entrance of the building, previously facing the rear of the Court House, and that the two Fitzhugh Street entrances were intended originally for "side doors."

Street Improves
When the City Hall was built in about 1876 the Erie Canal formed an effective barrier to the south end. Along the rear ran a "heel" path, so called, and on the other side of the canal a tow path, on which sleepy mules plodded methodically along, hauling barges and strings of canal boats. Then the canal was abandoned, and construction of the rapid transit railway line in the canal bed was started. On the roof was built the present Broad Street, which has served as a main artery paralleling Main Street, but escaping the business district proper.

Construction along the new street has been somewhat slow, but has been steady. New buildings have been erected, old buildings remodeled to improve the street—and the end is not yet. Several projects are going on at present, including re-

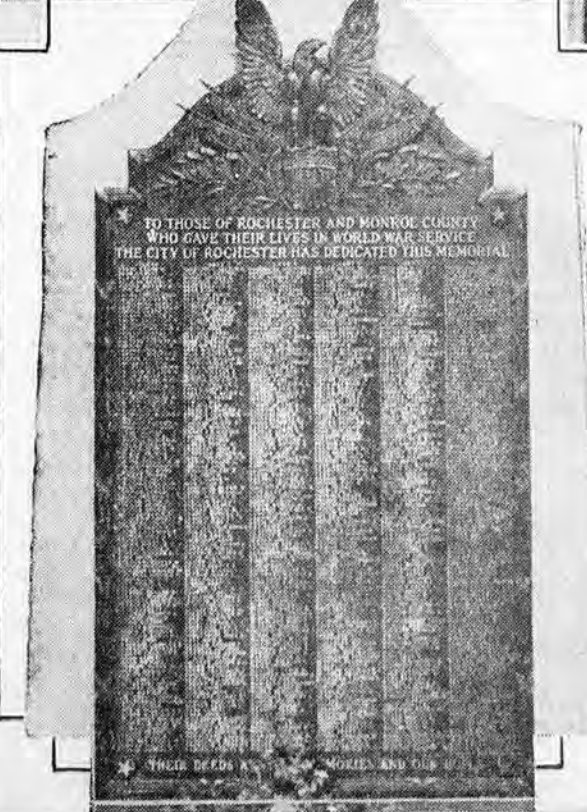


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Below—The World War memorial tablet on the Broad Street side of the City Hall, around which it is declared an attractive entrance and exit could be made.



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Mr. Story will check up the evidence with them before making a finding. He said that he is interested solely in an impartial and fair decision, also in preventing, if possible a similar tragedy at the beach.

Under Commissioner Nier's direction there have been installed two lifeboats at Ontario Beach Park, five lifeguards, a safety rope is to be erected, and there has been a general tightening up in the observance of precautions to safeguard bathers.

Chester A. Leake, suspended superintendent of playgrounds, was the first witness yesterday. Under examination by Mr. Ogden, he gave a graphic account of the steps that were taken to open the beach; citing the orders that were given to Mrs. Edna M. Waller, beach manager; and in general his story coincided with that of Mr. Raitt.

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Figure 1—After the manner of art moderne.

Turned on One Principal Arteries, led at Big Expense

Electric Corporation
338-340 Main St. E.
Wiring
Res
Burners
Means of
ERNIZATION
S. EDWARDS



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Printers' Union Scores City, Baker on Labor

Stand FIGHTS SHOP UNDER BOARD OF EDUCATION

Office Declared To Be Unfair Competition to Local Men, Refers Case to State Heads

Further charges that the present city administration and, particularly, Commissioner of Public Works Baker, is unfair—in some cases, actually hostile—to organized union labor in Rochester, were made yesterday by Walter E. Jarvis, secretary of the Typographical Union, and by the Central Trades and Labor Council.

"The present city administration has taken a decided stand against union labor," said Mr. Jarvis. "It was also learned yesterday that the Allied Printing Trades Council has referred the case of the printing office in the basement of the Bureau of Industrial Relations of the State Labor Department in New York.

FACTORY CLASSIFICATION

This was done, according to Mr. Jarvis, to obtain a decision from that body as to whether the Board of Education is violating the prevalent wage law and other state labor laws in operating this plant.

Mr. Jarvis said that the operation of this plant in the Board of Education Building places it in the classification of factory buildings, and will therefore necessitate changes in the building to comply with the factory laws.

Still another protest, following closely upon the heels of charges made by the Printers and Bricklayers' Unions that Commissioner Baker is unfair to organized labor, involves the printing office in the Water Works Bureau. It is also under the jurisdiction of Commissioner Baker.

USES VOCATIONAL GRADS

Mr. Jarvis declared that the Allied Printing Trades Council takes the stand that the City of Rochester, under the administration of City Manager Story, has no right to use the taxpayers' money in competition with union or even non-union printing shops, the proprietors of which have invested great sums of money in their establishments.

It would not be tolerated if the city opened a department store on Main Street, and this is a parallel case, it is held.

The Board of Education, said Mr. Jarvis, uses graduates from the vocational schools in its printing plants and starts them at a salary of \$1,200, which is much lower than the prevalent wage scale and a violation of the state labor laws.

"The boys doing this work," said Mr. Jarvis, "have no opportunity to secure a complete course of apprenticeship such as is granted to apprentices in union offices, and therefore cannot become competent journeymen."

BID SYSTEM HIT

"It has been argued that this plant is not considered as a school but that every employee has a situation. The fact is that it is a real printing office and there are prospects for enlargement of the plant. This course is in unfair competition to all the printing shops of the city, union or non-union, because of the low wages paid these boys.

"If this practice continues all bids for city printing will soon be eliminated and the work will be done by this Board of Education plant, in fairness to labor as well as business. This movement should be frustrated."

Proposed Playground

Petitions are being circulated for acquisition by the city for playground purposes of a five-acre plot of ground surrounding an old house at 95 Gardiner Avenue. If the response from residents in the district between Arnett Boulevard and West Avenue is general, the petition will be laid before the City Council in September.

The objection will probably be made that this is not a congested district, but a good residence section, with individual lots only partially occupied by the dwellings on them. Anyone who has had practical experience in this matter, however, has learned that the ordinary "yard," back or front, affords sufficient space only for the play of quite small children. You cannot stage a baseball game, even of the most "scrub" type, successfully in the average backyard.

By all means let us have as many playgrounds as possible in the crowded districts. They pay their own way by reducing the work of truant officers and later on of the police, besides giving recreation opportunity. But children need a chance for real play everywhere, which all too frequently they do not get, even in "good" residential districts.

If the tract can be obtained for a reasonable price, and the intention is to provide a play space, not a mere formal parklet, its acquisition appears warranted.

As the city grows, more and more effort is required to provide the play space which an earlier generation enjoyed in childhood.

Low Fares, Good Service Need City Should Make Certain That Steps Are Taken To Insure Both

Many will accept as an example of the gentle art of bluffing, the assertion of Paul Folger, attorney for the street railroad, that it would welcome a trial of the valuation suit under the service-at-cost contract, confident "it will mean an increased valuation of at least \$10,000,000."

But his claim before the Public Utilities Committee of the City Council that a court would fix the value of the Rochester lines \$10,000,000 higher than the present base valuation of \$19,216,000, which is considered excessive, raises this pertinent question:

If the properties of the Rochester lines are actually so very valuable, why not stand on its own foundation and merits and not ask the city to renew the contract at all?

Certainly, a company with properties worth \$29,216,000 ought not to find it necessary to ask the city to permit a street car fare high enough to bring it a return of 6 per cent. on "valuation" bearing no relation to market value.

Analyzing the reasons back of the statement of Mr. Folger, it will be found that there is more ground for it than an attitude of "I dare you to sue; we will win if you do."

And the main reason for his confidence is the O'Fallon valuation decision given by the United States Supreme Court, which permits considering the cost of replacement in fixing valuations.

Consequently, the one who says that the city will not press its valuation suit—since this decision has been made—goes to the head of the class.

But if the contract is to be renewed for ten years more, the city should make certain that the railroad will not secure a higher valuation to allow raising the fares higher or to take increased profits on present fares.

Provision should be made for fares being decreased. If the city refuses to renew the contract, street car fares here will be automatically REDUCED TO FIVE CENTS and the street car company thrown back on its own resources.

Which is probably precisely what it needs. For a lower fare and good service would certainly greatly increase the number of passengers and the total revenues.

Everyone is concerned about having good street car service at low cost, and the growth and prosperity are, in a large measure, dependent on having them.

Whatever action the City Council takes in this matter, it should be such as gives the most promising prospect for lower fares and satisfactory service.

Wednesday

Hearing In Council Tonight On Change In Newsstand Law

Proposed Amendment Would Eliminate Contested Clause of Present Ordinance, Which Summarily Orders Removal—Improvements To Be Introduced.

Public hearing will be given tonight on a proposed amendment to the city's news stand ordinance—a proposal which, if adopted, would obviate the grounds on which a news stand operator recently obtained an injunction against removal of his stand.

The laws committee of City Council, subsequent to a special mid-summer meeting of the council, starting at 8 o'clock tonight, will open the amendment to public discussion. It is not considered likely any action will be taken on it tonight, however.

The change would take away the peremptory character of the section of the existing ordinance which specifies that the city manager upon the sufficient complaint of owners of property adjacent to the location of stands. It would give

the stand proprietor a hearing before the revocation could take effect.

The council's special session tonight coming during the lapse of the ordinance, suggests public hearing was made necessary by pressing local improvement measures, and will mean later sessions on Aug. 5 and Aug. 12 to give the requisite public hearings on the ordinances to be introduced tonight.

Among these is expected to be a proposal for the repaving of Clinton Avenue North, from Main Street to the New York Central Railroad crossing. Concrete paving and sewer for Lake Avenue between River Street and State Street, and asphalt pavement for Oak Street are also scheduled for ordinances.

Minor street improvements which are expected to have introduction by the local improvements committee tonight are: Craig Street, Harvard Street, Lyceum Street, Darwood Street, Fern Street, Rocket Street and Cataract Street.

Sanitary and storm water sewer will be proposed for the South Avenue district, according to plans.

JUL 22 1929

City Finances Sound

The financial report of City Comptroller Higgins on the municipal debt at the close of the second quarter shows all seems in the civic ship of state well caulked and no leaks in sight to put the boat out of commission if an unexpected emergency arises. The city is more than \$12,000,000 within the legal debt limit, of which \$10,000,000 is provided by the constitutional amendment passed a year ago last Fall. Under the authorized debt limit of 10 per cent. of assessed valuation, the city still has a leeway of some \$3,000,000.

It is to be noted that this healthy showing is made in spite of numerous improvement projects that have cost money. Streets have been improved, widening projects launched, schools built and a high grade of municipal service maintained. Yet the city government has been slowly whittling away on the big debt which was left as a legacy by the previous form of government and is keeping well within its income in current expenses. Best of all, the books are open to taxpayers, who are given every opportunity to see just how their money is being spent.

Believes Subway Forcing Renewal

Editor, Times-Union: The writer is greatly amused at the predicament in which the streetcar riders and the taxpayers find themselves regarding the renewal of the service-at-cost contract.

The renewal of the service-at-cost contract is so intimately interwoven with operation of the subway and the suit to revalue the street car properties that the city has no alternative but to renew the contract. This is borne out by the following facts:

1. The city owns the subway, the taxpayers are paying heavily for it, but the city has absolutely no authority to operate it.

2. In order to have the subway running at all an extension of the service-at-cost contract covering both passenger and freight operation by the street car company had to be made.

3. This extension had far-reaching results: A. It gave the city indirect authority over the operation of the subway through the commissioner of railroads, who is appointed by the mayor.

C. It guarantees the street car riders a ten-cent carfare for the next ten years.

D. It gave the street car company all revenue from passenger and freight operation of the subway, for which the taxpayers are paying.

E. It eliminated any effective measures being taken to revalue the street car properties.

The above statements, Mr. Editor, are east iron facts, incontrovertible and irrefutable by anyone, from the city manager to the commissioner of railroads.

The renewal of the service-at-cost contract is guaranteed. Without the renewal of the contract, the extension covering operation of the subway is inoperative and the subway would be idle. That would be a political calamity. Therefore, the contract MUST be renewed.

With the renewal of the contract, the street car riders will be blessed with a ten-cent carfare for the next ten years. The company has no reason to reduce the carfare and would not do it.

With the renewal of the contract, and its extension covering operation of the subway, all revenue from both passenger and freight operation of the subway is charged against the service-at-cost contract.

If therefore goes into the pockets of the street car company, no matter what is meant by the "leasing" of the subway. And if there is a deficit, the street car riders pay the "freight."

Inasmuch as the street car company pulled the city out of a political quagmire by consenting to the extension of the contract to the subway, the city, out of gratitude, cannot very well take effective steps to have the properties revalued. No political pressure has been exerted to have this done. So the suit has been allowed to hang fire, with the O'Fallon case as an excuse. If any attempts are ever made, they of necessity must be perfunctory and mere political gestures.

Lastly, the people of Rochester themselves, in past elections, have shown that they welcome higher taxes and a higher street car fare. Hence, by guaranteeing them a ten-cent carfare for the next ten years the renewal of the service-at-cost contract will be the biggest political asset of the present city manager administration.

CITIZEN. Rochester, July 19, 1929.

Rates City Manager a Feeble Executive

Editor Times-Union: The purely ornamental nature of city manager government is apparent in its complete indifference to the poor man's interests.

It is not enough that the humble house owner's land tenure is near confiscation while bigger schemes of public expenditure are set afoot in the name of a belated City plan-

ning; the inroads of the Power Trust into the family income are viewed with complete equanimity as the public is muled by excessive rates for transportation, light, heat and power.

The \$20,000 City Manager has allowed neglect of consideration of the street railway contract to the point where hasty renewal is inevitable on the power company's terms. This is, of course, a maneuver in the dilemma imposed on the community in the shape of its freight subway elephant that had to be turned over to Mr. Hamilton to get the rust off the rails and make a show of public use.

The City Manager has not dared to offend the power interests at whose mercy the industrial forces responsible for the subway waste placed the community. So the suit to reduce the inflated twenty million dollar base valuation of the Street Railway properties upon which the company is permitted to figure dividends requiring a ten cent fare has been pigeon-holed for many years in the corporation counsel's office.

Sancho Panza, like Mr. Goodwin of the Council, suggests public relief may come from transferring from the company to the City treasury, the expense of the \$12,000 railroad Commissioner, thus averting suspicion as to Sir Commissioner's allegiance.

What with all these ten years of it! No notion of abolishing a useless pensioner job, when the public is now burdened with all the traffic will bear and need have no fear of further extortion!

How much more honest would be a good old machine bi-partisan formula that would allow the good old Knight Columbus to remain in the company's service-at-public-cost supplemented by say, a good old Knight Templar on the municipal payroll. Thus two nice \$12,000 plums! Not unlike public service commission clover! Will Mr. Bareham and Mr. Bostwick take notice.

Mr. Eastman's radio sets in the public schools should carry to the students the opera bouffe of his new council, with Mr. Goodwin in the leading role as city manager spokesman. This service would distinctly supplement their edification by the power interests through Mr. Hungerford's fairy book, "The Story of Public Utilities."

It would seem that bloodless business government is making inevitable the return to the trough this fall of the old political guard. Where else may the poor befuddled public turn?

JAMES L. BEWER.

Urges Taking Steps To Buy Pinnacle

Frequently, we see in the local newspapers, items regarding the purchase of Pinnacle Hill by the city of Rochester, which would benefit the city in general, if not at present, at least in the near future.

But if the delay of purchasing this choice site for our people continues, is there not some chance of the opportunity to save the highest point in Monroe County being lost?

Let us see some action by the advocates of this undertaking and the city officials. IMPATIENT.

Asks Critic Of Nier To Reveal Identity

Editor, Times-Union: In your column of "Letters to the Editor" under date of July 15 you published a letter from some individual without a signature or even initials, which indulged freely in personalities, condemning Mr. Nier by calling him the milstone around the neck of the present city administration, etc.

I will not take the time nor space to comment upon the contents of this letter as it abounds with absurdities and is the essence of simplicity itself. But I would really like to know who this courageous person is and why, as long as he sees fit to take the time to attempt to discredit another publicly, he is fearful of signing his name and standing behind his deprecatory remarks.

I have tried to make it a practice to ignore any letters which are not accompanied by a signature, but in a case where it is directed at an individual, for the sole purpose and intent of condemnation who is especially a public servant who is dependent upon the sentiment of the public for his welfare, I cannot desist.

C. B. PAUL, 25 North Street, July 18, 1929.

Trackless Trolley And Interference

Editor, Times-Union: While this controversy over renewal of the street railway contract is on, let us refer to the attitude of the company toward the public, in regard to the trackless trolley interference with radio sets.

I have written several letters to the company in regard to this, all having been answered in flowery vein with the best promises for the future. Up to date, nothing has been done. The trolleys crackle and bang merrily along.

Now the company has permission to extend the trolley the length of Driving Park Avenue. Well, it's up to us, folks. If you wish to enjoy your radios, as you should, write at once to your councilman, and ask to have the trackless trolleys properly filtered, according to the law, or else have them removed in favor of gasoline buses.

Complaining to your neighbors won't help matters. There is only one place to go for satisfaction. The railways company knows this, and it is fighting for its own good right now. How about you, radio fans?

A VICTIM.

Says More Lights Not Less Needed

Editor, Times-Union: C. H. Q. says several traffic lights are in excess. I do not believe it. I think every busy street should have traffic lights placed at least every 4 blocks and regulated that if a motorist is speeding he must wait, that would give the pedestrian a chance. As it is now a pedestrian can hardly cross a busy street without traffic lights; such as the lower part of Portland, Bay Street, Lake Avenue and possibly many other streets.

MOTORIST AND PEDESTRIAN Rochester, July 19, 1929.

Asks Improvement Of Bad Conditions

Editor, Times-Union: I am a daily reader of your paper and am very much interested about our wonderful commissioner, Mr. Nier. I see by your paper of July 15 Mr. Nier says he will be ready. I think if he would let Mr. Raitt alone for a spell he might look after other matters

of more benefit to the taxpayers. I will mention only two.

At the corner of South Avenue and Stewart Street, where the cars turn, autos are parked on both sides of the street. You have to be a very good driver to get through sometimes. This is a daily occurrence.

At Denning Street off Broadway a man and a woman drove into the canal and were drowned a few years ago. Now the subway is there, with no fence. If a car should turn down Denning Street into the subway they would go bag and baggage. I think if our commissioner would look after this it would be time and money well spent. GEORGE A. YERKES, 123 Broadway, July 17, 1929.

MAYORS' FACES SHINING AFTER RESTORATIONS

Collection of 41 Portraits of Chief Officers Refreshed — 'Jonathan Childs' Gives Problem.

Finishing touches were given today to Rochester's gallery of mayors in the council chamber at City Hall.

The work of restoration has been going on for the last three months. Rips in the old canvases have been repaired, missing paint has been replaced on the bald spots, holes, one of which obviously had been burned in the portrait by a smoker careless with the lighted end of his cigar as he leaned back in the presiding officer's chair, have been covered. The stately gold frames have been regilded and burnished, the canvases restored to their original freshness, and old varnish removed.

This cleansing process which has wiped away the 41 old portraits, a mystery to outsiders, is a secret, which Jessie M. Young, member of the Rochester Art Club, who has recreated the city's collection of chief magistrates, ranging from Jonathan Childs, 1831, to the late Hiram E. Edgerton, refused today to disclose. She learned the process from a late English artist, Charles D. Clarke, whose funeral was held in this city the day Mrs. Young obtained the contract to restore the portraits.

Who Is "Jonathan?" The process of restoration has made revelations likely to give this town a good laugh, and start anew the controversy over the identity of the massive portrait which looks down on the council chamber from the wall back of the presiding officer's desk, purported to be that of Jonathan Childs, who in 1831 was appointed first mayor of the newly incorporated City of Rochester, by the newly installed first city council.

For some time it has been disputed in historical circles that this portrait, labeled "Jonathan Childs, 1831" is that of the first mayor of Rochester. To support this contention the appearance in the background of the second court house which was erected long after Mr. Childs had departed this city, has been pointed out as too glaring an anachronism. Since Mrs. Young has restored the portrait and the artist's detail, other anachronisms of the observant eye.

Here are some of the revelations: Childs was mayor in 1834 and resigned in 1835 when the newly elected council failed to agree with him and co-operate in his policies. The portrait in the council chamber has not only shows the court house built about 1850, but it has the first mayor in his office ready to consult volumes which were published long after his term as mayor ended in his resignation. There is to be seen, now that the dust and grime of years has been removed, "Volume A," City records for the year 1881.

The year, "1881" is plainly in sight and beyond gubbies. Again, on the first mayor's desk is Turner's History of the Phelps and Gorham Purchase, published here by William Allen in 1851, and there is also O'Reilly's sketches of Rochester published by Ailing in 1838. These books were not in existence when Childs was mayor.

The conclusion is that unless the artist was careless in his historical detail, or imagined that the works in issue would look well on the desk of the mayor in 1834, the portrait is that of an unidentified resident of Rochester.

Whoever the portrait represents, it is that of a tall, dignified gentleman of the old school, who wore the statesman's long-tailed, single-breasted coat, a wide stock or cravat, a tall collar, and most noticeable since the renovation, high leather boots, the presence of which are betrayed by the rounded shape of the trouser legs and the thick soles.

Allen's Portrait Fine. Comparable in size with this disputed portrait is that of John Allen, mayor in 1844, which hangs on the east wall of the chamber. For detail and accuracy, in execution and colors, it not only surpasses the so-called "Childs" canvas, but is said by Mrs. Young to be the finest in a really remarkable gallery.

This Allen portrait is about the same size as the "Childs." The artist, Ferd T. L. Boyle, has introduced in the background a representation of the civic center of that day. He has added a picture of the first courthouse which was occupied in part by the village and city officers up to the opening of the second courthouse. Back of the second courthouse, the spires and nave of the First Presbyterian Church which then occupied the present City Hall site, and on the right are seen the venerable spire and tower of St. Luke's. One notes the mayor in 1844 had a vista of the first courthouse from his sanctum, and the mayor of 1834, a decade earlier, had a view of the second courthouse from his window.

Mayor Allen also wore top boots when dressed up.

Mayor Edgerton's photograph has been colored in oils, and that of Mayor William Carroll, 1860-61, is a mere crayon portrait. The rest of the collection is made up of really fine portraits done in oil.

"There is not a weak face in the entire collection," said Mrs. Young. She has been assisted in her work by Mrs. Louise S. Williams. The two have been installed in a temporary studio off the council chamber.

Few Signatures. "There are very few signatures on the canvases," Mrs. Young continued, "but the paintings have been beautifully done. I would say that the finest face and the most impressive personality to be brought out by the painter's brush is that of Mayor Nicholas E. Paine. He has a splendid face. The collection now that it has been restored is well worth inspection by the people of Rochester. The artist's

former schools of portraiture are represented here. Over a period of nearly a century the styles of dress, beards, ruffled and plain shirt fronts, stocks, high and low collars, and varying modes of neck scarfs are displayed apparently with fine regard to the prevailing fashions. A few of the mayors wore spectacles, some are clean shaven, and others wore whiskers that might be classed as "mutton chops," "Galsways," "Dundrearies," "sideburns" and "lace cravats." In the fine portrait of Mayor John C. Nash, 1861, one may note the clean-shaven face, the octagon spectacles and the coiffure resembling a wind-blown bobbed head of today."

Saratoga honors, in the opinion of Mrs. Young, appear to be shared evenly by George W. Aldridge, Mayor Paine and Cornelius Parsons.

City, Railway Heads Will Meet At Public Hearing On Contract

Councilman Goodwin Calls Special Session to Consider Renewal of Service-at-Cost Agreement With Trolley Co.—Council Has Nine Days to Decide.

Further consideration will be given to renewal of the city's service-at-cost contract with the New York State Railways in a conference of all city councilmen Wednesday at 3 p. m.

The meeting, called by Councilman Harry C. Goodwin, chairman of the public utilities committee, with the approval of City Manager Stephen B. Story, will also be the occasion for a further public hearing.

The conference will include officials of the New York State Railways and W. Earl Weller, director of the Bureau of Municipal Research.

The City Council has only nine days in which to decide whether it wishes to renew the contract for another 10 years. The present 10-year contract does not expire until July 31, 1930, but it provides that the city shall notify the company

of renewal intentions not later than July 31, 1929.

While the corporation counsel's office stands ready to demand a court review of the appraised value of the street railways property in Rochester, no steps have been taken as yet toward pushing this. The next move will depend on the report of the utilities committee of council, when it reaches a decision.

Street railway officials have said they would welcome review of the appraisal, and predict it would show their property to be worth far more than originally appraised at. Under the contract, the city has to guarantee the company a 6 per cent. return on its property investment. The question has been raised whether the appraisal on which the contract has been functioning is too high.

Goodwin Committee Expected To Report For 10-Year Renewal

Only Invited Persons to Be Present at Hearing in City Manager's Office Tomorrow—Letters Revealed on Examination of Company's Books.

The public utilities committee of the City Council will hold a private conference regarding the service-at-cost contract tomorrow afternoon with representatives of the trolley company, members of the city administration and council, and other persons who have been asked to attend.

The conference is slated for 3 o'clock at the office of City Manager Story.

Notices of the conference were sent out today. It is expected that the council's committee of which Harry C. Goodwin is chairman, will make a report next Tuesday night recommending a renewal of the agreement for another period of ten years. Notice must be given the company on or before Aug. 1, or the agreement will expire a year from that date.

The tendency appears to be in favor of a renewal of the agreement with the understanding be-

tween the city and the railway company that the valuation of the company's property as fixed by three appraisers in 1921 is to be reviewed in the courts. At the recent public hearing Corporation Counsel Platt in answer to questions from the floor said that the city had been unable to get access to the company's books in an effort to prepare the city's side of the case for a court review.

Letters Are Revealed

Correspondence between the corporation counsel's office and that of the railway attorneys, Harris, Beach and Matson, indicate that the corporation counsel tentatively arranged with its expert, M. B. Malbie, to examine the company records subject to the New York State Railways consent.

There is nothing to show that the city exercised a right of access said to be provided in the contract. The correspondence also indicates that the company did not make an outright refusal to open its books, but expressed the view that the interests of the city or the company would not be advanced by such an examination, and also that the company would be glad to consider any request for specific information.

These letters, it is believed, have not hitherto been published. As they throw light on reasons given for delay in prosecuting the review of the valuation which is a big element in the present renewal issue, they are given now to the public.

Under date of Feb. 8, 1927, George E. Draper, deputy corporation counsel, wrote thus to Harris, Beach & Matson, attorney for the trolley company:

"Attention of Mr. Matson: 'Gentlemen: For the purpose of preparing for trial the above mentioned case (note: City of Rochester vs. New York State Railways) we have tentatively and subject to your consent arranged with Dr. Malbie for an examination of the books and records of the defendant at its offices. If the defendant will consent to Mr. Malbie and his assistants have access to its records for the purpose above mentioned, will you kindly so inform us and advise us now when in the near future it would be convenient for the defendant to submit to such examination.'

"On Feb. 26, 18 days later, the corporation counsel received this answer from the trolley company's attorney:

"We are unable to comply with your request over a period of nearly a year made an inventory and appraisal of all the properties and appraisals of the company subject to the contract which is contained in three large volumes and in their report set forth the method by which they fixed the final base value.

"The question now to be decided is whether the appraisers, having full information before them, followed the rules and principles of an expert appraiser, and in determining that question their inventory and records are available and the appraisals themselves can be produced as witnesses.

"They admit in their report that they did not follow the rule of law recently established by the United States Supreme Court that the true basis of value in similar cases is the reproduction net less depreciation at the time in question, which would have resulted in a very much higher valuation than they fixed.

"If the court should determine that was an error to be corrected, the reproduction cost is easily ascertained without a further examination of the company's records, and depreciation, if any, then estimated by the same appraisers who made a personal examination of the properties at the time.

Widening Of Culver Road Project Ready For Council Action

Last Resident Agrees to Dedicate 15 Feet of Property Along Street For 80-Foot Boulevard in Lieu of Accepting Paving Cost—Ordinance in Committee.

The way is cleared at last for the city to proceed with plans for widening Culver Road to an 80-foot boulevard between Waring Road and the city line.

Councilman William F. Durnan, representing the Northeast District, announced today he has obtained consent from the last resident on the thoroughfare for dedication of the property required. Residents have agreed to donate 15 1/4 feet on either side of the street.

An ordinance for repaving and widening of that section of Culver Road has been in City Council committee since early in the Spring, when residents at a hearing objected to paying the widening cost, and the scheme of donating the necessary land instead was conceived.

Councilman Durnan, aided by Irving L. Geiser, deputy corporation counsel, and Warren Allen, deputy city purchasing agent in charge of real estate, has visited each of the property owners and obtained signatures to dedicate the strip on either side of the street.

The residents argued at the hearing that a 66-foot street was sufficient, and that the road was to be widened to 80 feet, the city at large should bear the expense.

The original ordinance was coupled with one for opening of Woodman Road to make a straight traffic route through from the city line to Clifford Avenue. It was necessary for the city to buy the land needed in Woodman Road, in lieu of assessing the cost upon Culver Road residents.

An agreement was struck whereby, if the Culver Road people would dedicate their property, the city would shoulder the expense on Woodman Road. The land on the latter street has all been purchased, and new Culver Road has done its share by contributing the area for widening.

The stage is now set for the paving ordinance on Culver Road to be brought out of committee at an early meeting of the Council and acted upon.

CULVER RD. TO BE WIDENED

Long deferred improvement of Culver Road between Waring Road and the city line was a certainty today under a program announced by City Councilman Durnan of the Northeast district.

Mr. Durnan said all the property owners have signed an agreement to deed the city the land necessary for the widening of the present narrow strip, which has stood since the road was a part of the Town of Irondequoit.

The street would be made an eight-foot boulevard by property owners on both sides deeding fifteen and one-quarter feet to the city.

First, a sixty-six-foot street was proposed for this section of Culver Road, but the residents protested this would be too narrow for a thoroughfare which might become a speedway for motorists enroute to the lake.

In order to provide for a wider street the city had to buy a part of Woodman Road which intersects with Culver Road at the end of the present Culver Road asphalt pavement. The city has brought part of the land in Woodman Road and will charge the cost to the city at large.

Mr. Durnan said Council action for the improvement would be asked immediately with the expectation of letting the contract this year.

LAKESIDE FOUNDRY SITE TO BE BOUGHT FOR DOCKS; \$50,000 DROWNING CLAIM

NEWBOYS ASK AMENDMENT TO STAND RULES City Council Law Committee Hears Arguments on Law Regulating Street Sale

Extended argument on the legal phases of the ordinance regulating the news stands in the city was made last evening before the Law Committee of the City Council by George S. Van Schaick, appearing as counsel for the newsboys, and William L. Clay, representing the Powers Commercial Fireproof Buildings.

The matter came before the Law Committee, made up of Vice-Mayor Isaac Adler, Councilman Harry C. Goodwin and Edward P. Flynn, on an amendment fostered by Mr. Van Schaick in behalf of the newsboys, which provides that there can be no revocation of a permit for the stand, without a hearing by the city manager; that in event of adverse action that the holder of the permit is granted 60 days to remove the stand and that no other permit can be granted for the location for two years.

Ordinance Declared Illegal The present ordinance makes it obligatory for the city manager to revoke a permit on the written request of a property owner, in front of whose place the stands are located, and that only 15 days are given to the holder of the license to vacate. Notices have been served on the newsboys in front of the Powers Building, Granite Building and the East Side Savings Bank to vacate and the matter was taken up by Mr. Van Schaick in the interest of the newsboys.

Mr. Van Schaick attacked the legality of the section of the ordinance, which delegates to the owner of property the right to exercise discretionary powers as to whether a stand should be located there and he introduced a number of legal citations to sustain his contention that it was an unlawful delegation of authority.

Mr. Van Schaick maintained that on one hand in the present ordinance the city manager is given judicial powers to determine whether in the public interest there should be a stand located on a premise, and then is required in his administrative capacity at the arbitrary direction of an adjacent property owner, without any discretion on the city's part, to direct the summary removal of a stand.

Clay Attacks Stands Clay attacked the constitutionality and validity of the entire ordinance, and the holder of the permits had no vested property interests.

He said that it would be just as reasonable to permit the sale of cigars or needles in stands in fixed locations. He maintained that newsboys had the right to sell papers along the streets and said his argument was directed to the fixed business locations as provided by the stands.

Walter W. Powers said he had no quarrel with the newsboys but had to protect his tenants who had to pay rent, and he had to pay taxes. Julius Hoestery, Jr. favored the ordinance. Councilman Goodwin asked a number of questions to clear up points and several newsboys spoke.

The committee took the matter under advisement.

Father of Student Who Drowned at Ontario Beach Files Claim CITY BLAMED FOR GARTLAND'S DEATH Election Inspectors Are Reduced to Four in New Local Law

Council Hears \$225,000 Price Agreed in Deal with William Bausch CONCRETE ASKED IN LAKE AVENUE 23d Ward Development Is Said To Need New Boulevard Pavement

A claim for \$50,000 has been filed against the city for the death of Raymond J. Gartland, student at the University of Rochester, who was drowned at Ontario Beach Park on June 18th, according to notice filed last evening with the City Council by City Clerk Thomas P. O'Leary. The claim was filed by Sylvester Gartland as administrator of the estate of Raymond J. Gartland and Charles E. Bostwick is his attorney.

In the claim it is charged among other things that the city was negligent in failing to provide safety equipment, including a proper row boat and that there was inadequate life guards. The drowning of Gartland resulted in an investigation by George J. Nier, commissioner of public safety, after which he suspended Charles B. Faltt, director of parks, and Chester A. Leaky, superintendent of playgrounds. These charges have been heard by City Manager Stephen B. Story, who is awaiting written summaries by opposing counsel before making a decision.

The claim was referred by Vice-Mayor Isaac Adler to Corporation Counsel Clarence M. Platt for consideration.

Election Law Repealed By a vote of six to two the council adopted a local law repealing a previous local law which provided for two additional inspectors of election in the non-partisan primaries on September 17th. The original local law was questioned and the Law Committee, made up of Vice-Mayor Adler, chairman; Councilman Harry C. Goodwin and Edward P. Flynn decided that the burden for providing the additional service should be placed with the county and state election officials, rather than by the city, and the consequence was that four inspectors, as provided in the present election law, will transact the business. The addition of two inspectors was questioned by Leo A. Fay, secretary of the Democratic County Committee, on its legal grounds. This opposition from the Democratic County Committee came in face of charges that the two additional inspectors would be a patronage grab. Mr. Fay charged it would be a nuisance.

In the voting the negative votes were cast by Councilmen Nelson A. Milne and Joseph L. Cuzzetta. Councilman William F. Durnan, Chester A. Peake, Edward P. Flynn, Harry C. Goodwin, Louis Foulkes and Vice-Mayor Adler voted in the affirmative.

Resurfacing Proposed The asphalt resurfacing of Clinton Avenue North, from Main Street to Central Avenue, is provided in an ordinance introduced by Councilman Durnan and which was referred to the Local Improvement Committee. Councilman Durnan asserted that the repaving of Clinton Avenue North, in the section from the New York Central station to Main Street, is one of the most urgently needed in the city and will lead to the general betterment of the street. Early action on the ordinance is expected to follow the city hearings that will be held.

Ask New Lake Avenue Pavement In conjunction with general development of the Twenty-third Ward, Councilman Nelson A. Milne, chairman of the Local Improvement Committee, last evening introduced an ordinance for a concrete

The property has a frontage of 1,071.5 feet on the west side of Lake Avenue, extending from the tracks of the Rome, Watertown & Ogdensburg Railroad to the parking station at Ontario Beach Park and has a large river frontage, permitting the development of docking facilities in the general promotion of the Port of Rochester.

Sufficient area is also available to provide for a substantial addition to the parking space at Ontario Beach Park which is inadequate on many days during the resort season and with the improvement of Lake Avenue Boulevard and the construction of a bath house at the park is expected to be wholly unable to accommodate the motorists going to the beach.

The Real Estate Board of Rochester, through its executive secretary, W. Roy Wolf, filed a communication with the City Clerk, read by City Clerk Thomas P. O'Leary, requesting a program providing for a more equitable basis of assessments of corner lots in

Interest Excessive, Claims Cancellation of a substantial portion of the interest charges that have accrued on the Otis Street, Mount Read Boulevard and Lyell Avenue outlet sewer is sought in a communication filed with the Council last evening by City Clerk O'Leary in behalf of John K. Pike, former alderman of the Twenty-fourth Ward. The petition points out that the principal sum in the assessment that has been levied by City Assessor George S. Taylor is \$88,267.63 and the interest is \$16,706.71, a total of \$104,974.34.

It is pointed out in Mr. Pike's petition that the ordinance for the sewer was adopted by the Common Council on April 25, 1922, but owing to trouble that the city had with the original contractor the work was not completed and a statement of the cost made to the property owners until September 26, 1928. This resulted in a large interest cost which Mr. Pike charges is excessive and he asked for a cancellation of a considerable portion of it.

Upon the favorable action of the City Planning and Zoning Committee, read by Councilman Peake, the

Mudge Place and a remonstrance against the improvement of Cascade Place. Councilman Milne filed a petition for a granite curb in Buffalo Road and Councilman Peake filed a remonstrance against asphalt pavement in Hilton Street. Under ordinance by Councilman Durnan authority was given to George J. Nier, commissioner of public safety, to pay bills for services rendered injured police and firemen. Councilman Foulkes' resolution authorizing the lease of the tower of the Lincoln-Alliance Bank Building for the smoke abatement activities was adopted.

Councilman Goodwin's amendment to the license occupation ordinance closing shoe shining establishments at 1 o'clock on Sundays and holidays was referred to the Law Committee. Councilman Milne's ordinance granting permission to the New York State Railways to operate a bus line through Dewey Avenue and connected with the center of the city through Lyell Avenue and Broad Street went to the Public Utilities Committee.

The resolution of Councilman Peake requesting City Manager Story to prepare an ordinance for a playground in the vicinity of Prospect Street went to the Public Welfare Committee.

The council upon motion Councilman Foulkes, seconded Councilman Flynn, adjourned at 2 o'clock noon on Tuesday July 23 for the purpose of taking action on the ordinance with reference to renewal of the service-at-cost contract.

the spreading of the cost of improving. The depth of the lots, and their general situation, with reference to intersecting streets, are asked to be considered. The communication which reflects the recommendations of the Civic Improvement and Planning Committees of the board, is as follows:

Upon the recommendation of the Civic Improvement and Planning Committee of the Real Estate Board of Rochester, N. Y., Inc. submitted to the Board at its regular meeting on Friday noon, June 21, 1929, the following resolution was adopted:

"That the rules of the streets where a majority of the frontage on a street improvement is the frontage of corner lots, a portion of the cost of the improvement should be assessed on property on intersecting streets or portions thereof adjacent to the improvement.

"That the cost of an improvement on a street should be so assessed that the corner lots receive no greater burden by reason of having a long side rather than a short side frontage on the improvement.

"That, on other residential streets, the long side frontage of corner lots should be exempted one hundred feet or four-fifths of the frontage, whichever is the lesser amount, with due allowances for shape and area as provided hereafter.

"That, on residential streets, lots of irregular shape, of unusual shallowness or of unusual depth should not be assessed on the basis of their actual frontage on the improvement, but that a new frontage for assessment should be computed giving allowances for these factors.

"That the rules of the Rochester Assessment Manual for computing equivalent lot frontages may properly be used in computing frontages for assessment on residential streets, provided, however, that all lots of irregular shape between 50 and 150 feet in depth may be assessed on the basis of their actual frontages.

"That such ordinances and resolutions should be drafted and enacted by the Council of the City of Rochester providing for the assessment of local improvements on residential streets according to the principles enumerated above.

City, Railway Heads Will Meet At Public Hearing On Contract

Councilman Goodwin Calls Special Session to Consider Renewal of Service-at-Cost Agreement With Trolley Co.—Council Has Nine Days to Decide.

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The meeting, called by Councilman Harry C. Goodwin, chairman of the public utilities committee, with the approval of City Manager Stephen B. Story, will also be the occasion for a further public hearing.

The conference will include officials of the New York State Railways and W. Earl Weller, director of the Bureau of Municipal Research.

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Mr. Durnan said Council action for the improvement would be asked immediately with the expectation of letting the contract this year.

The residents argued at the hearing that a 66-foot street was sufficient, and that the road was to be widened to 80 feet, the city at large should bear the expense.

The original ordinance was coupled with one for opening of Woodman Road to make a straight traffic route through from the city line to Clifford Avenue. It was necessary for the city to buy the land needed in Woodman Road, in lieu of assessing the cost upon Culver Road residents.

An agreement was struck whereby, if the Culver Road people would dedicate their property, the city would shoulder the expense on Woodman Road. The land on the latter street has all been purchased, and now Culver Road has done its share by contributing the area for widening.

The stage is now set for the paving ordinance on Culver Road to be brought out of committee at an early meeting of the Council and acted upon.

LAKESIDE FOUNDRY SITE TO BE BOUGHT FOR DOCKS; \$50,000 DROWNING CLAIM

NEWBOYS ASK AMENDMENT TO STAND RULES

City Council Law Committee Hears Arguments on Law Regulating Street Sale

Extended argument on the legal phases of the ordinance regulating the news stands in the city was made last evening before the Law Committee of the City Council by George S. Van Schaick, appearing as counsel for the newsboys, and William L. Clay, representing the Powers Commercial Fireproof Buildings.

The matter came before the Law Committee, made up of Vice-Mayors Isaac Adler, Councilman Harry C. Goodwin and Edward P. Flynn, on an amendment offered by Mr. Van Schaick in behalf of the newsboys, which provides that there can be no revocation of a permit for the stand, without a hearing by the city manager; that in event of adverse action that the holder of the permit is granted 60 days to remove the stand and that no other permit can be granted for the location for two years.

Ordinance Declared Illegal

The present ordinance makes it obligatory for the city manager to revoke permit on the written request of a property owner, in front of whose place the stands are located, and that only 15 days are given to the holder of the license to vacate. Notices have been sent to the holders of the license.

We beg to acknowledge receipt of your letter in which you ask if we will consent to an examination of the books and records of the New York State Railways by Dr. Malibic and his assistants for the purpose of preparing for trial.

We have given your letter careful consideration, but fail to see how the issues in the case require such an examination or how it can assist in preparing for trial, or how any data which might be secured that way other than information which you already have in your possession would be material. Such an examination would be a great deal of needless expense both to the city and to the company, and in addition would delay the trial of the case indefinitely.

The service-at-cost contract provided for three appraisers, one of whom was appointed by the city, one by the company, and the third, or neutral member, was named by the two so chosen. The city has full access to the books and records of the company by its representative appraiser, as well as by the neutral member of the committee. The appraisers over a period of nearly a year made an inventory and appraisal of all the properties and the company subject to the contract which is contained in three large volumes and in their report set forth the method by which they fixed the final base value.

The question now to be decided is whether the appraisers, having full information before them, followed the rules and principles of law applicable, and in determining that question their inventory and records are available and the appraisers' reports can be produced as witnesses.

They admit in their report that they did not follow the rule of the United States Supreme Court that the true basis of value in similar cases is reproduction less depreciation at the time in question, which would have resulted in a very much higher valuation than they fixed.

If the court should determine that was an error to be corrected, the reproduction cost is easily ascertainable without a further examination of the company's records, and depreciation, if any, then existing can be ascertained by the same appraisers who made a personal examination of the properties at the time.

Under the circumstances we do not feel that either the interests of the city or of the company would be advanced by an examination such as you suggest.

We shall be glad, however, to consider any request for specific information which you may desire to obtain from the company.

What Council Did Last Night

Business transacted by the City Council last evening included the following:

Received communication from City Manager Story reporting the negotiation of purchase from William Bausch of the blast furnace property in the Twenty-Third Ward for harbor, dock and park purposes for a consideration of \$225,000 and the matter was referred to the Finance Committee for consideration and ordinance.

Notice that a \$50,000 claim has been filed against the city for the death of Raymond J. Gartland, who was drowned at Ontario Beach Park on June 18th, was served by City Clerk Thomas P. O'Leary, the claim charging negligence by the city in failing to safeguard the beach property.

Local improvement ordinances for the concrete pavement of Lake Avenue Boulevard between St. John's Park and Statton Street were introduced by Councilman Nelson A. Milne and for the asphalt resurfacing of Clinton Avenue North between Main Street and Central Avenue was introduced by Councilman William F. Durnan.

Adopted by a vote of six to two, the local law which repeals the local law providing for two additional inspectors of election in the primaries on Sept. 17.

Received a communication from the Real Estate Board of Rochester asking for more equitable basis for assessments on corner lots for local improvements; received a petition from John K. Pike asking for cancellation of a substantial portion of the interest charges of \$18,703.71 which have accrued on the Otis Street, Mount Read Boulevard and Lyell Avenue outlet sewer.

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Father of Student Who Drowned at Ontario Beach Files Claim

CITY BLAMED FOR GARTLAND'S DEATH

Election Inspectors Are Reduced to Four in New Local Law

Council Hears \$225,000 Price Agreed in Deal with William Bausch

Concrete Asked in Lake Avenue

23d Ward Development Is Said To Need New Boulevard Pavement

A claim for \$50,000 has been filed against the city for the death of Raymond J. Gartland, student at the University of Rochester, who was drowned at Ontario Beach Park on June 18th, according to notice filed last evening with the City Council by City Clerk Thomas P. O'Leary. The claim was filed by Sylvester Gartland as administrator of the estate of Raymond J. Gartland and Charles E. Bostwick is his attorney.

In the claim it is charged among other things that the city was negligent in failing to provide safety equipment, including a proper row boat and that there was inadequate life guards. The drowning of Gartland resulted in an investigation by George J. Nier, commissioner of public safety, after which he suspended Charles E. Raft, director of life guards, and Chester A. Leake, superintendent of playgrounds. These charges have been heard by City Manager Stephen B. Story, who is awaiting written summaries by opposing counsel before making a decision.

The claim was referred by Vice-Mayor Isaac Adler to Corporation Counsel Clarence M. Platt for consideration.

Interest Excessive, Claims

Cancellation of a substantial portion of the interest charges that have accrued on the Otis Street, Mount Read Boulevard and Lyell Avenue outlet sewer is sought in a communication filed with the Council last evening by City Clerk O'Leary in behalf of John K. Pike, former alderman of the Twenty-fourth Ward. The petition points

to the fact that the interest charges have accrued on the Otis Street, Mount Read Boulevard and Lyell Avenue outlet sewer is sought in a communication filed with the Council last evening by City Clerk O'Leary in behalf of John K. Pike, former alderman of the Twenty-fourth Ward. The petition points

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Widening Of Culver Road Project Ready For Council Action

Last Resident Agrees to Dedicate 15 Feet of Property Along Street For 80-Foot Boulevard in Lieu of Accepting Paving Cost—Ordinance in Committee.

The way is cleared at last for the city to proceed with plans for widening Culver Road to an 80-foot boulevard between Waring Road and the city line.

Councilman William F. Durnan, representing the Northeast District, announced today he has obtained consent from the last resident on the thoroughfare for dedication of the property required. Residents have agreed to donate 15 1/4 feet on either side of the street.

An ordinance for repaving and widening of that section of Culver Road has been in City Council committee since early in the Spring, when residents at a hearing objected to paying the widening cost, and the scheme of donating the necessary land instead was conceived.

Councilman Durnan, aided by Irving L. Gelsler, deputy corporation counsel, and Warren Allen, deputy city purchasing agent in charge of real estate, has visited each of the property owners and obtained signatures to dedicate the strip on either side of the street.

The residents argued at the hearing that a 66-foot street was sufficient, and that the road was to be widened to 80 feet, the city at large should bear the expense.

The original ordinance was coupled with one for opening of Woodman Road to make a straight traffic route through from the city line to Clifford Avenue. It was necessary for the city to buy the land needed in Woodman Road, in lieu of assessing the cost upon Culver Road residents.

An agreement was struck whereby, if the Culver Road people would dedicate their property, the city would shoulder the expense on Woodman Road. The land on the latter street has all been purchased, and now Culver Road has done its share by contributing the area for widening.

The stage is now set for the paving ordinance on Culver Road to be brought out of committee at an early meeting of the Council and acted upon.

Advertisement for 'STAIRS' and 'DER SHOULDER' with a large graphic of a staircase.

Advertisement for 'EISCH CO., Inc.' with a graphic of a building and text: '28 Exchange St. EISCH CO., Inc. Bureau of Travel'.

Advertisement for 'New Village Exchange' with a graphic of a building and text: 'New Village Exchange Will Be in Use Today'.

Advertisement for 'Lakeside Foundry Site' with a graphic of a building and text: 'LAKESIDE FOUNDRY SITE TO BE BOUGHT FOR DOCKS; \$50,000 DROWNING CLAIM'.

Advertisement for 'City Council Law Committee' with a graphic of a building and text: 'City Council Law Committee Hears Arguments on Law Regulating Street Sale'.

Advertisement for 'Goodwin Committee' with a graphic of a building and text: 'Goodwin Committee Expected To Report For 10-Year Renewal'.

Advertisement for 'Widening Of Culver Road' with a graphic of a building and text: 'Widening Of Culver Road Project Ready For Council Action'.

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Advertisement for 'Election Inspectors Are Reduced to Four' with a graphic of a building and text: 'Election Inspectors Are Reduced to Four in New Local Law'.

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Advertisement for 'What Council Did Last Night' with a graphic of a building and text: 'What Council Did Last Night'.

Advertisement for 'Newboys Ask Amendment to Stand Rules' with a graphic of a building and text: 'NEWBOYS ASK AMENDMENT TO STAND RULES'.

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City Solicits Bids For Genesee Valley Golfers' Clubhouse

Originally Promised For Use This Season, Work on Park Structure Will Be Started as Soon as Contractors' Offers Come in, Aug. 7—New Site Selected.

After long delay, the city today set the wheels in motion for a speedy completion of its \$75,000 clubhouse for golfers at Genesee Valley Park.

With a site selected and with bids being advertised, it was announced work would be started early in August. The plans have been ready for some time, but difficulty was experienced in finding a site suitable to all parties. Internal affairs of the city government also held up the project.

The golf house had originally been promised tentatively for the use of golf players early in the present season. It will now be finished, pretty certainly, before they put their clubs away in the Autumn.

The site of the new clubhouse will be a short distance north of the present locker house, between the first and tenth tees of the old golf course.

Final decision on the location was announced today by city officials, after City Manager Stephen R. Story, Safety Commissioner George J. Nier, and Frank Frey, architect who designed the building, inspected the ground.

Construction will be started immediately after opening of bids for the job, Aug. 7, advertised by the Bureau of Purchase and Supply today. The maximum estimate of cost is \$75,000.

The northerly site was selected partly because of the plea of golfers that it be near the first tee, north of Westfall Road, rather than south of it, and partly with a view to drainage facilities. The house will face the Genesee River, backed up to a small wood just north of the present building, and on the east side of the park road running north from Westfall Road.

The new clubhouse, of attractive architecture, will contain lounge rooms, a restaurant and refectory, showers and locker, and other provision for convenience and comfort.

NIER PICKS GOLF HOUSE SITE

Definite location of the new golf refectory in Genesee Valley Park was announced today by Safety Commissioner Nier, following a visit to the park with City Manager Story and Frank Frey, architect.

The site is between the No. 1 and No. 10 tees of the old course, fronting on the small park road between the woods and the river, which joins Westfall Road. This will bring the refectory just north of the present registration stand and golf shop in a triangular plot of ground containing a small grove. Many of the trees must be removed to make way for the building. The refectory will not be ready for use this year.

Coincident with this announcement was the beginning of advertising for bids for the construction of the refectory. Bids will be opened August 7, and contracts let August 9. Construction will begin immediately thereafter. The city appropriated \$75,000 for the refectory, but Mr. Nier said the cost would not reach that sum.

The Bureau of Purchase and Supply awarded a contract today for an outlet sewer in Elmwood Avenue to the Ontario Construction Company, at \$13,553.08.

Time To Begin Improvements City, Far From Debt Limit, Should Begin Works That Will Promote Prosperity.

Rochester has got the money to finance important public improvements for which plans are in the making.

Whatever measure of doubt may have existed regarding the accuracy of that assertion is removed by the statement of Comptroller Higgins that the city could NOW expend \$13,042,554.58, without going beyond the constitutional debt limit.

Furthermore, if the right projects are selected for a beginning, and an early start is made on the work, the constitutional debt limit need not be reached at all. The same money used for some improvements may also be used for succeeding ones.

For instance, in the case of street widening and extensions, many property owners pay for the improvements shortly after they are finished, thereby saving interest charges for the period of ten years which has been allowed for paying for street improvements.

Besides, the city will have value received for its money. The improvements will be here, which will mean increased wealth for the city, an increase in valuation, and the consequent raising of the debt limit.

Although the city has obligations of \$65,701,844.33, which is no insignificant sum, its bonds are as good as gold. Its financial condition is better than that of many other cities.

Crediting \$6,486,469.24 in sinking funds leaves a net debt of \$59,216,376.09, while exemptions for debts for local improvements brings the constitutional debt down to \$50,123,377.52.

But the debt of the city is "nothing to worry about" if the city will itself make improvements which will stimulate private building and promote prosperity.

For these are the surest means to take finally to pay it off.

Trolley Expected To Ask Contract Renewal

Decision to ask for a renewal of the service-at-cost contract with the New York State Railways for another ten years was expected to result from a conference of railway and city officials at City Hall, this afternoon.

No report to the City Council was to be made until 2 p. m., July 31, according to City Councilman Goodwin, chairman of the Public Utilities Committee, who called the conference.

Mr. Goodwin said the conference would not be in the nature of a public hearing, although any statements protesting against the renewal would be accepted for consideration.

WILL NOT BE PREFERRED
"There has been misrepresentation about this conference," said Mr. Goodwin. "It will be in no sense private, and representatives of the press will be admitted. As it is to be held in City Manager Story's office, city and railway officials responsible for recommending a renewal will tax the seating capacity."

Mr. Goodwin further said there was doubt if there would be consideration today of proposed modifications in the contract to abolish the office of commissioner of railways and push the court suit for reappraisal of the base valuation of the Rochester street railway lines.

"At this time we are only interested in a decision as to whether we are to exercise our option under the present contract and serve notice on the railways that there will be a renewal on August 1, 1930," said Mr. Goodwin. "Details may be worked out within the year. But if we are to take advantage of the offer of renewal we must serve notice on the company before August 1 of this year, which is only one week away."

The Public Utilities Committee of the Council today received a long protest against a renewal from the Socialist Party Campaign Committee. In it the present city government is generally criticized for "grandiose schemes of city embellishment that center around business district development."

The protest was as follows: "The Socialist Party believes that City Manager government is supremely on trial this Fall in its dealing with operation of the street railway system. Disposal of so vital an interest of the car-riding public on a scant month's notice, indicates a palpable disregard of public interest by the present City authorities, justifying the conclusion that they have abandoned the poor men to the tender mercies of the power trust."

"It is apparent that the foisting of the freight subway upon the public as a white elephant by the industrial company for operation thereof has borne fruit for the company in making certain for it a renewal of the service at cost contract for a further period.

PLAN PREPOSTEROUS
"For ten years the company has operated as to service and cost to the public without the slightest benefit to the people from the employment of a railroad commissioner at a salary of \$12,000 a year ostensibly to regulate for the public.

"We consider the proposition to transfer this officer to the city's payroll instead of having him paid by the company, to avert suspicion as to his loyalty, as preposterous. The operations of the company show on their face the superfluous character of such an alleged guardian. Charging all the traffic will bear obviates any fear of further extortion by the company. We believe supervision of the railway company should be the function of a city department directed to have yearly expert audits of the financial operations for public information.

"We believe that the defiance of the street railway company with reference to the inflated valuation of its properties upon which it is permitted a profit of 6 per cent, making a ten-cent fare inevitable, should be resented by the city.

"The boast was made by its

counsel at public hearing that any attempt to reduce the 30-million valuation by court action which has been pending six years would under a recent Supreme Court decision allow an addition of 10-million more to the valuation.

WOULD RUIN SYSTEM
"We believe there can be no further increase of fare without ruining the system. We are informed that there are available to the city public utility experts who can show that the railway valuation is not more than ten million dollars.

"We believe that the Supreme Court decision as to rates of valuation has left the subject in a chaotic state and the public are entitled to the full facts of the financial operation of the Rochester street railway by a prosecution of the pending suit.

"We therefore urge that no new contract be entered into with the railway company until these facts have been brought before the public that a just contract may be based upon honest valuations.

"We invite your attention to the control of our public utilities by absentee owners with no interest in our community except to exploit it. We invite your attention to the fact that the street railway system has become a football of a growing power monopoly that is organizing solely to pyramid profits for speculative holding companies, and its plundering is further felt in Rochester by excessive rates for heat, light and power.

REAL CHALLENGE
"This situation is a real challenge to government for the people. It is time for a determined stand against the exploiters whatever present cost it may entail in service inconvenience.

"We believe that the present city management is doomed to repudiation by the people resulting in the return of the old political machine to power unless it can vitalize its program with some real accomplishment in matters of intimate concern in the lives of the people generally. We of course knew the real solution to public utility problems is public ownership as of the street railway system in Cleveland where there is a City Manager government, and the issue at hand in Rochester should be handled with that objective in view.

"We deplore the exclusive attention given so far to more grandiose schemes of city embellishment that center around business district developments and real estate speculations that only mean increase of the burdens of the average taxpayer already most oppressive."

PLYMOUTH AVE. BUS LINE MAY OPEN IN WEEK

Only Delivery of Vehicles Awaited, Railway Official Says—22 Ordered, 10 of Them Large.

Operation of busses on the Plymouth Avenue line will start within a week if manufacturers make good on delivery promises, according to J. G. Ufert, superintendent of transportation for the New York State Railways.

The trolley company has ordered 22 busses, 14 of which will be operated on the circuit which includes Plymouth Avenue, Genesee Park Boulevard, Chili Avenue and return to the terminal in Broad Street.

As soon as the passenger vans are received here they will be placed in commission. Mr. Ufert said today that in the rush hours the busses will be run on a three-minute headway in each direction, and during the day the schedule of seven minutes will be maintained as far as Brooks Avenue.

For the complete circuit the headway generally will be maintained on a 15-minute schedule.

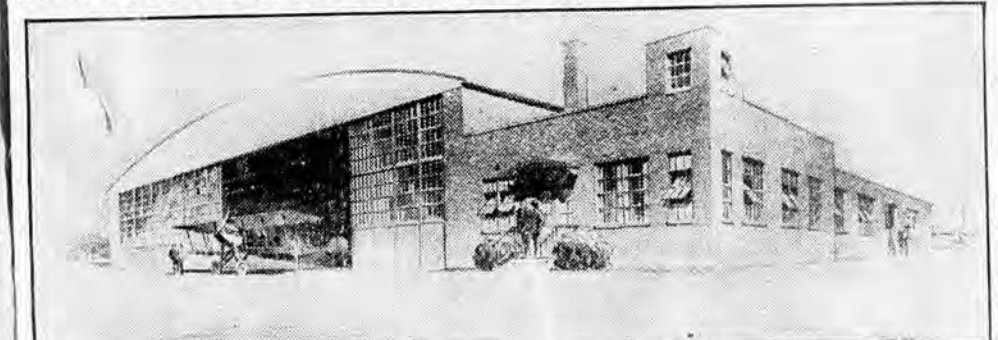
Of the new busses, ten will seat 41 passengers and 12 will seat 33. The trolley wires and tracks in Plymouth Avenue south of the bridge at Clarissa Street are to be abandoned to make way for the new 54-foot roadway, which has been arranged to take care of two lanes of busses, and four lanes for other vehicles.

Land City Will Use For Development Of Port



Air view of former blast furnace property on the river front south of Ontario Beach Park taken by Durnherr, Times-Union photographer. The property is shown at the left of the picture. It was announced at the City Council meeting Monday night negotiations had been completed for the purchase of the land by the city from William Bausch for \$225,000. The property extends from the beach park to the railroad tracks shown in the extreme lower portion of the picture and from Lake Avenue to the river front. It is sought for the development of Rochester's port facilities.

New Hangar Being Constructed at Municipal Airport Said to Be Latest in Efficiency and Low Fire Hazard



Architect's drawing of the new hangar, 100 by 120 feet, which is being erected alongside the present hangar in the Municipal Airport, Scottsville Road.

Contractors Start Work on 100 by 120-Foot Building to Cost \$67,452

Work has been started by Stewart & Bennett, Inc. general contractors, on the new hangar building at the Municipal Airport in Scottsville Road. The building was designed by the Department of Works with Harold W. Baker, commissioner of public works, John Lewis and Eldred Walker co-operating, and combines practicability with economy in construction, it is pointed out.

The contracts were let this month and the general contract is for \$49,835; heating and plumbing contract, \$13,850 and electrical contract, \$3,767, or a total of \$67,452. The main hangar is 100 feet wide and 120 in length and there is a lean-to housing the shop, which has ground dimensions of 60 by 25 feet.

The new hangar, including the lean-to, contains offices, light control tower, public comfort facilities, workshop, pilots' room and store room, water supply with fire pump, hydrants, and the total contract price includes the heating and sewage disposal systems.

The water supply, plumbing and heating contractor is William C. Barber and the electrical contractor is the F. A. Mott Electric Company. The structure represents the latest design in the interest of efficiency and with the view of having a suitable hangar without a large expenditure of public funds for unnecessary, it is asserted. The building is designed along the soundest engineering lines, to provide for substantial use and reflects a low fire hazard, Commissioner Baker asserted. The construction of the building will add materially to the development of the Rochester airport. It is independent of the hangar structure which was partially destroyed by fire, but which has been repaired.

Hamilton Announces He Will Fight Move To Supplant Trolley

Irondequoit Originally Planned Elimination of Car Line With Motor Substitutes in Summerville Boulevard Improvement—Residents Petition For Busses.

No bus line will supplant trolley service on the Summerville line if the New York State Railways have their way. James F. Hamilton, street railway president, declared today his company would fight any effort in that direction.

In Irondequoit's plan to improve Summerville Boulevard from Summerville to the north boundary of Rochester, the original proposal of the town was that the trolley line along the boulevard be abandoned and busses substituted.

The latest proposal, however, is to build the boulevard between the car tracks, which run on either side of the street, the cost to be shared by the town and the county. The Board of Supervisors favors such an arrangement, and the plan remains to be worked out with the county engineers.

The street railways company has decided all thought of putting busses on the boulevard, said Mr. Hamilton. "When the boulevard residents first proposed substituting busses for trolley," he added, "they had a plan to buy our right of way, which would have meant \$150,000 for new bus equipment. Their move plan leaves us entirely out of the picture. We shall continue to operate the car line."

The boulevard dwellers have petitioned for busses and a 10-cent fare with no extra charge north from the city line. The City of Rochester was asked to intercede for this plan, as it would remove \$450,000 from the \$20,000,000 valuation of railways property on which the city has to guarantee a 6 per cent. return, under the service-at-cost contract.

City Solicits Bids For Genesee Valley Golfers' Clubhouse

Originally Promised For Use This Season, Work on Park Structure Will Be Started as Soon as Contractors' Offers Come in, Aug. 7—New Site Selected.

After long delay, the city today set the wheels in motion for a speedy completion of its \$75,000 clubhouse for golfers at Genesee Valley Park.

With a site selected and with bids being advertised, it was announced work would be started early in August. The plans have been ready for some time, but difficulty was experienced in finding a site suitable to all parties. Internal affairs of the city government also held up the project.

The golf house had originally been promised tentatively for the use of golf players early in the present season. It will now be finished, pretty certainly, before they put their clubs away in the Autumn.

The site of the new clubhouse will be a short distance north of the present locker house, between the first and tenth tees of the old golf course.

Final decision on the location was announced today by city officials, after City Manager Stephen E. Story, Safety Commissioner George J. Nier, and Frank Frey, architect who designed the building, inspected the ground.

Construction will be started immediately after opening of bids for the job, Aug. 7, advertised by the Bureau of Purchase and Supply today. The maximum estimate of cost is \$75,000.

The northerly site was selected partly because of the plea of golfers that it be near the first tee, north of Westfall Road, rather than south of it, and partly with a view to drainage facilities. The house will face the Genesee River, backed up to a small wood just north of the present building, and on the east side of the park road running north from Westfall Road.

The new clubhouse, of attractive architecture, will contain lounge rooms, a restaurant and refectory, showers and locker, and other provision for convenience and comfort.

NIER PICKS GOLF HOUSE SITE

Definite location of the new golf refectory in Genesee Valley Park was announced today by Safety Commissioner Nier, following visit to the park with City Manager Story and Frank Frey, architect.

The site is between the No. 10 and No. 19 tees of the old course fronting on the small park road between the woods and the river which joins Westfall Road. This will bring the refectory just north of the present registration stand and golf shop in a triangular plot of ground containing a small grove. Many of the trees must be removed to make way for the building. The refectory will not be ready for use this year.

Coincident with this announcement was the beginning of advertising for bids for the construction of the refectory. Bids will be opened August 7, and contracts let August 9. Construction will begin immediately thereafter. The city appropriated \$75,000 for the refectory, but Mr. Nier said the cost would not reach that sum.

The Bureau of Purchase and Supply awarded a contract today for an outlet sewer in Elmwood Avenue to the Ontario Construction Company, at \$12,853.98.

Trolley Ask Contract Renewal

Decision to ask for a renewal of the service-at-cost contract with the New York State Railways for another ten years was expected to result from a conference of railway and city officials at City Hall, this afternoon.

No report to the City Council was to be made until 2 p. m., July 31, according to City Councilman Goodwin, chairman of the Public Utilities Committee, who called the conference.

Mr. Goodwin said the conference would not be in the nature of a public hearing, although any statements protesting against the renewal would be accepted for consideration.

WILL NOT BE PRIVATE
"There has been misrepresentation about this conference," said Mr. Goodwin. "It will be in no sense private, and representatives of the press will be admitted. As it is to be held in City Manager Story's office, city and railway officials responsible for



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PLYMOUTH AVE. BUS LINE MAY OPEN IN WEEK

Only Delivery of Vehicles Awaited, Railway Official Says—22 Ordered, 10 of Them Large.

Operation of buses on the Plymouth Avenue line will start within a week if manufacturers make good on delivery promises, according to J. G. Ufert, superintendent of transportation for the New York State Railways.

The trolley company has ordered 22 buses, 14 of which will be operated on the circuit which includes Plymouth Avenue, Genesee Park Boulevard, Chili Avenue and return to the terminal in Broad Street.

As soon as the passenger vans are received here they will be placed in commission. Mr. Ufert said today that in the rush hours the buses will be run on a three-minute headway in each direction, and during the day the schedule of seven minutes will be maintained as far as Brooks Avenue. For the complete circuit the headway generally will be maintained on a 15-minute schedule.

Of the new buses, ten will seat 41 passengers and 12 will seat 33.

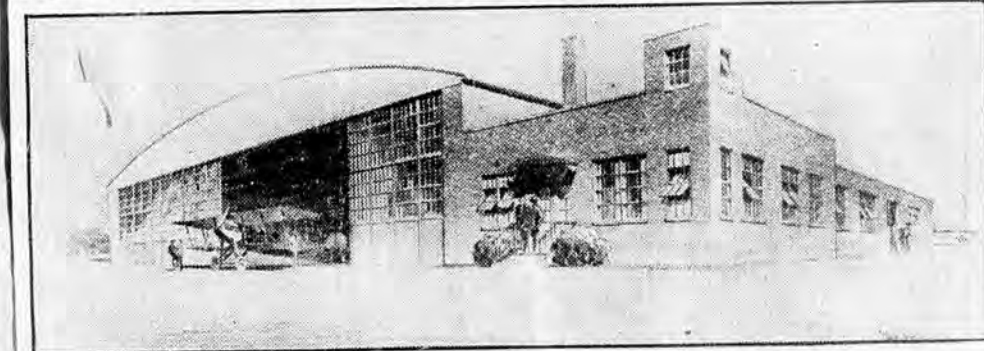
The trolley wires and tracks in Plymouth Avenue south of the bridge at Clarissa Street are to be abandoned to make way for the new 54-foot roadway, which has been arranged to take care of two lanes of buses, and four lanes for other vehicles.

Land City Will Use For Development Of Port



Air view of former blast furnace property on the river front south of Ontario Beach Park taken by Durnherr, Times-Union photographer. The property is shown at the left of the picture. It was announced at the City Council meeting Monday night negotiations had been completed for the purchase of the land by the city from William Bausch for \$225,000. The property extends from the beach park to the railroad tracks shown in the extreme lower portion of the picture and from Lake Avenue to the river front. It is sought for the development of Rochester's port facilities.

New Hangar Being Constructed at Municipal Airport Said to Be Latest in Efficiency and Low Fire Hazard



Architect's drawing of the new hangar, 100 by 120 feet, which is being erected alongside the present hangar in the Municipal Airport, Scottsville Road.

Contractors Start Work on 100 by 120-Foot Building to Cost \$67,452

Work has been started by Stewart & Bennett, Inc., general contractors, on the new hangar building at the Municipal Airport in Scottsville Road. The building was designed by the Department of Works with Harold W. Baker, commissioner of public works, John Lewis and Eldred Walker cooperating, and combines practicability with economy in construction, it is pointed out.

The contracts were let this month and the general contract is for \$49,835; heating and plumbing contract, \$13,850 and electrical contract, \$3,767, or a total of \$67,452. The main hangar is 100 feet wide and 120 in length and there is a lean-to housing the shop, which has ground dimensions of 60 by 25 feet.

The new hangar, including the lean-to, contains offices, light control tower, public comfort facilities, workshop, pilots' room and storeroom, water supply with fire pump, hydrants, and the total contract price includes the heating and sewage disposal systems.

The water supply, plumbing and heating contractor is William C. Barber and the electrical contractor is the F. A. Mott Electric Company. The structure represents the latest design in the interest of efficiency and with the view of having a suitable hangar without a large expenditure of public funds for unnecessary. It is asserted. The building is designed along the soundest engineering lines, to provide for substantial use and reflects a low fire hazard, Commissioner Baker asserted. The construction of the building will add materially to the development of the Rochester airport. It is independent of the hangar structure which was partially destroyed by fire, but which has been repaired.

Hamilton Announces He Will Fight Move To Supplant Trolley

Irondequoit Originally Planned Elimination of Car Line With Motor Substitutes in Summerville Boulevard Improvement—Residents Petition For Buses.

No bus line will supplant trolley service on the Summerville line if the New York State Railways have their way, James F. Hamilton, street railway president, declared today his company would fight any effort in that direction.

In Irondequoit's plan to improve Summerville Boulevard from Summerville to the north boundary of Rochester, the original proposal of the town was that the trolley line along the boulevard be abandoned and buses substituted.

The latest proposal, however, is to build the boulevard between the car tracks, which run on either side of the street, the cost to be shared by the town and the county. The Board of Supervisors favors such an arrangement, and the plan remains to be worked out with the county engineers.

The street railways company has discarded all thought of putting buses on the boulevard, said Mr. Hamilton. "When the boulevard residents first proposed substituting busses for trolley," he added, "they had a plan to buy our right of way, which would have meant \$150,000 for new bus equipment. Their new plan leaves us entirely out of the picture. We shall continue to operate the car line."

The boulevard dwellers have petitioned for busses and a 10-cent fare with no extra charge north from the city line. The City of Rochester was asked to intercede for this plan, as it would remove \$450,000 from the \$20,000,000 valuation of railways property on which the city has to guarantee a 6 per cent. return, under the service-at-cost contract.

Time To Begin Improvements City, Far From Debt Limit, Should Begin Works That Will Promote Prosperity.

Rochester has got the money to finance important public improvements for which plans are in the making.

Whatever measure of doubt may have existed regarding the accuracy of that assertion is removed by the statement of Comptroller Higgins that the city could NOW expend \$13,042,554.58, without going beyond the constitutional debt limit.

Furthermore, if the right projects are selected for a beginning, and an early start is made on the work, the constitutional debt limit need not be reached at all. The same money used for some improvements may also be used for succeeding ones.

For instance, in the case of street widening and extensions, many property owners pay for the improvements shortly after they are finished, thereby saving interest charges for the period of ten years which has been allowed for paying for street improvements.

Besides, the city will have value received for its money. The improvements will be here, which will mean increased wealth for the city, an increase in valuation, and the consequent raising of the debt limit.

Although the city has obligations of \$65,701,844.33, which is no insignificant sum, its bonds are as good as gold. Its financial condition is better than that of many other cities. Crediting \$6,485,469.24 in sinking funds leaves a net debt of \$59,216,376.09, while exemptions for debts for local improvements brings the constitutional debt down to \$50,123,377.52.

But the debt of the city is "nothing to worry about" if the city will itself make improvements which will stimulate private building and promote prosperity.

For these are the surest means to take finally to pay it off.

"We have been ready for the court test for four years but we expect we shall have some voice in how it shall be made," said Mr. Hamilton.

Ontario Beach Park Addition
Acquisition by the city of the former blast foundry property adjacent to Ontario Beach Park may be regarded as a necessity...

The park at the present time is a monument to the vision of city officials of a former generation. They made plans on a scale adequate for the time being...

Ontario Beach Park is one of the city's most valuable assets. The beach is not surpassed at any point along the lake shore. Anything that will enhance its usefulness to the public is a good investment...

The people owe a great debt to Mayor Edgerton for what was done during his time to improve the park. The present city administration is merely following a good precedent in acquiring additional land for park purposes...

Why Renew?
Today the public utilities committee of the City Council confers with city officials, street railway representatives and others on the question of renewal of the service-at-cost contract...

This matter has drifted along until only a week now remains for reaching a final decision. It is reported that the committee will recommend notice of intent to renew the contract next year, and also recommend a court review of the appraised valuation.

The Times-Union has opposed renewal, on the ground that since operation under the service-at-cost contract has brought with it a rate of fare about as high as is charged anywhere...

If the committee reports in favor of renewal, and the council approves the report, then the risks of another ten-year guarantee are assumed at a time when local transit is in a state of rapid flux and change.

The question asked in these columns—what do street car patrons get in return for assuming this obligation?—still remains unanswered.

Step Toward Port Development

Recommendations of the Harbor Advisory Board have been followed by the city administration in taking steps to acquire the old Genesee Blast Furnace property. The price fixed in the negotiations with the owner, William Bausch, is \$225,000.

This is the largest and best situated property available in one block for harbor development. It is also adjacent to Ontario Beach Park, so that if harbor expansion should lag use can be found for it for other public purposes.

Harbor development ought not to lag, however. The opening of the enlarged Welland Canal next year will introduce a new era in Lake Ontario trade, offering an opportunity which Rochester should grasp.

Widening of Culver Road from Waring Road to the city line marks another advance toward improving a much travelled highway to the lake. This is to be effected under a plan by which the residents on each side of the thoroughfare dedicate a strip 15 feet wide...

To be sure, this boulevard will connect with a narrow road running through the town of Irondequoit. The improvement will be far from complete until that highway is widened. Part of this so-called Sea Breeze road, below the Ridge, probably merits the title, all things considered, of Monroe County's worst road.

The fact that the city owns a narrow right of way and the abutting property is in Irondequoit places the road in a sort of twilight zone.

Perhaps the plan followed for the portion within the city limits, which Councilman Duran has worked hard to carry through, may set a useful precedent for the Irondequoit sector, where motorists still face a crumbling strip of pavement, not half wide enough for the traffic.

CITY'S CENTRAL STORE EFFECTS MANY SAVINGS

New Broad Street Warehouse Serves 35 Departments, Bureaus and Offices With Supplies. The taxpayers of Rochester are being saved many thousands of dollars a year through the efficient functioning of a department about which the public knows and hears little.

It is the municipal purchasing department, developed under the new city manager administration as one of the most important functions of the Bureau of Purchase and Supply.

Comparatively few citizens, probably, are even aware that the city they live in runs its own store—a clean, roomy, orderly place in lower Broad Street, labelled "Municipal Warehouse—Department of Finance."

Yet 35 city departments, bureaus and offices draw supplies from it, and the issue is increasing at the approximate rate of \$1,000 a month. By the end of the year, officials expect to be doing out about \$12,000 in needed supplies every month.

This constant increase indicates that more and more supplies are coming under centralized control. That, briefly, is the main purpose and worth of the municipal purchasing department. It brings under central control the materials needed in running a large city, formerly bought haphazardly by individual departments, with waste and duplication.

New Storehouse. Comptroller Clarence E. Higgins, under whose jurisdiction come all expeditions for materials, and Wendell Andrews, city purchasing agent, take great pride in their new storehouse. It has about 10,000 square feet of floor space, and cost the city \$40,000 to purchase.

The big thing about this department is that we are buying for the city, not for its individual departments," Mr. Higgins explained. "Before this centralized control was established, one department would be buying an article when another department had a surplus of the very article on hand. The different departments were also frequently paying different prices for the merchandise."

The present building and its contents are fully insured. The old storehouse was located on the second floor of the city's Dewey Avenue shops. The move was made May 1.

City Council Will Decide Finally On Tram Deal Tuesday

Frank Discussion Marks Conference of City, Railway Officials—Fares For Children, Transfer of Commissioner to City Payroll Points Discussed.

Renewal of the service-at-cost contract, "as is," with the New York State Railways consenting to consider amendments after the agreement has been extended for another period of 10 years, now appears likely.

The matter will be decided at a noon meeting of the City Council next Tuesday when action will be taken on the report and recommendations of the public utilities committee which for several weeks has been considering an ordinance authorizing the mayor to notify the trolley company the contract is to be continued for another decade.

Frank discussion of most points marked a conference the utilities committee of the council had yesterday afternoon with the commissioner of railways, and the present general auditor and attorney for the New York State Railways. Taking active part in the discussion were Councilmen Foulkes, Flynn, Adler, Peake, Chairman Goodwin and Councilman Duran.

Of six topics listed for discussion only two were found to have any bearing on the contract renewal. These two issues were proposed modifications in the rate of street car fares to be charged school children in certain hours, and the transfer of the commissioner of railways and his office staff to the payroll of the city.

To Consider Lower Fare. As to the proposal for a lower fare for the pupils James F. Hamilton, president of the company, said he would be glad to recommend the matter to his board of directors, and expressed the opinion that the lower fare would receive favorable consideration.

In taking up the matter of the commissioner's salary payment, Charles R. Barnes, commissioner of railways for the city, ever since the contract took effect in Aug., 1920, was heard at length. Mr. Barnes in clear-cut language made it plain that he was not speaking in opposition to the plan, but rather in explanation.

"Is that change in salary agreed to?" asked Mr. Barnes. "Now I wish it understood that I am not making any objections to the change, but I cannot help but feel that this action reflects somewhat on the commissioner and his office. This service-at-cost contract was the result of a broken down and demoralized service. The mayor had appealed to the Public Service Commission for relief. At that time there had been aroused a public feeling against the company and its service. The relief asked for was not ordered by the commission on the ground that the company's revenues would not permit increased expense of operation, and that to order the company to increase its service under a five-cent fare would be confiscation of the company's property. The upshot was the present service-at-cost contract which has provided service that has completely changed public sentiment from a hostile to a friendly spirit. I claim here publicly that the service now warrants this favorable public sentiment, and that condition was brought about not solely through the commissioner of railways, but with the co-operation of the president of the New York State Railways. I never had to repeat an order to Mr. Hamilton. If I asked for two additional cars, say on the Lake Avenue line, those cars were in operation the very next night. There has been between us a friendly and co-operative spirit during all these years which I am glad here to acknowledge publicly.

Mr. Hamilton said he was perfectly willing that the salary of the commissioner continue as in the contract, but if the city wished otherwise he would acquiesce. These were the only two amendments which the committee considered yesterday that had any connection with the contract.

John P. Morse, who was identified largely with the project of getting the subway railroad in operation, spoke at length on this phase of the renewal issue. He took the stand that the time to modify the contract was before the renewal. He called on the committee to consider a plan whereby reserved its right to cancel the agreement with a year's notice to the company if the parties in the pact could not agree on the terms of the amendments. Otherwise, he said, the contract is renewed "as is" and must stand "as is" unless the amendments are agreed upon by the parties, and the approval of the public service commission is obtained. In the event of the failure of the amendments to get by, he would have the city protect its right by a cancellation clause.

Daniel M. Beach and President Hamilton both opposed Mr. Morse on this point. Mr. Beach said it would not be fair to the company in view of its financial problems, and that in effect it would be only a contract that wasn't a contract. Mr. Hamilton said he would not recommend any such proposition.

That any stipulation or understanding reached by the parties respecting the amendments would not be legally binding on the company. Mr. Hamilton said that he had always been able to adjust any difference with the city, and asked Mr. Morse:

"Is that true?" "Yes, to date," said the city manager. On the question of the weekly pass, Mr. Hamilton said he would be glad to sit down with city representatives and thresh out the whole matter. It had been the experience of other cities that this pass was subject to gross abuse. The president asked that no further action be taken in advance of the meeting, and that the city representatives had had opportunity to study the matter, and know what it was all about.

As to the valuation, Corporation Counsel Platt said he would need \$75,000 to start proceedings for a review by the court. Mr. Beach said the court had only to pass on a question of law and that was whether the appraisers in determining the value of the property followed the rules of law. If it was found that the appraisers had followed the law, the old appraisal would stand. If it was found that the law had not been followed then the court's move would be to send the case back to the appraisers for re-appraisal.

COUNCILMEN AT SESSION RAISE NO GREAT OBJECTIONS

Company Willing To Make Modification at City's Request Except for Weekly Pass—Agrees to 5-Cent School Fare

PROPOSAL TO DISCUSS CHANGES FOR YEAR NOT CORDIALLY TAKEN

Assurances that with the renewal of the service at cost contract for a period of ten years the New York State Railways will make every effort to meet the requests for modifications enunciated at a conference yesterday afternoon was given to the group by James F. Hamilton, president, and Daniel M. Beach, of the law firm of Harris, Beach & Matson, representing the company. Mr. Hamilton made it clear that every request made by the city during the life of the contract had been met and that this spirit of co-operation would be continued to meet the various situations that have developed as a consequence of the discussion regarding the renewal.

Special Council Meeting Tuesday. The conference was held in the office of City Manager Stephen H. Story with Councilman Harry C. Goodwin, chairman of the Public Utilities Committee of the City Council, presiding. It was brought out that it was necessary to assure the extension of the service at cost contract for ten years by action of the City Council before August 1st and as a consequence a special meeting has been called for noon next Tuesday. The trend of the discussion at the conference indicated that the Public Utilities Committee will recommend the renewal and with the majority of the council members present at the conference and raising no objection to the contract it is expected that the whole Council will concur.

It was brought out by Corporation Counsel Clarence M. Platt, in response to an inquiry by Councilman Goodwin, that the modifications that the city may seek are not legally enforceable after the renewal of the contract is authorized, unless there is consent by the company and approval by the Public Service Commission. Mr. Hamilton gave the assurance of the company that every effort would be made to adjust the situations that are brought up by the city, and he expressed confidence, as did Mr. Beach, that no difficulty would be experienced in reaching an amicable basis for adjustment.

Valuation Case Discussed. To facilitate discussion Councilman Goodwin had prepared a memorandum that embraced various points raised at the public hearing on the renewal of the service at cost contract. They were discussed in detail as were a number of other points. The various matters were discussed with freedom and frankness, and at the conclusion of the conference both Councilman Goodwin and Councilman Louis Foulkes said that a vote of thanks ought to be extended to the representative of the company for coming to the conference and discussing with such complete frankness the transportation situation as it is related to the company, with the view of furthering the best interests both of the city and of the company.

The trial of the valuation case was brought up and Councilman Goodwin said that it was the opinion of both he and Councilman William F. Duran and Joseph L. Guzzetta, the other members of the committee, that it was to the best interests of the city and also the interests of the company to have the suit tried. Mr. Hamilton said that he was not adverse to such a trial, asserting that several times during the last four years he had asked that the trial either be pushed or the case discontinued. The various factors that entered into the delay, including the O'Fallon case pending before the Supreme Court of the United States, involving methods of valuation, were discussed.

Morse Suggests Changes. John W. Morse, chairman of the Mayor's Advisory Committee on Subway Operation, and a lawyer by training, felt that it would be disadvantageous if the valuation suit was tried, stating that any adjustment in the base valuation should be by stipulation. If possible, Vice-Mayor Isaac Adler expressed the opinion that nothing would be gained by the suit and that the city would be put to a large expense. It developed in the discussion that the only point that could be brought up in the valuation suit was whether the appraisal was legally made and whether the rules of law governing such appraisals had been complied with. It was suggested that the matter might be referred to some competent attorney, of the city's selection, for the purpose of determining whether it would be advantageous to press the suit. The opinion was freely expressed that the suit might result in an increase in the base valuation, because of the liberal decisions rendered in rate cases, and Vice-Mayor Adler made the point that the appraisal suit was not a factor in the renewal and could be determined independently. Mr. Hamilton pointed out that the company had no control over the prosecution of the suit, and whether it was an expedient thing to do depended entirely upon the decision of the city.

Rehabilitation Planned. The reason for it were outlined by Mr. Beach. He said that the stock of the company was virtually being given away. Bonds were well below par. He said that the company's credit was low and that the uncertainty about the relations here would likely injure the credit further. Mr. Hamilton said that a plan was under way for the complete rehabilitation of the property and the directors want to know where they stand definitely with reference to the Rochester lines. Mr. Beach felt that there was no equity in the offering of a contract, which in effect was not a contract.

City Manager Story pointed out that the adjustment of modifications before the renewal was authorized was virtually the scrapping of the old contract and the negotiation of a new one, and Councilman Goodwin raised the point that benefits reflected to the city in the present agreement might be lost in the event that an entirely new contract had to be negotiated. Asked for an opinion by Vice-Mayor Adler, Mr. Story said that he felt that the course of the council was clearly defined by the situation that prevailed and he felt that any adjustment desired could be arranged after the renewal was authorized. In response to an inquiry by Mr. Hamilton the City Manager said that every request made by the city upon the company had been promptly complied with and Commissioner Barnes said that in the nine years he had been commissioner of railways he never had to repeat a request.

Ticket Sales Discussed. Frederick R. Justum was present at the conference and he asked why tickets were not sold on the cars. Commissioner Barnes pointed out that this was in accordance with a ruling by the Public Service Commission. He said that the sale of tickets on the cars slowed up operation, had a tendency to increase accidents because of the diversion of the attention of conductors and that he felt the 238 agencies in the city, together with the agents selling them at the corners during the rush hour, was sufficient.

Commissioner Barnes discussed the situation that prevailed in Rochester before the service at cost contract was enacted. He was formerly associated for a quarter of a century with the Public Service Commission in the capacity of investigating service and operation. He said that the contract here resulted from a demoralized, broken down service, and the city was without legal means to provide an adequate and satisfactory service because of the 5-cent fare clause of the franchise. Mayor Hiram H. Edgerton petitioned for a contract to adjust the situation and to put the transportation facilities on a proper basis. He said that the public sentiment toward the railroads had been completely changed since the service at cost contract and he said that through the co-operation of Mr. Hamilton a service that was superior to any comparable city in the country had been developed, and this in face of increasing competition from automobiles and a rapidly increasing operating cost.

Councilman Goodwin said that it was charged that because the railroads and the lighting company were both owned by the same interests that the railroads were paying excessive rates for power and as a consequence the rate of fare was kept higher here. Mr. Hamilton submitted figures to show that the rate for power in Rochester was the lowest in the country. The rate here was 8 mills a kilowatt hour, compared with 9 mills in Buffalo, 11 cents in Cleveland, 1.18 cents in Baltimore, 1.2 cents in Pittsburgh, 1.3 cents in Syracuse, 1 cent in Schenectady. Mr. Hamilton said that the lower rate in Rochester was significant because the proximity of Buffalo to Niagara Falls makes it ideally situated for power rates. He said that the railroads were under a twenty-five year contract with the lighting company for power, with the provision that the rate could be adjusted every five years but only on concrete proof by the lighting company that the power was being sold at a loss. He said that the rate about seven years ago had been reduced from 5 to 8 mills an hour, and there had been no change since. He said that the rate was the most advantageous in the country and he said that the figures were answers to the ridiculous charges that came to Councilman Goodwin.

Year's Discussion Urged

Mr. Morse said that the service at cost contract had proved of immense benefit to the community and he felt that it should be renewed, but felt that an additional year should be provided to enable the city to make the adjustments and that a stipulation to this effect should be made by the company. Mr. Morse said that he felt that the subway experiment should be continued, and he raised it in the plane of co-operative effort to benefit the public.

He felt however, that some modifications should be worked out and that an agreement providing for the cancellation of the contract within a year if it was not possible to agree on the modifications and the consent of the Public Service Commission was not obtained, should be stipulated between the city and the company. Mr. Morse in response to inquiry by Mr. Goodwin said that he was not prepared to discuss the modifications that he would suggest and he was requested to file with the committee before Saturday any changes that he deemed advisable.

Bench Praises Contract. Mr. Beach brought out the point that the contract has been in effect for nine years and that it has demonstrated its worth in the furtherance of co-operative interest between the city and the railways in the betterment of service and facilities. The point was made that while trolley service is of comfort and convenience to passengers, it was also of vital interest to the progress of manufacturing and business activity in the community.

Mr. Beach said that no substantial objection had been raised to the contract and the company had manifested its willingness to make such modifications as were requested with the possible exception of the weekly pass, which he said should be studied carefully, and even then if the city felt that some sort of modification of the pass, eliminating the abuses that have developed, was desired, the company would take every reasonable step to meet the request. He said that in view of the fact that the discussion had virtually adjusted the various items raised that he felt that the suggestion that for a year was not a fair one to the company and that they did not feel the directors would consent to such a plan and they felt that they were not justified in making any such recommendation.

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Ontario Beach Park Addition
Acquisition by the city of the former blast foundry property adjacent to Ontario Beach Park may be regarded as a necessity, if the city is going to keep pace with the growth of the population and the demands that will be made on this popular resort in coming years.

The park at the present time is a monument to the vision of city officials of a former generation. They made plans on a scale adequate for the time being, but the city's population does not stand still. The element of growth must constantly be kept in mind; what is satisfactory today will not meet the needs of tomorrow.

Ontario Beach Park is one of the city's most valuable assets. The beach is not surpassed at any point along the lake shore. Anything that will enhance its usefulness to the public is a good investment. It is equally true that what is a good investment today will be invaluable in twenty-five years, when the population to be served will be doubled, and congestion within the city limits so much greater than it is at the present time.

The people owe a great debt to Mayor Edgerton for what was done during his time to improve the park. The present city administration is merely following a good precedent in acquiring additional land for park purposes, to say nothing of what may take place on the river side in the way of dock and harbor facilities in connection with the development of the port.

Why Renew?

Today the public utilities committee of the City Council confers with city officials, street railway representatives and others on the question of renewal of the service-at-cost contract. A public hearing was given on this matter last week, at which considerable opposition to renewal was disclosed.

This matter has drifted along until only a week now remains for reaching a final decision. It is reported that the committee will recommend notice of intent to renew the contract next year, and also recommend a court review of the appraised valuation.

The Times-Union has opposed renewal, on the ground that since operation under the service-at-cost contract has brought with it a rate of fare about as high as is charged anywhere, no good reason appears for shouldering the obligation to pay 6 per cent. on a valuation which cannot be reduced save by a favorable issue of lengthy court proceedings.

If the committee reports in favor of renewal, and the council approves the report, then the risks of another ten-year guarantee are assumed at a time when local transit is in a state of rapid flux and change.

The question asked in these columns—what do street car patrons get in return for assuming this obligation?—still remains unanswered.

Widening of Culver Road from Waring Road to the city line marks another advance toward improving a much travelled highway to the lake. This is to be effected under a plan by which the residents on each side of the thoroughfare dedicate a strip 15 feet wide and the city paves the boulevard for which room is thus provided. The part between Waring and Clifford was improved some time ago.

To be sure, this boulevard will connect with a narrow road running through the town of Irondequoit. The improvement will be far from complete until that highway is widened. Part of this so-called Sea Breeze road, below the Ridge, probably merits the title, all things considered, of Monroe County's worst road.

The fact that the city owns a narrow right of way and the abutting property is in Irondequoit places the road in a sort of twilight zone.

Perhaps the plan followed for the portion within the city limits, which Councilman Duran has worked hard to carry through, may set a useful precedent for the Irondequoit sector, where motorists still face a crumbling pavement not half wide enough for the traffic.

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Now the city does its shopping according to consumption. A perpetual inventory record is kept at the storehouse to determine how much is apt to be needed and care is taken not to keep too large surpluses. When the police department needs raincoats, or the department of public works needs shovels, or the water department needs printing, it puts in a requisition. The material in emergency may be delivered within 15 minutes.

Daily Deliveries For regular orders, however, daily delivery is made by automobile truck. The man in charge is Arthur McArthur, the storekeeper. Inspection of goods is also centralized. An order purchased by the city must meet specifications difficult of enforcement before the department was established.

When the department was initiated, July 9, 1928, inventory was made of city supplies on hand. The result was, the storehouse started its work with \$7,000 worth of surplus supplies, since gradually used up. Junk Department Valuable A "junk" department is also highly important. Formerly, discarded materials just passed out of existence, so far as the city was concerned and were thrown out or given away. Now, all discarded articles are collected by the purchasing department, sorted and sold.

The aim is to turn over the entire storehouse stock about four times a year. Centralized control makes it possible to advertise for bidding. The present building and its contents are fully insured. The old storehouse was located on the second floor of the city's Dewey Avenue shops. The move was made May 1.

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City Council Will Decide Finally On Tram Deal Tuesday

Frank Discussion Marks Conference of City, Railway Officials—Fares For Children, Transfer of Commissioner to City Payroll Points Discussed.

By Robert D. Burns

Renewal of the service-at-cost contract, "as is," with the New York State Railways consenting to consider amendments after the agreement has been extended for another period of 10 years, now appears likely.

The matter will be decided at a noon meeting of the City Council next Tuesday when action will be taken on the report and recommendations of the public utilities committee which for several weeks has been considering the contract. The contract is to be renewed and the company must have such a contract as it expires.

Frank discussion of the contract was marked at a conference of the committee of the council held yesterday afternoon with the commissioner of railways, and the president, general auditor and attorney for the New York State Railways. Taking active part in the discussion were Councilmen Foulk, Flynn, Adler, Peake, Chairman Goodwin and Councilman Duran. The third member of the committee, Councilman Guzzetta, was not present. Mayor Wilson and Councilman Milne also were absent.

Of six topics listed for discussion only two were found to have any bearing on the contract renewal. These two issues were proposed modifications in the rate of street car fares to be charged school children in certain hours, and the transfer of the commissioner of railways and his office staff to the payroll of the city.

To Consider Lower Fare As to the proposal for a lower fare for the pupils James F. Hamilton, president of the company, said he would be glad to recommend the matter to his board of directors, and expressed the opinion that the lower fare would receive favorable consideration.

In taking up the matter of the commissioner's salary payment, Charles R. Barnes, commissioner of the city, said that the contract took effect in Aug., 1929, was heard at length. Mr. Barnes in clear-cut language made it plain that he was not speaking in opposition to the plan, but rather in explanation.

Is that change in salary agreed to?" asked Mr. Barnes. "Now I wish it understood that I am not making any objections to the change, but I cannot help feeling that this action reflects somewhat on the commissioner and his office. This service-at-cost contract was the result of a broken down and demoralized service. The mayor had appealed to the Public Service Commission for relief. At that time there had been aroused a public feeling against the company and its service. The relief asked for was not ordered by the commission on the ground that the company's revenues would not permit increased expense of operation, and that to order the company to increase its service under a five-cent fare would be confiscation of the company's property. The upshot was the present service-at-cost contract which has provided service that has completely changed public sentiment from a hostile to a friendly spirit. I claim here publicly that the service now warrants this favorable public sentiment, and that condition was brought about not solely through the commissioner of railways, but with the co-operation of the president of the New York State Railways. I never had to repeat an order to Mr. Hamilton. If I asked for two additional cars, say on the Lake Avenue line, those cars were in operation the very next night. There has been between us a friendly and co-operative spirit during all these years which I am glad here to acknowledge publicly.

On the question of the weekly pass, Mr. Hamilton said he would be glad to sit down with city representatives and thresh out the whole matter. It had been the experience of other cities that this pass was subject to gross abuse. The president asked that no further action be taken in advancing the proposition until the city representatives had had opportunity to study the matter, and know what it was all about.

As to the valuation, Corporation Counsel Platt said he would need \$75,000 to start proceedings for a review by the court. Mr. Beach said the court had only to pass on a question of law and that was whether the appraisers in determining the value of the property followed the rules of law. If it was found that the appraisers had followed the law, the old appraisal would stand. If it was found that the law had not been followed then the court's move would be to send the case back to the appraisers for re-appraisal.

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COUNCILMEN AT SESSION RAISE NO GREAT OBJECTIONS

Company Willing To Make Modification at City's Request Except for Weekly Pass—Agrees to 5-Cent School Fare

PROPOSAL TO DISCUSS CHANGES FOR YEAR NOT CORDIALLY TAKEN

By HIRAM MARKS

Assurances that with the renewal of the service at cost contract for a period of ten years the New York State Railways will make every effort to meet the requests for modifications enunciated at a conference yesterday afternoon was given to the group by James F. Hamilton, president, and Daniel M. Beach, of the law firm of Harris, Beach & Matson, representing the company. Mr. Hamilton made it clear that every request made by the city during the life of the contract had been met and that this spirit of co-operation would be continued to meet the various situations that have developed as a consequence of the discussion regarding the renewal.

Special Council Meeting Tuesday

The conference was held in the office of City Manager Stephen B. Story with Councilman Harry C. Goodwin, chairman of the Public Utilities Committee of the City Council, presiding. It was brought out that it was necessary to assure the extension of the service at cost contract for ten years by action of the City Council before August 1st and as a consequence a special meeting has been called for noon next Tuesday. The trend of the discussion at the conference indicated that the Public Utilities Committee will recommend the renewal and with the majority of the council members present at the conference and raising no objection to the renewal of the contract it is expected that the whole Council will concur.

It was brought out by Corporation Counsel Clarence M. Platt, in response to an inquiry by Councilman Goodwin, that the modifications that the city may seek are not legally enforceable after the renewal of the contract is authorized, unless there is consent by the company and approval by the Public Service Commission. Mr. Hamilton gave the assurance of the company that every effort would be made to adjust the situations that are brought up by the city, and he expressed confidence, as did Mr. Beach, that no difficulty would be experienced in reaching an amicable basis for adjustment.

Valuation Case Discussed To facilitate discussion Councilman Goodwin had prepared a memorandum that embraced various points raised at the public hearing on the renewal of the service at cost contract. They were discussed in detail, as were a number of other points. The various matters were discussed with freedom and frankness, and at the conclusion of the conference both Councilman Goodwin and Councilman Louis Foulkes said that a vote of thanks ought to be extended to the representative of the company for coming to the conference and discussing with such complete frankness the transportation situation as it is related to the company, with the view of furthering the best interests both of the city and of the company.

The trial of the valuation case was brought up and Councilman Goodwin said that it was the opinion of both he and Councilman William F. Duran and Joseph L. Guzzetta, the other members of the committee, that it was to the best interests of the city and also the company to have the suit tried. Mr. Hamilton said that he was not adverse to such a trial, asserting that several times during the last four years he had asked that the trial either be pushed or the case discontinued. The various factors that entered into the delay, including the O'Fallon case pending before the Supreme Court of the United States, involving methods of valuation, were discussed.

Morse Suggests Changes John W. Morse, chairman of the Mayor's Advisory Committee on Subway Operation, and a lawyer by training, felt that it would be disadvantageous if the valuation suit was tried, stating that any adjustment in the base valuation should be by stipulation, if possible. Vice-Mayor Isaac Adler expressed the opinion that nothing would be gained by the suit and that the city would be put to a large expense.

It developed in the discussion that the only point that could be brought up in the valuation suit was whether the appraisal was legally made and whether the rules of law governing such appraisals had been complied with. It was suggested that the matter might be referred to some competent attorney of the city's selection, for the purpose of determining whether it would be advantageous to press the suit. The opinion was freely expressed that the suit might result in an increase in the base valuation, because of the liberal decisions recently in rate cases, and Vice-Mayor Adler made the point that the appraisal suit was not a factor in the renewal and could be determined independently. Mr. Hamilton pointed out that the company had no control over the prosecution of the suit, and whether it was an expedient thing to do depended entirely upon the decision of the city.

Rehabilitation Planned The reasons for it were outlined by Mr. Beach. He said that the stock of the company was virtually being given away. Bonds were way below par. He said that the company's credit was low and that the uncertainty about the relations here would likely injure the credit further. Mr. Hamilton said that the plan was under way for the complete rehabilitation of the property and the directors want to know where they stand definitely with reference to the Rochester lines. Mr. Beach felt that there was no equity in the offering of a contract, which in effect was not a contract.

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Year's Discussion Urged

Mr. Morse said that the service at cost contract had proved of immense benefit to the community and he felt that it should be renewed, but felt that an additional year should be provided to enable the city to make the adjustments and that a stipulation to this effect should be made by the company. Mr. Morse said that he felt that the service at cost contract had resulted in the promotion of a better spirit between the railways and the city, and took the transportation question away from controversy before the Public Service Commission on an obsolete 5-cent fare franchise and raised it to the plane of co-operative effort to benefit the public.

He felt, however, that some modifications should be worked out and that an agreement providing for the cancellation of the contract within a year, if it was not possible to agree on the modifications and the consent of the Public Service Commission was not obtained, should be stipulated between the city and the company. Mr. Morse in response to inquiry by Mr. Goodwin said that he was not prepared to discuss the modifications that he would suggest and he was requested to file with the committee before Saturday any changes that he deemed advisable.

Beach Praises Contract Mr. Beach brought out the point that the contract has been in effect for nine years and that it has demonstrated its worth in the furtherance of co-operative interest between the city and the railways in the betterment of service and facilities. The point was made that while trolley service is of comfort and convenience to passengers, it was also of vital interest to the progress of manufacturing and business activity in the community.

Mr. Beach said that no substantial objection had been raised to the contract and the company had manifested its willingness to make such modifications as were requested with the possible exception of the weekly pass, which he said should be studied carefully, and even then if the city felt that some sort of modification of the pass, eliminating the abuses that have developed, was desired, the company would take every reasonable step to meet the request. He said that in view of the fact that the discussion had virtually adjusted the various items raised that he felt that the suggestion that the matter be held in abeyance for a year was not a fair one to the company. Both Mr. Hamilton and Mr. Beach said that they did not feel the directors would consent to such a plan and they felt that they were not justified in making any such recommendation.

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Cities Shrinkage In addition Councilman Foulkes brought out that the shrinkage in power in the transmission from Niagara Falls to Rochester was about 15 per cent, and that the lower rate here as compared with Buffalo was all the more impressive. It was also brought out in the discussion that the Summer-ville lines were included in the base value of the service at cost contract at the request of the city for the purpose of taking care of patrons residing along the line and working and having their businesses in the city. This point was raised by Mr. Goodwin.

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Advertisement for men's clothing, featuring a large '7.85' price tag and the text 'White-Add-Black' and 'for Men'.

Advertisement for 'Unusually High' quality rare cloth, with the text 'Quality Rare Cloth' and 'Unusually High'.

Advertisement for 'Cause of Cl' (likely Claret) and 'Them a Lucky Br' (likely Brandy), with the text 'Cause of Cl' and 'Them a Lucky Br'.

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Ontario Beach Park Addition

Acquisition by the city of the former blast foundry property adjacent to Ontario Beach Park may be regarded as a necessity. If the city is going to keep pace with the growth of the population and the demands that will be made on this popular resort in coming years.

The park at the present time is a monument to the vision of city officials of a former generation. They made plans on a scale adequate for the time being, but the city's population does not stand still. The element of growth must constantly be kept in mind; what is satisfactory today will not meet the needs of tomorrow.

Ontario Beach Park is one of the city's most valuable assets. The beach is not surpassed at any point along the lake shore. Anything that will enhance its usefulness to the public is a good investment. It is equally true that what is a good investment today will be invaluable in twenty-five years, when the population to be served will be doubled, and congestion within the city limits so much greater than it is at the present time.

The people owe a great debt to Mayor Edgerton for what was done during his time to improve the park. The present city administration is merely following a good precedent in acquiring additional land for park purposes, to say nothing of what may take place on the river side in the way of dock and harbor facilities in connection with the development of the port.

Why Renew?

Today the public utilities committee of the City Council confers with city officials, street railway representatives and others on the question of renewal of the service-at-cost contract. A public hearing was given on this matter last week, at which considerable opposition to renewal was disclosed.

This matter has drifted along until only a week now remains for reaching a final decision. It is reported that the committee will recommend notice of intent to renew the contract next year, and also recommend a court review of the appraised valuation.

The Times-Union has opposed renewal, on the ground that since operation under the service-at-cost contract has brought with it a rate of fare about as high as is charged anywhere, no good reason appears for shouldering the obligation to pay 6 per cent. on a valuation which cannot be reduced save by a favorable issue of lengthy court proceedings.

If the committee reports in favor of renewal, and the council approves the report, then the risks of another ten-year guarantee are assumed at a time when local transit is in a state of rapid flux and change.

The question asked in these columns—what do street car patrons get in return for assuming this obligation?—still remains unanswered.

Step Toward Port Development

Recommendations of the Harbor Advisory Board have been followed by the city administration in taking steps to acquire the old Genesee Blast Furnace property. The price fixed in the negotiations with the owner, William Bausch, is \$225,000. This, if we recollect rightly, is a lower figure than was set by an agent of the owner shortly after he acquired it from the iron company.

This is the largest and best situated property available in one block for harbor development. It is also adjacent to Ontario Beach Park, so that if harbor expansion should lag use can be found for it for other public purposes.

Harbor development ought not to lag, however. The opening of the enlarged Welland Canal next year will introduce a new era in Lake Ontario trade, offering an opportunity which Rochester should grasp.

Widening of Culver Road from Waring Road to the city line marks another advance toward improving a much travelled highway to the lake. This is to be effected under a plan by which the residents on each side of the thoroughfare dedicate a strip 15 feet wide and the city paves the boulevard for which room is thus provided. The part between Waring and Clifford was improved some time ago.

To be sure, this boulevard will connect with a narrow road running through the town of Irondequoit. The improvement will be far from complete until that highway is widened. Part of this so-called Sea Breeze road, below the Ridge, probably merits the title, all things considered, of Monroe County's worst road.

The fact that the city owns a narrow right of way and the abutting property is in Irondequoit places the road in a sort of twilight zone.

Perhaps the plan followed for the portion within the city limits, which Councilman Durman has worked hard to carry through, may set a useful precedent for the Irondequoit sector, where motorists still face a crumbling pavement not half wide enough for the traffic.

Quality Rarely

Unusually High

Them a Lucky Bro

ause of Cl

Now the city does its shopping according to consumption. A perpetual inventory record is kept at the storehouse to determine how much is apt to be needed and care is taken not to keep too large surpluses.

When the police department needs raincoats, or the department of public works needs shovels, or the water department needs printing, it puts in a requisition. The material in emergency may be delivered within 15 minutes.

Daily Deliveries For regular orders, however, daily delivery is made by automobile truck. The man in charge is Arthur McArthur, the storekeeper. Inspection of goods is also centralized. An order purchased by the city must meet specifications difficult of enforcement before the department was established.

When the department was initiated, July 9, 1928, inventory was made of city supplies on hand. The result was, the storehouse started its work with \$7,000 worth of surplus supplies, since gradually used up.

Junk Department Valuable A "junk" department is also highly important. Formerly, discarded materials just passed out of existence, so far as the city was concerned and were thrown out or given away. Now, all discarded articles are collected by the purchasing department, sorted and sold.

The aim is to turn over the entire storehouse stock about four times a year. Centralized control makes it possible to advertise for bidding.

The present building and its contents are fully insured. The old storehouse was located on the second floor of the city's Dewey Avenue shops. The move was made May 1.

City Council Will Decide Finally On Tram Deal Tuesday

Frank Discussion Marks Conference of City, Railway Officials—Fares For Children, Transfer of Commissioner to City Payroll Points Discussed.

By Robert D. Burns

Renewal of the service-at-cost contract, "as is," with the New York State Railways consenting to consider amendments after the agreement has been extended for another period of 10 years, now appears likely.

The matter will be decided at a noon meeting of the City Council next Tuesday when action will be taken on the report and recommendations of the public utilities committee which for several weeks has been considering the contract. The contract is to be renewed for 10 years. The company must have such a contract to operate.

Frank discussion of most marked a conference the utilities committee of the council had yesterday afternoon with the commissioner of railroads, and the general auditor and staff for the New York State Railways. Taking active part in the discussion were Councilmen Foulke, Flynn, Adler, Peake, Chairman Goodwin and Councilman Durman made up the utilities committee. The third member of the committee, Councilman Guzzetta, was not present. Mayor Wilson and Councilman Milne also were absent.

Of six topics listed for discussion only two were found to have any bearing on the contract renewal. These two issues were proposed modifications in the rate of street car fares to be charged school children in certain hours, and the transfer of the commissioner of railroads and his office staff to the payroll of the city.

To Consider Lower Fare As to the proposal for a lower fare for the pupils James F. Hamilton, president of the company, said he would be glad to recommend the matter to his board of directors, and expressed the opinion that the lower fare would receive favorable consideration.

In taking up the matter of the commissioner's salary payment, Charles R. Barnes, commissioner of railroads for the city ever since the contract took effect in August, 1920, was heard at length. Mr. Barnes in clear-cut language made it plain that he was not speaking in opposition to the plan, but rather in explanation.

"Is that change in salary agreed to?" asked Mr. Barnes. "Now I wish it understood that I am not making any objections to the change but cannot but feel that this action reflects somewhat on the commissioner and his office. This service-at-cost contract was the result of a broken down and demoralized service. The mayor had appealed to the Public Service Commission for relief. At that time there had been aroused a public feeling against the company and its service. The relief asked for was not ordered by the commission on the ground that the company's revenues would not permit increased expense of operation, and that to order the company to increase its service under a five-cent fare would be confiscation of the company's property. The upshot was the present service-at-cost contract which has provided service that has completely changed public sentiment from a hostile to a friendly spirit. I claim here publicly that the service now warrants this favorable public sentiment, and that condition was brought about not solely through the commissioner of railroads, but with the co-operation of the president of the New York State Railways. I never had to repeat an order to Mr. Hamilton. He asked for two additional cars, say on the Lake Avenue line, those cars were in operation the very next night. There has been between us a friendly and co-operative spirit during all these years which I am glad here to acknowledge publicly.

Other topics concerned the one-man car operation and the valuation of the company's property used in the service.

Mr. Barnes declared that if he continued in office under the renewal he would place one-man cars on every line in the city with the exception of one or two routes. He said the safety and efficiency of the service were increased by their operation, and the slower movement of the cars was offset by these advantages including increased seating capacity.

As to the valuation, Corporation Counsel Platt said he would need \$75,000 to start proceedings for a review by the court. Mr. Beach said the court had only to pass on a question of law and that was whether the appraisers in determining the value of the property followed the rules of law. If it was found that the appraisers had followed the law, the old appraisal would stand. If it was found that the law had not been followed then the court's move would be to send the case back to the appraisers for re-appraisal.

Mr. Hamilton explained that the New York State Railways was considering the problem of rehabilitating the trolley system, and it was essential that the company should know just what the city was going to do. He said that the city should arrange to have a man remain in the city to look after the broken trolley system.

Mr. Hamilton said that the trial of the valuation case was brought up and Councilman Goodwin said that it was the opinion of both he and Councilman William F. Durman and Joseph L. Guzzetta, the other members of the committee, that it was to the best interests of the city and also the company to have the suit tried. Mr. Hamilton said that he was not adverse to such a trial, asserting that several times during the last four years he had asked that the trial either be pushed or the case discontinued. The various factors that entered into the delay, including the O'Fallon case pending before the Supreme Court of the United States, involving methods of valuation, were discussed.

John W. Morse, chairman of the Mayor's Advisory Committee on Subway Operation, and a lawyer by training, felt that it would be advantageous if the valuation suit was tried, stating that any adjustment in the base valuation should be by stipulation, if possible. Vice-Mayor Isaac Adler expressed the opinion that nothing would be gained by the suit and that the city would be put to a large expense.

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It was brought out by Corporation Counsel Clarence M. Platt, in response to an inquiry by Councilman Goodwin, that the modifications that the city may seek are not legally enforceable after the renewal of the contract is authorized, unless there is consent by the company and approval by the Public Service Commission. Mr. Hamilton gave the assurance of the company that every effort would be made to adjust the situations that are brought up by the city, and he expressed confidence, as did Mr. Beach, that no difficulty would be experienced in reaching an amicable basis for adjustment.

COUNCILMEN AT SESSION RAISE NO GREAT OBJECTIONS

Company Willing To Make Modification at City's Request Except for Weekly Pass—Agrees to 5-Cent School Fare

PROPOSAL TO DISCUSS CHANGES FOR YEAR NOT CORDIALLY TAKEN

By HIRAM MARKS

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Mr. Morse said that the service at cost contract had proved of immense benefit to the community and he felt that it should be renewed, but felt that an additional year should be provided to enable the city to make the adjustments and that a stipulation to this effect should be made by the company. Mr. Morse said that he felt that the railway expansion should be continued, and he said that the service at cost contract had resulted in the promotion of a better spirit between the railways and the city, and took the transportation question away from Commission on the Public Service franchise and passed it to the plane of co-operative effort to benefit the public.

He felt however, that some modifications should be worked out and that an agreement providing for the expiration of the contract within a year, if it was not possible to agree on the modifications and the consent of the Public Service Commission was not obtained, should be stipulated between the city and the company. Mr. Morse in response to inquiry by Mr. Goodwin said that he was not prepared to discuss the modifications that he would suggest and he was requested to file with the committee before Saturday any changes that he deemed advisable.

Beach Praises Contract Mr. Beach brought out the point that the contract has been in effect for nine years and that it has demonstrated its worth in the furtherance of co-operative interest in the betterment of service and facilities. The point was made that while trolley service is of comfort and convenience to passengers, it was also of vital interest to the progress of manufacturing and business activity in the community.

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ways and the lighting company were both owned by the same interests that the railways were paying excessive rates for power and as a consequence the rate of fare was kept higher here.

Mr. Hamilton submitted figures to show that the rate for power in Rochester was the lowest in the country. The rate here was 8 mills a kilowatt hour compared with 9 mills in Buffalo, 11 cents in Cleveland, 11.5 cents in Baltimore, 1.2 cents in Pittsburgh, 1.3 cents in Syracuse, 1 cent in Schenectady. Mr. Hamilton said that the lower rate in Rochester was significant because the proximity of Buffalo, Niagara Falls makes it ideally suited for power rates. He said that the railways were under a contract with the lighting company for power, with the provision that the rate could be adjusted every five years but only on concrete proof by the lighting company that the power was being sold at a loss. He said that the rate about seven years ago had been reduced from 9 to 8 mills an hour, and there had been no change since. He said that the rate was the most advantageous in the country and he said that the figures were answers to the ridiculous charges that came to Councilman Goodwin.

Cites Shrinkage In addition Councilman Foulke brought out that the shrinkage in power in the transmission from Niagara Falls to Rochester was about 15 per cent, and that the lower rate here as compared with Buffalo was all the more impressive. It was also brought out in the discussion that the Summerville lines were included in the base value of the service at cost contract at the request of the city for the purpose of taking care of patrons residing along the line and working and having their businesses in the city. This point was raised by Mr. Goodwin.

Corporation Counsel Platt said that if the valuation suit was to be tried the city should provide an appropriation of \$75,000. It was brought out that if a line was abandoned, such as the Plymouth Avenue line, the amount at which it was appraised in the inventory made by the Board of Appraisers, was written off the base value.

Attending the conference besides Councilman Goodwin, Councilman Durman, Mr. Hamilton, Mr. Beach, Commissioner Barnes, City Manager Story, Councilman Foulke, Mr. Platt, Mr. Jusum, Vice-Mayor Adler were Councilman Chester A. Peake, Councilman Edward P. Flynn, Charles Dalton, of the Bureau of Municipal Research; Mr. Morse, Charles Sullivan, auditor for the commissioner of railroads, and Joseph M. Joel, general auditor of the New York State Railways.

Commissioner Barnes discussed the situation that prevailed in Rochester before the service at cost contract was enacted. He was formerly associated for a quarter of a century with the Public Service Commission in the capacity of investigating service and operation. He said that the contract here resulted from a demoralized broken down service, and the city was without legal means to provide an adequate and satisfactory service because of the 5-cent franchise of the franchise. Mayor Hamilton, Edgerton petitioned for a contract to adjust the situation and to put the transportation facilities on a proper basis. He said that the public sentiment toward the railways had been completely changed since the service at cost contract and he said that through the co-operation of Mr. Hamilton a service that was superior to any comparable city in the country had been developed, and this in face of increasing competition from automobiles and a rapidly increasing operating cost.

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Span Over River At Ridge To Be Next On City's Bridge Program Engineer Engaged To Draw Up Plans For Ridge Bridge

Frank P. McKibben, Designer of Smith Street Structure, Will Start Work at Once on New Project—Commissioner Baker Speaks Favorably of Concrete.

The long-contemplated Ridge Road bridge is to come next on the city's program for spanning the Genesee River after the new Smith Street bridge becomes a reality.

City officials want to start the Ridge Road bridge by Spring of next year, and estimate it will cost between \$1,700,000 and \$2,000,000.

Harold W. Baker, commissioner of public works, announced today that Mr. McKibben will return to the city next week to start his plans.

MUST SUBMIT BLUEPRINTS TO BUILD GARAGE

John G. Ellendt Calls Attention to Requirement—Plans Must Be Made by Licensed Surveyors.

Under the city's new zoning ordinance, persons applying for permission to erect garages are now required to submit two blueprints, made by licensed surveyors, with their plans.

The blueprints are to be 18x24 inches in dimensions. The plot plan must show location of the dwelling on a lot.

The new board of appeals, created under the recently-enacted zoning ordinance, will have its first official meeting in the council chamber of the City Hall at 10 a. m. Tuesday, Aug. 6.

School Fare Reduction Promised

Mr. Hamilton said that he would recommend to the Board of Directors of the New York State Railways that a reduction in fare to school children during certain hours of the day be made.

Councilman Goodman asserted that the work of the company officials was as good as those of the officials of the city and that this assurance satisfied him as chairman of the committee.

From this intimation, the Ridge Road plans might be expected to go forward with none of the controversy which raged over Smith Street bridge when an ordinance was passed to build it of steel.

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Contract for the steel cantilever Smith Street bridge will be let shortly, with bids due to be opened on Aug. 14.

Raitt Suspension Case Briefs Will Be Filed Next Week

Story Indicates Decision on Charges Park Director Was Negligent in Drowning of Raymond Gartland Will Be Made Soon.

Briefs in the suspension case of Charles B. Raitt, director of parks, are expected to be in the hands of City Manager Stephen B. Story Monday or Tuesday.

Mr. Story will not give a decision until he has reviewed the testimony in full. Mr. Raitt's hearing on charges of negligence, growing out of the drowning of Raymond J. Gartland at Ontario Beach Park on June 18, was completed last week.

Mr. Story has indicated he would announce his decision shortly after the briefs are filed with him.

MINUTES OF TRIAL READY TOMORROW

City Manager Story's decision on the suspension of Director of Parks Charles B. Raitt will be announced probably the first week in August, according to developments at City Hall today.

Minutes of the trial of Mr. Raitt on charges preferred by Safety Commissioner Nier, which was held before Mr. Story, were being transcribed by stenographers. This work was to be completed tomorrow.

Mr. Nier and Edward M. Ogdin, attorney for Mr. Raitt, were to have a few days in which to review the minutes, before filing briefs.

Meanwhile both Mr. Raitt and Chester B. Peake, who was suspended from the position of playground director in the same connection, are drawing salaries from the city.

Washington: "Internally Debts and Repairs." Professor Jacob Viner, University of Chicago.

The purpose of the Institute is to explore the facts underlying international events, to promote among adults the study of foreign affairs, and to create international goodwill on the basis of an understanding of our respective problems and policies.

Dr. Harry A. Garfield, president of Williams College, is chairman of the Institute.

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Officials Say Work On New Bridge Will Be Started In August

Steel Contractors Throughout Country Being Solicited For Bids on Smith Street Structure to Be in by August 14—Must Begin Job Within 10 Days.

Construction of new Smith Street bridge will be under way by August 24 at the latest, city officials disclosed today. The first step will be dismantling of the present span.

Steel contractors throughout the country are being solicited for bids on the job, engineering estimate for which is \$978,650. The portion of cost estimated for removal of the old bridge is \$20,000. The advertisement of specifications is appearing in the Engineering News-Record, with national circulation.

The bids are to be opened Aug. 14, and a clause of the contract states that work is to be started by the successful bidder within 10 days of awarding the contract. It will require at least 15 months to erect the bridge, officials predicted.

Every contractor submitting a bid must accompany it with a check for \$50,000 as evidence of his financial responsibility. This is one of the highest amounts ever demanded of a contractor in Rochester, in this connection.

Traffic is not expected to be closed over the present bridge for some time after work is started. Preliminary work will be occupied with arranging sewer lines and conduits beneath the bridge, which do not interfere with the structure itself, so it is likely traffic will be maintained as long as possible.

Specifications call for a steel deck bridge about 977 feet long and 80 feet wide. It will have a 56-foot roadway and 10-foot sidewalks. Engineering details demand a central concrete span 420 feet long, with two 150-foot anchor arms and two deck plate girder spans, each about 67 feet long.

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Socialists Make Reply

City Councilman Harry C. Goodwin's reply to Socialist criticism of his stand on the renewal of the service-at-cost contract with the New York State Railways last night drew a second broadside from the Socialist Party Campaign Committee in Rochester.

Characterizing Goodwin's reply as an "unwarranted attack on our position regarding street railways," the statement insists that "the administration is eminently on trial in this issue."

Last Wednesday, the Public Utilities Committee of the City Council, of which Goodwin is chairman, received a protest from the Socialist party in which it condemned renewal of the contract, and censured the City Manager government generally for "grandiose schemes of city embellishment that center around business development."

CONTRADICTIONS FOES

In his reply, Councilman Goodwin took issue with the Socialist party and said that the City Manager government was not on trial. "Just because renewal of the service-at-cost contract must receive honest consideration by city officials,"

"The City Manager government is making good with big undertakings and it is unfair for Socialists or anybody else to present one question as most important," Goodwin said.

Last night's statement of the Socialists in part was:

"Mr. Goodwin's attitude and tone seem rather curious. We hold that the duty of the City Council in this matter is to get the best possible terms for the city. The railway company has simply demonstrated its ability to attend to its own interests without the paternal assistance of city officials."

"It is the chief function of a public official to defend the public interest; whereas Mr. Goodwin's chief concern seems to be to show that the efforts of the Socialist party in behalf of the riding or straphanging public are all wrong."

GOVERNMENT ON TRIAL

"We repeat that the administration is eminently on trial in this issue in view of the undeniable public sentiment opposing renewal of the preposterous contract, as expressed at the public hearing and in letters to the press."

"We call attention to the growing public disgust with the miserable service and excessive fare. We maintain that the members of the Council should be and will be judged by their action in this issue."

"As to power monopoly, the Federal Trade Commission has for several months been investigating the power corporations. We recommend the reports of this investigation to Mr. Goodwin, also 'Power Control' by Rauschenbush and Laidler, and 'High Power Propaganda' by Rauschenbush, wherein it will be found that our 'ranting about power monopolies,' is not merely a lot of blarney."

HITS GOODWIN'S STAND

"Can Mr. Goodwin produce facts to support his statement that 'public ownership has failed in more cases than it succeeded?' Of course, any system must be influenced by the aims and the character of the people in control of it, just as the impulse behind a good community life is and must continue to be good people. Public ownership is nothing more than a system or a tool."

Cumberland Street Extension Appears Near Realization

City Believes It Can Purchase Property For \$250,000—Salem Church Would Sell Its Holdings For \$110,000—Assemblyman Marks Instrumental in Success.

Cumberland Street extension, one of the city's major projects, delayed because of the high price demanded for the required property, today seemed assured.

Starting as a half-million dollar venture, a much higher amount than the city was willing to pay, it has been adjusted until now the property needed between Clinton Avenue North and Franklin Street can be bought for \$250,000.

The original ordinance for extension was passed in 1927. When the proposal to buy property was introduced during the Spring the council shelved the matter to await a more reasonable figure.

Salem Evangelical Church, at first one of the principal stumbling blocks to the acquisition, was in the end the agency which brought about a satisfactory adjustment. The church, located on Franklin Street, owns a large piece of property through which the extension must run, and at first asked \$250,000 for its rights.

The church used part of the land for a parking station, considered a necessity to a downtown church, and wished to use another portion for erection of a recreation building. The building has since been erected on property which the proposed street route does not touch.

When Warren Allen, deputy city purchasing agent in charge of real estate, last Summer approached the owners of six pieces of property desired for the extension, their total demand was for \$370,500. Recently, negotiations brought the figure down to \$267,000, still \$117,000 in excess of the limit of \$250,000 which had been set.

It is probable the ordinance for purchase will be introduced in the next adjourned meeting of City Council, Aug. 5.

The project would extend Cumberland Street westward from Clinton Avenue North, cutting through a garage, a gasoline station, an old hotel and other properties, with a slight jog in the middle of the block, skirting the church building to connect with Franklin Street.

Bridge for Smith Street to Get Underway August 24

Work on a new Smith Street bridge will get underway August 24, according to announcement yesterday by Public Works Commissioner Baker. Then the present bridge will be closed to traffic and dismantling begun.

Bids on the new structure will be opened August 31, and are expected to be submitted by most of the steel bridge builders of the country. Contracts are to be let within ten days after bids are opened, Public Works Commissioner Baker said. Construction is expected to take fifteen months.

Each bid must be accompanied by a check of \$50,000 to guarantee financial responsibility. This is the highest sum ever asked by the city to guarantee a contract.

Preliminary work on sewers and other conduits below the bridge, will start immediately.

The specifications call for a bridge 377 feet long and 80 feet wide, allowing for a 58 foot roadway and 10 foot sidewalks. There will be a cantilever span of 420 feet, with 180 foot anchor arms and two deck plate spans of 67 feet each.

The roadway will be of concrete with base beneath of granite blocks.

RESURFACING BIDS

All the land needed for approaches, which will mean two additional streets on both sides of the river, remains to be purchased, Warren Allen, deputy purchasing agent in charge of real estate, said.

The Council has provided \$700,000 for approaches and \$1,100,000 for the bridge itself. The Bureau of Purchase and Supply also advertised yesterday for bids on resurfacing State Street with asphalt, at an estimated cost of \$158,000.

The next 10 days are likely to produce candidates for councilmen who will have the Republican organization's endorsement. If Mayor Wilson decides to stay in the limelight and run for re-nomination, it will only be necessary for the organization to endorse the candidacies of three men in addition to the Mayor and Dr. Guzzetta. And it is not expected that will prove a difficult task.

R. A. Quinn, former commissioner of public safety, is favored as one of the candidates, while Leo A. MacSweeney, who will support Mr. Bareham and the Republican candidates, has announced himself as individually supporting R. Frank Quinn of the Third Ward. On announcing that he would support Mr. Quinn he stated that he would not endorse Councilman Flynn. Mr. Quinn, however, has not openly stated that he will be a candidate.

Petrossi took the city's refusal to award him further contracts to court and Justice Gillette held adversely to the city.

Since the order, signed by Supreme Court Justice Gillette in June from which the appeal is taken, Petrossi has been tried a second time and the indictment charging bribery of a paving inspector dismissed.

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Historic Scrapbooks Collection

CITY MANAGER GOVERNMENT IS HERE TO STAY

However, a New City Manager and Housecleaning at City Hall Likely To Follow G. O. P. Victory.

By Charles E. Welch

Rochester's city manager government will continue after Jan. 1 next whether present members of the City Council are returned to office or not.

Many citizens have gained the erroneous impression that if the Republican organization again secures control of the city government, the old system will obtain with a mayor as the executive head of the municipal government. While this is correct, if the winning candidates, a majority of whom have the Republican organization's endorsement, the Republican party, headed by Harry J. Bareham, may name a new city manager as well as the mayor, and the new city manager will make appointments to department positions. This would mean a general housecleaning at both the City Hall and City Hall Annex. It is generally predicted.

Need Organization

In this connection, it would appear that only quick work in building up an organization to offset the strength of the Republican county machine will save the day for the city manager candidates, if there are to be any. So far, only two have announced themselves as candidates for re-nomination—Harry C. Goodwin and Edward P. Flynn.

Mayor Joseph C. Wilson and Vice-Mayor Isaac Adler have not announced their intentions. The former is assured of the Republican endorsement if he decides to run.

While some of Mr. Adler's friends have suggested that it might be good policy for the Republican organization to endorse him, it is not believed this would be possible. If Mr. Adler runs he will run as an independent unless the City Manager League is revived.

Dr. Joseph L. Guzzetta, the only other member of the present council whose term expires this year, has announced himself as a candidate for re-nomination and re-election. He will have the endorsement of the Republican organization. He has shown himself to be in sympathy with the Republican party on all matters over which there was a division of opinion on the Council.

No Signs of Life

If the City Manager group is planning to present a slate of council candidates it has not given any public indication of what it intends to do. Councilman Goodwin is going about his work of obtaining signatures to his designating petitions in an independent way and the same method will be pursued by Councilman Flynn unless the City Manager League comes to life again or some new organization is created to support these two candidates with Mr. Adler and any other candidates who may be acceptable to the City Manager group.

The next 10 days are likely to produce candidates for councilmen who will have the Republican organization's endorsement. If Mayor Wilson decides to stay in the limelight and run for re-nomination, it will only be necessary for the organization to endorse the candidacies of three men in addition to the Mayor and Dr. Guzzetta. And it is not expected that will prove a difficult task.

R. A. Quinn, former commissioner of public safety, is favored as one of the candidates, while Leo A. MacSweeney, who will support Mr. Bareham and the Republican candidates, has announced himself as individually supporting R. Frank Quinn of the Third Ward. On announcing that he would support Mr. Quinn he stated that he would not endorse Councilman Flynn. Mr. Quinn, however, has not openly stated that he will be a candidate.

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Since the order, signed by Supreme Court Justice Gillette in June from which the appeal is taken, Petrossi has been tried a second time and the indictment charging bribery of a paving inspector dismissed.

Petrossi took the city's refusal to award him further contracts to court and Justice Gillette held adversely to the city.

Council On Eve Of Deciding Fate Of Service-At-Cost Trolley Pact

Two Channels Open To City When Case Comes Up Tomorrow

Special City Council Meeting Will Settle Matter, by Either Renewing Contract or Letting It Lapse and Leaving Fare Control to P. S. C.

By Robert D. Burns

Decision on whether to continue the service-at-cost contract, which controls the rate of street car fare to be charged in Rochester, for another period of 10 years, or to permit it to lapse a year hence, is to be made by City Council tomorrow afternoon.

The council has the choice of two moves. One is to renew the contract in its present form.

The other is to permit the contract to expire Aug. 1, 1930, but, to insure regulation of service and rates of fare, the Council may again waive the five-cent fare franchise limitation and thus restore the Rochester trolley and bus lines to the jurisdiction of the Public Service Commission.

This is what the former Common Council did even after the City had entered into the service-at-cost agreement with the New York State Railways in July, 1920.

The seven-cent fare was installed in Rochester by the Public Service Commission without thought of the trolley contract. After two years of trolley operation under a seven-cent fare, the state service board took official cognizance of the service-at-cost contract, and approved the document only after such contract had been validated by act of the Legislature.

Chairman Harry C. Goodwin of the Council's public utilities committee, on the eve of making a report to the local legislative body, was engaged today in a controversy with Socialist Party leaders, both from their prepared statements, both Mr. Goodwin and the Socialist leaders, through their spokesman, Richard W. Briggs, appear to assume that city regulation of the trolley company is the only alternative. Mr. Briggs, in attacking the renewal of the contract, advocates a three-to-five-year agreement, and Mr. Goodwin says it cannot be done and that a short renewal would be of no advantage to the city.

Mr. Briggs declared the Council is on trial, saying: "We repeat that the administration is eminently on trial in this issue in view of the undeniable public sentiment opposing renewal of the preposterous contract, as expressed at the public hearing and in letters to the press. We call attention to the growing public disgust with the miserable service and excessive fare. We maintain that the members of the council should be and will be judged by their action in this issue."

In championing a renewal of the contract, by way of responding to the Briggs charges, Chairman Goodwin said:

"The statement that public sentiment is solidly against the renewal of the contract as expressed in statements made at the hearing and in the press is not true. Only three persons spoke against the renewal of the contract at the hearing. More than that number spoke in favor of renewal and in a temperate manner suggested desirable changes, which I believe will prevail. One of the three opposing renewal of the contract suggested a referendum which can be instituted at anytime so there is no point in asking the Council to start one."

Instead of growing public disgust as stated by Mr. Briggs, there is and has been developed a spirit of fair play toward the New York State Railways. We don't hear so much of these people because it is not the tendency of satisfied people to rush into print — that tendency is always shown by those not satisfied, whether their dissatisfaction is based on fancy or fact."

When it came to his time to vote the tally showed 4 to 3 in favor of the adoption of the renewal ordinance. There was a slight pause, as the audience and councilmen waited for the deciding vote to be cast.

Without a speech, Mr. Peake voted "No," and the ordinance was lost.

Full Council Present

A full Council was present with the single exception of Mayor Wilson. The Mayor is detained at his home under care of a physician.

In the event of majority vote for the ordinance, the Mayor would still have had the deciding vote.

CITY COUNCIL VOTES TO LET CONTRACT DIE

Tie Ballot of 4 To 4 Loses Ordinance for Service-At-Cost Renewal for 10 Years.

By Robert D. Burns

City Council this afternoon at a special meeting refused its consent to a renewal of the service-at-cost contract with the New York State Railways for another period of 10 years.

The agreement will therefore expire a year from August 1.

The ordinance was lost after extended speeches by Councilman Goodwin and Vice-Mayor Adler who spoke in favor of a renewal, and by Councilmen Durman and Guzzetta, who spoke against continuation of the contract.

The vote was 4 to 4, and it was this tie that killed the ordinance as under the terms of the contract a majority vote was needed to pass the ordinance.

The action this afternoon was taken to get the council's vote on the matter of granting consent and approval of the mayor's notice to renew the contract. This proceeding was just one part of the renewal ceremonies, as the mayor himself was also a party to the renewal and there could be no renewal unless the mayor also gave his consent.

The contract provided that the renewal should be made jointly by the mayor and the council. It was distinctly a line-up of voices when the ordinance was put up for voting. In favor of the renewal were recorded Vice-Mayor Adler, Councilman Flynn, Foulkes and Goodwin.

Against the proposition were recorded Councilmen Durman, Guzzetta, Milne and Peake.

It was a tense moment when the city clerk read out Councilman Peake's name. The votes were taken in alphabetical order, respecting the legislators' names, and Dr. Peake was last on the list.

When it came to his time to vote the tally showed 4 to 3 in favor of the adoption of the renewal ordinance. There was a slight pause, as the audience and councilmen waited for the deciding vote to be cast.

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Councilman Durman, in explaining his vote against consent to the renewal, declared he represented the district which furnished the largest percentage of car riders in the city, that is, workers, who while they did not oppose the contract on general grounds nevertheless felt that the valuation of the company's property was excessive, and therefore the six per cent, required as a return on the investment made too heavy and unfair a burden the revenues, the condition of which controlled the rate of street car fare charged.

TROLLEY PACT FAILS OF RENEWAL

Vice-Mayor Adler said: "I desire to state in explanation of my vote that after carefully considering the terms of this contract and the arguments presented at the public hearing and conferences held with reference thereto, I have reached the conclusion that it is for the best interests of the city to renew it."

"On the whole the contract has been satisfactory. Relations between the city, the company and the car riders have been amicable. A disposition has been shown by the company officials to meet all complaints in a fair spirit of mutual accommodation. The six per cent, return on capital guaranteed under the contract is reasonable and even moderate in view of the fact that eight per cent, is recognized as a fair return by the Public Service Commission, and not less than seven per cent, by the Supreme Court of the United States; the fare has been increased to 10 cents in this city, less rapidly, I am informed, than in any other city of the state, and experience all over the country has demonstrated that a fare lower than 10 cents is inadequate for proper service."

"The hearings brought out only two objections to the contract. The fare for school children should, it is said, be reduced. We have the pledged word of the president of the company that he will recommend such reduction and that in all probability it will be made."

"The other objection relates to the base valuation upon which six per cent, return is computed. The contract does not in any way prevent the city from carrying this case through the courts. It is in my opinion a serious question whether any advantage will accrue to the city from this litigation which opens up the entire question of valuation, and exposes the city to the danger of having the valuation fixed by the appraisers considerably increased. At all events that is a question which is not affected in any way by the renewal of the contract, as the contract provides for a court review of the valuation."

"If this contract is not renewed, the whole question of future street car service would be thrown into the air, as it were, with only the Public Service Commission to look to protect the city's interests; and with the surface railway system we should also again have on our hands the very serious problem of subway car service. Both these problems have been solved after exhaustive study and discussion. The solution has proved satisfactory. I believe it should not be disturbed at this time."

Goodwin's Statement

Councilman Goodwin said: "Thoroughly convinced that I am acting in the interests of the majority of the people of Rochester, that I am fair to the company without being unfair to the city, and fair to the city without being unjust to the company, that I have proved by what I have said that I have the interests of the car riders at heart without being unmindful of the rights and privileges of those who ride in their automobiles, I vote for a renewal of the service-at-cost contract and my vote carries with it a firm conviction that time will demonstrate it is more to my credit to do what I think is the right thing to do rather to bow to a manufactured opposition or trade my conscience for a few votes in the primaries of the election that is approaching."

"In other words, I'd rather be right than be elected."

The old franchise limitations, including a five-cent fare will be in force accordingly at the expiration of the contract a year hence. The City Council has several moves which it can make.

One is to pass a local law amending the charter regarding the five-cent fare which was fixed by the State Legislature, and directing a mandatory referendum to bring this about as provided for in the Home Rule Act.

By a waiver of the fare limitation, the Public Service Commission sets jurisdiction in the matter of regulating and fixing rates. Another move is to negotiate a new contract and thus keep the regulation of street transportation wholly within the control of city authorities.

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NEITHER ACTION RECOMMENDED BY COMMITTEE

Goodwin, Durman and Guzzetta Merely Advocate Certain Changes If Trolley Contract Is Renewed

The Public Utilities Committee of the City Council, composed of Councilmen Harry C. Goodwin, William F. Durman and Joseph L. Guzzetta, failed to recommend either approval or disapproval of a five-cent fare for school children.

Your committee makes no recommendation in regard to the ordinance which provides for a five-cent fare for school children.

Your committee respectfully recommends the adoption of the accompanying resolution.

Resolved, That the city manager be and he hereby is directed to request the Commissioner of Railways to agree to the establishment of a five-cent fare for school children.

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Contract Decision Expected

Today the City Council is expected to reach a decision regarding notice of renewal of the service-at-cost contract.

The Times-Union has expressed its belief that it is unwise to assume the responsibility for another ten-year period of paying 6 per cent. to the New York State Railways on a valuation which the city holds to be excessive, but which cannot be reduced save by successful issue of a court action.

We shall not repeat that argument in detail, as the members of the council have presumably already determined their course of action. Yet one point seems worth re-stating, if only for the record.

Refusal to renew the service-at-cost contract need not plunge the city government into discussion of a five-cent fare. It is possible for the City Council again to waive the five-cent fare franchise limitation and thus restore the Rochester trolley and bus lines to the jurisdiction of the Public Service Commission.

As has frequently been pointed out in articles reviewing the trolley situation, and was reiterated in our news columns yesterday, this was in fact the actual status for a period of two years, prior to validation of the service-at-cost contract by act of the Legislature.

So it cannot be maintained that an "impossible" situation would be created by refusal to assume the obligations of the service-at-cost contract for another ten-year period.

Council to Decide Trolley Contract Question Today

A special meeting of the City Council will be conducted at noon today to receive and act on the report of the Public Utilities Committee, with reference to the renewal of the service-at-cost contract with the New York State Railways.

Certain reservations sought by the city have been agreed to by James F. Hamilton, president of the railways, and the amicable adjustment of them after the renewal of the contract is authorized is expected to follow speedily.

One of the principal features will be a fare concession to the school children.

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PACT TO DIE AT CLOSE OF FIRST TERM

Expires Automatically July 31st of Next Year by Its Own Terms

NEGOTIATIONS PROBABLE

Opponents of Renewal Say Time To Agree on Changes Is Desired

By HIRAM MARKS

Renewal of the present service at cost contract between the city and the street railway company was defeated yesterday by the City Council when the ordinance authorizing this action failed to pass.

The ordinance required unanimous action and the measure was supported by Vice-Mayor Isaac Adler; Councilman Louis Foulkes, Edward P. Flynn and Harry C. Goodwin, with Councilman William F. Durman, Joseph Guzzetta, Nelson A. Milne and Chester A. Burt voting in the negative.

Mayor Joseph C. Wilson, who is slightly ill, was not present.

The defeat of the measure means that the present service at cost contract will expire on July 31, 1930. The contract was drawn nine years ago as the result of a deadlock between the city and the New York State Railways with reference to both fares and trolley service.

At the request of the Mayor Edward P. Flynn, who is slightly ill, was not present.

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Adler Urges Renewal

Vice-Mayor Isaac Adler explained his views as follows: "I desire to state an explanation of my vote that after carefully considering the terms of this contract and the arguments presented at the public hearing and conferences held with reference thereto, I have reached the conclusion that it is for the best interests of the city to renew it.

"On the whole the contract has been satisfactory. Relations between the city, the company and the car riders have been amicable. A disposition has been shown by the car company officials to meet all complaints in a fair spirit of mutual accommodation. The six per cent. return on capital guaranteed under the contract is reasonable and even moderate in view of the fact that eight per cent. is recognized as a fair return by the Public Service Commission, and 'not less than seven per cent' by the Supreme Court of the United States; the fare has been increased ten cents in this city, less rapidly, than in any other city of the State, and experience all over the country has demonstrated that a fare lower than ten cents is inadequate for proper service.

"The hearings brought out only two objections to the contract. The fare for school children should, it is

felt, be reduced. We have the highest word of the president of the company that he will recommend such reduction and that in all probability it will be made.

"The other objection relates to the base valuation upon which six per cent. return is computed. The contract does not in any way prevent the city from carrying this case through the courts. It is in my opinion a serious question whether any advantage will accrue to the city from this litigation which opens up the entire question of valuation, and exposes the city to the danger of having the valuation fixed by the appraisers considerably increased. At all events that is a question which is not affected in any way by the renewal of the contract, as the contract provides for a court review of the valuation.

"If this contract is not renewed, the whole question of future street car service would be thrown into the air, as it were, with only the Public Service Commission to look to for protection of the city's interests; and with the surface railway system on our hands the very serious problem of subway car service. Both these problems have been solved after exhaustive study and discussion. The solution has proved satisfactory. I believe it should not be disturbed at this time."

Resolution Outlines Charges

Vice-Mayor Adler pointed out that the advantages of the present contract might not be reflected in a new one. Whether the approval of the Public Service Commission is necessary for the new contract remains a mooted question, as Councilman Goodwin had conflicting legal opinions.

In conjunction with the ordinance giving the consent of the council to the renewal of the contract, Councilman Goodwin presented in behalf of the Committee a resolution which outlined specific changes that the committee desired in the contract if its renewal was authorized. This resolution did not get to a vote, as the ordinance authorizing the renewal failed by reason of the tie vote.

The committee in making its report made no recommendations, but submitted the resolution as part of its report.

Flynn Favors Renewal

Councilman Flynn, who supported the measure, said that the right thing to do was to renew the contract in the interest of the city, its car riders and the transportation facilities, but the popular feeling, apparently because of the pending councilman election, was to defeat it and he said that there was much significance as to the result of the vote.

Councilman Goodwin, Durman and Guzzetta.

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Renewal Benefit, Says Goodwin

That the control of the city over the properties and their operation is absolute. This also meets the criticism of the man who in one breath says the company is guilty of extravagance and in the next breath asserts the company has done nothing to improve the service.

With a full realization that anyone who seeks to show a public utility company is not a public utility, but a business and interests in our community is subject to the same intelligent consideration as that of pop bottles when an umpire gives a decision against the home team, no water how just that decision may be, I am going to present both sides of this case as I see them and make my decision in the interests of the public as I see that interest.

We have before us for consideration the renewal of a service at cost contract that was entered into between the City of Rochester and the New York State Railways ten years ago. At that time Rochester was the second city in the country to make such a contract. The first of its kind having been made by Cleveland.

In the light of experience and that of other cities, it is not surprising that the contract was considered a good contract. It protected the interests of the city and the people with complete wisdom. It provided for a hearing and after the hearing months for a decision. We are in the same position today. We are to have a hearing and after the hearing months for a decision. We are to have a hearing and after the hearing months for a decision.

Under this contract the city, through the commissioner, has everything to say and the company must accept it. In the other side of the same coin, the company has nothing to say except through complaints entered with the commission. In that case the city would have to wait for a hearing and after the hearing months for a decision. We are in the same position today. We are to have a hearing and after the hearing months for a decision.

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If the company has 1,000 car miles in a fixed period, it will pay 1.00 per mile in a similar fixed period, it proves beyond question that more cars were being used than in the previous period.

During the year ending July 31, 1921, the first year of the contract, the mileage was 144,449 to carry 99,100,130 passengers.

During the year ending July 31, 1928, the eighth year of the contract, the car mileage was 10,721,895 to carry 8,516,174 passengers.

These figures show that the mileage per car mile has increased and that the company has not improved service as to frequency of cars, but that it has improved service as to more cars service in spite of the falling off in passengers.

There is a 15 minute non-rush hour headway and a rush hour headway vary between 4.4 and 5.5 minutes.

The present non-rush hour headway varies between 7.5 and 30.7 minutes and the rush hour headway varies between 3.1 and 3.5 minutes.

In every line in the city there has been a reduction of headway and this is most marked on lines using one-man cars. North and South streets cut from 14 minutes non-rush hour to 7.5.

Before this contract was made, the city had no control over service during rush hours. Since the contract went into effect, the company has given better service in the way of more cars during rush hours than at any other time in the history of the city. It is during rush hours when the cars are filled to capacity. In all fairminded places, the same conditions during rush hours. As all factories, stores and other places of business close at the same time, there is a period in the morning at noon and at night when everybody in the city goes to work or to school or to the theatre. Cars are filled to capacity. The streets are filled with people. The fact that everybody went to work or to school or to the theatre at the same time is not the fault of the city or the company. It is the fault of the business men and the people. The fact that everybody went to work or to school or to the theatre at the same time is not the fault of the city or the company. It is the fault of the business men and the people.

And right at this point at the risk of not repeating myself, I would like to say that Detroit has a 6-cent fare and it is a very good fare. In the first place, one has to have political pull to get on in Detroit. In the second place, thousands work at night in Detroit where no work is done in Rochester. Detroit is a city of 1,000,000 people. Detroit is a city of 1,000,000 people. Detroit is a city of 1,000,000 people.

And speaking of fares, let's see how Rochester fares at cost contract. Not until two years after every other city in the state, the fare in New York City had gone to a 10-cent fare. In Rochester, the fare is 8 cents and what is more, we'll find just as many people in New York City as in Rochester.

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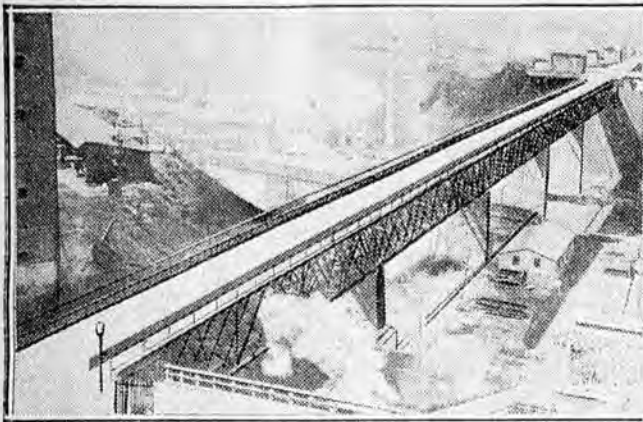
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Particularly gratifying are the plans to build a bridge of much artistic beauty—probably of concrete—at Ridge Road. Frank P. McKibben, bridge engineer engaged for the work, has instruction to plan a giant, commodious structure, adequate to the needs of that section.

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SMITH STREET BRIDGE

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Announcement is made by Public Works Commissioner Baker that the present Smith Street bridge will be closed to traffic on August 24 when the work of dismantling it will be started.

Which will mean that traffic on bridges across the lower river, now testing the capacity of the bridges to the proportions of an emergency, must get along with one less bridge for a period of a year or more.

Of course, everyone knew that it would be necessary to close the Smith Street bridge when the work preliminary to replacing it was started, but to the layman this question has not been satisfactorily answered:

Why is the Ridge Road bridge not built first, so that traffic would have the use of the three present bridges while that work was under way?

If plans had been made for doing this, then the lower river would not at any time be without two bridges, for when the Ridge Road bridge was finished, it could care for much



traffic, while the Smith Street bridge was being replaced. Motorists are certain to become more insistent upon an answer to that question as the emergency becomes more acute with one less river bridge.

In the accompanying photographs, you see the sites for the two new bridges, which are probably needed as urgently as any contemplated public improvement in Rochester.

The Smith Street bridge, the eastern approach of which is immediately south of the main Bausch & Lomb plant, will be 977 feet long and eighty feet wide. With approaches, the cost will be about \$1,800,000.

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Everyone approves the building of the bridges. And all will hope that subsequent events will not prove that city officials are wrong in the order that is being followed in building them.

PLAN NEW CAR PACT

Contract Renewal Blocked

As the street railway situation now stands, renewal of the service-at-cost contract with the New York State Railways is blocked. The vote at yesterday's special council meeting stood four to four, with Mayor Wilson detained at his home by illness and consequently not voting.

It might still be possible to bring the matter up again, but it is difficult to see why it should be brought up.

Arguments on behalf of renewal made by several members of the council appeared to overlook the fact that operation of a street railway on the basis of a ten-cent cash fare and eight and one-third-cent ticket fare, which we are now paying, gives the company a sufficient return so that it can afford to go after business. The Public Service Commission would also expect and require the company to furnish adequate service on that basis.

Cases cited by Councilman Goodwin in which street car service was discontinued, and later renewed on terms more favorable to the traction companies, were all controversies based on demand by the cities concerned for continuance of rates of fare much lower than Rochester street car patrons are now paying.

We need street cars, of course, and shall continue to need street cars or some equivalent means of public mass transportation. But since we are paying enough to get this service, why tie up the city with guarantee of a 6 per cent. return to the New York State Railways on a valuation basis of peak prices and excessive in other ways.

If the service-at-cost contract had resulted in lower fares than other cities are paying, or in notably fine service and equipment, it might be worth while to assume the contract obligation for another ten-year period. But that is not the case.

It is entirely possible that the street railway company, if it has no guaranteed return to fall back upon, will go after business more energetically, particularly in the matter of more modern and comfortable cars. The present method of operation takes away the incentive which inspires private business, and yet is not in any sense public ownership.

The refusal to renew the service-at-cost contract should stand.

Service-at-Cost Contract Killed

The City Council's failure to adopt the new service-at-cost contract with the New York State Railways means, as the situation now stands, that a year from August 1st, when the present contract expires, the street railways will revert to their former status, with a basic fare of 5 cents, with such increases as the Public Service Commission may consider justified by the company's financial showing.

Street car fares are 10 cents in most of the cities of the state, under rulings of the commission, so there will probably be no change in that particular. The city, however, will lose the measure of control over service and operation which it now enjoys. The operation of the subway also will be a matter for new negotiations.

Revenues of street railways have suffered in the last few years because of the keen competition of taxicabs and motor cars and the future holds little hope of better times.

One thing that has been plainly indicated is that fares cannot be raised above the present figure without causing additional revenue shrinkage. Curtailment of the service is another thing that would be serious in its effects.

The whole field of transportation presents new problems which challenge the wisdom of experts and which require new formulas for their solution.

COUNCIL ON RECORD FOR CHANGE

Rochester's transportation system was to be saved from the rocks of a 5 cent fare and demoralized service by a new service-at-cost contract, according to a program being considered by city officials today.

No council move to retain the present contract, which expires August 31, 1930, was possible, leaders said. The council, by killing an ordinance favoring a renewal yesterday, placed the city on record squarely for a new deal. The time for notifying the railways of a desire for a renewal expires at 12 p. m. today.

"There isn't anything to be done immediately," said Vice Mayor Adler who led that half of the council which voted for a renewal.

"We have plenty of time to think and study. A year is a long time and a new contract could be made in half that time. We know the shortcomings of the present contract."

"First we shall hold conferences with the New York State Railways and through negotiations set up a frame work for a new contract."

"I believe a new contract will result. The present contract in my opinion established itself as for the best interests of the city and the railways. I believe its errors could have been corrected had we voted for a renewal."

"But we have a year to study and reflect. It may be possible to dispose of all such controversial issues as base value, half fare for school children, weekly passes and the like in less than that time."

"It is doubtful if anything will be hurried this Summer."

HAMILTON SILENT James F. Hamilton, president of the New York State Railways, declined to comment. He said he would consider the whole situation with attorneys of the New York State Railways before making any statement.

That the Republican organization members of the City Council, whose votes blocked a renewal, were not opposed to a new service at cost contract was reiterated by William F. Durman, who led the revolt.

"All my constituents of the northeast section of the city are not against a contract," said Mr. Durman. "But they are opposed to the present contract and a renewal of it. They believe that contract was better than any terms with the railways, the railways should be bound to certain conditions."

"They have little confidence in promises and assurances that terms will be made afterwards. If the base value is wrong it should be corrected in a new deal, if school children are to have a five cent fare let's have it. Our people who use the trolleys more than any other section of the city believe we should make the terms first and sign afterwards."

"We are not opposed to a contract and will participate in negotiations at any time. My constituents, Messrs. Guzzetta, Peake, and Milne, agree with me today to put off the issue until after election."

Intimations were they would early instruct City Manager Story to begin negotiations with the railways for terms for a new contract, that the work might be well started even if it had to be completed by a new administration next year.

City And Railways Face Complex Task In Street Service

Before Lapse of Service-at-Cost Contract on Aug. 1, 1930, New System Must Be Worked Out—Hamilton, Trolley Head, Refuses Comment on Situation.

By Robert D. Burns

Between today and August 1, 1930, the date on which the service-at-cost contract, regulating the rate of street car fares in Rochester, expires, both the city and the trolley company have a big job on their hands in arranging a satisfactory street transportation service.

The agreement between the New York State Railways and the city and lack of maintenance, brought winds up its ninth year of operations today, and tomorrow begins its 10th and final lap.

When consent to a renewal of the contract for another period of 10 years failed yesterday at a special meeting of City Council, with a tie vote of 4 to 4, the way was paved for a return to the terms and conditions of the old franchise grants, and especially to that section of the city charter wherein the State Legislature fixed the rate of street car fares in Rochester at five cents.

It is this return to the old dispensation that brings heavy problems to the city authorities, for, unless the city amends this section of the charter through the process of a mandatory referendum and local law, the old five-cent fare will stand at the expiration of the service-at-cost agreement. This local law may be passed and the charter amended under provision of the Home Rule Act.

It is generally admitted the day of the five-cent street car fare is gone. How much of an increase in fare should be granted depends on the showing of operating revenues, since all operating costs, including taxes and a fair return on the investment must come out of earnings of the business.

Observers believe the high valuation of the company's property used in the service and appraised at war period prices without allowances for loss of value or depreciation through long service and lack of maintenance, brought about the city's rejection of the renewal right under the contract.

Adjustment of fares now can come only through the Public Service Commission which gets jurisdiction as soon as the local council directs a referendum to the people of Rochester and their approval is obtained regarding the waiver of the five-cent fare limitation.

The Rochester lines of the New York State Railways are only a section of a state-wide system of trolley cars, urban and interurban, extending between the Genesee and the Hudson.

Bound Up With System The fortunes of the local lines are bound up with the rest of the system. The Public Service Commission regulates the service, fixes the rate of fare to be charged on the other divisions of the New York State Railways. Provided the state board gets jurisdiction, through a waiver here, it will fix the fare here.

The P. S. C. will gain jurisdiction in fixing Rochester rates only through the city's naming of the five-cent fare limitation.

It is this question of a waiver which the city must take up now, unless it balks at state control and endeavors to negotiate another service-at-cost contract, subject, however, to the approval of the Public Service Commission.

On the other hand, in addition to preparing for a readjustment of regulation by either the city or the state, the local traction company must make big money this year to comply with the terms of its contract. The New York State Railways is required by the contract to have on hand for a renewal and depreciation fund an amount equal to 2 per cent. of the base value of the property at the time the agreement expires. This amount is in excess of \$400,000. Moreover, it must also arrange that the amount of damage claims standing unpaid is equal to the amount against the company when the contract became effective Aug. 1, 1920. This is said to amount to several hundred thousand dollars.

Large Return Due The return due the company on its investment for the fiscal year just computed on the valuation of the investment is in excess of \$1,200,000. This sum, then, with the amounts specified above, must come out of the present fiscal year's earnings. Also there must be earned from the 10-cent cash fare all the operating expenses of the trolleys and buses accounted under the service-at-cost contract.

A survey of operations over the last nine years shows the company has transformed a broken down system into a serviceable utility for the transportation of passengers.

Annual reports of the financial operations of the company under the contract are available for the Public Service Commission when the question of fixing a fair street car rate in Rochester comes up for determination, after the expiration of the service-at-cost contract.

James F. Hamilton, president of the New York State Railways, was reported today as having nothing to say at this time regarding refusal of the City Council to renew the contract for another term of ten years, or as to company plans a year hence when the present contract shall have expired.

Vice-Mayor Adler was cited as favoring a plan whereby the city and the company might co-operate and reach an agreement for operation under city control. By act of the Legislature the city now has the power to enter into such agreements, subject to the approval of the contract by the Public Service Commission.

Elevator In City Hall Plunges Three Stories; One Passenger Is Hurt

The south elevator in City Hall fell from the second floor to the basement, injuring one passenger, shortly before noon today. William Bailey, a contractor, of 595 Hazelwood Terrace was scratched about the arms. A dozen other passengers and the operator escaped uninjured. Most of the passengers were in the basement, injuring one passenger, a meeting of the Board of Contract and Supply. When the elevator hit the bottom, a young woman was thrown out into the basement. The accident occurred when the brakes failed to hold.

City Preparing To Start Construction Of Ridge Rd. Bridge

Plans and Specifications Drawn For Both Concrete and Steel Construction—Span Estimated to Cost About Two Million Dollars.

The city began preparations today for the construction of a bridge across the Genesee gorge to connect the Ridge Road on both sides of the river.

The approaches, which have already been acquired by the city, have been surveyed by Frank P. McKibben, the bridge expert retained by the commissioner of public works, and he has begun an engineering study of the work which is expected to take four months to complete.

Plans and specifications are to be drawn for both steel and concrete structures. The cost of the bridge is estimated between \$1,700,000 and \$2,000,000 and, according to officials, it will take about 18 months to build the span.

In company with Harold W. Baker, commissioner of public works, and C. Arthur Poole, consulting city engineer, Mr. McKibben inspected the approaches, the cliffs and the rocky base of the canyon. He is the author of the steel construction plan authorized for the new Smith Street bridge, and while he will make studies of the lower river span for both steel and concrete construction, it is believed that because of its durability and aesthetic merits concrete will be recommended, as the lower gorge is one of the beauty spots in Western New York and lends itself easily to embellishment with architecture.

Construction of the proposed bridge, which has been agitated for a number of years, now seems close to accomplishment. Lewiston Avenue and Ridgeway Avenue will be extended across Lake Avenue to a converging point, and thus by way of the span supply ready access to the northeast section of the town and relieve the heavy traffic which congests Driving Park Avenue bridge.

RAITT DECISION IS PUT OFF

Decision of City Manager Story on the dismissal by Safety Commissioner Nier of Charles E. Raitt, as park director, was postponed another ten days today, with an announcement that the minutes of Mr. Raitt's trial had just been completed.

Mr. Nier said he might be an other ten days studying the minutes before submitting a brief to Mr. Story. Mr. Nier is the attorney for the people against Mr. Raitt. This would mean that Edward M. Ogden, attorney for Mr. Raitt, also might ask ten days in which to prepare his brief.

Mr. Story, who must make the decision, said he would not take any action until he received the briefs of Messrs. Nier and Ogden.

Our Bathing Beaches

Rochester's bathing beaches have been thronged during recent hot days. They are one of the city's greatest assets, affording healthful recreation for thousands.

Taking the country as whole, only a small proportion of the population enjoys opportunities for bathing in any way comparable to those the people of Rochester possess. This, indeed, is true of many other advantages the Rochester district enjoys.

So far as the beaches are concerned, facilities are much better today, despite the large increase in population, than they were 20 years ago. Private benevolence and expenditure of city funds have thrown open long stretches of beach to the public.

Nor should the unfortunate incident a few weeks ago, when a young man was drowned at Ontario Beach Park, obscure the fact that the Rochester public beaches are remarkably safe, with minimum danger to bathers.

They should also be kept safe with respect to the condition of the water, as well as from slime and refuse. Opinions of experts have differed with regard to the existing situation, but it is clear that the city's plans for extending the sewage disposal system and preventing lower West Side sewage and other wastes from entering the river in a raw state should be pushed vigorously.

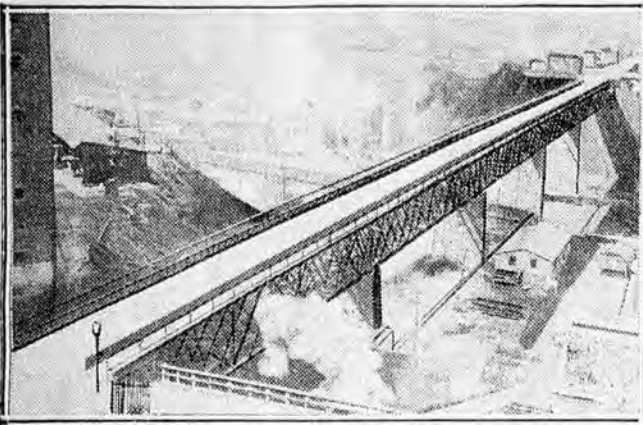
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PROPOSED RIDGE ROAD BRIDGE

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HAMILTON SILENT

James F. Hamilton

Eastern Standard Time

Southern Tier Points

Improved Service

SHS

ERIE

SHS

SHS

SHS

SHS

SHS

SHS

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The P. S. C. will gain jurisdiction in fixing Rochester rates only through the city's raising of the five-cent fare limitation.

It is this question of a waiver which the city must take up now, unless it balks at state control and endeavors to negotiate another service-at-cost contract, subject, however, to the approval of the Public Service Commission.

On the other hand, in addition to preparing for a readjustment of regulation by either the city or the state, the local traction company must make big money this year to comply with the terms of its contract. The New York State Railways is required by the contract to have on hand for a renewal and depreciation fund an amount equal to 2 per cent. of the base value of the property at the time the agreement expires. This amount is in excess of \$400,000. Moreover, it must also arrange that the amount of damage claims standing unpaid is equal to the amount against the company when the contract became effective Aug. 1, 1920. This is said to amount to several hundred thousand dollars.

Large Return Due The return due the company on its investment for the final year, as computed on the value of the investment, is in excess of \$1,200,000. This sum, then, with the amounts specified above, must come out of the present fiscal year's earnings. Also there must be earned from the 10-cent cash fare all the operating expenses of the trolleys and buses accounted under the service-at-cost contract.

A survey of operations over the last nine years shows the company has transformed a broken down system into a serviceable utility for the transportation of passengers.

Annual reports of the financial operations of the company under the contract are available for the Public Service Commission when the question of fixing a fair street car rate in Rochester comes up for determination, after the expiration of the service-at-cost contract.

James F. Hamilton, president of the New York State Railways, was reported today as having nothing to say at this time regarding refusal of the City Council to renew the contract for another term of ten years, or as to company plans a year hence when the present contract shall have expired.

Vice-Mayor Adler was cited as favoring a plan whereby the city and the company might co-operate and reach an agreement for operation under city control. By act of the Legislature the city now has the power to enter into such agreements, subject to the approval of the contract by the Public Service Commission.

Elevator In City Hall Plunges Three Stories; One Passenger Is Hurt

The south elevator in City Hall fell from the second floor to the basement, injuring one passenger, shortly before noon today. William Bailey, a contractor, of 395 Hazelwood Terrace, was scratched about the arm. A dozen other passengers and the operator escaped unharmed. Most of the passengers were insurance brokers who had attended a meeting of the Board of Contract and Supply. When the elevator hit the bottom, a young woman was thrown out into the basement. The accident occurred when the brakes failed to hold.

City Preparing To Start Construction Of Ridge Rd. Bridge

Plans and Specifications Drawn For Both Concrete and Steel Construction—Span Estimated to Cost About Two Million Dollars.

The city began preparations today for the construction of a bridge across the Genesee gorge to connect the Ridge Road on both sides of the river.

The approaches, which have already been acquired by the city, have been surveyed by Frank P. McKibben, the bridge expert retained by the commissioner of public works, and he has begun an engineering study of the work which is expected to take four months to complete.

Plans and specifications are to be drawn for both steel and concrete structures. The cost of the bridge is estimated between \$1,700,000 and \$2,000,000 and, according to officials, it will take about 18 months to build the span.

In company with Harold W. Baker, commissioner of public works, and C. Arthur Poole, consulting city engineer, Mr. McKibben inspected the approaches, the cliffs and the rocky base of the canyon. He is the author of the steel construction plan authorized for the new Smith Street bridge, and while he will make studies of the lower river span for both steel and concrete construction, it is believed that because of its durability and esthetic merits concrete will be recommended, as the lower gorge is one of the beauty spots in Western New York and lends itself easily to embellishment with architecture.

Construction of the proposed bridge, which has been agitated for a number of years, now seems close to accomplishment. Lewiston Avenue and Division Avenue will be extended across Lake Avenue to a converging point, and thus by way of the span supply ready access to the northeast section of the town and relieve the heavy traffic which congests Driving Park Avenue bridge.

Our Bathing Beaches Rochester's bathing beaches have been thronged during recent hot days. They are one of the city's greatest assets, affording healthful recreation for thousands.

Taking the country as a whole, only a small proportion of the population enjoys opportunities for bathing in any way comparable to those the people of Rochester possess. This, indeed, is true of many other advantages the Rochester district enjoys.

So far as the beaches are concerned, facilities are much better today, despite the large increase in population, than they were 20 years ago. Private benevolence and expenditure of city funds have thrown open long stretches of beach to the public.

Nor should the unfortunate incident a few weeks ago, when a young man was drowned at Ontario Beach Park, obscure the fact that the Rochester public beaches are remarkably safe, with minimum danger to bathers.

They should also be kept safe with respect to the condition of the water, as well as free from slime and refuse. Opinions of experts have differed with regard to the existing situation, but it is clear that the city's plans for extending the sewage disposal system and preventing lower West Side sewage and other wastes from entering the river in a raw state should be pushed vigorously.

Decision of City Manager Story on the dismissal by Safety Commissioner Nier of Charles B. Raitt, as park director, was postponed another ten days today, with an announcement that the minutes of Mr. Raitt's trial had just been completed.

Mr. Nier said he might be another ten days studying the minutes before submitting a brief to Mr. Story. Mr. Nier is the attorney for the people against Mr. Raitt. This would mean that Edward M. Ogden, attorney for Mr. Raitt, also might ask ten days in which to prepare his brief.

Mr. Story, who must make the decision, said he would not take any action until he received the briefs of Messrs. Nier and Ogden.

STATE STREET IMPROVEMENT BIDS OPENED

Thomas Holohan Company Is Reported Low Bidder With Estimate of \$95,000 for Resurfacing.

Bids were opened today for the improvement of State Street between the Four Corners and Commercial Street, and for Mt. Hope Avenue, Edgmont Road, and Elmerton Street.

The bids were sent to the statistical division of the city engineer's bureau for tabulation.

No announcement respecting the low bidder was made, but after the items had been read, it was the expressed opinion of the contractors present that the Thomas Holohan Company was low at \$95,000 for the State Street job.

Other bidders for this work which provides for the resurfacing with asphalt, removal of the stone block pavement, construction of alleyways, and the raising to grade of street car tracks between Church Street and Commercial Street, were: Whitmore, Rauber & Venus; Roach Thompson Corporation; Rochester Vulcanite Company, and Julius Friedrichs.

The engineer's estimate on the State Street improvement was approximately \$90,000. The contract will be awarded Friday, it was said, and work, probably will be started the first of the week.

Final figures on all the bids will be available as soon as completed by the statistical experts.

New Service at-Cost Contract Advised by Goodwin

SHOULD ACT QUICKLY, IN HIS OPINION

Neither City nor Company Can Make Plans Without Some Understanding

McBAIN VIEW CITED

Company Must Stand Deficit, He Says in Message to Research Bureau

By HIRAM MARKS

Steps should be taken immediately to bring about consideration of a new service-at-cost contract, according to Councilman Harry C. Goodwin, chairman of the Public Utilities Committee of the council.

At the session of the City Council at which the renewal of the present contract failed to prevail because of the lack of majority vote no opposition to the service-at-cost contract as a means of handling the transportation facilities of Rochester was expressed, but objection seemed directed against the valuation clause of the present contract and the hasty consideration that was necessary if the city was to avail itself of the optional provision for a renewal for ten years.

Two Phases Discussed

The contract gave the city the right to renew for ten years on the granting of a one year's notice before midnight last night. Earl W. Weller, director of the Bureau of Municipal Research, solicited the opinion of Professor Howard Lee McBain with reference to two phases of the negotiation. One concerned the obligation of the city toward the deficit arising from the operation of the contract, and Professor McBain said there was not the slightest responsibility on the part of the city.

The second question concerns the necessity of going to the Public Service Commission for approval of a new contract. Professor McBain points out that in his opinion this is not necessary. In such event a new contract embracing consideration of the several points under discussion can be drafted at any time with the council's approval and it is very likely that the council will direct its attention to the subject within a few weeks. The operating contract for the subway railroad is associated with the service at cost contract. Several of the councilmen yesterday expressed willingness to direct their study to the question immediately, including members who opposed the renewal ordinance.

Following the telegrams that "It is to be hoped that something will be done and done quickly. Neither the company nor the city can be expected to plan for the future unless they know what the future holds in store. If we drag along, the year will be up, and we shall very likely find ourselves right back where we were nine years ago."

Mr. Weller received from Professor McBain:

Interprets Contract

"Cannot see slightest obligation by city to pay any deficit arising under contract if city fails to renew. Assurance mentioned in article two section four is not assurance by city but assurance provided by rates and arrangement set up by article five. It was evidently assumed that maximum rate of ten cents would give that assurance. If it has not done so that is certainly not the city's fault. Note moreover article six, section one, which declares the company shall receive as its sole income the net proceeds of the city's rate in payment of these percentages under any circumstances. Indeed whole tenor of contract is to the contrary. If you want further discussion of any point call up."

"Howard Lee McBain"

Would Be New Contract

"At time Rochester entered into service at cost contract, July 16, 1920, law contained no express authorization, but amendment of 22 chapter 582 adding subdivisions nine, ten and eleven to section 49 of Public Service Commission law expressly authorized such contracts and validated Rochester contract by validating all existing contracts executed since July 1, 1920 but validated them only when approved by commission. Under article 13, section 4, of contract city may renew without consent of either company or commission, but if any amendment is made by agreement between city and company I should say contract becomes a new contract and not a mere renewal. As I read subdivision 11 of section 49 consent of commission to new contract is necessary only when either city or company demands such consent by presenting such contract to commission for approval. In other words city and company can avoid such consent by mutual agreement not to present. If amendment is desired by both parties best plan at this late day would be for city not to exercise power of renewal under article 13 but to negotiate new contract during coming year. This would not be dangerous provided city as sure that company wants a service-at-cost contract more than any other arrangement. Moreover, company would probably be willing not to seek approval of commission since as I understand commission is none too enamored of such contracts. This opinion is an assumption that subdivision 11 was not amended in 1920 for I have not at hand this year's McKinley's supplement. Opinion on other point follows."

"Howard Lee McBain"

Councilman Goodwin made the following statement last evening: "The telegrams were handed to me before the meeting Tuesday. The Bureau of Municipal Research is in favor of renewal of the contract. I was also in favor of renewal because then the matter could be settled here in Rochester and it would not have been necessary to go before the Public Service Commission. In the event of a new contract, only the consent of the company can prevent bringing the commission into the picture and, as Dr. McBain says, the commission does not like the contract. The reason is that the contract gives Rochester control over its system."

"It is to be hoped that something will be done and done quickly. Neither the company nor the city can be expected to plan for the future unless they know what the future holds in store. If we drag along, the year will be up, and we shall very likely find ourselves right back where we were nine years ago."

Repaving Of State Street

Contract Awarded Whitmore Firm On Low Bid Of \$92,632

Expect to Start Work by Tuesday, Removing Old Stones in Service Since 1894 —Tram Tracks Are to Be Raised.

Work on the new State Street pavement is planned to begin next week when the old Medina block stone is to be scrapped and asphalt laid between the Four Corners and Commercial Street.

Whitmore, Rauber and Vicinus were awarded the contract today on the low bid of \$92,632, and it is expected the crews will be on the job Monday or Tuesday removing the old stones which have been in service since 1894, and reconstruction as well as setting back areas where owners of the abutting property have not arranged to do this work themselves.

One big feature of the contract will be the raising to a new grade of the trolley tracks between Church and Commercial Streets.

The Whitmore award came as a surprise today after the tabulations had been made in the statistical division of the city engineer's bureau, and at the opening of the bids for Wednesday it was taken for granted by contractors present that Thomas Holohan Company would be found low with a bid of \$95,000.

The Mt. Hope Avenue job went to the Rochester Whittle Corporation on its low bid \$117,122.83. This is for resurfacing.

The John Petrossi Company got the contracts for paving Lombard Street, at \$24,300.50, and Edgemont Road at \$22,895.75.

Petitions Circulated Asking City To Buy Pinnacle For Park

Upwards of Five Hundred Residents of Pinnacle Vicinity Reported to Have Signed the Request—Will Be Presented to City Council Monday.

Petitions urging the city to acquire Pinnacle Hill as a public park and playground are being signed by residents of that area with a view to presenting the matter to City Council at its meeting Monday night.

Upwards of 500 residents are reported to have signed the petitions which are in the hands of Cyrus C. Wells, attorney, of 144 Pinnacle Road.

Prominent in the list of well known men who advocate the city purchase is Dr. H. I. Fairchild, formerly of the university faculty, and one of the leading geologists of the country.

Dr. Fairchild regards the Pinnacle as one of the notable geologic monuments in the Genesee country. Councilman Harry C. Goodwin recently submitted a proposal for purchasing the Pinnacle to the council, but no action has been taken by the council.

Mr. Goodwin said today his understanding is that negotiations are underway to determine if and how the property can be purchased.

COMPLAINTS OF TAXPAYERS TO BE HEARD

City Assessor Fixes Dates for Objections to Tax Roll Assessments

Notice has been given by George S. Taylor, city assessor, that for ten consecutive days, starting on Tuesday, Aug. 20, Sunday excepted, from 9 a. m. to 4 p. m. the city assessor will hear and consider the allegations and objections of all persons interested in the assessments contained in the annual tax rolls for 1930.

All complaints in regard to assessments must be submitted in writing. Mr. Taylor asserted, and he declared that all persons entitled to exemption will receive the same only by application to Office No. 26 in the City Hall during the month of August.

The new system of assessment and taxation worked out on a scientific basis has been completed and City Manager Stephen B. Story and Comptroller Clarence E. Higgins are co-operating with Mr. Taylor in putting it in effect. A large number of persons are expected to examine the rolls and to consult with Mr. Taylor and Mr. Davis during the ten days. Under the former method of collecting taxes the allegations were heard in the early part of the year.

For the purpose of eliminating heavy interest charges to the city occasioned by the borrowing of money for four months to defray expenses until taxes were collected on May 1, the city manager chartered to exemption for the payment of municipal taxes in two installments, one half in January and the other half in July. This has worked out advantageously to the city, according to the opinion expressed by the officials.

CITY MAKES BIG STRIDES IN REPAVING

Improvements of Highways at Peak in Last 2 Years, Records Show

TRADE STIMULUS SEEN

Clinton North Hearing Set for Tonight; State Street Job to Begin Today

By HIRAM MARKS

With the repaving of State Street, between Main and Commercial streets, scheduled to start today, and a hearing before the City Council this evening on the ordinance for the repaving of Clinton Avenue North, between Main Street and Central Avenue, there will be a general brightening up of the downtown business section that is expected to be a stimulus to trade.

More street paving has been accomplished in the last two years than in any similar period in the history of the city, records disclose, and City Manager Stephen B. Story, in co-operation with the City Council, through its Local Improvement Committee, made up of Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson, and Councilman Chester A. Peake, is expediting work to achieve even greater accomplishments before the end of the year.

Knotty Problems Solved

Some very knotty problems have been solved during the last year through the initiative of City Manager Story and his associates, and outstanding among these has been the construction of a new pavement in Lake Avenue Boulevard, in the section adjacent to the cemeteries, and the new pavement in Plymouth Avenue South. The Lake Avenue pavement has been completed and has greatly facilitated motorists' travel to the cemeteries and to the lakeside, and the Plymouth Avenue pavement has been started. Both have been the subject of discussion for five years or more.

The 34-foot concrete pavement in Lake Avenue Boulevard, between Stutson Street and Beach Avenue has brought forth much favorable comment and the section of Buffalo Road, from Main Street West to the Barge Canal, one of the main arteries entering the city, has been started. Under the direction of Councilman William F. Durnan plans are being worked out for the extension of Cumberland Street, to relieve traffic congestion. Wolcott Road, one of the main approaches to the University of the Sacred Heart, is being improved. Mount Hope Avenue is being repaved, and in all sections of the city there is a general activity in paving to S. Hope Streets, is before the council, and shortly after Labor Day it is expected that the work on a 40-foot concrete pavement will be started.

The same roadwork movements and traffic requirements has been explained. The police, under the direction of George J. Nier, commissioner of public safety, has co-operated in this work, and Commissioner Nier personally has an investigation, and this ridge will be even more urgent as hundreds of additional workers, it is expected, will be employed in the new building.

The repaving of State Street is expected to give further enhancement to the rejuvenation of that thoroughfare, which has been helped by the location of the First National Bank & Trust Company in the Ellwanger & Barry building. With the construction of a ramp garage on the site of the old Corinthian Theater and the new banking house of the Genesee Valley Trust Company in Exchange street, together with the progress toward achievement of the Civic Center, new life has been given to the Four Corners.

CITY MANAGER GROUP TO BACK ADLER FOR COUNCIL

BAREHAM IS EXPECTED TO FIGHT CHOICE

Vice-Mayor's Candidacy Is Announced; Lauds Wilson; Goodwin Out in Cold

By J. CODY WALLER

Announcement of the candidacy of Isaac Adler, vice mayor, for re-nomination as City Councilman in the municipal non-partisan primary of September 17, was generally accepted yesterday as a bid for endorsement by the regular Republican organization.

The candidacy was announced by George Dietrich, former chairman of the City Manager League. It was contained in a formal statement which lauded Mayor Joseph C. Wilson and Vice Mayor Adler, but made no mention of Councilmen Harry C. Goodwin and Edward P. Flynn of the old city manager group, which was trotted out in the council since it took office January 1, 1925. Besides Mayor Wilson and Vice Mayor Adler, Messrs. Goodwin and Flynn are the only two of the city manager group in the council seeking re-election.

BAREHAM OUT OF TOWN

Whether the Republican regulars would endorse Mr. Adler could not be learned. Harry J. Bareham, Republican County chairman, who earlier proclaimed Mayor Wilson as an organization choice, was not in town.

But other Republican leaders said Mr. Adler was a non-partisan government advocate and a staunch supporter of City Manager Story, and Mr. Bareham was already on record as opposed to a continuation of the Story administration at the City Hall, so he would not do. Even some of the City Manager group viewed the Dietrich announcement as a bid for regular Republican support, and an indication that in return for such support, Messrs. Goodwin and Flynn would be abandoned in their party campaign. Mr. Goodwin said he was out in the cold altogether, in these words:

"Well, the Republican organization does not want me, Leo A. MacSweeney does not want me, Rippey, the Democratic leader, has not committed himself to me as I look as if that is left for me are the people. I guess I'll have to depend on them."

Mr. Dietrich said his statement did not mention Councilmen Goodwin or Flynn, both members of the city manager group in the Council, because petitions for these two already were in circulation and the particular concern at this time was to make sure Mr. Adler would run.

"He has been holding off and not until today were we able to get his consent to circulate petitions for him," he said.

Mr. Dietrich's statement was as follows:

HIGHLY GRATIFIED

"The city manager group is highly gratified to learn of the marked improvement in Mayor Wilson's health and that he intends again to be a candidate for councilman-at-large. He has been a thoroughly able and loyal supporter of the city manager movement and the large group of citizens who are sympathetic with that movement will enthusiastically support him. In connection the city manager group is happy to announce that Vice Mayor Adler has consented to run as a candidate in the non-partisan primaries. Mr. Adler has, since the city manager idea first was presented in Rochester, been actively interested in the new form of government.

"He was chairman of the City Government Plan Committee which was formed to study and recommend to the people of Rochester the most desirable form of government. He was a member of the executive committee of the City Manager League, which fostered the city manager charter until the time when he became a candidate for the first city manager council.

HELPED DRAFT CHARTER

"He was also for many years actively interested in the Rochester city government as a member of the Board of Trustees of the Rochester Bureau of Municipal Research.

"In the selection of the first council, Mr. Adler polled an exceedingly strong vote, running second only to Mayor Wilson. As vice mayor and chairman of the Law Committee of the Council his services to the city have been of a high character and it would have been an irreparable loss to the city had he failed to give his consent again to run. We are confident that the voters of Rochester will retain his excellent services as a legislator for an additional term of four years."

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ADLER TO RUN FOR COUNCIL

By J. CODY WALLER

That all present members of the City Council except Mayor Joseph C. Wilson and Vice Mayor Isaac Adler, will be left to shift for themselves in the matter of renomination was indicated this afternoon in a statement which formally places Mr. Adler in the ranks of the candidates.

The statement came from George Dietrich, former chairman of the City Manager League, as spokesman for what he terms the "city manager group."

There was but one conclusion possible, that the so-called city manager group is bidding for support of the regular Republican organization for Vice Mayor Adler as well as Mayor Wilson. The latter's endorsement by the Republicans already is assured.

That this interpretation would be placed upon Mr. Dietrich's statement was indicated by Councilman Harry Goodwin. When informed that Mr. Adler's candidacy had been announced this afternoon, and that Mr. Dietrich's statement ignored all other councilmen except Wilson and Adler, he said:

"Well, the Republican organization does not want me, Leo A. MacSweeney does not want me, Rippey, the Democratic leader, has not committed himself to me — looks as if that is left for me are the people. I guess I'll have to depend on them."

Mr. Dietrich said his statement did not mention Councilmen Goodwin or Flynn, both members of the city manager group in the Council, because petitions for these two already were in circulation and the particular concern at this time was to make sure Mr. Adler would run.

"He has been holding off and not until today were we able to get his consent to circulate petitions for him," he said.

Mr. Dietrich's statement was as follows:

"The state public works department is also opposed to the plans because they call for only a twenty-four foot highway. The state favors forty-two feet because of the amount of traffic that will be diverted by the elimination."

THOUGHT PREMATURE

Mr. Draper and William F. Strong, attorney for the Buffalo, Rochester & Pittsburgh Railway, which would share in the cost of the elimination, voiced the opinion that it would be folly to have the commission order the elimination until the new city plan, which will consider the problem on the West Side, has been made.

City Engineer Poole considered the plan submitted by the New York Central as premature and said the city would not approve any plans if they ordered closing of Hague and Colvin Streets.

The hearing, attended by more than 100 men and women, many of them parishioners of Holy Family Church, concluded with an announcement by Examiner Governor that it was adjourned subject to call.

CITY PLAN ORDERED

The city was ordered to present its plan involving the five streets to the commission for examination.

Under the law, if the Public Service Commission accedes to the request for postponement, the project will go over until 1930.

It has been before the commission for more than a year now, three hearings already having been held.

ELIMINATION OF CROSSING HERE OPPOSED

The city and the State Department of Public Works went on record today as opposed to the elimination of the railroad grade crossing at Avenue Street, at a hearing before E. J. Govern, assistant engineer of the Public Service Commission, in the Court House.

A letter from City Manager Story, which included a resolution by the City Planning Commission, requesting postponement of any action by the Public Service Commission until the new general city plan was completed, was read into the record by Assistant Corporation Counsel Draper. The city plan, now in preparation, is expected to be ready November 1.

Through R. W. Anderson, assistant state grade crossing engineer, the state voiced opposition to the elimination until a comprehensive study had been made for doing away with crossings at Colvin, Rippey, the Democratic leader, has not committed himself to me — looks as if that is left for me are the people. I guess I'll have to depend on them."

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More street paving has been accomplished in the last two years than in any similar period in the history of the city, records disclose, and City Manager Stephen B. Story, in co-operation with the City Council, through its Local Improvement Committee, made up of Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson, and Councilman Chester A. Peake, is expediting work to achieve even greater accomplishments before the end of the year.

Knotty Problems Solved

Some very knotty problems have been solved during the last year through the initiative of City Manager Story and his associates, and outstanding among these has been the construction of a new pavement

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is local improvement work going forward.

The city engineering forces, under the direction of Harold W. Baker, commissioner of public works, have been working at maximum speed to keep up the ordinances, specifications, and other data with the councilmanic action on the improvements, and there has been no delay from this source. Another section of Lake Avenue Boulevard from River to Sturton Streets, is before the council, and shortly after Labor Day it is expected that the work on a 40-foot concrete pavement will be started.

Improvements in street paving and traffic requirements has been obtained. The police, under the direction of George J. Nier, commissioner of public safety, has co-operated in this work, and Comptroller Clarence E. Higgins personally has made an investigation of the bridge will be even more urgent as hundreds of additional workers, it is expected, will be employed in the new building.

The repaving of State Street is expected to give further enhancement to the rejuvenation of that thoroughfare, which has been helped by the location of the First National Bank & Trust Company in the Ellwanger & Barry building. With the construction of a ramp garage on the site of the old Corinthian Theater and the new banking house on the Genesee Valley Trust Company in Exchange Street, together with the progress toward achievement of the Civic Center, new life has been given to the Four Corners.

CITY MANAGER GROUP TO BACK ADLER FOR COUNCIL

BAREHAM IS EXPECTED TO FIGHT CHOICE

Vice-Mayor's Candidacy Is Announced; Lauds Wilson; Goodwin Out in Cold

By J. CODY WALLER

Announcement of the candidacy of Isaac Adler, vice mayor, for re-nomination as City Councilman in the non-partisan primary of September 17, was generally accepted yesterday as a bid for endorsement by the regular Republican organization.

The candidacy was announced by George Dietrich, former chairman of the City Manager League. It was outlined in a formal statement which lauded Mayor Joseph C. Wilson and Vice Mayor Adler, but made no mention of Councilmen Harry C. Goodwin and Edward F. Flynn of the old city manager group which has controlled the council since it took office January 1, 1925. Besides Mayor Wilson and Vice Mayor Adler, Messrs. Goodwin and Flynn are the only two of the city manager group in the council seeking re-election.

BAREHAM OUT OF TOWN

Whether the Republican regulars would endorse Mr. Adler could not be learned. Harry J. Bareham, Republican County chairman, who earlier proclaimed Mayor Wilson as an organization choice, was not in town.

But other Republican leaders said Mr. Adler was a non-partisan government advocate and a staunch supporter of City Manager Story, and Mr. Bareham was already on record as opposed to a continuation of the Story administration at the City Hall, so he would not do.

Even some of the City Manager group viewed the Dietrich announcement as a bid for regular Republican support, and an indication that in return for such support, Messrs. Goodwin and Flynn would be abandoned in their primary campaign. Mr. Goodwin said he was out in the cold altogether. In these words:

"Well, the Republican organization does not want me; Leo A. MacSweeney does not want me; Rippey, the Democratic leader, has not committed himself to me — looks as if all that is left for me are the people. I guess I'll have to depend on them."

Mr. Dietrich said his statement did not mention Councilmen Goodwin or Flynn, both members of the city manager group in the Council, because petitions for these two already were in circulation and the particular concern at this time was to make sure Mr. Adler would run.

"He has been holding off and not until today were we able to get his consent to circulate petitions for him," he said.

Mr. Dietrich's statement was as follows:

HIGHLY GRATIFIED

"The city manager group is highly gratified to learn of the marked improvement in Mayor Wilson's health and that he intends again to be a candidate for councilman-at-large. He has been a thoroughly able and loyal supporter of the city manager movement and the large group of citizens who are sympathetic with that movement will enthusiastically support him.

"In this connection the city manager group is happy to announce that Vice Mayor Adler has consented to run as a candidate in the non-partisan primary. Mr. Adler has since the city manager's idea first was presented in Rochester, been actively interested in the new form of government.

"He was chairman of the City Government Plan Committee which was formed to study and recommend to the people of Rochester the most desirable form of government. He was a member of the executive committee of the City Manager League, which fostered the city manager charter upon the time when he became a candidate for the first city manager council.

HELPED DRAFT CHARTER

"He was also for many years actively interested in the Rochester city government as a member of the Board of Trustees of the Rochester Bureau of Municipal Research.

"In the election of the first council, Mr. Adler polled an exceedingly strong vote, running second only to Mayor Wilson. As vice mayor and chairman of the Law Committee of the Council his services to the city have been of a high character and it would have been an irreparable loss to the city had he failed to give his consent again to run. We are confident that the voters of Rochester will retain his excellent services as a legislator for an additional term of four years."

TURN-OUT, AUG 5 1929

TO BEGIN WORK WEDNESDAY ON STATE STREET

Improvement Probably Will Be Started at Commercial, Keeping One Side Open To Traffic.

John N. Rauber, president of Whitmore, Rauber and Vicinus, contractors, said today that his firm would start work on the State Street improvement between the Four Corners and Commercial Street probably Wednesday or Thursday of this week. There is some steel work required on the job, which, it was explained today, will not be available before Wednesday.

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"He was also for many years actively interested in the Rochester city government as a member of the Board of Trustees of the Rochester Bureau of Municipal Research. He was one of the staff of legal experts that participated in the drafting of the city manager charter. His close affiliation with the new form of government makes it difficult if not almost impossible to disassociate him from it.

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The trolley company is to rebuild its tracks north from a point halfway between Church and Andrews Street, and pave with Medina block stone within the tracks and two feet outside.

The other Medina stone in the roadway which was laid in 1891 is to be torn out, and a concrete foundation laid and asphalt superimposed. The original street when laid out by state engineers in 1810 or thereabouts was 99 feet wide, but in the last century this width has narrowed in some sections to 90 feet.

ADLER TO RUN FOR COUNCIL

By J. CODY WALLER

That all present members of the City Council except Mayor Joseph C. Wilson and Vice Mayor Isaac Adler, will be left to shift for themselves in the matter of re-nomination was indicated this afternoon in a statement which formally places Mr. Adler in the ranks of the candidates.

The statement came from George Dietrich, former chairman of the City Manager League, as spokesman for what he terms the "city manager group."

There was but one conclusion possible, that the so-called city manager group is bidding for support of the regular Republican organization for Vice Mayor Adler as well as Mayor Wilson. The latter's endorsement by the Republicans already is assured.

"That this interpretation would be placed upon Mr. Dietrich's statement was indicated by Councilman Harry Goodwin. When informed that Mr. Adler's candidacy had been announced this afternoon, and that Mr. Dietrich's statement ignored all other councilmen except Wilson and Adler, he said:

"Well, the Republican organization does not want me; Leo A. MacSweeney does not want me; Rippey, the Democratic leader, has not committed himself to me — looks as if all that is left for me are the people. I guess I'll have to depend on them."

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"He has been holding off and not until today were we able to get his consent to be a candidate for councilman-at-large. He has been a thoroughly able and loyal supporter of the city manager movement and the large group of citizens who are sympathetic with that movement will enthusiastically support him."

Mr. Dietrich's statement was as follows:

"The city and the State Department of Public Works went on record today as opposed to the elimination of the railroad grade crossing at Ames Street, at a hearing before E. A. Govern, assistant engineer of the Public Service Commission, in the Court House.

A letter from City Manager Story, which included a resolution by the City Planning Commission, requesting postponement of any action by the Public Service Commission until the new general city plan was completed, was read into the record by Assistant Corporation Counsel Draper. The city plan, now in preparation, is expected to be ready November 1.

Through R. W. Anderson, assistant state grade crossing engineer, the state voiced opposition to the elimination until a comprehensive study had been made for doing away with crossings at Colvin, York, Hague and Child Streets.

Two plans were submitted by F. D. Bardell, New York Central Railroad engineer, for the Ames Street elimination.

One called for an overhead structure at an estimated cost of \$530,000. A subway plan, according to an estimate submitted, would cost \$322,400.

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Under the overhead or viaduct plan, connections would be made with Danforth and Chester Streets, and Syke and O'Neil Streets be closed.

The state public works department is also opposed to the plans because they call for only a twenty-four foot highway. The state favors forty-two feet because of the amount of traffic that will be diverted by the elimination.

THOUGHT PREMATURE
Mr. Draper and William F. Sirag, attorney for the Buffalo, Rochester & Pittsburgh Railway, which would share in the cost of the elimination, voiced the opinion that it would be folly to have the commission order the elimination until the new city plan, which will consider the problem on the West Side, has been made.

City Engineer Poole considered the plans submitted by the New York Central as premature and said the city would not approve any plans if they ordered closing of Hague and Colvin Streets.

The hearing, attended by more than 100 men and women, many of them parishioners of Holy Family Church, concluded with an announcement by Examiner Govern that it was adjourned subject to call.

CITY PLAN ORDERED
The city was ordered to present its plan involving the five streets to the commission for examination.

Under the law, if the Public Service Commission accedes to the city's request for postponement, the project will go over until 1930.

It has been before the commission for more than a year now, three hearings already having been held.

Turn to Page 14, Column 3
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MONTREAL STADIUM, Aug. 3

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New Service at-Cost Contract Advised by Goodwin

SHOULD ACT QUICKLY, IN HIS OPINION

Neither City nor Company Can Make Plans Without Some Understanding

McBAIN VIEW CITED

Company Must Stand Deficit, He Says in Message to Research Bureau

By HIRAM MARKS

Steps should be taken immediately to bring about consideration of a new service-at-cost contract, according to Councilman Harry C. Goodwin, chairman of the Public Utilities Committee of the council.

At the session of the City Council at which the renewal of the present contract failed to prevail because of the lack of majority vote no opposition to the service-at-cost contract as a means of handling the transportation facilities of Rochester was expressed, but objection seemed directed against the valuation clause of the present contract and the hasty consideration that was necessary if the city was to avail itself of the optional provision for a renewal for ten years.

Two Phases Discussed

The contract gave the city the right to renew for ten years on the granting of a one year's notice before midnight last night. Earl W. Weller, director of the Bureau of Municipal Research, solicited the opinion of Professor Howard Lee McBain with reference to two phases of the negotiation. One concerned the obligation of the city toward the deficit arising from the operation of the contract, and Professor McBain said there was not the slightest responsibility on the part of the city.

The second question concerns the necessity of going to the Public Service Commission for approval of a new contract. Professor McBain points out that in his opinion this is not necessary. In such event a new contract embracing consideration of the several points under discussion can be drafted at any time with the council's approval and it is very likely that the council will direct its attention to the subject within a few weeks. The operating contract for the subway railroad is associated with the service at cost contract. Several of the councilmen yesterday expressed willingness to direct their study to the question immediately, including members who opposed the renewal ordinance.

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Mr. Weller received from Professor McBain:

Interprets Contract

"Cannot see slightest obligation by city to pay any deficit arising under contract if city fails to renew. Assurance mentioned in article two section four is not assurance provided by city but arrangement set up by article five. It was evidently assumed that maximum rate of ten cents would give the assurance. If it has not done so that is certainly not the city's fault. Note moreover article six, section one, which declares the company shall receive as its sole income etc. gives no indication that city is to pay any portion of these percentages under contract. Indeed whole tenor of contract is to the contrary. If you want further discussion of any point call up."

"Howard Lee McBain."

Would Be New Contract

"At time Rochester entered into service at cost contract, July 15, 1920, law contained no express authorization, but amendment of 22 chapter 582 adding subdivisions nine, ten and eleven to section 49 of Public Service Commissions law expressly authorized such contracts and validated Rochester's contract by validating all existing contracts executed since July 1, 1920 but validated them only when approved by commission. Under article 13, section 4, of contract city may renew without consent of either company or commission, but if any amendment is made by agreement between city and company I should say contract becomes a new contract and not a mere renewal. As I read subdivision 11 of section 49 consent of commission to new contract is necessary only when either city or company demands such consent by presenting such contract to commission for approval.

"In other words city and company can avoid such consent by mutual agreement not to present. If amendment is desired by both parties best plan at this late date would be for city not to exercise power of renewal under article 13 but to negotiate new contract during coming year. This would not be dangerous provided city is sure that company wants a service-at-cost contract more than any other arrangement. Moreover company would probably be willing not to seek approval of commission since as I understand commission is none too enamored of such contracts. This opinion is an assumption that subdivision 11 was not amended in 1923 for I have not at hand this year's McKinney's supplement. Opinion on other point follows.

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A letter from City Manager Story, which included a resolution by the City Planning Commission, requesting postponement of any action by the Public Service Commission until the new general city plan was completed, was read into the record by Assistant Corporation Counsel Draper. The city plan, now in preparation, is expected to be ready November 1.

Through R. W. Anderson, assistant state grade crossing engineer, the state voiced opposition to the elimination until a comprehensive study had been made for doing away with crossings at Colvin, York, Hague and Child Streets.

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Under the overhead or viaduct plan, connections would be made with Danforth and Chester Streets, and Syke and O'Neil Streets be closed.

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City Engineer Poole considered the plans submitted by the New York Central as premature and said the city would not approve any plans if they ordered closing of Hague and Colvin Streets.

The hearing, attended by more than 100 men and women, many of them parishioners of Holy Family Church, concluded with an announcement by Examiner Govern that it was adjourned subject to call.

CITY PLAN ORDERED The city was ordered to present its plan involving the five streets to the commission for examination.

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Advertisement for L. W. MAIER'S SONS, 870 Chilton Ave. North, Stone 609, since 1872.

Advertisement for Traffic Survey Conducted, mentioning the Rochester Engineering Society and the survey of traffic conditions at the bridges.

Advertisement for TO BEGIN WORK WEDNESDAY ON STATE STREET, Improvement Probably Will Be Started at Commercial, Keeping One Side Open To Traffic.

Advertisement for HELPED DRAFT CHARTER, mentioning the city manager group and the draft charter.

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New Service at-Cost Contract Advised by Goodwin

SHOULD ACT QUICKLY, IN HIS OPINION

Neither City nor Company Can Make Plans Without Some Understanding

McBAIN VIEW CITED

Company Must Stand Deficit, He Says in Message to Research Bureau

By HIRAM MARKS

Steps should be taken immediately to bring about consideration of a new service-at-cost contract, according to Councilman Harry C. Goodwin, chairman of the Public Utilities Committee of the council.

Two Phases Discussed

The contract gave the city the right to renew for ten years on the granting of a one year's notice before midnight last night.

The second question concerns the necessity of going to the Public Service Commission for approval of a new contract.

Following the telegrams that

Mr. Weller received from Professor McBain:

Interprets Contract "Cannot see slightest obligation by city to pay any deficit arising under contract if city fails to renew."

Would Be New Contract

"At time Rochester entered into service at cost contract, July 15, 1920, law contained no express authorization, but amendment of 22 chapter 582 adding subdivisions nine, ten and eleven to section 43 of Public Service Commissions law expressly renewed such contracts and validated Rochester contracts and validated all existing contracts executed since July 1, 1920 but validated them only when approved by commission."

"In other words city and company can avoid such consent by mutual agreement not to present. If amendment is desired by both parties best plan at this late date would be for city not to exercise power of renewal under article 13 but to negotiate new contract during coming year."

"Howard Lee McBain," Councilman Goodwin made the following statement last evening:

"I was also in favor of renewal because when the matter could be settled here in Rochester and it would not have been necessary to go before the Public Service Commission."

"It is to be hoped that something will be done and be done quickly. Neither the company nor the city can be expected to plan for the future unless they know what the future holds in store."

Repaving Of State Street Contract Awarded Whitmore Firm On Low Bid Of \$92,632

Expect to Start Work by Tuesday, Removing Old Stones in Service Since 1894 - Tram Tracks Are to Be Raised.

Work on the new State Street pavement is planned to begin next week when the old Medina block stone is to be scrapped and asphalt laid between the Four Corners and Commercial Street.

Whitmore Rauber and Vicinus were awarded the contract today on the low bid of \$92,632, and it is expected the crews will be on the job Monday or Tuesday removing the old stones which have been in service since 1894, and reconstruction as well as setting back areas where owners of the abutting property have not arranged to do this work themselves.

One big feature of the contract will be the raising to a new grade of the trolley tracks between Church and Commercial Streets.

The Whitmore award came as a surprise today after the tabulations had been made in the statistical division of the city engineer's bureau, for at the opening of the bids Wednesday it was taken for granted by contractors that the Thomas Holohan Company would be found low with a bid of \$95,000.

The Mt. Hope Avenue job went to the Rochester Willie Corporation on its low bid \$41,712.28. This is for resurfacing.

The John Petrossi Company got the contract for paving Amhurst Street, at \$24,300.50, and Edgemont Road at \$22,895.75.

Petitions Circulated Asking City To Buy Pinnacle For Park

Upwards of Five Hundred Residents of Pinnacle Vicinity Reported to Have Signed the Request - Will Be Presented to City Council Monday.

Petitions urging the city to acquire Pinnacle Hill as a public park and playground are being signed by residents of that area with a view to presenting the matter to City Council at its meeting Monday night.

Upwards of 500 residents are reported to have signed the petitions which are in the hands of Cyrus C. Wells, attorney, of 144 Pinnacle Road.

Prominent in the list of well known men who advocate the city purchase is Dr. H. L. Fairchild, formerly of the university faculty, and one of the leading geologists of the country.

Dr. Fairchild regards the Pinnacle as one of the notable geologic monuments in the Genesee country.

Councilman Harry C. Goodwin recently submitted a proposal for purchasing the Pinnacle to the council, but no action has been taken by the council.

COMPLAINTS OF TAXPAYERS TO BE HEARD

City Assessor Fixes Dates for Objections to Tax Roll Assessments

Notice has been given by George S. Taylor, city assessor, that for ten consecutive days, starting on Tuesday, Aug. 20, Sunday excepted, from 9 a. m. to 4 p. m. the city assessor and his deputy, Hiram L. Davis, will hear and consider the allegations and objections of all persons interested in the assessments contained in the annual tax rolls for 1930.

All complaints in regard to assessments must be submitted in writing, Mr. Taylor asserted, and he declared that all persons entitled to exemption will receive the same only by application to Office No. 26 in the City Hall during the month of August.

The new system of assessment and taxation worked out on a scientific basis has been completed and City Manager Stephen B. Story and Comptroller Clarence E. Higgins are co-operating with Mr. Taylor in putting it in effect. A large number of persons are expected to examine the rolls and to consult with Mr. Taylor and Mr. Davis during the ten days. Under the former method of collecting taxes the allegations were heard in the early part of the year.

For the purpose of eliminating heavy interest charges to the city occasioned by the borrowing of money for four months to defray expenses until taxes were collected on May 1, the city manager charter provides for the payment of municipal taxes in two installments, one half in January and the other half in July. This has worked out advantageously to the city, according to the opinion expressed by the officials.

CITY MAKES BIG STRIDES IN REPAVING

Improvements of Highways at Peak in Last 2 Years, Records Show

TRADE STIMULUS SEEN

Clinton North Hearing Set for Tonight; State Street Job to Begin Today

By HIRAM MARKS

With the repaving of State Street, between Main and Commercial streets, scheduled to start today, and a hearing before the City Council this evening on the ordinance for the repaving of Clinton Avenue North, between Main street and Central Avenue, there will be a general brightening up of the downtown business section that is expected to be a stimulus to trade.

More street paving has been accomplished in the last two years than in any similar period in the history of the city records disclose, and City Manager Stephen B. Story, in co-operation with the City Council, through its Local Improvement Committee, made up of Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson, and Councilman Chester A. Peake, is expediting work to achieve even greater accomplishments before the end of the year.

Knotty Problems Solved

Some very knotty problems have been solved during the last year through the initiative of City Manager Story and his associates, and outstanding among these has been the construction of a new pavement

This financial service has been since 1872

L. W. MAIER'S SONS

870 Clinton Ave. North

STONE 609

Improve on Smith Street steel

work on Smith Street steel

work on Smith Street steel before the year is over it is expected that plans will be completed for a concrete bridge at the Edge Road. With the Eastman Company planning a building program principally at Kodak Park plant, involving some 15,000,000, the necessity for this ridge will be even more urgent as hundreds of additional workers, it is expected, will be employed in the new building.

The repaving of State Street is expected to give further enhancement to the rejuvenation of that thoroughfare, which has been helped by the location of the First National Bank & Trust Company in the Ellwanger & Barry building. With the construction of a ramp garage on the site of the old Corinthian Theater and the new banking house of the Genesee Valley Trust Company in Exchange Street, together with the progress toward achievement of the Civic Center, new life has been given to the Four Corners.

CITY MANAGER GROUP TO BACK ADLER FOR COUNCIL

BAREHAM IS EXPECTED TO FIGHT CHOICE

Vice-Mayor's Candidacy Is Announced: Lauds Wilson; Goodwin Out in Cold

By J. CODY WALLER

Announcement of the candidacy of Isaac Adler, vice mayor, for re-nomination as City Councilman in the municipal non-partisan primary of September 15, was generally accepted yesterday as a bid for endorsement by the regular Republican organization.

The candidacy was announced by George Dietrich, former chairman of the City Manager League. It was contained in a formal statement which lauded Mayor Joseph C. Wilson and Vice Mayor Adler, but made no mention of Councilmen Harry C. Goodwin and Edward P. Flynn of the old city manager group, which are controlled the council since it took office January 1, 1928. Besides Mayor Wilson and Vice Mayor Adler, Messrs. Goodwin and Flynn are the only two of the city manager group in the council seeking re-election.

BAREHAM OUT OF TOWN

Whether the Republican regulars would endorse Mr. Adler could not be learned. Harry J. Bareham, Republican County chairman, who earlier proclaimed Mayor Wilson as an organization choice, was not in town.

But other Republican leaders said Mr. Adler was a non-partisan government advocate and a staunch supporter of City Manager Story, and Mr. Bareham was already on record as opposed to a continuation of the Story administration at the City Hall, so he would not do.

Even some of the City Manager group viewed the Dietrich announcement as a bid for regular Republican support, and an indication that in return for such support, Messrs. Goodwin and Flynn would be abandoned in City primary campaign. Mr. Goodwin said he was out in the cold altogether, in these words:

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"The city manager group is highly gratified to learn of the marked improvement in Mayor Wilson's health and that he intends again to be a candidate for councilman-at-large. He has been a thorough and loyal supporter of the city manager movement and the large group of citizens who are sympathetic with that movement will enthusiastically support him."

In this connection the city manager group is happy to announce that Vice Mayor Adler has consented to run as a candidate in the non-partisan primaries. Mr. Adler has, since the city manager plan first was presented in Rochester, been actively interested in the new form of government.

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TO BEGIN WORK WEDNESDAY ON STATE STREET

Improvement Probably Will Be Started at Commercial, Keeping One Side Open To Traffic.

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MONTEAL STADIUM, AUG. 3

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City Plan Details To Be Awaited For Decision Of State

Wide Divergence of Opinion Voiced by Residents on Street Closing For Proposed Overhead Passes and Subways— P. S. C. Adjourns Hearing.

Divergent opinions on the proposed elimination of the Ames Street crossing of the New York Central and the Buffalo, Rochester & Pittsburgh railways offered at a Public Service Commission hearing at the Court House today, forced E. J. Govern, presiding, to postpone the hearing and to await further developments.

Scores of interested residents from the West Side attended the hearing and expressed opinions on the two plans submitted by the New York Central Railroad for the elimination, as well as related subjects. Opposition developed to the closing of O'Neil and Syle Streets and the re-routing of Chester Street, which would be necessitated if one of the plans suggested is carried through.

The two plans prepared by the railroad at the order of the Commission involved the construction of an overhead pass or a subway at the site of the present Ames Street crossing. The overhead bridge for motor and pedestrian traffic would cost \$530,000 and the subway \$822,400. In each case the figures were merely estimates and did not take into consideration land damages.

If the overhead plan were adopted it would require the closing of the present Ames Street crossing, with traffic diverted to an overhead viaduct. The new structure would be 330 feet long and would consist of steel spans supported on steel piers. On the north approach would be 225 feet of embankment, and on the south 165 feet, retained by concrete walls.

The road bed of the viaduct would be 24 feet wide with six-foot walks on either side. Connections would be made with Danforth and Chester Streets from the south approach, in this plan. The State Highway Department contended it would not suffice to care for traffic in future years.

In the subway plan no streets would be closed, but there would be a five per cent. grade on each approach. What little opinion developed in favor of the elimination at today's hearing went in line with the subway plan.

C. Arthur Poole, city consulting engineer, read a communication from City Manager Stephen B. Story in which it was suggested that plans for the elimination be held in abeyance until the general city plan is completed by the City Planning Commission about Nov. 1.

Mr. Story's letter contained the following resolution, which was passed by the planning commission when it was learned the Public Service Commission was contemplating the elimination:

Resolved: That in the matter of the elimination of the highway-railroad crossing of Ames Street, this commission is of the opinion that, before any final determination of the closing of any of the five crossings on the west side of the river is made, the city plan now in preparation should be completed and adopted, and be it further

Resolved: That this commission is of the opinion that the elimination of Ames Street by the construction of an underground should be kept on the program of future eliminations.

When the State Highway made out its program for 1929 elimination for this district, it included all five crossings on the west side, namely Ames, Hague, Colvin, York and Child streets. The commission considered the cost of all these eliminations excessive for one program, and so checked off all but Ames Street for the current year.

Others maintained Ames Street is the more dangerous in view of the great number of school children who pass there. It was hinted by Mr. Poole that the city plan might involve the closing of Ames Street entirely, but he made it plain that no such action had been definitely decided upon and that he was merely ad-

Sees Way To Safety Commissioner

Editor, Times-Union: During the past couple of months Mr. Nier has been making a great fuss about safety conditions at Ontario Beach and has tried to make a big man out of himself by suspending the director of parks and the director of playgrounds. It is significant, however, that a drowning had to occur before this fuss was raised. Mr. Nier blames Mr. Taitt, because a boat which had just undergone repairs was not out on the beach. Why was it that there was only one boat in the first place? Is there any reason why Mr. Nier could not have had at least four boats at Ontario Beach, if he was up to his job and had insisted that they were necessary? Does Mr. Nier consider one boat a sufficient safeguard for five thousand bathers?

This is not the only place where Mr. Nier falls down. Before some other fatality arouses Mr. Nier to the necessity for action, let me suggest a few points he might look into.

For one thing, motorists start up as soon as signal lights change without regard to the pedestrians caught in the middle of the crosswalk. Various courts have held that in such case, the pedestrians have the right of way, but we hear nothing from Mr. Nier on the subject.

For another thing, there is more short turning of corners and more speeding at corners than ever before, but we hear nothing from Mr. Nier against this practice.

Garages and gasoline stations are springing up on every possible corner, and every one that is built has wider driveways, more abrupt and hidden driveways, and more of them, but we have not yet heard Mr. Nier protesting against their practices, nor has he urged the city Council to correct them.

Speaking of the Council reminds me that Mr. Nier has a peculiar conception of the functions of that body. Some time ago the writer having passed a city civil service examination, and being the only one available on the eligible list,

Location of all property owners who hold easements to Terry Park bathing beach at the lakeside appeared to be the only problem facing city officials today as they continued plans for enlarging bath house facilities at Ontario Beach Park.

According to City Manager Story, who outlined the plans to city Council last evening, it is proposed to build and equip a new bath house 300 feet long at Ontario Beach Park. This building is to extend as far west as the eastern boundary of Terry Park, a privately owned tract with a frontage of 201 feet on Beach Avenue.

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Rochester's situation near Lake Ontario is one of the city's greatest assets from a recreational viewpoint. It should also ultimately prove of considerably more commercial importance than at present.

Roads to the lake and equipment at the lakeside parks should be improved as rapidly as possible, since demand for their use increases steadily.

Improving Ontario Beach The city administration plans to erect a large modern bath house at Ontario Beach Park as soon as the land on the west known as Terry Park can be acquired. This information was given by City Manager Stephen B. Story in response to an inquiry from Councilman Goodwin last evening.

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It developed that in many of the streets scheduled for resurfacing and widening all the taxpayers along the thoroughfare were not of one mind as to the need of the improvements. Men were among the protestors and this was particularly so in the case of Oak Street where one speaker, representing the majority of the property owners he said, protested any improvement. He declared most of the property was now vacant and without any immediate prospect of getting paying tenants, and that the improvement would work a hardship on the owners and place a burden on the property which its income could not carry.

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There was a contrast when the Minder Street ordinance came up for allegations. Two women of this street spoke in favor of the improvement and appeared anxious to know if the work could not be started immediately. The estimated cost of the job was given by the commissioner of public works as \$15,000.

The hearing on the Plover Street asphalt pavement ordinance brought out a number of protests. The cost is estimated at \$11,000. There was no protest when Clinton Avenue North improvement was announced. The cost of this work was estimated at \$65,000, and includes resurfacing of the 42 1/2 foot roadway, and the construction of new walks and areaways between Main Street and Central Avenue.

There was no dissent expressed regarding Darrow Street walks, grading and curbs at an estimated cost of \$3,500; Lyellton Street walks and grading, \$40,000; amending local improvement ordinance, Hillside Avenue, Abertown Road, Calhoun Park and Novven Road asphalt pavement, \$127,000; amending Gibbs Street asphalt pavement \$45,000; and Hillton Street combined sewer and grading, \$7,900.

An ordinance authorizing renewal of city notes for \$550,000 to cover overdue tax notes that mature Sept. 7, was adopted by City Council last night.

An ordinance approving purchase price of \$225,000, asked by William Bousch for the one-time blast furnace property in the former village of Charlotte, was introduced by Councilman Edward R. Flynn. The city desires this extensive property for park and port purposes and the acquisition has been approved by the city manager. The ordinance was referred to the finance committee.

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Asphalt Resurfacing Begun On Important Thoroughfare Here

City Officials Supervising Work—Task Is Expected to Be Finished by Middle of November—Economy Is Provided For in Plans.

Under city supervision actual work on the improvement of State Street between the Four Corners and Commercial Street got off to a good start today. The contract calls for the asphalt resurfacing of the roadway to replace the old Medina block stone and the reconstruction of areaways and curbs and the raising to grade of trolley tracks northward from a line half-way between Church and Andrews streets.

Work on the areaways and sidewalks is being supervised by William H. Roberts and Eldred H. Walker of the Bureau of Design and Construction. These engineers were formerly in the subway division. The street construction is in charge of Harry L. Moulthrop and Frank Reichenberger, assistant engineers in the local improvement division.

It is expected that the street will be resurfaced and open to traffic in mid-November, as the contractors, Whitmore, Rauber & Vicinus, have 75 days to complete the job. Much special work will be done by the forces of the New York State Railways, which is required not only to rebuild a large portion of the double tracks but to repave the area within the rails and two feet outside with Medina block stone.

Henry L. Howe, director of the Bureau of Design and Construction, said today that the city had provided for economical construction and had laid down plans which avoid extra costs.

"The big point," Mr. Howe said, "was to take care of the heating, plumbing, electrical work and machinery within the areas. Basically, the contract does not cover these special types of construction, but it does provide that the contractor shall disconnect, protect, maintain and replace present work in there necessary for other reconstruction of areaways and the like. If new work, however, of this character is to be done, it should be performed by the property owner, either through his own force, subcontractors or a private agreement with the city contractor."

The contractors are now working on the north end of the job and reconstructing areaways and sidewalks. The Gas and Electric Company is laying new underground conduits on both sides before the city contractors tackle the roadway paving.

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Offers Suggestions Regarding Contract

Editor Times-Union: To all the citizens that are in favor City Manager Government and the City Manager League, if it is no defect. It is time we were in and doing something, like a meeting say in Convention Hall. I am willing to donate five dollars toward the expense, let the leaders come out in the open, and let the citizens know what we may expect from the men who wish to be elected to the new council. In my opinion, we do not want men that are willing to renew a contract with the New York State Railways, without having a contract in black and white, as to what the car riders are going to get out of any new contract. I am one of the car riders that have to pay all that 6 per cent. and I think we should have some consideration. I was very agreeably surprised at the action of Councilmen Durran, Milne, Guzzetta and Peake. It may be it was a political move. Allowing that it was, it shows that these men have had their ears to the ground, and could feel the rumble of the people's dissatisfaction at the treatment citizens have been receiving from the New York State Railways, and gives the citizens a chance to draw their breath.

The idea of waiting to within thirty days of the time for notice to renewal of a contract of such vast importance to the city at large? It should at least be the new councilmen that are going to be elected this Fall, and not the councilmen who will most likely be repudiated by the citizens in this Fall's election, that should make any new contract with the New York State Railways. From all I can find out they have no franchise. It ran out many years ago. They have nothing but the service at cost contract. When that runs out they will be trespassers on our streets. Let the councilmen be patient. The New York State Railways will be quite willing to reduce that outrageous valuation and make a reasonable contract with our city. The thousands of citizens that work with their hands certainly should be represented on the City Council. Julius Hoestery, Jr., is a very capable man. I am sure he would be a valuable member of the council from this district in place of Mr. Flynn. Here are a couple of questions that should be answered in the affirmative by any candidate for councilman at large:

If elected to office will you do your best to have the account of the New York State Railways dug

CITY PLANNING COMMISSIONERS TO MEET TODAY

The new City Planning Commission was to meet late this afternoon with Earl O. Mills, associate of Harland Bartholomay, the St. Louis expert who has been retained by the city to submit a report on the physical improvements possible here.

Mr. Bartholomay is expected in Rochester Monday when a special meeting of the board will be held. This afternoon Mr. Mills was to take up the first section of the civic plan report which relates to the plan of major streets, and is to be filed officially Nov. 1. There are to be eight sections in the report on city planning, and the second section, dealing with a civic center, according to City Manager Story, will be ready Dec. 1.

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City Plan Details To Be Awaited For Decision Of State

Wide Divergence of Opinion Voiced by Residents on Street Closing For Proposed Overhead Passes and Subways—P. S. C. Adjourns Hearing.

Divergent opinions on the proposed elimination of the Ames Street crossing of the New York Central and the Buffalo, Rochester & Pittsburgh railways offered at a Public Service Commission hearing at the Court House today, forced E. J. Govern, presiding, to postpone the hearing and to await further developments.

Scores of interested residents from the West Side attended the hearing and expressed opinions on the two plans submitted by the New York Central Railroad for the elimination, as well as related subjects. Opposition developed to the closing of O'Neil and Syle Streets and the re-routing of Chester Street, which would be necessitated if one of the plans suggested is carried through.

The two plans prepared by the railroad at the order of the Commission, involved the construction of an overhead pass or a subway at the site of the present Ames Street crossing. The overhead bridge for motor and pedestrian traffic would cost \$350,000 and the subway \$922,400. In each case the figures were merely estimates and did not take into consideration land damages.

If the overhead plan were adopted it would require the closing of the present Ames Street crossing, with traffic diverted to an overhead viaduct. The new structure would be 330 feet long and would consist of steel spans supported on steel piers. On the north approach would be 225 feet of embankment, and on the south 165 feet, retained by concrete walls.

The road bed of the viaduct would be 24 feet wide with six-foot walks on either side. Connections would be made with Denforth and Chester Streets from the south approach, in this plan. The State Highway Department contended it would not suffice to care for traffic in future years.

In the subway plan no streets would be closed, but there would be a five per cent. grade on each

Sees No Danger Safety, Confirms

Editor, Times-Union:
During the past couple of months Mr. Nier has been making a great fuss about safety conditions at Ontario Beach and has tried to make a big man out of himself by suspending the director of parks and the director of playgrounds. It is significant, however, that a drawing had to occur before this fuss was raised. Mr. Nier blames Mr. Raitt, because a boat which had just undergone repairs was not out on the beach. Why was it that there was only one boat in the first place? Is there any reason why Mr. Nier could not have had at least four boats at Ontario Beach, if he was up to his job and had insisted that they were necessary? Does Mr. Nier consider one boat a sufficient safeguard for five thousand bathers?

This is not the only place where Mr. Nier falls down. Before some other fatality arouses Mr. Nier to the necessity for action, let me suggest a few points he might look into.

For one thing, motorists start up as soon as signal lights change without regard for pedestrians caught in the middle of the crosswalk. Various courts have held that in such cases, the pedestrians have the right of way, but we hear nothing from Mr. Nier on the subject.

For another thing, there is more short turning of corners and more speeding at corners than ever before, but we hear nothing from Mr. Nier against this practice.

Garages and gasoline stations are springing up on every possible corner, and every one that is built has wider driveways, more abrupt and hidden driveways, and more of them, but we have not yet heard Mr. Nier protesting against their practices, nor has he urged the city council to correct them.

Speaking of the Council reminds me that Mr. Nier has a peculiar conception of the functions of that body. Some time ago the writer, having passed a city civil service examination, and being the only one available on the eligible list,

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Under city supervision actual work on the improvement of State Street between the Four Corners and Commercial Street got off to a good start today. The contract calls for the asphalt resurfacing of the roadway to replace the old Medina block stone and the reconstruction of areaways and curbs and the raising to grade of trolley tracks northerly from a line half-way between Church and Andrews streets.

Work on the areaways and sidewalks is being supervised by William H. Roberts and Eldred H. Walker of the Bureau of Design and Construction. These engineers were formerly in the subway division. The street construction is in charge of Harry L. Moulthrop and Frank Reichenberger, assistant engineers in the local improvement division.

It is expected that the street will be resurfaced and open to traffic in mid-November, as the contractors, Whitmore, Rauber & Vincius, have 75 days to complete the job. Much special work will be done by the forces of the New York State Railways, which is required not only to rebuild a large portion of the double tracks but to repave the area within the rails and two feet outside with Medina block stone.

Henry L. Howe, director of the Bureau of Design and Construction, said today that the city had provided for economical construction and had laid down plans which avoid extra costs.

"The big point," Mr. Howe said, "was to take care of the heating, plumbing, electrical work and machinery within the areas. Basically, the contract does not cover these special types of construction, but it does provide that the contractor shall disconnect, protect, maintain and replace present work in there necessary for other reconstruction of areaways and the like. If new work, however, of this character is to be done, it should be done."

To all the citizens that are in favor of City Manager Govern and the City Manager League, if it is not done, it is time we were up and doing something, like a meeting say in Convention Hall. I am willing to donate five dollars toward the expense, let the leaders come out in the open, and let the citizens know what we may expect from the men who wish to be elected to the new council. In my opinion, we do not want men that are willing to renew a contract with the New York State Railways, without having a contract in black and white, as to what the car riders are going to get out of any new contract. I am one of the car riders that have to pay all that 6 per cent, and think we should have some consideration. I was very agreeably surprised at the action of Councilmen Duran, Milne, Guzzetta and Peake. It may be it was a political move. Allowing that it was, it shows that these men have had their ears to the ground, and could feel the rumble of the people's dissatisfaction at the people's dissatisfaction with the treatment citizens have been receiving from the New York State Railways, and gives the citizens a chance to draw their breath.

The idea of waiting to within thirty days of the time for notice to renewal of a contract of such vast importance to the city at large, I should at least be the new councilmen that are going to be elected this Fall, and not the councilmen who will most likely be re-elected by the citizens in this Fall's election, that should make any new contract with the New York State Railways. From all I can find out they have no franchise. It ran out many years ago. They have nothing but the service at cost contract. When that runs out they will be trespassers on our streets. Let the councilmen be patient. The New York State Railways will be quite willing to reduce that outrageous valuation and make a reasonable contract with our city. The thousands of citizens that work with their hands certainly should be represented on the City Council. Julius Hoostery, Jr., is a very capable man. I am sure he would be a valuable member of the council from this district in place of Mr. Flynn. Here are a couple of questions that should be answered in the affirmative by any candidate for councilman at large:

If elected to office will you do your best to have the account of the New York State Railways dug

Offers Suggestions Regarding Contract

Editor Times-Union:
To all the citizens that are in favor of City Manager Govern and the City Manager League, if it is not done, it is time we were up and doing something, like a meeting say in Convention Hall. I am willing to donate five dollars toward the expense, let the leaders come out in the open, and let the citizens know what we may expect from the men who wish to be elected to the new council. In my opinion, we do not want men that are willing to renew a contract with the New York State Railways, without having a contract in black and white, as to what the car riders are going to get out of any new contract. I am one of the car riders that have to pay all that 6 per cent, and think we should have some consideration. I was very agreeably surprised at the action of Councilmen Duran, Milne, Guzzetta and Peake. It may be it was a political move. Allowing that it was, it shows that these men have had their ears to the ground, and could feel the rumble of the people's dissatisfaction at the people's dissatisfaction with the treatment citizens have been receiving from the New York State Railways, and gives the citizens a chance to draw their breath.

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Several men, self-confessed motorists, branded the street as a mudhole and spoke in favor of the city proceeding at once with the improvement. They promised to have petitions signed and presented to the council next Monday night favoring the pavement.

There was a contract when the Minder Street ordinance came up for allegations. Two women of this street spoke in favor of the improvement and appeared anxious to know if the work could not be started immediately. The estimated cost of the job was given by the commissioner of public works as \$15,000.

The hearing on the Plover Street asphalt pavement ordinance brought out a number of protests. The cost is estimated at \$11,000.

There was no protest when Clinton Avenue North improvement was announced. The cost of this work was estimated at \$66,000, and includes resurfacing of the 42½ foot roadway, and the construction of new walks and areaways between Main Street and Central Avenue.

There was no dissent expressed regarding Darrow Street walks, grading and curbs at an estimated cost of \$3,500. Locarno Street walks and grading, \$40,000; amending local improvement ordinance, Hulsie Avenue, Aberthaw Road, Cathaway Park and Norway Road asphalt pavement, \$127,000; amending Gibbs Street asphalt pavement, \$45,000; or Hilton Street combined sewer and grading, \$7,000.

An ordinance approving purchase price of \$225,000, asked by William Baugh for the one-time blast furnace property in the former village of Charlotte, was introduced by Councilman Edward R. Flynn. The city desires this extensive property for park and port purposes and the acquisition has been approved by the city manager. The ordinance was referred to the finance committee.

An ordinance was introduced for approval of the purchase price of lands required in the widening of Culver Road.

Councilman Goodwin's ordinance transferring permission of the White Rapid Transit Company to operate buses into this city from Lima to the Colonial Motor Lines, Inc., was adopted.

Councilman Peake's ordinance covering the purchase and sale of lands in Wolcott Road was sent to the finance committee.

Busses To Supplant Trolleys Wednesday In Plymouth Avenue

Eight New Vehicles Due Here For Immediate Service—Tracks to Be Torn Up at Once—Portland and Sea Breeze Cars Turn at Oak Street.

Bus service to take the place of the Plymouth Avenue trolley line is to be started Wednesday morning, according to John G. Ufert, superintendent of transportation for the New York State Railways.

Delivery of eight busses was to be made at once for service that will not interfere with the contractors now at work on the widening and resurfacing of Plymouth Avenue between the bridge at Clarissa Street and Barton Street.

The temporary route, as announced by Mr. Ufert today, will be from the terminal at Broad Street and South Avenue, through South Avenue to Court Street, to Exchange Street, thence back to Broad Street, to Plymouth Avenue, to Clarissa Street, to Bronson Avenue, to Seward Street, to Genesee, to Brooks Avenue, and back to Genesee on return trip.

Wednesday morning, as soon as the trolley cars are removed from service in Plymouth Avenue, the contractors, F. W. and J. J. Crouch, will tear out the tracks of the company between the curbs and sidewalks. This job has been held up temporarily pending arrival of the busses. The avenue has been torn up at both ends and sewers installed.

As a result of the abandonment of the Plymouth trolley tracks the Portland and Sea Breeze trolley cars which constitute the other end of the Plymouth line will turn at Oak Street. The Plymouth busses in the rush hours will be operated on a four-minute headway, and at other periods on an eight-minute headway.

Each bus has a seating capacity of 38 passengers.

Through a representative, residents of the district asked that they be supplied with a graphic representation of the two plans so they might obtain information as to how they would be affected individually. The city engineer's office agreed to cooperate in the preparation of these studies, and John H. Law, county clerk, agreed to make photostatic copies of blue prints and maps for the interested parties without cost.

Argue Relative Danger. Some of the taxpayers believed Hague Street should be studied before Ames Street, because, as one representative said, "there have been seven deaths there in the last six years." Others maintained Ames Street is the more dangerous in view of the great number of school children who pass there.

It was hinted by Mr. Poole that the city plan might involve the closing of Ames Street entirely, but he made it plain that no such action had been definitely decided upon and that he was merely ad-

IMPROVING ONTARIO BEACH

The city administration plans to erect a large modern bath house at Ontario Beach Park as soon as the land on the west known as Terry Park can be acquired. This information was given by City Manager Stephen B. Story in response to an inquiry from Councilman Goodwin last evening.

Both the bath house and additional land are much needed. This year the extreme high water, which leaves no beach at Durand-Eastman Park, has thrown an extra burden on Ontario Beach.

Rochester's situation near Lake Ontario is one of the city's greatest assets from a recreational viewpoint. It should also ultimately prove of considerably more commercial importance than at present.

Roads to the lake and equipment at the lakeside parks should be improved as rapidly as possible, since demand for their use increases steadily.

Wool of Splendid Selection for Large Family

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CITY GETS LAKE PROGRAM MAY ACQUIRE FURNACE, SHORE SITES FOR PARK

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3-Adopted an ordinance fixing the compensation of Frank B. Kibben, bridge expert, in preparing plans for a Ridge Road bridge, at 5 per cent. of the contract, with an extra allowance for architectural designs.

4-Authorized a renewal of \$500,000 in overdue tax notes. 5-Gave New York State Railways permission to use west side streets in bringing Britton Road busses into the city.

6-Authorized land purchases for a Prospect Street playground. 7-Received ordinance approving of land purchases for Culver Road widening.

8-Held first public hearings on a number of street improvement ordinances, with no opposition.

CITY MAY GET PARK SITE FREE

The probability loomed today that the city would take over Terry Park as an addition to Ontario Beach Park without paying a penny for the land...

When Seth Sprague Terry and his wife, Gertrude Terry, subdivided the property along Beach Avenue they set aside Terry Park as a tract which would always be used as a park...

City Manager Story said the city would assume such responsibility. It must have a release of all encumbrances. These, he said, promised to be easily acquired once all the members of the Terry Park Association or their heirs are located.

Petrosi Gets 3 Jobs; City To Fight Fourth

Three contracts were awarded to the John Petrossi Company yesterday by the city, thus leaving only the Lattimore Road job open for further court action.

The council authorized the purchase of land in Prospect Street for the creation of a playgrounds. The council by ordinance last night fixed the price to be paid William Bausch, present owner of the blast furnace site...

First hearings were held on a number of local improvement ordinances. There was no opposition to any of them. Second hearings will be held next Monday.

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PLYMOUTH AVE. TROLLEY TRACK BEING REMOVED

Widening of Street To Start Soon - 186 Elm Trees Must Be Cut Down - Sewer Changed.

Gangs from the cat barns today started ripping out the ties and rails of the trolley company along Plymouth Avenue at the Clarissa Street end.

Frank W. Crouch, who has the contract for the Plymouth Avenue job, said today that as soon as the trolley crews get out the tracks and ties he will begin operations...

The pipes are 36 inches in diameter and a new tap was made by Mr. Crouch. Formerly the old stone sewer, which was laid 48 years ago, turned just south of the bridge and drained into the trunk line against the flow.

Now serenity is, after all, a great blessing. In fact the solution of how to be perpetually serene and at the same time in the van of activities would probably bring a high standard of human capacity for life.

This city is not ill described as serene. It is not given to community impulsiveness; it has in its civic consciousness a justified satisfaction with its accomplishments and abilities for attaining what it really wants.

We have on some few occasions been subject to criticism for conservatism; we have been impertinently called a "smug" city. But these aspersions have quite properly failed to ruffle our serenity.

BUS SERVICE ON PLYMOUTH TO START SUN.

Service on Belt Line Will Include Plymouth Avenue North and Genesee Boulevard.

This service on a belt line via Plymouth Avenue North and Genesee Boulevard will be started tomorrow morning, according to announcement today from John G. Uffert, superintendent of transportation for the New York State Railways.

Beginning tomorrow the busses will run from the terminal at Broad Street and South Avenue, make the loop back to Broad Street via South Avenue, Court and Exchange streets, thence Broad to Plymouth Avenue North, to Clarissa, to Windbourne, to the Genesee, to Chili Avenue, to Main Street West, to Broad and back to terminal.

The street is full of earners and so-called side lots which are included in the exemption system. Some light was given on the subject of this exemption business today by Henry L. Howe, director of the Bureau of Design and Construction. He said: "Corner lots obtain certain exemptions to relieve them equitably of some of the pavement costs due to the fact that they will be called upon to pay local improvement assessments on both the sides and ends of the lot."

Progress is being made in drawing up a City Plan for Rochester. The City Planning Commission conferred yesterday with Harland Bartholomew, the expert who is drawing up a report on the subject...

There has been a general revamping of fiscal matters under the direction of Comptroller Clarence E. Higgins and substantial savings have accrued from this source. The central store house, located in the former Broad Street warehouse property in Broad Street, has resulted, under the general supervision of City Purchasing Agent Wendell T. Andrews, in sizeable savings.

Her plan is to blast a roadway through her property and level off the top to provide housing sites.

Protests On Work Of Street Repairs Must Be In Monday

Many Remonstrances Against Proposed Costs and Assessments Expected as Result of Last Council Meeting - Exemptions Explained.

None of the expected remonstrances against a number of street improvements had been filed with the city clerk today in advance of the final hearings scheduled by the City Council for Monday night.

The exemption system is said to relieve corner lots of possible excessive charges due to the fact that interior lots are assessed for a share of the cost.

Protests are expected in force against the proposed improvement of Oak Street between Jay Street and Lyell Avenue. The improvement ordinance calls for asphalt resurfacing of the old brick pavement.

Failure of property owners to file remonstrances today indicated the City Council on Monday night would pass a long list of street improvement ordinances, most important of which are those for resurfacing Clinton Avenue North, between Central Avenue and Main Street East, and paving Lake Avenue Boulevard, between River Street and Stutson Street, in the Twenty-third Ward.

Another improvement expected to be protested was the proposed resurfacing of Oak Street, between Jay Street and Lyell Avenue. The improvement is necessary for general traffic, but will cost more than the property should bear, city officials admitted.

Her plan is to blast a roadway through her property and level off the top to provide housing sites.

CITY SAVES \$500,000 IN TWO YEARS

Economies of City Manager Government Cut Down Expenditures

A saving of approximately \$500,000 will accrue to the benefit of taxpayers in Rochester as a consequence of two years administration of the city manager form of government.

A number of factors go to make up this saving and includes among them is the system of payment of taxes twice a year, thus eliminating interest charges of funds that had to be borrowed to defray the cost of government, under the old charter, for the first four months of the year.

These savings, which will aggregate a half million dollars, it is estimated, by Dec. 31, when the first two years of the city manager administration is completed, are used to cut down the normal increase in the cost of government in Rochester, which mounts as the city and its activities expand. It is reflected in a drastic reduction in the current expense borrowing, a practice that has been built up in the last few years, and say under the old charter must be abandoned by 1933.

With all of the city departments and bureaus under the direction of City Manager Stephen E. Story, with the exception of the Bureau of Charities, which during the Winter and Spring had heavy demands on it, living within their budget the inroads that the administration has made on the current expense borrowing is said to be gratifying to the finance committee of the City Council, made up of Mayor Joseph P. Wilson, Vice-Mayor Adair and Councilman Edward P. Flynn.

The old charter provided for the collection of taxes on May 1. As a consequence the Common Council found it necessary to borrow \$6,000,000, or \$1,500,000 a month, for the first four months, to defray the expenses of government until the taxes become due. The present charter provides for the collection of taxes in two installments, half on Jan. 1 and half on July 1, and the interest charge on borrowing has been minimized, resulting in large interest savings.

There has been a general revamping of fiscal matters under the direction of Comptroller Clarence E. Higgins and substantial savings have accrued from this source. The central store house, located in the former Broad Street warehouse property in Broad Street, has resulted, under the general supervision of City Purchasing Agent Wendell T. Andrews, in sizeable savings.

City Plan Engineer And Commissioners Meet In Conference

Harland Bartholomew, City Planning Expert, Meets With Commissioners - New Map of Proposed Civic Center Is Considered Today.

The City Planning Commission began a busy week with experts today. This afternoon the commission held a conference with Harland Bartholomew, city planning expert, engaged by the city, to submit a report on the civic development of Rochester, and later in the week another conference is to be held with John R. Freeman of Providence, R. I., who has been engaged as a consulting expert in connection with the possible use of the river bed as a civic center.

Use of the river bed as a possible site for the proposed civic center hinges on the flood protection to be afforded the business district involved and may necessitate one of the following projects: 1. The further deepening of the river between either Main Street and Central Avenue, or Main Street and Court Street, and the lining of the river with concrete to afford a smooth cross section.

The conference this afternoon was to discuss major streets and consider a map which has been drawn under supervision of Harold W. Esiger, commissioner of public works, in connection with the river as a probable site for the civic center. This map shows existing conditions on the river between the falls at Central Avenue and the Court Street dam. There are also shown works in connection with the river must be built to cause as little restriction as possible to river flow.

The need of a City Plan as a guide for improvements and expansion is far better understood today than in 1911, when a report was published by the Civic Improvement Association. The central proposal of that plan, a civic center in the vicinity of what is now the intersection of Main Street West and Broad Street, will probably not again be brought forward, but we have now acquired the Erie canal bed and placed above it a street parallel to Main, as well as carried out a number of other recommendations then made.

Thus even this rejected plan has proved of value. Today the need of providing proper traffic outlets is clear to everyone, much has been said about extending Broad Street further eastward, and the civic center idea is more familiar to our citizens.

We are now able to consider street system requirements in the light of the demands of the automobile age and are beginning to take account of the need of regional planning, covering not only the corporate area of Rochester but the whole of Monroe County.

NO CLUBHOUSE THIS YEAR FOR GENESEE LINKS

The proposed golf refectory at Genesee Valley Park will not be available this year, according to George J. Nier, commissioner of public safety.

Contracts totaling \$50,871 have been let for the job and to the surprise of the city administration the work will be done considerably under the engineer's estimates.

Commissioner Nier said that an average of 10 contractors had bid on each of the above items. There is an appropriation of \$75,000 authorized for the work.

Working On City Plan

Progress is being made in drawing up a City Plan for Rochester. The City Planning Commission conferred yesterday with Harland Bartholomew, the expert who is drawing up a report on the subject, and will also hold another conference this week at which the result of study of flood protection and possible use of the river bed as site of a civic center will be presented by John R. Freeman, another engineer.

WREN & CURTIS, AUG 3 1929

WINTERS-DITON, AUG 1 2 1929

PINNACLE HILLS ACTION BY CITY IS DUE TONIGHT

Council Will Vote On Resolution To Acquire Hills As Park Site - Blasting Threatened.

Action on a resolution authorizing the city to acquire the Pinnacle Hills for public use as a park, is expected to be taken tonight at the City Council meeting.

Her plan is to blast a roadway through her property and level off the top to provide housing sites.

A Serene City

A former resident of this city, absent now a considerable number of years, has been revisiting us recently. He remarked, of course, on many evidences of admirable civic progress but also said that he found "the serenity of Rochester and its people quite as he remembered them."

Now serenity is, after all, a great blessing. In fact the solution of how to be perpetually serene and at the same time in the van of activities would probably bring a high standard of human capacity for life.

We have on some few occasions been subject to criticism for conservatism; we have been impertinently called a "smug" city. But these aspersions have quite properly failed to ruffle our serenity.

Save The Pinnacle

Favorable action on the proposal to acquire as a park the high, wooded ridge known as the Pinnacle is asked in petitions which are being prepared for presentation to the City Council.

This site is adjacent to the Clinton Avenue car line, by which it can be reached from the center of the city in less than 20 minutes. It is also easily accessible from Monroe Avenue by a number of streets.

From the summit of the Pinnacle there is a fine view in all directions. It can be developed as a recreation spot. Its forested crown is a notable feature of the Rochester landscape.

CITY GETS LAKE PROGRAM

MAY ACQUIRE FURNACE, SHORE SITES FOR PARK

The City Council last night transacted business as follows:

- 1-Received program for enlarging Ontario Beach Park by the acquisition of Terry Park along the lake shore and the former site of the Genesee Blast Furnace, between Lake Avenue Boulevard and the river, with a new bathhouse to be built immediately following the acquisition of Terry Park.
2-Fixed by ordinance, \$225,000 as the price to be paid for the former site of the blast furnace.
3-Adopted an ordinance fixing the compensation of Frank B. Kibben, bridge expert, in preparing plans for a Ridge Road bridge, at 5 per cent. of the contract, with an extra allowance for architectural designs.
4-Authorized a renewal of \$500,000 in overdue tax notes.
5-Gave New York State Railways permission to use west side streets in bringing Britton Road busses into the city.
6-Authorized land purchases for a Prospect Street playground.
7-Received ordinance approving of land purchases for Culver Road widening.
8-Held first public hearings on a number of street improvement ordinances, with no opposition.

Pretextuous plans for enlarging Ontario Beach Park, both to the west along the lake front and to the south along Lake Avenue Boulevard, were before members of the City Council today.

The plans are contingent on the city's acquisition of Terry Park, west of Ontario Beach Park, and the site of the former Genesee Blast Furnace, extending from the boulevard back to the river front.

The council by ordinance last night fixed the price to be paid William Bausch, present owner of the blast furnace site, at \$225,000. This property will be used for the development of the Port of Rochester and additional parking space for users of Ontario Beach Park.

HAVE 70 SIGNATURES

City Manager Story explained to the Council, in reply to questions of Councilman Goodwin, that the city now is negotiating for the purchase of Terry Park. Signatures of most of the seventy owners of the property, who are members of an association, have been obtained.

When a deed is acquired, Mr. Story said the city will locate a site for a new bathhouse, to be 300 feet long, with the westerly end about on the line now dividing Ontario Beach Park from Terry Park. Mr. Story said no money to build the bathhouse would be made until Terry Park is acquired. He said the city hoped to begin work in the Spring.

The ordinance for acquiring the blast furnace site was referred to the finance committee. Councilman Goodwin asked a number of questions of Mr. Story, among them why plans were not advanced for the widening and repaving of Andrews Street. An answer was to follow an investigation.

An ordinance fixing the compensation of Frank P. McKibben, bridge expert, for preparing plans and specifications for a new Ridge Road bridge, at 5 per cent. of the contract, with an addition of 1 per cent. for architecture, was passed. BRIDGE PLANS IN MAY

City Manager Story explained that land for new approaches to Smith Street bridge will be unnecessary for at least a year, and plans for a new Ridge Road bridge will not be ready before next May.

The council authorized a renewal of \$500,000 in notes to meet overdue taxes.

The New York State Railways was given permission to bring its Britton Road busses to the Broad Street terminal through lower Dewey Avenue, Driving Park Avenue, Wren Street, Lexington Avenue, Curlew Street, Emerson Street, Santee Street, Otis Street, Lyell Avenue and Broad Street.

South Avenue, Court Street and Exchange Street also may be used for turning the busses in the center of the city.

An ordinance approving the

CITY MAY GET PARK SITE FREE

The probability loomed today that the city would take over Terry Park as an addition to Ontario Beach Park without paying a penny for the land, if seventy persons interested in the property all sign a release.

When Seth Sprague Terry and his wife, Gertrude Terry, subdivided the property along Beach Avenue they set aside Terry Park as a tract which would always be used as a park, with an easement granted to all the property owners on the south as well as the north side of Beach Avenue, that they might always have an approach to the lake shore.

Now these property owners, as members of the Terry Park Association, are willing to have the city take over their park in return for keeping it free of weeds and providing police protection for it.

City Manager Story said the city would assume such responsibility—it must have a release of all easements. These, he said, promised to be easily secured since all the members of the Terry Park Association or their heirs are located.

DEEN & CHURCH, AUG 8 1929

Petrosi Gets 3 Jobs; City To Fight Fourth

Three contracts were awarded to the John Petrosi Company yesterday by the city, thus leaving only the Lattimore Road job open for further court action. The three contracts were: Ottilia Street asphalt, \$16,203.25; Orleans Street asphalt, \$6,197.65; Gladstone asphalt, \$8,617.70.

All three contracts were held up previously on the ground that Petrosi was not responsible. Petrosi was tried twice for bribery, but the jury disagreed. The city also rejected Petrosi's bid on the Lattimore Road job, and proposed to carry an action to the Appellate Division on this contract to learn if Petrosi's injunction preventing the city from letting the contract to any other bidder is binding.

Councilman Goodwin filed a petition with 4,000 signatures, asking for the purchase of Pinnacle Hill for a playground and public park.

Mr. Goodwin's ordinance for the closing of shoe shining parlors at 1 p. m. Sundays was referred to the law committee.

First hearings were held on a number of local improvement ordinances. There was no opposition to any of them. Second hearings will be held next Monday. The improvements covered by the ordinances are:

Darrow Street walks, grading and stone curbs, \$3,500; Lyceum Street walks and grading, \$40,000; Clinton Avenue North asphalt resurfacing, \$68,000; amending ordinance for Hillside Avenue, Aberthaw Road, Cathawan Park, and Morven Road asphalt pavement and walks, \$127,000.

Amending Gibbs Street asphalt pavement widening, \$45,000; tree planting, Hillside Avenue, Cathawan Park and Morven Road, \$555; tree planting and seeding, plot at entrance of Hillside Avenue, \$490; Fern Street concrete pavement, \$10,000; Craig Street asphalt pavement, \$22,000; Plover Street asphalt pavement, \$11,000; Oak Street asphalt resurfacing, from Jay Street to Lyell Avenue, \$42,000.

Lake Avenue concrete pavement, sanitary and storm water sewers, from St. John Park to Stutson Street, \$129,500; Minder Street concrete pavement, \$15,000; Fenwick Street concrete pavement and walks, \$5,500; Hilltop Street combined sewer and grading, \$7,000; Crossman Terrace surface treatment, \$1,300.

Unless action is taken the portion of the Pinnacle between the grounds of the Hillside Home and the old cemetery will soon be developed for residential purposes. Nor is it certain how long the Catholic Diocese of Rochester will hold the long disused cemetery. That tract, by itself, would be almost too small.

The Pinnacle is worth saving and preserving for the enjoyment of the community.

PLYMOUTH AVE. TROLLEY TRACK BEING REMOVED

Widening of Street To Start Soon—186 Elm Trees Must Be Cut Down—Sewer Changed.

Gangs from the car barns today started ripping out the ties and rails of the trolley company along Plymouth Avenue at the Clarissa Street end. Work is being pushed on the west side tracks first. All the car tracks between the Pennsylvania railroad bridge and the cross-over south of Barton Street are to be removed.

Frank W. Crouch, who has the contract for the Plymouth Avenue job, said today that as soon as the trolley crews get out the tracks and ties he will begin operations on the widening of the street, including moving the old curbing and cut down 186 elm trees that stand in the way of the proposed pavement, which is to be of concrete.

All the asphalt surface and most of the concrete in the old roadway already have been removed, and Mr. Crouch now has five steam shovels on the job, working at both ends of the contract.

Crowds were attracted today to the banks and bridge at Clarissa Street, as workmen installed a new sewer line which will empty into the old trunk sewer of stone in the bed of the abandoned Genesee Valley Canal, now used by a railroad.

The pipes are 30 inches in diameter and a new tap was made by Mr. Crouch. Formerly the old stone sewer, which was laid 48 years ago, turned just south of the bridge and drained into the trunk line against the flow. This was said to be the cause of much backwater in the sewers, which is laid in the center of the avenue at some places to a depth of 21 feet from the street surface.

The new sewer pipes, which are of vitrified tile, take an opposite course from the old line and the empty into the trunk line in the canal bed in the direction of the flow and not against it as formerly.

The contractor has five months in which to complete the job.

BUS SERVICE ON PLYMOUTH TO START SUN.

Service on Belt Line Will Include Plymouth Avenue North and Genesee Boulevard.

Bus service on a belt line via Plymouth Avenue North and Genesee Boulevard will be started tomorrow morning, according to announcement today from John G. Uffert, superintendent of transportation for the New York State Railways.

This service will be increased on Monday morning when a short and long line will be placed in operation. Six new busses are now on the way to Rochester from Cleveland and will be delivered early next week.

Beginning tomorrow the busses will run from the terminal at Broad Street and South Avenue, make the loop back to Broad Street via South Avenue, Court and Exchange streets, thence Broad to Plymouth Avenue North, to Clarissa, to Bronson, to Seward, to Genesee, to Windbourne, to the boulevard, to Chili Avenue, to Main Street West, to Broad and back to terminal. This is the regular long route and will be operated on a nine-minute headway during the morning and night rush hours. Busses will be operated also in the opposition direction.

The short route, which will be operated on a headway of 4 1/2 minutes, will run only to Cottage Street and Seward Street.

The street is full of corners and so-called side lots which are included in the exemption system. Some light was given on the subject of this exemption business to

Protests are expected in force against the proposed improvement of Oak Street between Jay Street and Lyell Avenue. The improvement ordinance calls for asphalt resurfacing of the old brick pavement. Owners in Oak Street say their property is yielding no adequate income and the improvement costs, therefore, will place a heavy burden on the land to be assessed.

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Protests On Work Of Street Repairs Must Be In Monday

Many Remonstrances Against Proposed Costs and Assessments Expected as Result of Last Council Meeting—Exemptions Explained.

None of the expected remonstrances against a number of street improvements had been filed with the city clerk today in advance of the final hearings scheduled by the City Council for Monday night.

A batch of objections had been awaited all week, following the lively speeches at the first hearing on the proposed improvements, where a number of speakers asserted that they would have signed petitions as well as objections for the consideration of the City Council.

The protesters have all day Monday, however, to file their complaints and may present their remonstrances when the council convenes for business that night. Lake Avenue improvement between Stuten Street and St. John's Park, which calls for an estimate expenditure of \$125,000, is one of the principal jobs which has raised a storm in the one-time village of Charlotte.

Oddly enough, a battle is expected on one of the minor street improvements in the Tenth Ward, Minder Street, which is up for improvement and there appears to be considerable understanding about the distribution of costs proposed for this betterment. The street is short and narrow and, while the ordinance estimate is \$15,000, the engineer's estimate is slightly in excess of \$15,000.

The street is full of corners and so-called side lots which are included in the exemption system. Some light was given on the subject of this exemption business to

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Pinnacle Hills Action by City is Due Tonight

Council Will Vote On Resolution To Acquire Hills As Park Site—Blasting Threatened.

Action on a resolution authorizing the city to acquire the Pinnacle Hills for public use as a park is expected to be taken tonight at the City Council meeting.

A number of residents, individually and organizations, acting as a group have signed petitions urging the purchase, but these plans are likely to be upset unless the council acts in time to prevent the blasting operations which one of the owners of the Pinnacle section, Mrs. Maude G. Heckman, of 225 Meigs Street, said she would undertake through a contracting firm. This blasting, it is said, would ruin the park possibilities of the hills.

Mrs. Heckman said she had let a contract to Whitmore, Rauber and Vicinus for the blasting, and contemplates letting other contracts for leveling the top of the hill, and for sewers and other improvements.

Her plan is to blast a roadway through her property and level off the top to provide housing sites.

We are serene and it makes for a high state of civic content.

We are serene and it makes for a high state of civic content.

CITY SAVES \$500,000 IN TWO YEARS

Economies of City Manager Government Cut Down Expenditures

A saving of approximately \$500,000 will accrue to the benefit of taxpayers in Rochester as a consequence of two years administration of the city manager form of government.

A number of factors go to make up this saving and included among them is the system of payment of taxes twice a year, thus eliminating interest charges of funds that had to be borrowed to defray the cost of government, under the old charter for the first four months of the year; the more extensive use of the discount system for municipal purchases; the establishment of a central store for group purchases of municipal supplies; the elimination of unnecessary employes where their services are required; the elimination of politics and favoritism in municipal purchases; the installation of adequate accounting systems to prevent speculations by employees; and a general revamping of fiscal matters to cut down charges on municipal indebtedness.

Borrowing To Stop

These savings, which will aggregate a half million dollars, it is estimated, by Dec. 31, when the first two years of the city manager administration is completed, are used to cut down the normal increase in the cost of government in Rochester, which mounts as the city and its activities expand. It is reflected in a drastic reduction in the current expense borrowing, a practice that has been built up in the last ten years and which under the city manager charter must be abandoned by 1935.

With all of the city departments and bureaus under the direction of City Manager Stephen B. Story, with the exception of the Bureau of Charities, which during the Winter and Spring had heavy demands on it, lying within their budget the inroads that the administration has made on the current expense borrowing is said to be gratifying to the finance committee of the City Council.

The old charter provided for the collection of taxes on May 1. As a consequence the Common Council found it necessary to borrow \$5,000,000, or \$1,600,000 a month, for the first four months, to defray the expenses of government until the taxes became due. The present charter provides for the collection of taxes in two installments, half on Jan. 1 and half on July 1, and the interest charge on borrowing has been minimized, resulting in large interest savings.

There has been a general revamping of fiscal matters under the direction of Comptroller Clarence E. Higgins and substantial savings have accrued from this source. The central store house, located in the former Broad Street warehouse property in Broad Street, has resulted, under the general supervision of City Purchasing Agent Wendell E. Andrews, in considerable savings. Improved methods of handling city real estate, including purchases, has resulted in savings.

A formal compilation of the results of the two years administration of municipal affairs under the city manager government, together with a statement showing savings that have accrued will be prepared before the end of the year and the estimated saving of \$500,000 is expected to be more than materialized in the two year period.

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City Plan Engineer And Commissioners Meet In Conference

Harland Bartholomew, City Planning Expert, Meets With Commissioners—New Map of Proposed Civic Center Is Considered Today.

The City Planning Commission began a busy week with experts today.

This afternoon the commission held a conference with Harland Bartholomew, city planning expert, engaged by the city, to submit a report on the civic development of Rochester, and later in the week another conference is to be held with John R. Freeman of Providence, R. I., who has been engaged as a consulting expert in connection with the possible use of the river bed as a civic center.

Use of the river bed as a possible site for the proposed civic center hinges on the flood protection to be afforded the business district involved and may necessitate one of the following projects:

- 1. The further deepening of the river between either Main Street and Central Avenue, or Main Street and Court Street, and the lining of the river with concrete to afford a smooth cross section.
2. The possible removal of the present Andrews Street bridge and its replacement with a structure which will eliminate or minimize considerably present flood hazards at that crossing.
3. The rebuilding of Main Street bridge and deepening the river from that point south to Court Street.

The conference this afternoon was to discuss major streets and consider a map which has been drawn under supervision of Harold W. Ebbot, commissioner of public works, in connection with the river as a probable site for the civic center.

This map shows existing conditions on the river between the falls at Central Avenue and the Court Street dam. There are also shown the lines on which foundations must be built to cause as little restriction as possible to river flow.

Contracts totaling \$50,871 have been let for the job and to the surprise of the city administration the work will be done considerably under the engineer's estimates.

Here are the winning bids for the work: Carpentry, \$23,800; Ebbot, commissioner of public works, in connection with the river as a probable site for the civic center.

Commissioner Nier said that an average of 10 contractors had bid on each of the above items. There is an appropriation of \$75,000 authorized for the work.

Working On City Plan

Progress is being made in drawing up a City Plan for Rochester. The City Planning Commission conferred yesterday with Harland Bartholomew, the expert who is drawing up a report on the subject, and will also hold another conference this week at which the result of study of flood protection and possible use of the river bed as site of a civic center will be presented by John R. Freeman, another engineer.

The need of a City Plan as a guide for improvements and expansion is far better understood today than in 1911, when a report was published by the Civic Improvement Association. The central proposal of that plan, a civic center in the vicinity of what is now the intersection of Main Street West and Broad Street, will probably not again be brought forward, but we have now acquired the Erie canal bed and placed above it a street parallel to Main, as well as carried out a number of other recommendations then made.

Thus even this rejected plan has proved of value. Today the need of providing proper traffic outlets is clear to everyone, much has been said about extending Broad Street further eastward, and the civic center idea is more familiar to our citizens.

We are now able to consider street system requirements in the light of the demands of the automobile age and are beginning to take account of the need of regional planning, covering not only the corporate area of Rochester but the whole of Monroe County.

Indeed, it would be an excellent idea if Mr. Bartholomew, whose studies have made him familiar with the Rochester district's needs, were engaged by the county to advise on linking up the suburbs with the city proper and providing for future expansion of the urbanized area.

NO CLUBHOUSE THIS YEAR FOR GENESEE LINKS

The proposed golf refectory at Genesee Valley Park will not be available this year, according to George J. Nier, commissioner of public safety.

Contracts totaling \$50,871 have been let for the job and to the surprise of the city administration the work will be done considerably under the engineer's estimates.

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COUNCIL VOTES PURCHASE OF BLAST FURNACE PLOT; BOULEVARD LEVY OPPOSED

Committee Hearing To Settle Differences Over Assessments

CLINTON NORTH PAVING VOTED

Other Street Repairs Approved; Election Costs Up \$7,500

Unanimous sentiment in favor of the improvement of Lake Avenue Boulevard from St. John's Park to Stutson Street was expressed at a hearing last evening before the City Council...

Cost Spread Draws Objections A remonstrance against the spreading of the cost was presented by Mrs. F. H. Greer...

Clinton Resurfacing Approved The Council, by unanimous action, approved an ordinance by Councilman William F. Durman providing for the asphalt resurfacing of Clinton Avenue North between Meia Street East and Central Avenue...

What Council Did Last Night

Business transacted last evening by the City Council included the following items: Authorized purchase for \$225,000 of the former blast furnace property in Lake Avenue Boulevard from William Bausch...

Received public acknowledgment from George J. Nier, commissioner of public safety...

Approved resolution fixing Oct. 19 as Pulaski memorial day. On favorable report of finance committee, authorized borrowing of \$267,000 for municipal land purchases...

Received petitions from Councilman Goodwin with reference to purchase of Pinnacle Hill, with request that City Manager Stephen B. Story look into the advisability of using injunction proceedings to stop blasting operations on the hill...

It is planned to construct the sewers this fall or winter and to lay the concrete pavement early next spring...

Because of objection of interested property owners, presenting a majority remonstrance, the Council deferred action indefinitely on the ordinance for a concrete pavement in Fern Street...

Election Costs to Increase City Clerk Thomas P. O'Leary and Comptroller Higgins presented through City Manager Story a statement that the creation of 11 new election districts, together with the increased compensation to inspectors, will necessitate an additional expenditure of \$7,500 this year for election expenses...

Clinton Resurfacing Approved Upon the favorable report of the Local Improvements Committee, the Council passed the following local improvement ordinances: Darrow Street walks, grading and stone curbs; Craig Street asphalt pavement; Minder Street concrete pavement; Fenwick Street concrete pavement and walks; Hilton Street combined sewer and grading and Crossman Terrace surface treatment...

City To Pay \$225,000 for Property Held by William Bausch

OTHER PARCELS TO BE ACQUIRED

Wanted for Municipal Docks; Oct. 19 Set as Pulaski Day

By HIRAM MARKS

Purchase of the former blast furnace property in Lake Avenue Boulevard from William Bausch for a consideration of \$225,000 was unanimously approved by the City Council last evening after a favorable report by the finance committee...

Other Parcels Sought Councilman Flynn also presented a resolution approving the price of \$41,200 asked by Julia E. Roberts for a parcel of land on the east side of Lake Avenue Boulevard...

Development of municipal docks, also a large addition to the parking facilities at Ontario Beach Park, which are inadequate on all hot days when crowds go to the lakeside. It will also make possible a plan for entering the parking station from Lake Avenue Boulevard, above Beach Avenue, so as to relieve traffic congestion at the corner...

To Aid Port Development The purchase of the blast furnace property was approved by the harbor advisory committee after a long study...

Plans for deepening of Genesee River, for construction of a civic center, will be submitted this week to John T. Freeman, hydraulic engineer...

Planner Addresses Business Men The practicability and cost of the several plans were presented to the commission for its investigation and study of the various elements that develop in them. Mr. Ing of the Genesee River as the site for the proposed civic center. Mr. Freeman will be George Eastman when in Rochester, as he has done on other occasions here...

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PULASKI MEMORIAL DAY

Upon the favorable report of the public welfare committee, read by Councilman Louis S. Foulkes the Council fixed Oct. 19 as Brig-Gen. Casimir Pulaski Memorial Day...

Whereas, In the month of October, 1923, will occur the 150th anniversary of the death of Brig-Gen. Casimir Pulaski...

Whereas, It is fitting and proper that due recognition should be given to the memory of the said Brig-Gen. Casimir Pulaski...

Be it further Resolved, That the mayor of the City of Rochester be and he hereby is authorized to issue a proclamation declaring the said Oct. 19, 1923, a municipal holiday...

Be it further Resolved, That the finance committee be and hereby is, appointed to be known as Brig-Gen. Casimir Pulaski Memorial Day committee to work day by day for the observance of the said day...

Be it further Resolved, That the following commission be and hereby is, appointed to arrange the fitting and appropriate observance of the said Memorial Day...

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PLANNING GROUP OPENS STUDY OF STREETS

Conditions 50 Years Hence Before Bartholomew and Commission at Outset

WIDENING VITAL FACTOR Definite Avenue System and Superhighways Others in Development Program

Various policies that are confronted with reference to the establishment of a major street plan for Rochester, which is to be a section of the complete city plan, was discussed yesterday afternoon at a conference between Harland Bartholomew, city planner, and the City Planning Commission...

Program to be Ready Soon City planning has been discussed in Rochester for twenty-five years and under Mr. Story's direction the sentiment is being crystallized and a concrete program will be before the people soon...

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SMITH STREET STRUCTURE TO COST MILLION

With a figure of \$823,700, Scott Brothers' Construction Company of this city was low bidder today on a new bridge to span the Genesee River at Smith Street.

Formal award of the contract on this bridge, one of the most important and costly pieces of construction work to be undertaken in many years, will be made on Friday, following thorough study of the tabulated bids by the Department of Public Works.

WENDELL OPENS BIDS The bids were opened this morning by City Purchasing Agent Wendell Andrews, in the presence of a large number of contractors assembled in the Council chamber at City Hall.

Other bids were: A. Friederich & Sons Co., Rochester, \$824,000; E. P. Luffier Corporation, Buffalo, \$826,000; Genesee Bridge Company, Buffalo, \$842,000; Independent Bridge Company, Pittsburgh, \$832,000; F. W. Paulin Contracting Company, Buffalo, \$913,344.

The engineer's estimate for the job as \$863,000. With the single exception of the bid by the Paulin Company of Buffalo, all bids submitted were well under that figure.

MILLION TOTAL COST The cost of the bridge, including the construction of approaches on both sides, is estimated to be in the neighborhood of \$1,000,000.

Bids received today also provide for demolition of the present Smith Street bridge. This work is expected to start as soon as the details of the contract are worked out.

More than a year will be spent on the construction of the new bridge, according to present plans. Bids were also opened today for the paving of various city streets, including Harbor Boulevard, the old Wolcott Street, running along the river between Clarissa Street and Elmwood Avenue.

The Wambli Manufacturing Company of this city was awarded the contract for textile strips to be used for street markers. The bid was \$624.

ENGINEER TO GIVE CITY FLOOD REPORT

John R. Freeman, noted New York hydraulic engineer engaged by the city to study flood prevention, will make his report next Wednesday, Commissioner of Public Works Harold W. Baker announced today.

Freeman's report will deal with flood prevention relative to the construction of a civic center over the Genesee River, a project under consideration for some time.

It is generally agreed that the construction of the civic center over the river is quite possible. The Freeman report will state the effect of a possible flood, if the center is completed. Freeman is also expected to report on the contemplated river deepening.

Commissioner Baker has been working with Mr. Fisher and Mr. Freeman in working out the factors in the study, which embrace the construction of a new bridge in Main Street some years hence. The civic center study and the major thoroughfare plan are two of the most important elements in the city planning, and with their completion before the first of the year, Mr. Story feels that constructive steps have been taken toward arranging for the systematic and efficient development of Rochester, in keeping with the city's ability to finance, and perfected along the lines of best service to all citizens in the community.

Lake Ave.-Stutson St.

Check-Up Of Petition Of Signers Shows Too Few Property Owners

Signers Represent Only 747 Feet of Frontage Involved, Assessor Says—Paving, Curbing, Sewers, Standard Lighting Are Improvements Sought.

The ordinance for improvement of Lake Avenue between Stutson Street and River Street, which is still pending in the council improvement committee, took another wallop today when a checkup by the city assessor showed that a petition for the betterment fell far short of representing owners of a majority frontage in the assessable area.

As a result of the fiery opposition developed at the public hearing on the ordinance before City Council last Monday night, Councilman Nelson A. Milne, chairman of the council improvement committee, held up the ordinance and requested that action on the measure be deferred until the warping parties in the former village of Charlotte could get together.

Mr. Milne said today he had been unable so far to arrange the conferences but that he expected to refer to the next City Council meeting Sept. 2.

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Installment Plan For Paying Taxes Meeting Approval

City Treasurer Kane's Books Show 82.76 Per Cent. of Gross Levy of \$17,337,438.17 Was Paid In by the 31st Day of July.

Figures compiled today by City Treasurer James E. Kane indicate widespread approval of the plan which permits Rochester property owners to pay their annual tax bills in two installments. The figures explain why it is not necessary this year for the city to borrow money on notes for current operating expenses pending collection of taxes.

Through to July 31, according to Mr. Kane, the city collected on the 1923 gross levy, including additional of delinquent local improvement assessments and water rents, \$14,247,365.41, or 82.76 per cent of the gross levy of \$17,337,438.17. This is an increase in both the amount collected and the percentage over last year when tax payments were made in a single lump sum.

The big collection in January of this year relieved the city of the necessity of borrowing. In January of last year the city borrowed on notes, pending the collection of taxes in May, \$700,000; in February, \$600,000; in March, \$1,100,000; in April, \$1,250,000, making a total of nearly \$4,000,000 for the first four months of the year.

This relief from borrowing means a big saving when the interest rate is considered. The last note issue by the city was at the rate of 5.49 per cent interest.

On the first installment collection this year the city garnered \$8,051,229.46, or 82.2 per cent of the total of \$9,146,262.28.

On the second installment, due and payable in July just ended, the city treasurer collected \$6,196,075.05, or 75.64 per cent of the total of \$8,191,176.89.

There remains, therefore, of the total gross levy for 1923 of \$17,337,438.17 a balance of \$3,090,000 to be collected. The rate on the second installment is one per cent for the current month, two per cent for September, three per cent for October, four per cent for November, and five per cent for December.

Delinquents on the first installment will in addition pay 7 per cent this month on the first installment, eight per cent in September, and so on, six per cent, plus the rate for the month in which payment is made being added as a charge on the first installment.

FIVE STREET IMPROVEMENT JOBS AWARDED

Wolcott Road Asphalt Paving Job Goes to Thomas Holahan Co. on Bid of \$123,540.

The city today awarded five street improvement contracts, four of which went to Thomas Holahan Company, including the big Wolcott Road job.

The engineers' estimate on the Wolcott Road asphalt pavement was \$167,660.50. The Holahan bid, which was low on a list of seven competing contractors, was \$123,540, and at this price the firm got the contract.

Roach-Thompson was second with a bid of \$127,650.50. Other bids were: Rochester Vulcanite Company, \$130,646.70; Whitmore, Bauber & Vicinus, \$134,001.25; John Petross, \$141,931.79; Rochester White, \$142,355.52; and Sweeney & Poland, whose plant is in the Wolcott Road, \$148,526.

Other street contracts awarded to the Holahan firm were: Irvington Road, concrete pavement, \$34,983.15; Rosier Street, concrete pavement, \$22,292.56; and Tenger Street, asphalt pavement, \$4,489.16.

Julius Friedrichs got the Waldo Street concrete pavement contract at his bid of \$6,498.85.

This exception was to accommodate Mr. Lebowitz and the property owners on that street who had sold to him with the understanding that they would aid him to get the City Council to permit him to build an apartment house there.

The North Goodman Street property owners kept their bargain, but when John G. Ellendt, building superintendent, got the new zoning maps, he found Mr. Lebowitz's plan limited to a two story apartment house. Mr. Lebowitz furnished for an eight story apartment building a amendment ordinance, lid beyon

CITY WINS OLD TAX FIGHT

With the payment of sixteen years' accumulated principal and interest on improvement taxes amounting to \$395,032.48, a long controversial obligation has been settled by the New York State Railways in favor of the City of Rochester, it was announced today by L. B. Cartwright, city auditor.

The original obligation was with the operators of horse cars, and was passed along to the Rochester Railway Company and then to the New York State Railways.

In 1901 a court action resulted unfavorably to the car companies and by a compromise the city gave the railways until 1916 to clear up the obligation.

CITY FORMALLY AWARDS BRIDGE JOB TO SCOTTS

With Financial Statement Filed as Required by Law, Contract for Smith St. Span Is Turned Over

After determining the financial responsibility of Scott Brothers, low bidder for the Smith Street bridge contract, the Bureau of Purchase and Supply today formally awarded the contract to that firm.

A financial statement of the firm, as required by law, was filed with Comptroller Clarence E. Higgins shortly before noon. The cost of the new bridge will be \$823,700.

The winning contractor will erect the entire bridge, but approaches at either end will be provided for under separate contract and will cost about \$800,000 more, according to Harold W. Baker, commissioner of public works.

Scott Brothers built Broad Street and the subway. When bids were opened for Smith Street bridge last Friday, Scott Brothers were found to be low, but the fact that they had filed no financial statement caused the delay in awarding the contract until today.

Work will be started probably this week. Preliminary activities, it was said, would not necessitate closing the bridge to traffic at once. The job is expected to require 18 months for completion.

ZONING CODE BANS PERMIT

If Julius Lebowitz is ever to build a tall apartment house in North Goodman Street, Rochester's new zoning code and maps must be amended, the Municipal Board of Appeals learned today.

When the new zoning code and zones were adopted, an exception was made for apartment house construction in North Goodman Street, within the exclusive East Avenue zone.

This exception was to accommodate Mr. Lebowitz and the property owners on that street who had sold to him with the understanding that they would aid him to get the City Council to permit him to build an apartment house there.

The North Goodman Street property owners kept their bargain, but when John G. Ellendt, building superintendent, got the new zoning maps, he found Mr. Lebowitz's plan limited to a two story apartment house. Mr. Lebowitz furnished for an eight story apartment building a amendment ordinance, lid beyon

ENGINEER WILL GET RIVER PLAN

Plans for deepening of Genesee River, for construction of a civic center, will be submitted this week to John T. Freeman, hydraulic engineer, according to an announcement today by Public Works Commissioner Harold W. Baker.

Commissioner Baker said that a definite day had not been set, as he has not heard from Mr. Freeman. But he is expected to be in Rochester this week. Mr. Freeman is making a flood prevention survey for the city.

Harland Bartholomew, St. Louis expert in charge of the preparation of a city plan, left for New York last night after conferences with the Business Improvement Association, the City Planning Commission and the Rochester Real Estate Board.

COUNCIL VOTES PURCHASE OF BLAST FURNACE PLOT; BOULEVARD LEVY OPPOSED

Committee Hearing To Settle Differences Over Assessments CLINTON NORTH PAVING VOTED Other Street Repairs Approved; Election Costs Up \$7,500

What Council Did Last Night

Business transacted last evening by the City Council included the following items: Authorized purchase for \$225,000 of the former blast furnace property in Lake Avenue Boulevard from William Bausch; also considered the purchase of an adjoining parcel from Julia E. Roberts for \$41,200.

City To Pay \$225,000 for Property Held by William Bausch OTHER PARCELS TO BE ACQUIRED Wanted for Municipal Docks; Oct. 19 Set as Pulaski Day

Purchase of the former blast furnace property in Lake Avenue Boulevard from William Bausch for a consideration of \$225,000 was unanimously approved by the City Council last evening after a favorable report by the finance committee, made up of Mayor Wilson, Vice-Mayor Isaac Adler, and Councilman Edward P. Flynn.

OPENS STUDY OF STREETS Conditions 50 Years Hence Before Bartholomew and Commission at Outset WIDENING VITAL FACTOR Definite Avenue System and Superhighways Others in Development Program

Various policies that are confronted with reference to the establishment of a major street plan for Rochester, which is to be a section of the complete city plan, was discussed yesterday afternoon at a conference between Harland Bartholomew, city planner, and Mr. City Planning Commission.

SMITH STREET STRUCTURE TO COST MILLION

With a figure of \$823,700, Scott Brothers Construction Company of this city was low bidder today on a new bridge to span the Genesee River at Smith Street.

Lake Ave.-Stutson St. Check-Up Of Petition Of Signers Shows Too Few Property Owners

Signers Represent Only 747 Feet of Frontage Involved, Assessor Says—Paving, Curbing, Sewers, Standard Lighting Are Improvements Sought.

Installment Plan For Paying Taxes Meeting Approval

City Treasurer Kane's Books Show 82.76 Per Cent. of Gross Levy of \$17,337,438.17 Was Paid In by the 31st Day of July.

Cost Spread Draws Objections

A remonstrance against the spreading of the cost was presented by Mrs. E. H. Greer, who said that the people were not opposed to the improvement, but to the method of assessment.

Bartholomew met with the Business District Improvement Association at noon yesterday.

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Commission Named

Be it further Resolved, That the following commission be appointed to arrange the fitting and appropriate observance of the said Memorial Day.

ENGINEER WILL GET RIVER PLAN

Plans for a civic center on the Genesee River, which will be a study of the city to study flood prevention, will make his report next Wednesday.

ENGINEER TO GIVE CITY FLOOD REPORT

John R. Freeman, noted New York hydraulic engineer engaged by the city to study flood prevention, will make his report next Wednesday.

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Clinton Resurfacing Approved The Council, by unanimous action, approved an ordinance by Councilman William F. Durman providing for the asphalt resurfacing of Clinton Avenue North between Main Street East and Central Avenue.

Election Costs to Increase City Clerk Thomas P. O'Leary and Comptroller Higgins presented through City Manager Story a statement that the creation of 11 new election districts, together with the increased compensation to inspectors, will necessitate an additional expenditure of \$7,500 this year for election expenses.

To Aid Port Development The purchase of the blast furnace property was approved by the harbor advisory committee after a long study, and it is expected to provide stimulus for the development of the Port of Rochester and for the accommodation of the larger volume of lake shipping that is expected to flow into the harbor as the result of the opening of the enlarged Welland Canal.

Bartholomew assured us he will have a tentative street plan for consideration within a few weeks," said Mr. Baker. "He seemed quite pleased with the progress his men are making here.

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Church Organization Owing Hills Will Not Obstruct Plan

Portion of Land in Brighton, However, and Legislative Action Will Be Necessary - Council May Get Proposition at Next Meeting.

By Robert D. Burns The movement to have the city purchase the Pinnacle Hills for public park purposes appeared to gain considerable momentum today.

Very Rev. William M. Hart, vicar general of the Rochester diocese, said there would be no opposition on the part of the church society which owns the old Catholic cemetery, comprising upwards of 27 acres in the area which it is proposed the city shall take over.

Story Signs Contract for New Bridge

City Manager Stephen B. Story returned to Rochester today to sign the contract for construction of the new Smith Street bridge and to confer with Public Safety Commissioner George J. Nier preparatory to making his decision in the case of Charles B. Raitt, suspended park director.

To do this, he cut short his vacation, which he spent at his former home on Long Island. The bridge contract, awarded to Scott Brothers, general contractors, involves a total of \$350,700. Shortly after his arrival the city manager went into conference with Commissioner Nier on the Raitt case.

Whether his decision would be forthcoming before night, Mr. Story refused to say.

WORK BEGINS MONDAY Signing of the bridge contract paved the way for the beginning of work next Monday. The old bridge will not be dismantled or closed to traffic until crossings for sewers, water mains and public utility conduits are completed.

No Action by Council So far the City Council has not acted on the resolution authorizing the purchase of the Pinnacle. The matter has been held up in the council's finance committee until the chairman, Mayor Wilson, holds a meeting. For some weeks the mayor has been ill. It is probable there will be a report of some sort from the finance committee to City Council at its next regular meeting Sept. 3.

Backlog the plan to get the city to purchase the Pinnacle are a large number of residents in the section who have signed petitions, and other groups including the American Legion. The Legion petition is said to carry upwards of 5,000 names. Prominent also in the movement is Dr. Herman L. Fairchild, former professor of geology, University of Rochester.

CIVIC CENTER OVER GENESEE WINS APPROVAL

John R. Freeman Holds Project Feasible—Deepening of River Urged To Cut Flood Danger.

By Cecil Roseberry If city planners decide to recommend a civic center over the Genesee River they will find engineering approval for the project.

Details of the plan were approved in full today by John R. Freeman of Providence, R. I., consultant expert who was in the city conferring with Edwin Fisher, city consulting engineer. City Engineer Henry Howe, Commissioner of Public Works Harold W. Baker and other municipal officials.

Mr. Freeman found plans for foundations for the supra-river structure, worked out on his recommendations, wholly satisfactory, as well as those for deepening of the river. The next step, he said, is to prepare estimates on the cost of deepening.

Harland Bartholomew, city plan expert engaged by the city, will make his report on a civic center Dec. 1. The supra-river scheme is among those to be considered, but it is not assured the city planner will definitely recommend it.

To assure safety from flood waters, in case such a structure is built over the river between Broad and Main streets, Mr. Freeman has recommended deepening of the river bed from Main to Court streets from four to eight feet.

Mr. Freeman today characterized the piers of Andrews Street bridge as a menace. They catch and hold driftwood and rubbish he said. He recommends that the Andrews Street bridge be replaced by a three-span structure, each span measuring 82 feet.

Later in the day Mr. Freeman was to inspect the upper river and the Barge Canal Harbor. He suggests ultimate enlargement of the harbor as a further protection against flood waters.

Another recommendation is for a movable dam at Central Avenue, near the Rochester Gas & Electric Corporation builds its proposed tunnel, to maintain the water at about a 10-foot level back to Court Street. This could be flushed out at any time by raising the gates.

A moderate amount of water always in the river bed is worth more to the city, said Mr. Freeman, "than water for power. It would keep the river bed constantly clean or rubbish and unsanitary conditions, and would add to the beauty of the location."

He discussed the possibility of a series of cascades to add to the river's attractiveness just above Court Street bridge, where now the water makes a sharp drop over jagged rocks.

After his conference with city officials Mr. Freeman had luncheon with George Eastman at his East Avenue home. Mr. Freeman will leave shortly on a cruise to Japan, where he will attend a world engineering conference, and will make observations of Japanese engineering methods.

RAITT DECISION MAY BE GIVEN BEFORE NIGHT

Decision was expected before tonight in the suspension of Charles B. Raitt as Rochester's director of parks, which has been in force since June. City Manager Stephen B. Story interrupted a vacation at Freeport, L. I., to return for the day, primarily, he said, to try to arrive at and announce his decision as to whether Mr. Raitt will be permanently suspended from the park department or reinstated.

The city manager was in conference at noon with George J. Nier, commissioner of public safety, who, as Raitt's superior, suspended both him and Chester B. Leake, superintendent of playgrounds, following a drowning at Ontario Beach Park June 18. The charge was negligence of duty.

Rochester citizens interested in saving for future generations this most interesting and valuable natural site, and in making it available to this generation as a beauty spot and wild playground, will join in appreciation of the generous spirit shown by Bishop O'Hern, Vicar-general Hart and their associates. They have rendered a great service to the community.

Those Rochester organizations and individuals who are urging that the city acquire Pinnacle Hills should now push their proposal vigorously with the Council. This is one matter where the question of funds should not be allowed to stand in the way.

The delay which has ensued since the proposal was first made years ago has already robbed the city of opportunity to acquire large areas of the Hills which have been opened to private development. Those which remain should, beyond question, become the city's property for all time.

ASSESSMENTS CAUSING FEW COMPLAINTS CITY LAND IS AUCTIONED FOR \$3,100

Allegation Period Will Continue for 8 More Days—Objections From Apartment Owners. The hearing of allegations against 1929 assessments proceeded leisurely on its second day at the office of City Assessor George S. Taylor, the public apparently contented with the valuations.

Few objectors appeared and Mr. Taylor anticipates the total of taxpayers making allegations will not run over 2,500 of the nearly 100,000 pieces of property on which assessments are made in the city.

The allegation period will run eight consecutive days long, Sunday excepted. Allegations on county taxes, which are compiled by the city assessors also, will be heard one day only, Aug. 30.

The chronic objectors, who appear every year with allegations, are on hand as usual, said Mr. Taylor. More than the ordinary number of complaints are coming from owners of apartment buildings, he added, because of a slump in the renting business.

But the fact few increases were made over last year's figures has minimized the number of complaints. Allegations are to be made in writing and are received daily between 9 a. m. and 4 p. m. The assessment books are available for reference in the city assessor's office, City Hall.

NEW WATER SOURCE SAID CITY'S NEED DROUGHT CALLS ATTENTION TO FUTURE REQUIREMENTS, SAYS I. E. MATTHEWS

Although Rochester faces no very immediate prospect of water shortage as do many other municipalities of the state because of the prolonged drought, it is essential that additional supply, such as would be given by the proposed damming of Honeoye Lake, be provided to insure the city against emergencies, it was stated by Irving E. Matthews, superintendent of waterworks yesterday.

John F. Skinner, city sanitary engineer, concurred with Mr. Matthews and warned of serious results for the city if a more protected drought should occur before a new water supply is obtained. He favors the Honeoye project as the logical answer, as the water then available, with the present sources at Hemlock and Canadice, would be sufficient for a population of 1,000,000.

No Immediate Menace There appears to be no serious menace to Rochester's water supply at present, but a dry period of two years or more would probably produce serious results, Mr. Matthews said.

Unless unusually heavy rains occur soon, the shortage of water in other sections of the state is likely to become very acute, according to a bulletin issued by the State Department of Health. Hornell's water supply is down three feet, although the city has not suffered from shortage as yet, and reports from Allegheny County state that the long dry spell is affecting the water supply there.

An interesting phenomenon occurred with the recent earth tremors in Western New York in connection with the water supply question, when the village of Attica, on the verge of a water shortage, received a sudden access of water, induced, it is believed by the opening up of new springs by the quakes. Dry streams started flowing again, and the village's two reservoirs, depleted before, have been overflowing.

Less than the normal amount of precipitation has fallen, a variance too slight to affect the water supply noticeably, in Mr. Matthews' opinion.

Figures on City Finance Arranged for Easy Reading

Continued from Page 15 the figures contained in the report and they are listed as follows: "The 1928 report facts at a follow:

Table with 2 columns: Assessed Valuation, Tax Rate Per \$1000 of Assessed Valuation. Rows include Real Estate and Franchises, Personal Property, Pension Exempt Property, etc.

Table with 2 columns: Current Expenses, Debt Service (Principal and Interest on bonds and notes). Rows include Total Tax Levy, etc.

Functional Distribution of 1928 Tax Dollar (Each Dollar Paid on General City Taxes Was Spent in the Following Ways)

Table with 3 columns: Item, Cents, Cents. Rows include Education, State Tax, School Debt Service, etc.

Current Operating Expenses Table with 2 columns: Item, Total. Rows include General City Departments, Schools, Utilities, etc.

Surplus Applied as Follows Table with 2 columns: Item, Amount. Rows include Reduction of Current Expense Deficiency Notes, etc.

DIAGRAM - CURRENT EXPENSE DEFICIENCY BORROWING

Diagram showing current expense deficiency borrowing of city from 1918 when such borrowing originated to 1928 inclusive. Each column represents the amount necessary to borrow in excess of other resources in the indicated year to meet the expenses of that year.

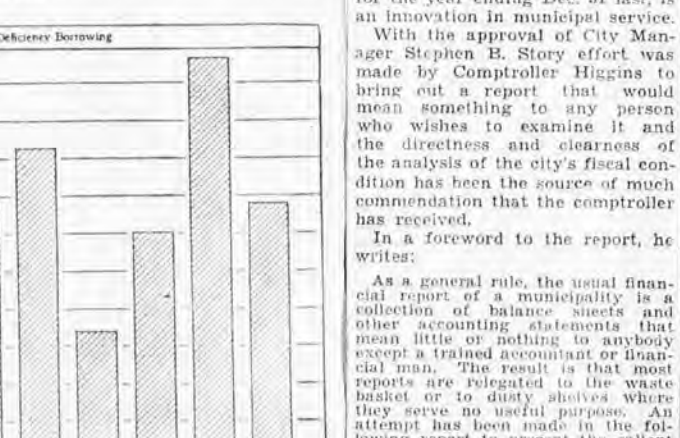


TABLE - CURRENT EXPENSE DEFICIENCY BORROWING 1919-1928

Table with 4 columns: Year, Amount, Year, Amount. Rows include 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928.

DIAGRAM - CURRENT OPERATING EXPENSES

Diagram showing operating expenses of city from 1918 to 1928 inclusive. Figures include Bureau of Water and Bureau of Parks. Shaded columns at left for each year represent the total current expenses less amounts in sinking funds and interest on and reduction of debt. Columns at right represent total expenses.

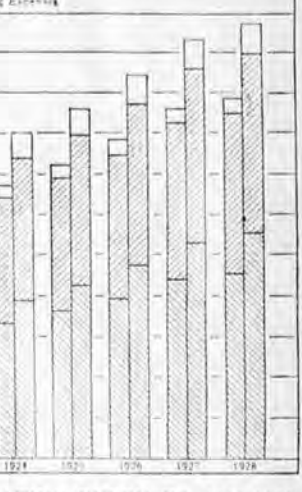


TABLE - CURRENT OPERATING EXPENSES, 1919-1928

Table with 4 columns: Year, General, Board of Education, Utilities, Total. Rows include 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928.

* All State County expenditures included as budget item for first time—\$106,572.99

Figures on City Finance Arranged for Easy Reading

Tables Prepared Under Direction of City Manager Show Where Funds Come From and How They Are Expended

Prepared with the object of making understandable to the ordinary citizen, rather than to a trained accountant, the report of Comptroller Clarence E. Higgins, for the year ending Dec. 31 last, is an innovation in municipal service.

MORE TROUBLE ARISES IN EAST AVENUE ZONING

Limitation of Apartments to Two Stories Results in Appeal to Board—To Ask Amendment. Apartment buildings and East Avenue are not "quits" yet, despite the city's new zoning code. A serious difficulty presented itself in that connection to the Board of Appeals today, and that board will ask City Council for an amendment.

Goodman Street. John S. Euenot, superintendent of buildings, refused to grant the permit. Today Mr. Lebowitz took his complaint to the Board of Appeals at its meeting in City Council chambers and the board agreed to carry his appeal on to City Council and ask that body for an amendment to the zoning ordinance, permitting him to build beyond two stories.

Church Organization Owing Hills Will Not Obstruct Plan

Portion of Land in Brighton, However, and Legislative Action Will Be Necessary

The movement to have the city purchase the Pinnacle Hills for public park purposes appeared to gain considerable momentum today.

Very Rev. William M. Hart, vicar general of the Rochester diocese, said there would be no opposition on the part of the church society which owns the old Catholic cemetery, comprising upwards of 27 acres in the area which it is proposed the city shall take over.

When Bishop McQuaid, first Bishop of Rochester, opened up the Holy Sepulcher Cemetery in lower Lake Avenue, it was the beginning of the end of the ancient burying ground on the Pinnacle site as well as of other parochial cemeteries in several sections of the city.

Obstacles Removed Many bodies were removed to Holy Sepulcher, and for years there have been no interments in the Pinnacle. With Bishop O'Hern and Vicar-general Hart, the Rev. William Shay, rector of St. Patrick's Cathedral, form a majority on the board of trustees of the church.

From a really viewpoint the cemetery plot has important financial value, and is not to be given away. The bodies must be removed and this entails a heavy expense including costs of new cemetery plots as well as single graves in Holy Sepulcher.

A large section of the Pinnacle site, however, lies beyond the city limits, and if it is acquired by the city, will be annexed from the town of Brighton. This involves a special act of the Legislature, but that is not the only appeal to Albany which is likely to be made.

Ordinarily the consent of the corporation owning a cemetery, or the consent of kindred of the interred suffices to validate the removal of a body to another site, and in the event of the corporation or the kindred, refusing consent to the removal, application must be made either to the County Court or the Supreme Court in the district, for an order of removal.

This procedure is involved in so many angles that the general practice has been to apply direct to the Legislature for special authorization.

No Action by Council So far the City Council has not acted on the resolution authorizing the purchase of the Pinnacle. The matter has been held up in the council's finance committee until the chairman, Mayor Wilson, holds a meeting. For some weeks the mayor has been ill. It is probable there will be a report of some sort from the finance committee to City Council at its next regular meeting Sept. 3.

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Let us have Pinnacle Hills Park forthwith.

ASSESSMENTS CAUSING FEW COMPLAINTS

Allegation Period Will Continue for 8 More Days—Objections From Apartment Owners.

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Drought Calls Attention To Future Requirements, Says I. E. Matthews

NO PRESENT DANGER Honeoye Project Urged as Emergency Protection by Sanitary Engineer

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The site has long been desired for a gasoline station. Neither Mayor Van Zandt nor Mayor Martin B. O'Neil would consent to locating a gasoline station there because of traffic conditions.

The purchaser today is a gasoline distributor, and said he expects to apply for permission to build a gasoline station there.

CITY LAND IS AUCTIONED FOR \$3,100

A triangular strip of land at Cook Street and Elmwood and South Avenues which the city has owned for twelve years was sold at public auction in the City Hall today for \$3,100 to I. Freedman. The city had the strip left from land acquired for the widening of Elmwood Avenue.

It was sold at public auction in 1927 for \$1,200, but the Board of Estimate and Apportionment of the old government declined to approve of the price.

The site has long been desired for a gasoline station. Neither Mayor Van Zandt nor Mayor Martin B. O'Neil would consent to locating a gasoline station there because of traffic conditions.

The purchaser today is a gasoline distributor, and said he expects to apply for permission to build a gasoline station there.

Precautions Taken Precautions urged by the State Department of Health to prevent leakage and waste in water systems, are normally practiced by the Rochester Water Department, Mr. Matthews said.

For the entire period since January, approximately one-half inch less than the normal amount of precipitation has fallen, a variance to slight to affect the water supply noticeably, in Mr. Matthews' opinion.

Figures on City Finance Arranged for Easy Reading

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Table with 2 columns: Functional Distribution of 1928 Tax Dollar and Sources of Current Operating Revenues. Rows include Education, State Tax and License Apportionment, etc.

Table with 2 columns: Current Operating Expenses and Surplus Applied as Follows. Rows include Current Expense, Debt Service, etc.

Table with 2 columns: Current Expense Deficiency Borrowing. Rows include Current Expense, Debt Service, etc.

Diagram showing current expense deficiency borrowing of city from 1918 (when such borrowing originated) to 1928 inclusive. Each column represents the amount it was necessary to borrow in excess of other revenues in the indicated year to meet the expenses of that year.



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With the approval of City Manager Stephen B. Story effort was made by Comptroller Higgins to bring out a report that would mean something to any person who wishes to examine it and the directness and clearness of the analysis of the city's fiscal condition has been the source of much commendation that the comptroller has received.

TABLE - CURRENT EXPENSE DEFICIENCY BORROWING 1919-1928

Table with 2 columns: Year and Amount. Rows show years from 1919 to 1928 with corresponding borrowing amounts.

DIAGRAM - CURRENT OPERATING EXPENSES

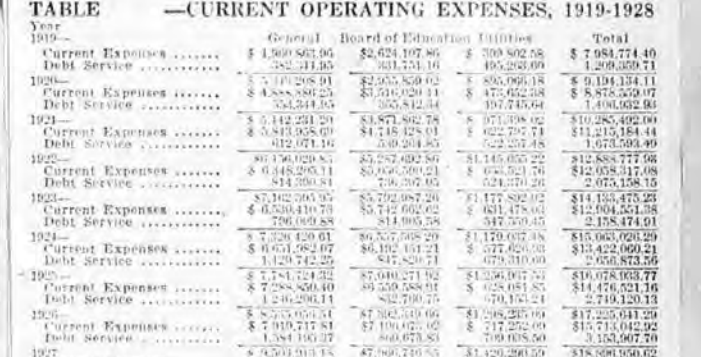


Table with 2 columns: Year and Total. Rows show years from 1919 to 1928 with total operating expenses.

Figures on City Finance Arranged for Easy Reading

Tables Prepared Under Direction of City Manager Show Where Funds Come From and How They Are Expended

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In a foreword to the report, he writes: As a general rule, the usual financial report of a municipality to a collection of balance sheets and other accounting statements that mean little to a body except a trained accountant or financial man. The result is that most reports are relegated to the waste basket of dusty shelves where they serve no useful purpose.

An attempt has been made in the following report to present the salient financial facts of the City of Rochester in a way that the average taxpayer may understand. At the same time, the customary technical financial statements are included for future reference and for the more extensive scrutiny of those who are interested in such matters. It is hoped that the new features in the 1928 Comptroller's report are only a beginning in presenting information about the city's finances in simple and non-technical statements and terminology, and that future reports will continue and extend the idea in order that citizens and taxpayers may become better acquainted with the city's fiscal affairs.

Comptroller Higgins said that he planned in the preparation of the report to obtain the same results as achieved by some banks in the metropolitan district in advertising their financial statement in a theater program. These statements are to be placed in a house of striped jersey, as the thought of fall dresses to \$25 school.

Story Signs Contract for New Bridge

City Manager Stephen B. Story returned to Rochester today to sign the contract for construction of the new Smith Street bridge and to confer with Public Safety Commissioner George J. Nier preparatory to making his decision in the case of Charles B. Raitt, suspended park director.

To do this, he cut short his vacation, which he spent at his former home on Long Island.

The bridge contract, awarded to Scott Brothers, general contractors, involves a total of \$830,700.

Shortly after his arrival the city manager went into conference with Commissioner Nier on the Raitt case. The park director has been under suspension since early in June, for alleged failure to provide adequate protection facilities for the opening of the municipal bathing season.

Whether his decision would be forthcoming before night, Mr. Story refused to say.

WORK BEGINS MONDAY Singing of the bride contract paved the way for the beginning of work next Monday. The old bridge will not be dismantled or closed to traffic until crossings for sewers, water mains and public utility conduits are completed.

The contract disclosed that for the first time in Rochester's history a granite pavement will be laid. The granite specified must come from New England. It will be the most costly pavement ever laid here, but all the expense is covered in the total bid.

Church Organization Owing Hills Will Not Obstruct Plan

Portion of Land in Brighton, However, and Legislative Action Will Be Necessary—Council May Get Proposition at Next Meeting.

By Robert D. Burns The movement to have the city purchase the Pinnacle Hills for public park purposes appeared to gain considerable momentum today.

Very Rev. William M. Hart, vicar general of the Rochester diocese, said there would be no opposition on the part of the church society which owns the old Catholic cemetery, comprising upwards of 27 acres in the area which it is proposed the city shall take over.

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The contract disclosed that for the first time in Rochester's history a granite pavement will be laid here, but all the expense is covered in the total bid. "Granite is the most durable material we can find," said Public Works Commissioner Harold W. Baker. "It has twice the life of any other pavement and for this reason, it was selected."

STUDIES CONTRACT

Mr. Story made a study of the contract for a syphoning sewage plant to be erected in lower Maplewood Park, on which I. M. Ludington Sons is low bidder at \$350,000. This plant will carry sewage over the river to trunks running direct to the Irondequoit disposal plant on the lake shore.

This contract Mr. Story said was satisfactory and should be awarded by the Bureau of Purchase and Supply tomorrow.

The Platt Street bridge will be closed Sunday from 7 a. m. until noon for asphaltting and other repairs to prepare it for the additional burden it will carry when the Smith Street bridge is closed.

CIVIC CENTER OVER GENESEE WINS APPROVAL

John R. Freeman Holds Project Feasible—Deepening of River Urged To Cut Flood Danger.

By Cecil Roseberry If city planners decide to recommend a civic center over the Genesee River they will find engineering approval for the project.

Details of the plan were approved in full today by John R. Freeman of Providence, R. I., consultant expert who was in the city conferring with Edwin Fisher, city consulting engineer. City Engineer Henry Howe, Commissioner of Public Works Harold W. Baker and other municipal officials.

Mr. Freeman found plans for foundations for the supra-river structure, worked out on his recommendations, wholly satisfactory, as well as those for deepening of the river. The next step, he said, is to prepare estimates on the cost of deepening.

Harland Bartholomew, city plan expert engaged by the city, will make his report on a civic center Dec. 1. The supra-river scheme is among those to be considered, but it is not assured the city planner will definitely recommend it.

To assure safety from flood waters, in case such a structure is built over the river between Broad and Main streets, Mr. Freeman has recommended deepening of the river bed from Main to Court streets from four to eight feet.

Mr. Freeman today characterized the piers of Andrews Street bridge as a menace. They catch and hold driftwood and rubbish he said. He recommends that the Andrews Street bridge be replaced by a three-span structure, each span measuring 82 feet.

The present bridge has seven spans. Later in the day Mr. Freeman was to inspect the upper river and the Barge Canal Harbor. He suggests ultimate enlargement of the harbor as a further protection against flood waters.

Another recommendation is for a movable dam at Central Avenue, after the Rochester Gas & Electric Corporation builds its proposed tunnel, to maintain the water at about a 10-foot level back to Court Street. This could be flushed out at any time by raising the gates.

"A moderate amount of water always in the river bed is worth more to the city," said Mr. Freeman, "than water for power. It would keep the river bed constantly clean or rubbish and unsanitary conditions, and would add to the beauty of the location."

Guest of Eastman He discussed the possibility of a series of cascades to add to the river's attractiveness just above Court Street bridge, where now the water makes a sharp drop over jagged rocks.

After his conference with city officials, Mr. Freeman had luncheon with George Eastman at his East Avenue home. Mr. Freeman will leave shortly on a cruise to Japan, where he will attend a world engineering conference, and will make observations of Japanese engineering methods.

RAITT DECISION MAY BE GIVEN BEFORE NIGHT

Decision was expected before tonight in the suspension of Charles B. Raitt as Rochester's director of parks, which has been in force since June.

City Manager Stephen B. Story interrupted a vacation at Freeport, L. I., to return for the day, primarily, he said, to try to arrive at and announce his decision as to whether Mr. Raitt will be permanently suspended from the park department or reinstated.

The city manager was in conference at noon with George J. Nier, commissioner of public safety, who, as Raitt's superior, suspended both him and Chester B. Leake, superintendent of playgrounds, following a rioting at Ontario Beach Park June 18. The charge was negligence of duty.

Those Rochester organizations and individuals who are urging that the city acquire Pinnacle Hills should now push their proposal vigorously with the Council. This is one matter where the question of funds should not be allowed to stand in the way.

The delay which has ensued since the proposal was first made years ago has already robbed the city of opportunity to acquire large areas of the Hills which have been opened to private development. Those which remain should, beyond question, become the city's property for all time.

Let us have Pinnacle Hills Park forthwith.

NEW WATER SOURCE SAID CITY'S NEED

Drought Calls Attention To Future Requirements, Says I. E. Matthews

NO PRESENT DANGER Honeoye Project Urged as Emergency Protection by Sanitary Engineer

Although Rochester faces no very immediate prospect of water shortage as do many other municipalities of the state because of the prolonged drought, it is essential that additional supply, such as would be given by the proposed damming of Honeoye Lake, be provided to insure the city against emergencies, it was stated by Irving E. Matthews, superintendent of waterworks yesterday.

John E. Skinner, city sanitary engineer, concurred with Mr. Matthews, and warned of serious results for the city if a more protracted drought should occur before a new water supply is obtained. He favors the Honeoye project as the logical answer, as the water then available, with the present sources at Hemlock and Canadice, would be exhausted.

The site has long been desired for a gasoline station. Neither Mayor Van Zandt nor Mayor Martin B. O'Neil would consent to locating a gasoline station there because of traffic conditions. The purchaser today is a gasoline distributor, and said he expects to apply for permission to build a gasoline station there.

ASSESSMENTS CAUSING FEW COMPLAINTS

Allegation Period Will Continue for 8 More Days—Objections From Apartment Owners.

The hearing of allegations against 1929 assessments proceeded leisurely on its second day at the office of City Assessor George S. Taylor, the public apparently contented with the valuations.

Few objectors appeared and Mr. Taylor anticipates the total of taxpayers making allegations will not run over 2,500 of the nearly 100,000 pieces of property on which assessments are made in the city.

The allegation period will run eight consecutive days longer, Sunday excepted. Allegations on county taxes, which are compiled by the city assessors also, will be heard one day only, Aug. 30.

The chronic objectors, who appear every year with allegations, are on hand as usual, said Mr. Taylor. More than the ordinary number of complaints are coming from owners of apartment buildings, he added, because of a slump in the renting business.

But the fact few increases were made over last year's figures has minimized the number of complaints. Allegations are to be made in writing and are received daily between 9 a. m. and 4 p. m. The assessment books are available for reference in the city assessor's office, City Hall.

PRECAUTIONS TAKEN

Precautions urged by the State Department of Health to prevent leakage and waste in water systems are normally practised by the Rochester Water Department, Mr. Matthews said.

For the entire period since January, approximately one-half inch less than the normal amount of precipitation has fallen, a variance too slight to affect the water supply noticeably, in Mr. Matthews's opinion.

Figures on City Finance Arranged for Easy Reading

Continued from Page 15 The figures contained in the report and they are listed as follows:

Table with 2 columns: Item, Amount. Includes Assessed Valuation, Real Estate and Franchises, Personal Property, Pension Exempt Property.

Table with 2 columns: Item, Amount. Includes Tax Rate Per \$1000 of Assessed Valuation, General City, School.

Table with 2 columns: Item, Amount. Includes Current Expenses, Debt Service, Total Tax Levy.

FUNCTIONAL DISTRIBUTION OF 1928 TAX DOLLAR

Table with 3 columns: Item, Cents, Cents 49.61. Includes Education, Public Schools, School Debt Service, Police, Health, etc.

SOURCES OF CURRENT OPERATING REVENUES

Table with 2 columns: Item, Amount. Includes Local Taxes, State Tax and License Apportionments, Utility Revenues, etc.

CURRENT OPERATING EXPENSES

Table with 2 columns: Item, Amount. Includes General City, Departments, Schools, Utilities, Total.

SURPLUS APPLIED AS FOLLOWS

Table with 2 columns: Item, Amount. Includes Reduction of Current Expense Deficiency Notes, To Utility Surplus Accounts, To General Surplus Account.

DIAGRAM - CURRENT EXPENSE DEFICIENCY BORROWING

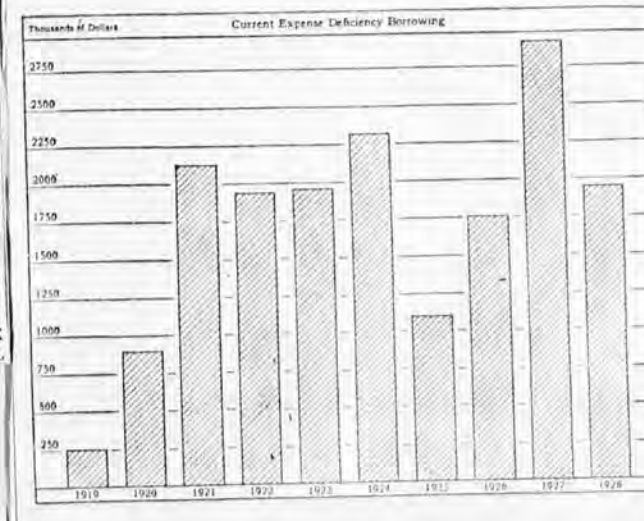


TABLE - CURRENT EXPENSE DEFICIENCY BORROWING 1919-1928

Table with 3 columns: Year, Amount, Year. Shows borrowing amounts for years 1919 through 1928.

DIAGRAM - CURRENT OPERATING EXPENSES

Diagram showing operating expenses of city from 1919 to 1928 inclusive. Figures include items of Water and Sewerage, Street Cleaning, etc.

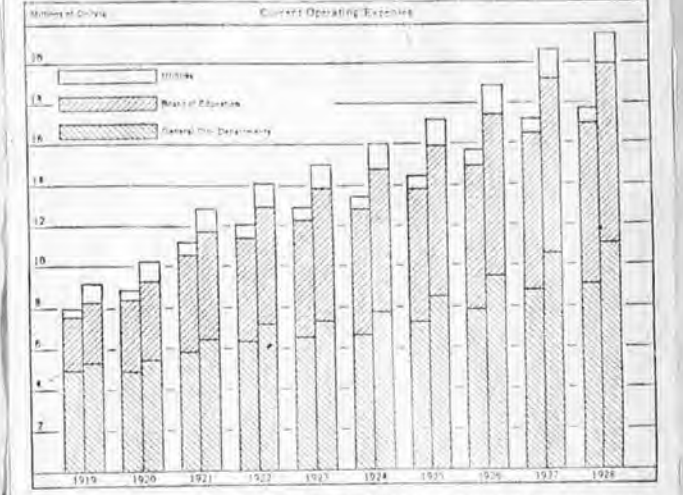


TABLE - CURRENT OPERATING EXPENSES, 1919-1928

Table with 4 columns: Year, General, Board of Education, Utilities, Total. Shows operating expenses for years 1919 through 1928.

*Mt. Hope Cemetery expenditures included as budget item for first time—\$106,232.98

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In a foreword to the report, he writes: "As a general rule, the usual financial report of a municipality is a collection of balance sheets and other accounting statements that mean little or nothing to an average citizen."

But when Mr. Lebowitz applied to the Bureau of Buildings, asking permission for an eight-story building, it developed that the code and the new zoning maps limit the height of an apartment building in that district to two stories. John G. Ellendt, superintendent of buildings, refused to grant the permit.

which you will be proud to wear as the thought of fall to \$25 Ray Dresses school 910

Raitt Cleared by Story, Faces New Inquiry

CAPACITY AS DIRECTOR IS UNDER FIRE

'Internal Family Matter,' Says City Manager of Chance of Further Probe.

Charles B. Raitt, under suspension as park director since June 22, was restored to good standing under the Civil Service law, by a decision of City Manager Stephen B. Story today.

The decision was released by wire from Freeport, L. I. where Mr. Story is on a vacation.

Mr. Raitt was exonerated from any responsibility for inadequate life saving facilities at Ontario Beach on June 18, when Raymond J. Gartland, University of Rochester junior, was drowned.

While Mr. Raitt was exonerated under this specific count, which led to his suspension by Safety Commissioner George J. Nier, he was not set up as a competent park director by Mr. Story's decision.

Mr. Story said the capacity of Mr. Raitt to continue as park director or remained to be established, and might be the subject of another inquiry.

INTERNAL FAMILY MATTER

This he said was an "internal family matter which I intend to take up later."

In his decision Mr. Story fixed no blame for the city's failure to have the bathing beach at Ontario Beach Park properly equipped when the bathing season was opened two days before Mr. Gartland was drowned.

He said it all could be charged to a poor system in the playground department.

"That there was lack of definition of responsibility among employees at the beach," he said was established by the trial of Mr. Raitt under charges preferred by Mr. Nier.

"Mr. Story's decision follows in its entirety.

"On the evening of June 18, 1929, Raymond J. Gartland died while bathing in Lake Ontario at Ontario Beach. On June 22, as a result of this accident, Commissioner of Public Safety George J. Nier suspended Director of Parks

Charles B. Raitt, on the ground that he was lax in his duty in failing and neglecting to properly equip the Municipal Beach on its opening day."

Later, on June 27, Commissioner Nier served notice on Director Raitt as follows: "I propose to remove and dismiss you from office as Director of Parks for the reason that you have been incompetent, lax and negligent in your duties as such director, and more particularly in that you did fail and neglect to provide and maintain adequate protection and safety facilities on and at the Municipal Beach at Ontario Beach Park when it opened on June 16 and thereafter, that you did fail to provide sufficient life guards for the protection of said beach, and that you did fail to equip the life guards with boats for the purpose of patrol, as a result of which Raymond J. Gartland was drowned while swimming in the waters at said beach."

CONDUCTED HEARING

"An opportunity was offered Mr. Raitt to reply to the notice at a hearing to be held by the Commissioner on July.

Subsequently, Mr. Nier received the report of the hearing and a date was set. On the appointed day and on several later dates postponements were had because of Mr. Raitt's illness. On July 16, 17, 18 and 19 I conducted the hearing and examined the stenographic report of the direct matters relating to Mr. Raitt's suspension and also concerning the facts and circumstances surrounding Mr. Gartland's death.

"Prior to beginning this hearing I invited Messrs. Adler, Flynn and Foulkes to sit with me and to assist me in arriving at a conclusion in this matter. None of these gentlemen had expressed to me or, as far as I know, to anyone else their opinion of the matter, and to all intents and purposes they entered the hearing without preconceived notions about the case.

HAS STATEMENTS

"I also have before me the statements of both Mr. Nier and Mr. Raitt, the newspaper clippings concerning the matter, the stenographic report of the Commissioner's inquest, the typed stenographic copy of the testimony at the hearing and several other documents. As far as I know I am in possession of all the pertinent information.

"Much newspaper comment has appeared concerning the Commissioner's action and statements which have no foundation in truth.

"That portion of the charge on the part of the Commissioner which does not relate to the death of Raymond Gartland has been so confused and so overshadowed by the more serious matter that people, in general, feel and only know that Mr. Raitt was removed ostensibly because of his failure to do certain things and to provide certain equipment which resulted in the death of a human being.

EXAMINED CAREFULLY

"The relationship between the commissioner and director of parks, and the failure of the latter to measure up to the executive requirements of the commissioner for the proper conduct of the Park Bureau, have been differentiated from the accident in this hearing, and I have not allowed Mr. Nier publicly to present his charges relating to park administration on the same plane as the accident.

"The internal 'family' matter which I intend to take up later, as the purpose of this hearing is to determine upon those facts relating to Mr. Gartland's death, I have examined with exceeding care all the data and evidence which I have before me.

"The reports and hearings reveal the following facts:

"1. That Raymond J. Gartland on June 18, 1929, died while bathing in Lake Ontario at Ontario Beach. All efforts to resuscitate him after his body had been found and brought ashore were unavailing. Resuscitation methods were applied by capable men under the direction of Captain Mason B. McCune of the Coast Guard, Charlotte Station.

"2. That Eugene BeHage and Robert Davis, life guards, were diving in the water at the location of Mr. Gartland's disappearance within two minutes from the time that the commotion and cries on the beach indicated the need of aid.

"3. That the beach patrol boat was not in the water but was on the porch of one of the cottages about 150 feet from the water, where it had been placed for caulking and leading.

"4. That the oars for propelling the boat were in a locker in a house still further removed from the beach.

"5. That the boat was launched and was propelled by pushing to the location of Mr. Gartland's disappearance in about five minutes and the oars were obtained and in the boat within a minute or two thereafter.

"6. That the boat was not used by the life guards in diving for the body but was used to recover and to transfer the body to shore after it had been found.

"7. That the boat fulfilled this usage without handicap.

"It is true that a boat is a desirable adjunct in controlling the action of bathers at the beach, in that it enables the guards to chase persons more readily to safe depths but there is no evidence to show that the presence of the boat at the location of Mr. Gartland's disappearance was essential to prevent his death.

WOULD PAY 25 PER CENT. ON PAVEMENT

Lake Avenue Residents for Improvements to Stutson Street on That Basis

Although there is unanimous sentiment among property owners in Lake Avenue, between St. John Park and Stutson Street in favor of the improvement of that section of the thoroughfare, there is sharp controversy over the division of the cost, and Councilman Nelson A. Milne, chairman of the local improvement committee of the City Council, will endeavor to bring about an agreement.

A large number of property owners in the section, while strongly advocating the improvement, feel that the abutting property should be assessed for 25 per cent. of the cost and the balance should be assessed on the city at large.

Through the efforts of Mrs. F. H. Greer, one of the most active of the property owners in the section, a petition was prepared by James K. Feely, attorney, signed by fifty of the property owners with a frontage of more than 3,000 feet, constituting more than a majority, and numerous arguments are advanced in favor of the improvement. The petitioners contend that the ratio of the population of Charlotte with the total population of Rochester is about the same as the ratio of the population of the section to the total population of the city at large.

It must not be overlooked that any percentage of this improvement which is paid for by the public at large will also fall upon the owners abutting this strip, and as has been pointed out in paragraph 2, the public owns one-quarter of the entire frontage of school property and intersecting streets, and also the difference in the character of the neighborhood from the Stutson Beach Avenue section.

Associated with Councilman Milne on the local improvement committee is Mayor Joseph C. Wilson and Councilman Chester A. Peake. Councilman Milne said that in a day or two after the meeting of the City Council on Tuesday evening, Sept. 3, he will conduct a public hearing for property owners in the section and try to devise some satisfactory basis for settlement. He says that he is confident that something would be worked out so that the sewers can be laid this winter and next spring, at the earliest date, the concrete pavement put in so that it would not interfere with lakeside travel, as did the stretch between Stutson Street and Beach Avenue which was closed up to July 4, making travel to Ontario Beach Park, during the hot weather in June, a matter of great inconvenience, and virtually shutting off the park from a large number of people.

Without announcing his decision in the Raitt suspension case, Stephen B. Story, city manager, upon whom was thrust the judicial task of settling the matter, returned to his vacation last night.

Mr. Story was back in the city yesterday on a rest with his family at the home of his parents in Freeport, L. I., and had hoped to announce his decision before night.

Three—Apportionment of cost. The manner of letting the cost of the strip just finished from Stutson Street to the lake, should not be used as an argument here, because of the fact that in different situations there involved. That improvement was through a business district with a width of 100 feet on each side, the merchants fronting on this strip just completed, have the benefit of the strip, in addition to the parking space in front of their places of business. The section under consideration is a residential district, by the city would gain no advantage from a pavement any wider than is necessary to connect the strip with the street above referred to.

Further, the strip from Stutson Street to Beach Avenue is not parallel with any main street, the next road being almost a mile away. However, the section under consideration is paralleled by the street, the entire length of which diverts all the traffic going over the river into Irondequoit and back to the city. In this connection it must be considered that none of the intersecting streets connect up with any main road or thoroughfare and are only used by the owners of the streets for access to Lake Avenue Park. For the above reasons the petitioners feel that the 40-foot highway giving the usual four-foot strips would be entirely adequate for present needs and that additional strips can be added in the future, if traffic should be increased on either side.

difficulties, made by residents, placed the number of cars using Lake Avenue daily for access to Ontario Beach at 18 out of every 100. These figures would entitle the city to the ratio of the population of Charlotte with the total population of Rochester, such a highway through districts would be paid for by the public at large.

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COMMUNITY APPROVES

City Manager Story's reinstatement of Charles B. Raitt to the position of Director of Parks will meet with almost unanimous public approval. The public, which has followed this case with unusual interest, will also agree with the city manager that it "cannot see how logically and fairly the blame (for the Gartland drowning) can be attached to Mr. Raitt."

As the ostensible reason for Mr. Raitt's removal from his position as Director of Parks by Commissioner of Public Safety George J. Nier was the drowning of Raymond Gartland, at Ontario Beach Park, June 18 last, the public confidence in Mr. Raitt and its condemnation of his summary dismissal by Commissioner Nier are proved warranted by the action of the city manager.

It will be remembered that Commissioner Nier, immediately following the drowning, suspended Mr. Raitt and Chester B. Leake, superintendent of playgrounds. Subsequently the commissioner served formal notice on Mr. Raitt that he proposed "to remove and dismiss" him on the general charge that he had been "incompetent, lax and negligent" in his duties as director, and, more specifically, that he had failed and neglected to provide such protection and safety facilities at Ontario Beach Park as would have prevented the Gartland drowning.

Hearing on these charges was had by the city manager, at the request of the commissioner of public safety. The evidence adduced at this hearing thoroughly convinced the public that Mr. Nier's charges were groundless. That it also convinced the city manager of this fact is now shown by his action in restoring Mr. Raitt to his position as Director of Parks.

More serious than this, however, is the widespread public conviction that Commissioner Nier's action was determined by political considerations quite unworthy of the high ideals of the city manager administration. It was this, on top of the general feeling that Mr. Raitt had been treated most unjustly on the basis of the facts of the drowning, that caused the most marked public resentment which this city has seen in many years.

The city manager has acted wisely and justly. The public will expect and demand that no obstacles be put in Mr. Raitt's path in the position to which he has been restored. It will be hard to convince the public that the general charges of incompetence, which were tied to the charge of responsibility for the Gartland drowning by Commissioner Nier, were not trumped up for the occasion.

Mr. Raitt is entitled to a square deal at the hands of Commissioner Nier. That is the least which the public has a right to demand.

RAITT TALKS WITH LAWYER

Charles B. Raitt, Rochester park director reinstated by City Manager Stephen B. Story after suspension since June 22, was in conference with his attorney, Edward M. Ogden, and there was no intimation as to whether he would return to his old post.

Instead of going to his office in City Hall Annex this morning, as was his right under yesterday's reinstatement order, the exonerated director made haste to get in touch with his attorney, Edward M. Ogden, who defended him at his hearing before the city manager.

Raitt refused this morning to comment on when, or whether he would go back to his job, if at all. He said that he might make no statement whatever, even after the conference, preferring to let the next move come from City Hall.

Raitt insisted that, since he had been formally suspended by letter, he was entitled to a formal letter of reinstatement, therefore could not be satisfied with copy of the decision, which yesterday was released to the newspapers.

But from where the formal notice of reinstatement was to emanate was not apparent. Public Safety Commissioner George J. Nier suspended Raitt, and today showed no disposition to contribute anything in the way of a written notice to the park director.

Commissioner Nier continued to maintain a strict silence on the decision and what it portended. City Manager Story was at Freeport, L. I. Nier, as acting city manager, was evidently marking time before taking new action.

RAITT AWAITS NOTICE

PARK HEAD REINSTATED BY MANAGER

Other Accusations Made by Nier Entirely Separate Matter, Says Story

Decision exonerating Charles B. Raitt, director of parks, of responsibility in the drowning of Raymond J. Gartland at Ontario Beach Park on June 18, was announced yesterday by City Manager Stephen B. Story, and Mr. Raitt, who has been under suspension, was restored to his status as director of parks, without prejudice to his Civil Service standing.

City Manager Story makes clear in his decision that the exoneration concerns only the charges relating to the circumstances of the drowning, declaring that "the relationship between the Commissioner and Director of Parks, and the failure of the latter to measure up to the executive requirements of the Commissioner for the proper conduct of the Park Bureau, have been differentiated from the accident in this hearing, and I have not allowed Mr. Nier publicly to present his charges relating to park administration on the same plane as the accident.

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"1. That Raymond J. Gartland on June 18, 1929, died while bathing in Lake Ontario at Ontario Beach. All efforts to resuscitate him after his body had been found and brought ashore were unavailing. Resuscitation methods were applied by capable men under the direction of Captain Mason B. McCune of the Coast Guard, Charlotte Station.

"2. That Eugene BeHage and Robert Davis, life guards, were diving in the water at the location of Mr. Gartland's disappearance within two minutes from the time that the commotion and cries on the beach indicated the need for aid.

EXPECT RAITT TO RETURN TO HIS JOB TODAY

ON the opening day of Ontario Beach Park's bathing season, June 18, Raymond J. Gartland of Rochester, student, was drowned. Four days later, George J. Nier, Commissioner of Public Safety, suspended Charles B. Raitt, park director and Playground Superintendent Chester B. Leake, on charges of incompetence. Raitt was given a hearing in July before City Manager Story. Decision was restored until yesterday, when his restoration to his job was announced.

Park Director Charles B. Raitt was expected back on the job today, after his reinstatement yesterday by City Manager Stephen B. Story.

The probability of his reappearing at the Park Bureau office in City Hall Annex before the day is over was voiced this morning by his attorney, Edward M. Ogden. In that case he will support Miss Gertrude Hartnett, formerly his assistant, who has held the office of park director during his suspension.

Later in the forenoon, continuing in conference with his client, Mr. Ogden still refrained from making any statement on the case. Mr. Raitt is leaving everything to the attorney's hands, so far as publicly was concerned.

The commissioner of public safety, George J. Nier, who suspended both Mr. Raitt and Chester B. Leake, superintendent of playgrounds, June 2, had nothing to say of the case today. He neither confirmed nor denied he would suspend Mr. Raitt anew, on general charges, if the park director goes back into the office as he is now entitled to do.

Formal charge of negligence has never been filed against Playground Superintendent Leake, and Commissioner Nier said today that matter would continue to rest for the time being. Until he receives such charges, Mr. Leake declines to make any comment on the course he will pursue.

RAITT TALKS WITH LAWYER

ZONING APPEAL TO BE CARRIED TO COUNCILMEN

The question whether or not the Zoning Board of Appeals will admit an eight-story apartment building within the exclusively residential East Avenue district hung fire again today.

The board considered again an appeal of Julius Lebowitz against the section of the new zoning code which prohibits him from building a multi-family dwelling more than two stories in height on North Goodman Street, just off East Avenue, and agreed to take the matter before City Council.

Requests for permits for gasoline stations and garages in various sections of the city occupied most of the time of the board meeting in City Hall.

Without announcing his decision in the Raitt suspension case, Stephen B. Story, city manager, upon whom was thrust the judicial task of settling the matter, returned to his vacation last night.

Mr. Story was back in the city yesterday on a rest with his family at the home of his parents in Freeport, L. I., and had hoped to announce his decision before night.

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BOAT WAS SERVICEABLE

That the boat was not used by the life guards in diving for the body but was used to recover and to transfer the body to shore after it had been found.

That the boat fulfilled this usage without handicap.

It is true that a boat is a desirable adjunct in controlling the action of bathers at the beach, in that it enables the guards to chase persons more readily to safe depths, but there is no evidence to show that the presence of the boat at the location of Mr. Gartland's disappearance was essential to prevent his death.

No guarantee can ever be given to anyone that he will be absolutely safe from drowning. In fact, no evidence is available to show that Mr. Gartland did die from drowning.

The number of guards at the opening of the beach did not differ from that of former years. There is no evidence to show that there was a lack of careful definition of responsibility for the beach and its appurtenances which resulted in a failure to have worked out a program of duties for all of the employees at the beach. This condition is not new, and has apparently obtained for several years. It can be corrected, and it is the duty of the city manager to see that nothing to show that any one person was specifically negligent to such an extent as to cause Mr. Gartland's death. I cannot see how logically and fairly the blame can be attached to Mr. Raitt.

If there are other matters relating to park administration they should be separated from this accident and pursued in their due course, and Mr. Gartland's death should not be used as the vehicle for Mr. Raitt's removal, according to the Commissioner of Public Safety, George J. Nier, who reinstated Mr. Raitt to his position as Director of Parks and without prejudice to his Civil Service standing.

RAITT TALKS WITH LAWYER

Raitt Cleared by Story, Faces New Inquiry

CAPACITY AS DIRECTOR IS UNDER FIRE

'Internal Family Matter,' Says City Manager of Chance of Further Probe.

Charles B. Raitt, under suspension as park director since June 22, was restored to good standing under the Civil Service law, by a decision of City Manager Stephen B. Story today.

The decision was released by wire from Freeport, L. I., where Mr. Story is on a vacation.

Mr. Raitt was exonerated from any responsibility for inadequate life saving facilities at Ontario Beach on June 18, when Raymond J. Gartland, University of Rochester junior, was drowned.

While Mr. Raitt was exonerated under this specific count, which led to his suspension by Safety Commissioner George J. Nier, he was not set up as a competent park director by Mr. Story's decision.

Mr. Story said the capacity of Mr. Raitt to continue as park director or remain to be established, and might be the subject of another inquiry.

INTERNAL FAMILY MATTER

This he said was an "internal family matter which I intend to take up later."

That this "catch" in the Story decision was satisfactory to Mr. Nier was indicated in his refusal to comment at all on the decision in the Raitt case.

"I have no comment to make today," said Mr. Nier.

Raitt declined to comment on his reinstatement or to say whether he would return to his desk tomorrow.

Pending a conference with his attorney and formal notification of his reinstatement, he said he preferred to say nothing.

Mr. Nier refused to discuss the suspension of Chester B. Leake, playground director, which was the incident which resulted in Mr. Raitt's removal.

Mr. Nier said before today that he would attend to "Mr. Leake's case after Mr. Story had rendered his decision in the Raitt case."

FIXES NO BLAME

Today Mr. Nier said he would attend to the Leake case "within a few days."

In his decision Mr. Story fixed no blame for the city's failure to have the bathing beach at Ontario Beach properly equipped when the bathing season was opened two days before Mr. Gartland was drowned.

He said it all could be charged to a poor system in the playground department.

"That there was lack of definition of responsibility among employees at the beach," he said was established by the trial of Mr. Raitt under charges preferred by Mr. Nier.

Mr. Story's decision follows in its entirety.

Charles B. Raitt, on the ground that he was lax in his duty in failing and neglecting to properly equip the Municipal Beach on its opening day. Later, on June 27, Commissioner Nier served notice on Director Raitt as follows:

"I propose to remove and dismiss you from office as Director of Parks for the reason that you have been incompetent, lax and negligent in your duties as such director, and more particularly in that you did fail and neglect to provide and maintain adequate protection and safety facilities on and at the Municipal Beach at Ontario Beach Park when it opened on June 16 and thereafter, that you did fail to provide sufficient life guards for the protection of said beach, and that you did fail to equip the life guards with boats for the purpose of patrol, as a result of which Raymond J. Gartland was drowned while swimming in the waters at said beach."

CONDUCTED HEARING

"An opportunity was offered Mr. Raitt to reply to the notice at a hearing to be held by the Commissioner on July 1.

"Subsequently, Mr. Nier requested me to hear the proceeding and a date was set. On the appointed day and on several later dates postponements were had because of Mr. Raitt's illness. On July 16, 17, 18 and 19 I conducted the hearing and examined witnesses concerning the direct matter relating to Mr. Raitt's suspension and also concerning the facts and circumstances surrounding Mr. Gartland's death.

"Prior to beginning this hearing I invited Messrs. Adler, Flynn and Follick to sit with me and to assist me in arriving at a conclusion in this matter. None of these gentlemen had expressed to me or, as far as I know, to anyone else their opinion of the matter and to all intents and purposes they entered the hearing without preconceived notions about the case.

HAS STATEMENTS

"I also have before me the statements of both Mr. Nier and Mr. Raitt, the newspaper clippings concerning the matter, the stenographic report of the Coroner's inquest, the typed stenographic copy of the testimony at the hearing and several other documents. As far as I know I am in possession of all the pertinent information.

"Much newspaper comment has appeared concerning the Commissioner's action and statements which have been made concerning it which have no foundation in truth.

"That portion of the charge on the part of the Commissioner which does not relate to the death of Raymond Gartland has been so confused and so overshadowed by the more serious matter that people, in general, feel and only know that Mr. Raitt was removed ostensibly because of his failure to do certain things and to provide certain equipment which resulted in the death of a human being.

EXAMINED CAREFULLY

"The relationship between the commissioner and director of parks, and the failure of the latter to measure up to the executive requirements of the commission for the proper conduct of the Park Bureau, have been differentiated from the accident in this hearing, and I have not allowed Mr. Nier publicly to present his data relating to the matter to the public.

"The latter is an internal 'family' matter which I intend to take up later, as the purpose of this hearing is to determine upon those facts relating to Mr. Gartland's death, I have examined with exceeding care all the data and evidence which I have before me.

"The reports and hearings reveal the following facts:

"1. That Raymond J. Gartland on June 18, 1929, died while bathing in Lake Ontario at Ontario Beach. All efforts to resuscitate him after his body had been found and brought ashore were unavailing. Resuscitation methods were applied by capable men under the direction of Captain Mason B. McCune of the Coast Guard, Charlotte Station.

"2. That Eugene Bellage and Robert Davis, life guards, were diving in the water at the location of Mr. Gartland's disappearance within two minutes from the time that the commotion and cries on the beach indicated the need of aid.

"3. That the beach patrol boat was not in the water but was on the porch of one of the cottages about 150 feet from the water, where it had been placed for caulking and leading.

"4. That the oars for propelling the boat were in a locker in a house still further removed from the beach.

"5. That the boat was launched and was propelled by pushing to the location of Mr. Gartland's disappearance in about five minutes and the oars were obtained and in the boat within a minute or two thereafter.

"6. That the boat was not used by the life guards in diving for the body but was used to recover and to transfer the body to shore after it had been found.

"7. That the boat fulfilled this usage without handicap.

BOAT NOT ESSENTIAL

"It is true that a boat is a desirable adjunct in controlling the action of bathers at the beach, in that it enables the guards to chase persons more readily to safe depths but there is no evidence to show that the presence of the boat at the location of Mr. Gartland's disappearance was essential to prevent his death.

"No guarantee can ever be given to any bather at any place that he will be absolutely safe from drowning. In fact, no evidence is available to show that Mr. Gartland did die from drowning.

"The number of guards at the opening of the beach did not differ from that of former years. There is apparent, however, from the testimony of practically all of the witnesses, that there was a lack of careful definition of responsibility for the beach and its apparatus which resulted in a failure to have worked out a program of duties for all of the employes at the beach.

BLAME NOT LOGICAL

"This condition is not new and has apparently obtained for several years. It can be and should be corrected. There is nothing to show that any one person was specifically negligent to such an extent as to cause Mr. Gartland's death. I cannot see how logically and fairly the blame can be attached to Mr. Raitt.

"If there are other matters relating to park administration they should be separated from this accident and pursued in their due course and Mr. Gartland's death should not be used as the vehicle for Mr. Raitt's removal.

"I accordingly recommend that Mr. Charles B. Raitt be restored to his status as Director of Parks and without prejudice to his civil service standing."

Petition of Majority.

The petition of a majority of the owners of property fronting on Lake Avenue between Stutton Street and River Street, respectively shows:

One-Character of the area affected. The strip affected practically all in a residential zone, except the following frontages: Auto storage corner Stutton Street, about 40 feet; school property of City School No. 29, about 100 feet; church property, about 100 feet. The balance of about 3,450 feet is residential in character. The section generally residential in character.

WOULD PAY 25 PER CENT. ON PAVEMENT

Lake Avenue Residents for Improvements to Stutton Street on That Basis

Although there is unanimous sentiment among property owners in Lake Avenue, between St. John Park and Stutton Street in favor of the improvement of that section of the thoroughfare, there is sharp controversy over the division of the cost, and Councilman Nelson A. Milne, chairman of the local improvement committee of the City Council, will endeavor to bring about an agreement.

A large number of property owners in the section, while strongly advocating the improvement, feel that the abutting property should be assessed for 25 per cent. of the cost and the balance should be assessed on the city at large.

Lake Traffic 98 Per Cent.

Through the efforts of Mrs. F. H. Gray, one of the most active of the property owners in the section, a petition was prepared by James K. Feely, attorney, signed by fifty of the property owners with a frontage of more than 3,000 feet, constituting more than a majority, and numerous arguments are advanced in favor of the division of the cost of one-quarter of the abutting property and three-quarters on the city at large. It is contended that traffic in the street consists about 98 per cent. of travel to the lakeside and as a consequence the road should be determined to be a parkway and the division made of the cost, as suggested in the petition.

Associated with Councilman Milne on the local improvement committee is Mayor Joseph C. Wilson and Councilman Chester A. Peake. Councilman Milne said that in a day or two after the meeting of the City Council on Tuesday evening, Sept. 3, he will conduct a public hearing for property owners in the section and try to devise some satisfactory basis for settlement. He says that he is confident that something would be worked out so that the sewers can be laid this winter and next spring, at the earliest date.

Improvement put in so that it would not interfere with lakeside travel, as did the stretch between Stutton Street and Beach Avenue which was closed up to July 4, making travel to Ontario Beach Park, during the hot weather in June, a matter of great inconvenience, and virtually shutting off the park from a large number of people.

Urged by Officials

Supervisor John G. Ferguson of the Twenty-third Ward has taken an active interest in the improvement and it is urged by City Manager Stephen B. Story and Harold W. Baker, commissioner of public works, as a means of bringing about the completion of the boulevard to the lake.

The petition, which was circulated under the direction of Mrs. Greer, and which was drafted by Mr. Feely, is before the City Council and it follows:

Petition of Majority.

The petition of a majority of the owners of property fronting on Lake Avenue between Stutton Street and River Street, respectively shows:

One-Character of the area affected. The strip affected practically all in a residential zone, except the following frontages: Auto storage corner Stutton Street, about 40 feet; school property of City School No. 29, about 100 feet; church property, about 100 feet. The balance of about 3,450 feet is residential in character. The section generally residential in character.

Parallels River Street

Further, the strip from Stutton Street to Beach Avenue is not parallel with any main street, the nearest being almost a quarter mile away. However, the section under consideration is paralleled by the street for its entire length, which diverts all the traffic going over the river into ironed-out and paved streets, and, in addition, it must be considered that none of the intersecting streets connect up with the main road or thoroughfare and are only used by the owners of the streets for access to Lake Avenue.

For the above reasons the petitioners feel that the 40-foot highway giving the usual four 10-foot strips of pavement is inadequate for present needs and that additional strips can be added in the future if traffic warrants it on either side.

Four-Survey of the traffic conditions, made by residents, placed the number of cars using the Lake Avenue road at 98 out of every 100. These figures show enough cars with the ratio of the population of Charlotte with the total population of Rochester, and it is pointed out in paragraph 2 of the petition that in many other cities, such as Boston and Toronto, such a highway as Lake Avenue is called a parkway because it connects the city with the park, and 98 per cent. of its use is for that purpose. In many of these cities the entire cost of such a highway through districts residential is paid for by the public at large.

It must not be overlooked that any percentage of this improvement which is paid for by the public at large, will fall upon the owners of the abutting property, and as has been pointed out in paragraph 2 of the petition, the entire cost of the improvement of the section of the thoroughfare is paid for by the public at large.

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Community Approves

City Manager Story's reinstatement of Charles B. Raitt to the position of Director of Parks will meet with almost unanimous public approval. The public, which has followed this case with unusual interest, will also agree with the city manager that it "cannot see how logically and fairly the blame (for the Gartland drowning) can be attached to Mr. Raitt."

As the ostensible reason for Mr. Raitt's removal from his position as Director of Parks by Commissioner of Public Safety George J. Nier was the drowning of Raymond Gartland, at Ontario Beach Park, June 18 last, the public confidence in Mr. Raitt and its condemnation of his summary dismissal by Commissioner Nier are proved warranted by the action of the city manager.

It will be remembered that Commissioner Nier, immediately following the drowning, suspended Mr. Raitt and Chester B. Leake, superintendent of playgrounds. Subsequently the commissioner served formal notice on Mr. Raitt that he proposed "to remove and dismiss" him on the general charge that he had been "incompetent, lax and negligent" in his duties as director, and, more specifically, that he had failed and neglected to provide such protection and safety facilities at Ontario Beach Park as would have prevented the Gartland drowning.

Hearing on these charges was had by the city manager, at the request of the commissioner of public safety. The evidence adduced at this hearing thoroughly convinced the public that Mr. Nier's charges were groundless. That it also convinced the city manager of this fact is now shown by his action in restoring Mr. Raitt to his position as Director of Parks.

More serious than this, however, is the widespread public conviction that Commissioner Nier's action was determined by political considerations quite unworthy of the high ideals of the city manager administration. It was this, on top of the general feeling that Mr. Raitt had been treated most unjustly on the basis of the facts of the drowning, that caused the most marked public resentment which this city has seen in many years.

The city manager has acted wisely and justly. The public will expect and demand that no obstacles be put in Mr. Raitt's path in the position to which he has been restored. It will be hard to convince the public that the general charges of incompetence, which were tied to the charge of responsibility for the Gartland drowning by Commissioner Nier, were not trumped up for the occasion.

Mr. Raitt is entitled to a square deal at the hands of Commissioner Nier. That is the least which the public has a right to demand.

ON the afternoon days of Ontario Beach Park's bathing season, June 18, Raymond J. Gartland of 18 Blyden Street, University of Rochester student, was drowned. Four days later, George J. Nier, Commissioner of Public Safety, suspended Charles B. Raitt, park director and playground superintendent Chester B. Leake, on charges of negligence. Raitt was given a hearing in July before City Manager Story. Decision was rendered until yesterday, when his restoration in office was announced.

STORY DELAYS HIS DECISION IN RAITT CASE

City Manager, in City for a Day, Confers With Nier and Returns to Freeport

City Manager Stephen B. Story returned to Freeport, L. I., today after a day in Rochester, where he conferred with Commissioner George J. Nier regarding the reinstatement of Charles B. Raitt to his position as director of parks.

Mr. Story left for Freeport at 10 o'clock this morning. He is expected to return to Rochester tomorrow morning.

Mr. Raitt, improved in health after an illness which caused postponement of his hearing, is still in the city awaiting decision as to his future status. He was deposed in June after only a few months as director of parks by order of Commissioner Nier, following the drowning of Raymond J. Gartland at Ontario Beach Park.

Chester B. Leake, superintendent of playgrounds, was simultaneously suspended from office, both being charged with neglect of duty. Raitt's case was heard before the city manager and decision was reserved. Leake's status will probably be determined with the decision on the Raitt case. Leake has had no hearing, nor has he asked for one.

PARK HEAD REINSTATED BY MANAGER

Charles B. Raitt, Rochester park director reinstated by City Manager Stephen B. Story after suspension since June 22, was in conference with his attorney early this afternoon and there was no intimation as to whether he would return to his old post.

Instead of going to his office in City Hall Annex this morning, as was his right under yesterday's reinstatement order, the exonerated director made haste to get in touch with his attorney, Edward M. Ogden, who defended him at his hearing before the city manager.

Raitt refused this morning to comment on when, or whether he would go back to his job, if at all. He said that he might make no statement whatever, even after the conference, preferring to let the next move come from City Hall.

Raitt insisted that, since he had been formally suspended by letter, he was entitled to a formal letter of reinstatement, therefore could not be satisfied with any of the decision, which yesterday was returned to the newspapers.

But from where the formal notice of reinstatement was to emanate was not apparent. Public Safety Commissioner George J. Nier suspended Raitt, and today showed no disposition to contribute anything in the way of a written notice to the reinstatement.

Commissioner Nier continued to maintain a strict silence on the decision and what it portended. City Manager Story was at Freeport, L. I. Nier, as acting city manager, was evidently marking time before taking new action.

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OUSTER ORDER IS 2D ONE FOR HEAD OF PARKS

Director, Restored to Duty by City Manager Story, Back at Desk Only 3 Hours When Nier Acts.

A new suspension order against Park Director Charles B. Raitt was issued at 11:45 a. m. today by Commissioner of Public Safety George J. Nier.

After spending less than three hours back at his desk, following reinstatement on his first suspension, Mr. Raitt was out again on general charges of "incompetency, inability, insubordination, and failure to co-operate in the department."

The commissioner gave Director Raitt until next Tuesday, Sept. 3, at noon to reply to the charges. Formal statement of the charges was in the hands of Mr. Raitt this afternoon, but neither he nor Commissioner Nier would consent to make it public.

City Manager Story is expected back in the city from his vacation next week, so Mr. Raitt's reply to the charges will probably come to his attention. The charges were accompanied with notice of immediate suspension and intent to remove Mr. Raitt permanently from office.

Commissioner Nier said he would await Mr. Raitt's answer to the charges, but the commissioner would grant the deposed director a new hearing. Under the City Charter, said Mr. Nier, he is not required to give a hearing.

Mr. Raitt had returned to his desk in City Hall Annex at 9 o'clock this morning for the first time since he was suspended on June 22, on charge of negligence in connection with the drowning at Ontario Beach Park June 18 of Raymond J. Gartland, University of Rochester junior.

Commissioner Nier was in receipt this morning of a letter from his rector Raitt notifying him of his return to office and desire to co-operate. The letter follows:

"I am in receipt of a letter from Mr. Story notifying me of reinstatement to my position as Director of Parks. I am planning to take up my duties immediately, and for that reason am writing to notify you of my continued desire to carry through the work of that office in a manner that will prove most satisfactory to the administration and the citizens of the City of Rochester.

"I have in mind a number of projects and plans for the development of the parks and playgrounds of the city, and at sometime in the near future, convenient to you, I would like the opportunity of submitting them for consideration and approval.

"I hold myself in complete readiness to co-operate with you in every way possible for the efficient administration of the Bureau of Parks of the City of Rochester."

City Manager Stephen E. Story restored Mr. Raitt to office Monday, settling at night the accusation that the parks director was in any way blameworthy in the drowning tragedy. The city manager modified his reinstatement order by a reference to other charges held against Mr. Raitt by Commissioner Nier.

Mr. Story's decision termed those difficulties "an internal family affair" which he said he would give attention to later.

From office simultaneously with Mr. Raitt and on similar charges is still out and has not been formally notified of the charges against him. For this notification, Commissioner Nier has been awaiting the outcome of the first Raitt suspension.

PINNACLE HILL REPORT TO BE MADE TUESDAY

Finance Committee of Council To Report on Resolution Authorizing Purchase for Park.

City Council is to receive a report from its finance committee at the regular meeting Tuesday night respecting the resolution which authorizes the acquisition of Pinnacle Hill for public park purposes. The proposed purchase includes the old cemetery.

Just 90 years ago today, Aug. 28, 1839, a committee appointed by the congregation of St. Patrick's Church, now the cathedral, acting jointly with the church trustees, adopted regulations for the cemetery at the Pinnacle, fixed the price of burial lots at \$10, and provided for the interment of the poor at the expense of the society.

The church corporation still owns the site of the present cathedral, north of 27 acres. A large part of the burial ground lies in the Town of Brighton, just over the city line.

First Catholic Cemetery in Rochester was in the churchyard on the site of the present cathedral, Platt Street and Plymouth Avenue North. It was necessary to remove some bodies to make space for a new and larger church in 1832. In June, 1836, the trustees of St. Patrick's Church appointed a committee "to select a plot of ground suitable for a burying place for the use of the members of the Catholic inhabitants of Rochester and its vicinity."

This committee made no progress, and on Dec. 4, 1837, another committee was appointed to purchase from the Common Council four acres of the burying ground on the Henrietta Road.

Nothing came of this appointment, but at a meeting of St. Patrick's congregation Dec. 9, 1839, it was unanimously resolved "that this meeting is convinced of the propriety and necessity of having a burying ground for the exclusive use of the Catholic population of this city and vicinity."

Thereupon a proposition from Richard Christie to the board of trustees for the sale of a 10-acre lot, adjoining the city line near the Pinnacle, was announced, and the purchase authorized at \$100 an acre.

The trustees announced April 12, 1839, that the land had been purchased, but the congregation did not meet until Aug. 25, 1839, to complete arrangements for use of the cemetery.

Sought More Ground When Bishop McQuaid came to Rochester 60 years ago it was figured that the Pinnacle could provide burial space for another 10 years. For a time it was thought possible to retain the Pinnacle as a permanent Catholic cemetery by discontinuing interment on the hill and its slopes and purchasing an additional acreage in the neighborhood.

But this plan was abandoned when the owners of the required land asked what was then considered exorbitant prices. It was determined to find another burial site, and accordingly in July, 1871, it was announced that Bishop McQuaid had purchased 100 acres at candidate other than those who \$200 an acre on the Charlotte had been designated.

Commissioner Nichols placed an order for approximately 172,000 ballots for use in the primary election, its number being based on last year's registration in the city. Before winter came bodies from the Pinnacle and other Catholic cemeteries in Rochester had been removed to Holy Sepulcher.

Additional ballots amounting to 10 per cent of the registration also shall be printed and 10 per cent of this combined total, for use as sample ballots, making approximately 172,000 printed ballots exclusive of the ballots to be used in the primary election for other candidates for city, county and legislative positions and officers in the town and places on ward, town and county committees.

Goodwin Says He'll Seek Re-Election On Council Record

Check Will Show, He Says, That He Kept Pledges—Admits Mistakes, Expects to Make More, But Promises His 'Level Best.'

Proclaiming his intention to solicit votes on his record, and on renewed pledges to the public, Councilman Harry C. Goodwin, seeking his second term as an insurgent, today issued a statement comprising practically his entire primary campaign.

"The records of the council will show," he said, "that I have kept every pledge made. As a candidate for re-nomination and election, I repeat those pledges."

Business will take Mr. Goodwin away from Rochester much of the time between now and Sept. 27, primary election day. Instead of actively campaigning, he is laying his record before the public and promising to pursue the same policies in the future, if re-elected.

While he is classed as a candidate of the City Manager League, that is not the title he assumes. He welcomes its endorsement, as does that of any group, and states his desire to see the city manager administration continue, but he maintains he is tied up with no particular group.

"As a councilman," said Mr. Goodwin, "I have tried to do the best I knew how. I have made mistakes. If re-elected, I shall probably make more. Any man who thinks he can serve on the Council and please all people at all times is simply kidding himself."

"All I can hope to do, and all I promise to do, is my level best, and to vote on all questions as I believe to be for the best interest of the greatest number."

Despite his firm declaration of political independence, the councilman makes room in his statement for a personal endorsement of the four other so-called city manager candidates, in no uncertain terms.

In explanation of Mayor Joseph C. Wilson's endorsement by both the Republican organization and the City Manager League, Mr. Goodwin said:

"Mayor Wilson was endorsed by the organization because he is the only man in political life in Rochester who can dictate to the organization rather than be dictated to by it."

Mr. Goodwin's statement: "As I shall be out of the city most of the time between now and primary day, Sept. 27, I desire to issue this statement that voters may be informed where I stand as a councilman and as a candidate for nomination in the primaries. As I have already said, my personal business and my duties as councilman come first. If I have any time left I shall give it to the campaign."

Mayor Wilson, in spite of the endorsement of the Republican organization, deserves re-nomination and re-election. He was endorsed by the organization because he is the only man in political life in Rochester who can dictate to the organization rather than be dictated to by it.

Vice Mayor Adler and Councilman Nichols deserve re-nomination and re-election by larger majorities than they received two years ago, their work as councilmen has been above reproach. They have done things which people may criticize, but they have done nothing that would cause anyone questioning their motives. They have not played politics, have voted according to their individual judgment and have at all times been zealous in behalf of better government for Rochester.

NIER MAKES NO COMMENTS ON RAITT CASE

Reinstated Park Director Did Not Take Up His Duties Yesterday

Direction of park affairs was not taken up yesterday by Charles B. Raitt, director of parks, who was exonerated by decision of City Manager Stephen E. Story of the charge of responsibility for the drowning of Raymond J. Gartland at Ontario Beach Park on June 18.

Mr. Raitt was in conference with his attorney, Edward N. Ogden, and no statement was issued by them. It is unknown whether he will go to his office today.

City Manager Story did not dispose of other charges made against Director Raitt by George J. Nier, commissioner of public safety, but concerned himself in his finding with only the circumstances relating to the drowning, holding Mr. Raitt free from all blame.

Mr. Raitt was charged with general incompetency by Commissioner Nier, and such allegations City Manager Story said in his decision will be taken up later.

City Manager Story is on his vacation at Freeport, L. I., the home of his parents, and will not be back until next Monday. Commissioner Nier had no comment to make on any phase of the proceedings. In the absence of Mr. Story, he is the acting city manager.

DRAWING FIXES PRECEDENCE ON BALLOT SHEETS

Arrangements of Candidates in Partisan Primaries Determined by Lot

Positions of candidates in the partisan primaries on the ballots to be used Sept. 17 were determined by lot yesterday by H. Alden Nichols, commissioner of elections.

There are contests for the nomination for supervisor in ten wards and in one town and there are also contests for committee in a number of districts.

The names of the candidates in the non-partisan primaries for councilman at large are arranged in the ballot in alphabetical order and Vice-Mayor Isaac Adler will be first on the list of eighteen names and Mayor Joseph C. Wilson will be last.

Interest centers in the three-cornered contest in Irondequoit and in the drawing of the ticket headed by Thomas E. Broderick, present supervisor, obtained first place in all but two instances.

The Irondequoit candidates will have the following arrangement on the ballot: Supervisor—Thomas E. Broderick, first; August E. Zimmerman, second; and Walter E. Wegman, third.

Town Clerk—Earl A. Partridge, first; Raymond A. Metzger, second; and Joseph E. Whitcombe, third. Justices of the Peace—Bernard J. Heberle, first; Alfred Gasser, second; J. Stewart Glasgow, third; and Albert Jonts, fourth.

RAITT CHARGES AGAINST RAITT MADE PUBLIC

Four Reasons for Ousting Park Director Given by Commissioner — Neglect Is Alleged.

The reasons for which Public Safety Commissioner Nier ousted Park Director Raitt from office a second time yesterday were made public today by counsel for Mr. Raitt.

"They are listed under four headings. In making known the formal charges, which both sides refrained from divulging yesterday and which Commissioner Nier still refused to reveal today, Edward M. Ogden, Raitt's attorney, said:

"These charges are a matter we feel the public is entitled to know. We declined to divulge them at first, because we considered it Mr. Raitt's place to do so. Since we have given him ample opportunity to publish them, and he still refuses, we will submit them to the public."

The letter with which Commissioner Nier suspended Director Raitt at noon yesterday, after the latter had been restored to his job by City Manager Stephen E. Story, follows:

"Please take notice that I propose to remove you from office as director of parks, Department of Public Safety for the following reasons:

"That you have failed and neglected to properly perform the duties and functions of your office as said director.

"That you have been instrumental in destroying the morale of the employees of the bureau of parks.

"That you have failed to co-operate with your superiors in the administration of park affairs.

"That you have been insubordinate toward your superiors and failed to carry out the instructions of your superiors, and that you did on June 23, 1929 publish in the public press at Rochester, N. Y., a statement derogatory of your superiors, which statement is herewith attached and made a part of this order.

"Also please take notice that you are allowed until 12 o'clock, noon, Sept. 3, 1929, to reply to these charges, at which time I propose to remove you from office.

"I hereby suspended from duty the department of public safety, pending a reply. The city manager is expected back in Rochester Tuesday.

The "derogatory" remarks to which Commissioner Nier refers, and clipping of which he attached to his charges, were made by Mr. Raitt in a statement published in the Times-Union on June 26, last.

Striking back at Nier on his first suspension, Raitt accused the safety commissioner of personal animosity towards him, and declared it was a well known fact that his Raitt's appointment was "politically undesirable" to Mr. Nier in the first place.

Edward M. Ogden, attorney for Charles B. Raitt, in a telegram today to City Manager Stephen E. Story at his vacation address, Freeport, Long Island, denied that Mr. Raitt had promised he would resign after reinstatement.

What Next? The Raitt case will not down. Like many another affair of public interest it will not be settled until it is settled right.

General approval greeted City Manager Story's reinstatement of Park Director Raitt Monday. The public had felt since the first that Commissioner Nier's summary dismissal of Director Raitt, last June, on the charge of responsibility for the Gartland drowning at Ontario Beach Park, was not warranted by the facts, and was wholly unjust to Mr. Raitt.

Wednesday Commissioner Nier again suspended Mr. Raitt from duty as Director of the Bureau of Parks, at the same time that he notified Mr. Raitt that he proposed to remove him from his office at noon next Tuesday, September 3.

The charges on which Commissioner Nier bases his second dismissal of Mr. Raitt were given to the public yesterday by Mr. Raitt's attorney, Commissioner Nier refusing to disclose them.

They are general in character, alleging neglect properly to perform the duties of his office, instrumentality in destroying the morale of the employees of the Bureau of Parks, failure to co-operate with his superiors, and insubordination and failure to carry out instructions, the alleged insubordination being cited particularly as the publication of a statement criticizing the conduct of Commissioner Nier, during the discussion following the first Raitt suspension.

The first suspension of Mr. Raitt by Commissioner Nier was based on a charge of the same general character, in addition to the specific charge of responsibility for the Gartland drowning. The subsequent hearing on the charges by City Manager Story had to do principally with the drowning, and it was the city manager's decision that responsibility for the drowning could not "logically and fairly" be attached to Mr. Raitt that was the basis of Mr. Raitt's restoration to his office by the city manager.

In his Raitt decision the city manager did, however, refer to the general charge which has now been used as the basis for the second suspension. He said "the latter is an internal family matter which I intend to take up later."

Wednesday, in City Manager Story's absence from the city, Commissioner Nier for the second time dismissed Mr. Raitt, and on the general charge of neglect, incompetence, etc., which the city manager had expressly stated he intended "to take up later."

It is perhaps Mr. Story's affair whether he will permit to stand without protest this summary determination of the "family matter" by the Commissioner of Public Safety. If Commissioner Nier consulted City Manager Story concerning the "family matter" before he acted this second time, then the public would be interested to know that.

The public has at least the right to know whether the city manager approves of the second Raitt dismissal, and—if so—on what grounds. If Mr. Story does not approve, then it would seem to be his move.

Few Protests Made Against Assessment Value Of Property

Period For Filing Allegations to Close at 4 P. M. Today—Complaints Have Been Received on Less Than 5 Per Cent. of Property.

The period for city taxpayers to seek readjustments in their 1930 assessment valuations was to close at 4 p. m. today with an unusually small number of allegations on file for the total 10 days.

Today was also set as the only day on which allegations would be received at the city assessor's office on county and state taxes. Those complaints, too, were sparse. Allegations have been received on less than 5 per cent. of the approximately 100,000 pieces of property listed for appraisal in Rochester, City Assessor George S. Taylor asserted. He estimated between 500 and 1,000 taxpayers have appeared with complaints.

The board of assessment review met in Mr. Taylor's office today to start its consideration of allegations. Any adjustments that the board may consider are merited will be made later, personal inspection of property being necessary in most cases.

"The complaints are becoming fewer every year, as our scientific system of assessment is more universally applied," said Mr. Taylor.

PETROSSI CO. GETS CLINTON PAVEMENT JOB

Company, Barred While President Was Under Indictment, Now Listed as 'Responsible Bidder.'

The John Petrossi Company, Inc., recently put back on the city's list of "responsible bidders," was today awarded the job for asphalt resurfacing of Clinton Avenue North.

The company's proposal, low among the bids, was \$39,911.30. The street will be improved from Main Street East to Central Avenue.

The Petrossi Company was debarred from the city while its head, John Petrossi, was under indictment for alleged bribery in connection with a city improvement job. The city has still to appeal an injunction obtained by the company against the city, on its refusal to recognize a low bid. The injunction was sustained by Supreme Court Justice Willis K. Gillette.

The Bureau of Purchase and Supply awarded also today a contract to George G. Josh for walk, grading, and stone curbs in Darrow Street from Clinton Avenue North to the west end of the street. The amount of the bid was \$19,244.50.

New steam traps are to be installed in City Hall at a cost of \$1,228. The contract has been given to Perdue & Giesecke.

RAITT DENIES EVERY CHARGE MADE BY NIER

Accusations Too General. Deposed Park Head Says in Reply—Political Factors Held Motive.

Charles B. Raitt, dismissed director of parks, today made the following reply to charges preferred by Commissioner of Public Safety George J. Nier:

"In answer to the charges contained in your notice of proposal to remove me from office as director of parks of the City of Rochester, New York, I deny each of the allegations contained in the said notice including specifically the charge of failure and neglect to properly perform the duties and functions of the said office, the charge of destroying the morale of the employees, the charge of failure to co-operate with my superiors, the charge of insubordination and failure to carry out instructions, and I affirmatively allege that to the best of my knowledge and belief there is no truth in any of those allegations.

In the latter part of paragraph four you refer to a statement alleged to have been published by me in the public press on June 29. The statement of which you complained was made at a time subsequent to my suspension from office as director of parks, and was in answer to certain defamatory accusations previously made against me, and published in the public press of the City of Rochester.

"I also wish to enter an objection to the character of the charges made, in that they are general, and not sufficiently specific to make it possible for me to defend or to know the real grounds, if any, upon which your dismissal is to be based.

"I also wish to enter a general objection to your action in proposing to remove me, and to the notice thereof, upon the basis that it is founded solely on political reasons, and that there is in fact no real basis for removing me from office."

OUSTER ORDER IS 2D ONE FOR HEAD OF PARKS

Director, Restored to Duty by City Manager Story, Back at Desk Only 3 Hours When Nier Acts.

A new suspension order against Park Director Charles B. Raitt was issued at 11:45 a. m. today by Commissioner of Public Safety George J. Nier.

After spending less than three hours back at his desk, following reinstatement on his first suspension, Mr. Raitt was out again on general charges of "incompetency, inability, insubordination and failure to co-operate in the department."

The commissioner gave Director Raitt until next Tuesday, Sept. 3, at noon to reply to the charges. Formal statement of the charges was in the hands of Mr. Raitt this afternoon, but neither he nor Commissioner Nier would consent to make it public.

City Manager Story is expected back in the city from his vacation next week, so Mr. Raitt's reply to the charges will probably come to his attention. The charges were accompanied with notice of immediate suspension and intent to remove Mr. Raitt permanently from office.

Commissioner Nier said he would await Mr. Raitt's answer to the charges, but the commissioner would not state whether or not he would grant the deposed director a new hearing. Under the City Charter, said Mr. Nier, he is not required to give a hearing.

Mr. Raitt had returned to his desk in City Hall Annex at 9 o'clock this morning for the first time since he was suspended on June 22 on charges of negligence in connection with the drowning at Ontario Beach Park June 18 of Raymond J. Gartland, University of Rochester junior.

Commissioner Nier was in receipt this morning of a letter from Director Raitt. The letter was signed: Croila, Black, Cannon, Black, Sartin, Black, Black, Croila, Material.

One-of-Fur-Trimmed

Expected Next-Week The city manager is on his vacation in Freeport, L. I. and is not expected to return to Rochester until early next week.

As soon as a severe illness would permit, Mr. Raitt was given a hearing July 7. At his own request, as well as that of Commissioner Nier, the hearing was presided over by the city manager. Ordinarily, Commissioner Nier would have presided.

Mr. Story reserved decision in the case several weeks, until Monday when he gave his decision by wire from his vacation retreat. Chester E. Leake, superintendent of playgrounds who was dismissed from office simultaneously with Mr. Raitt and on similar charges, is still out and has not been formally notified of the charges against him. For this notification, Commissioner Nier has been awaiting the outcome of the first Raitt suspension.

No comment on his re-suspension was forthcoming today from Mr. Raitt. "I will have absolutely nothing to say for the present," he stated.

That he will fight the order, was intimated by Edward M. Ogden, attorney for Mr. Raitt.

Mr. Raitt did not report personally to Commissioner Nier on re-assuming his duties this morning, but went direct to his office and apprised his superior officer of his return by letter.

PINNACLE HILL REPORT TO BE MADE TUESDAY

Finance Committee of Council To Report on Resolution Authorizing Purchase for Park.

City Council is to receive a report from its finance committee at the regular meeting Tuesday night respecting the resolution which authorizes the acquisition of Pinnacle Hill for public park purposes. The proposed purchase includes the old cemetery.

Just 90 years ago today, Aug. 28, 1839, a committee appointed by the congregation of St. Patrick's Church, now the cathedral, acting jointly with the church trustees, adopted regulations for the cemetery at the Pinnacle, fixed the price of burial lots at \$10, and provided for the interment of the poor at the expense of the society.

The church corporation still owns upward of 27 acres. A large part of the burial ground lies in the town of Brighton, just over the city line.

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This committee made no progress, and on Dec. 4, 1837, another committee was appointed "to purchase from the Common Council four acres of the burying ground on the Henrietta Road."

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Thereupon a proposition from Richard Christie to the board of trustees for the sale of a 10-acre lot, adjoining the city line near the Pinnacle, was announced, and the purchase authorized at \$100 an acre.

The trustees announced April 12, 1839, that the land had been purchased, but the congregation did not meet until Aug. 25, 1839, to complete arrangements for use of the cemetery.

Sought More Ground When Bishop McQuaid came to Rochester 60 years ago it was figured that the Pinnacle could provide burial space for another 10 years. For a time it was thought possible to retain the Pinnacle as a permanent Catholic cemetery by discontinuing interment on the hill and its slopes and purchasing additional acreage in the neighborhood.

But this plan was abandoned when the owners of the required land asked what was then considered exorbitant prices. It was determined to find another burial site, and accordingly in July, 1871, it was announced that Bishop McQuaid had purchased 109 acres at \$200 an acre on the Charlotte boulevard.

This was the beginning of Holy Sepulcher Cemetery and a portion of it was consecrated for immediate use, Sunday, Sept. 30, 1871. Before winter came bodies from the Pinnacle and other Catholic cemeteries in Rochester had been removed to Holy Sepulcher.

Additional ballots amounting to 10 per cent. of the registration also shall be printed and 10 per cent. of this combined total, for use as sample ballots, making approximately 172,000 printed ballots exclusive of the ballots to be used in the primary election for other candidates for city, county and legislative positions and offices in the town and places on ward, town and county committees.

Goodwin Says He'll Seek Re-Election On Council Record

Check Will Show, He Says, That He Kept Pledges—Admits Mistakes, Expects to Make More, But Promises His 'Level Best.'

Proclaiming his intention to solicit votes on his record, and on renewed pledges to the public, Councilman Harry C. Goodwin, seeking his second term as an insurgent, today issued a statement comprising practically his entire primary campaign.

"The records of the council will show," he said, "that I have kept every pledge made. As a candidate for re-nomination and election, I repeat those pledges."

Business will take Mr. Goodwin away from Rochester much of the time between now and Sept. 17, primary election day. Instead of actively campaigning, he is laying his record before the public and promising to pursue the same policies in the future, if re-elected.

While he is classed as a candidate of the City Manager League, that is not the title he assumes. He welcomes its endorsement, as he does that of any group, and does not desire to see the city manager administration continue, but he maintains he is tied up with no particular group.

"As a councilman," said Mr. Goodwin, "I have tried to do the best I knew how. I have made mistakes. If re-elected, I shall probably make more. Any man who thinks he can serve on the Council and please all people at all times is simply kidding himself."

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Despite his firm declaration of political independence, the councilman makes room in his statement for a personal endorsement of the four other so-called city manager candidates, in no uncertain terms. In explanation of Mayor Joseph C. Wilson's endorsement by both the Republican organization and the City Manager League, Mr. Goodwin said:

"Mayor Wilson was endorsed by the organization because he is the only man in political life in Rochester who can dictate to the organization rather than the organization dictating to him. Any other man in public life who accepts the endorsement of the organization must be considered as ready to serve the organization."

Vice Mayor Adler and Councilman Phipps desire re-nomination and re-election by larger majorities than they received two years ago. Their conviction as councilmen has been above reproach. They have done things which people may criticize, but they have done them because that was the only way to get things done. They have not played politics, have voted according to their individual judgment and have at all times been zealous in behalf of better government for Rochester.

Mr. Stanton, on his record as a citizen and as a man who thinks and acts independently deserves nomination and election.

As to my own record I have no defense to offer. Before I entered into any combinations with my fellow councilmen, that I would support the Republican, Democrat and Socialist alike; that I would not allow union labor or capital to dictate my voting; that when questions came before the council I would get all the information I could from all sources; that I would introduce any measure into the council on request, reserving the right to vote for or against the measure as I thought best; that I would vote to uphold the principles of non-partisan elections, and down in the original

primary election for other candidates for city, county and legislative positions and offices in the town and places on ward, town and county committees.

Commissioner Nichols placed an order for approximately 172,000 ballots for use in the primary election, the number being based on last year's registration in the city wards which totalled around 142,000 the largest in the history of Rochester. The law provides that additional ballots amounting to 10 per cent. of the registration also shall be printed and 10 per cent. of this combined total, for use as sample ballots, making approximately 172,000 printed ballots exclusive of the ballots to be used in the primary election for other candidates for city, county and legislative positions and offices in the town and places on ward, town and county committees.

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Reinstated Park Director Did Not Take Up His Duties Yesterday

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City Manager Story is on his vacation at Freeport, L. I., the home of his parents, and will not be back until next Monday. Commissioner Nier had no comment to make on any phase of the proceedings. In the absence of Mr. Story, he is the acting city manager.

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Arrangements of Candidates in Partisan Primaries Determined by Lot

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The names of the candidates in the non-partisan primaries for councilman at large are arranged in the ballot in alphabetical order and Vice-Mayor Isaac Adler will be first on the list of eighteen names and Mayor Joseph C. Wilson will be last.

Interest centers in the three-cornered contest in Irondequoit in the drawing the tickets headed by Thomas E. Broderick, present supervisor, obtained first place in all but two instances. The Irondequoit candidates will have the following arrangement on the ballot:

Supervisor—Thomas E. Broderick, first; August E. Zimmerman, second; and Walter E. Wegman, third.

Town Clerk—Earl A. Partridge, first; Raymond A. Metzger, second; and Joseph E. Whitcombe, third.

Justices of the Peace—Bernard J. Heberle, first; Alfred Gasser, second; J. Stewart Glasgow, third; and Albert Jones, fourth.

Town Superintendent—George Sink, first, and George Schneberger, second.

Tax collector—William Widman, first, and Arthur Tischer, second.

Assessors—Long terms, Ernest Haker, first and Theodore Seitz, second; short terms, William C. Green, first, Seymour Titus, second and John Cooper, third.

RAITT CHARGES AGAINST RAITT MADE PUBLIC

Four Reasons for Ousting Park Director Given by Commissioner — Neglect Is Alleged.

The reasons for which Public Safety Commissioner Nier ousted Park Director Raitt from office a second time yesterday were made public today by counsel for Mr. Raitt.

They are listed under four headings. In making known the formal charges, which both sides refrained from divulging yesterday and which Commissioner Nier still refused to reveal today, Edward M. Ogden, Raitt's attorney, said he still feels the public is entitled to know. We declined to divulge them at first, because we considered it Mr. Nier's place to do so. Since we have given him ample opportunity to publish them, and he still refuses, we will submit them to the public.

"The letter with which Commissioner Nier suspended Director Raitt at noon yesterday, after the latter had been restored to his job by City Manager Stephen B. Story, follows:

"Please take notice that I propose to remove you from office as director of parks on the following charges:

1. Neglect of duty in connection with the drowning of Raymond J. Gartland at Ontario Beach Park on June 18, 1929.

2. Insubordination and failure to carry out instructions, the alleged insubordination being cited particularly as the publication of a statement criticizing the conduct of Commissioner Nier, during the discussion following the first Raitt suspension.

3. Neglect of duty in connection with the suspension of Director Raitt from office on June 22, 1929, on charges of negligence in connection with the drowning at Ontario Beach Park June 18 of Raymond J. Gartland, University of Rochester junior.

4. Neglect of duty in connection with the suspension of Director Raitt from office on July 7, 1929, on charges of negligence in connection with the drowning at Ontario Beach Park June 18 of Raymond J. Gartland, University of Rochester junior.

After spending yesterday forenoon as an assistant in the park office, Miss Gertrude Hartnett assumed charge of the park office. A query addressed by The Times-Union to City Manager Story at Freeport, L. I., where he is spending a vacation with his parents, asking his stand on the second suspension, has thus far failed to bring a reply. The city manager is expected back in Rochester Tuesday.

nothing further has been done in his case. The "derogatory" remarks to which Commissioner Nier refers, and clipping of which he attached to his charges, were made by Mr. Raitt in a statement published in The Times-Union on June 26, last.

Striking back at Nier on his first suspension, Raitt accused the safety commissioner of personal animosity towards him, and declared it was a well known fact that his (Raitt's) appointment was "politically unobjectionable" to Mr. Nier in the first place.

Edward M. Ogden, attorney for Charles B. Raitt, in a telegram today to City Manager Stephen B. Story at his vacation address, Freeport, Long Island, denied that Mr. Raitt had promised he would resign after reinstatement.

In commenting on a report that the action of Commissioner Nier in re-suspending Mr. Raitt was in accordance with an understanding with Mr. Story, Mr. Ogden said: "We cannot believe that you could have given your approval to the action. These matters are so important to Mr. Raitt that I ask you to deny this report."

What Next?

The Raitt case will not down. Like many another affair of public interest it will not be settled until it is settled right. Any reasonably observant person on the streets of Rochester knows that the public believes it is not yet settled right.

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The charges on which Commissioner Nier bases his second dismissal of Mr. Raitt were given to the public yesterday by Mr. Raitt's attorney, Commissioner Nier refusing to disclose them.

They are general in character, alleging neglect properly to perform the duties of his office, instrumentality in destroying the morale of the employes of the Bureau of Parks, failure to co-operate with his superiors, and insubordination and failure to carry out instructions, the alleged insubordination being cited particularly as the publication of a statement criticizing the conduct of Commissioner Nier, during the discussion following the first Raitt suspension.

The first suspension of Mr. Raitt by Commissioner Nier was based on a charge of the same general character, in addition to the specific charge of responsibility for the Gartland drowning. The subsequent hearing on the charges by City Manager Story had to do principally with the drowning, and it was the city manager's decision that responsibility for the drowning could not "logically and fairly" be attached to Mr. Raitt that was the basis of Mr. Raitt's restoration to his office by the city manager.

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Few Protests Made Against Assessment Value Of Property

Period For Filing Allegations to Close at 4 P. M. Today—Complaints Have Been Received on Less Than 5 Per Cent. of Property.

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Today was also set as the only day on which allegations would be received at the city assessor's office on county and state taxes. Those complaints, too, were sporadic. Allegations have been received on less than 5 per cent. of the approximately 100,000 pieces of property listed for appraisal in Rochester, City Assessor George S. Taylor asserted. He estimated between 500 and 1,000 taxpayers have appeared with complaints.

The board of assessment review met in Mr. Taylor's office today to start its consideration of allegations. Any adjustments that the board may consider are merited will be made later, personal inspection of property being necessary in most cases.

"The complaints are becoming fewer every year, as our scientific system of assessment is more universally applied," said Mr. Taylor.

PETROSSI CO. GETS CLINTON PAVEMENT JOB

Company, Barred While President Was Under Indictment, Now Listed as 'Responsible Bidder.'

The John Petrossi Company, Inc., recently put back on the city's list of "responsible bidders," was today awarded the job for asphalt resurfacing of Clinton Avenue North.

The company's proposal, low among the bids, was \$39,911.30. The street will be improved from Main Street East to Central Avenue.

The Petrossi Company was debarred from the city while its head, John Petrossi, was under indictment for alleged bribery in connection with a city improvement job. The city has still to appeal an injunction obtained by the company against the city, on its refusal to recognize a low bid. The injunction was sustained by Supreme Court Justice Willis K. Gillette.

The Bureau of Purchase and Supply awarded also today a contract to George G. Josh for walks, grading and stone curbs in Dearborn Street from Clinton Avenue North to the west end of the street. The amount of the bid was \$1,924.15.

New steam traps are to be installed in City Hall at a cost of \$1,228. The contract has been given to Perdue & Gloeckle.

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RAITT DENIES EVERY CHARGE MADE BY NIER

Accusations Too General, Deposed Park Head Says in Reply—Political Factors Held Motive.

Charles B. Raitt, dismissed director of parks, today made the following reply to charges preferred by Commissioner of Public Safety George J. Nier:

"In answer to the charges contained in your notice of proposal to remove me from office as director of parks of the City of Rochester, New York, I deny each of the allegations contained in the said notice including specifically the charge of failure and neglect to properly perform the duties and functions of the said office, the charge of destroying the morale of the employes, the charge of failure to co-operate with my superiors, the charge of insubordination and failure to carry out instructions, and I affirmatively allege that to the best of my knowledge and belief there is no truth in any of these allegations."

"Your" refer to a statement alleged to have been published by me in the public press on June 26. The statement of which you complained was made at a time subsequent to my suspension from office as director of parks, and was in answer to certain defamatory accusations previously made against me, and published in the public press of the City of Rochester.

"I also wish to enter an objection to the character of the charges made, in that they are general, and not sufficiently specific to make it possible for me to defend or to know the real grounds, if any, upon which your dismissal is to be based."

"I also wish to enter a general objection to your action in proposing to remove me, and to the notice thereof, upon the basis that it is founded solely on political reasons, and that there is in fact no real basis for removing me from office."

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OUSTER ORDER IS 2D ONE FOR HEAD OF PARKS

Director, Restored to Duty by City Manager Story, Back at Desk Only 3 Hours When Nier Acts.

A new suspension order against Park Director Charles E. Raitt was issued at 11:45 a. m. today by Commissioner of Public Safety George J. Nier.

After spending less than three hours back at his desk, following reinstatement on his first suspension, Mr. Raitt was out again on general charges of "incompetency, inability, insubordination, and failure to co-operate in the department."

The commissioner gave Director Raitt until next Tuesday, Sept. 3, at noon to reply to the charges. Formal statement of the charges was in the hands of Mr. Raitt this afternoon, but neither he nor Commissioner Nier would consent to make it public.

City Manager Story is expected back in the city from his vacation next week, so Mr. Raitt's reply to the charges will probably come to his attention. The charges were accompanied with notice of immediate suspension and intent to remove Mr. Raitt permanently from office.

Commissioner Nier said he would await Mr. Raitt's answer to the charges, but the commissioner would not state whether or not he would grant the deposed director a new hearing. Under the City Charter, said Mr. Nier, he is not required to give a hearing.

Mr. Raitt had returned to his desk in City Hall Annex at 9 o'clock this morning for the first time since he was suspended on June 22, on charge of negligence in connection with the drowning at Ontario Beach Park June 18 of Raymond J. Garland, University of Rochester junior.

Commissioner Nier was in receipt this morning of a letter from Director Raitt notifying him of his return to office and desire to co-operate. The letter follows:

"I am in receipt of a letter from Mr. Story notifying me of reinstatement to my position as Director of Parks. I am planning to take up my duties immediately, and for that reason am writing to notify you of my return to office. I am carrying through the work of that office in a manner that will prove most satisfactory to the administration and the citizens of the City of Rochester.

"I have in mind a number of projects and plans for the development of the parks and playgrounds of the city, and at some time in the near future, convenient to you, I would like the opportunity of submitting them for consideration and approval.

"I hold myself in complete readiness to co-operate with you in every way possible for the efficient administration of the Bureau of Parks of the City of Rochester."

City Manager Stephen B. Story restored Mr. Raitt to office Monday, setting at naught the accusation that the parks director was in any way blameworthy in the drowning tragedy. The city manager modified his reinstatement order by a reference to other charges held against Mr. Raitt by Commissioner Nier.

Mr. Story's decision termed those difficulties "an internal family affair" which he said he would give attention to later. He also notified Mr. Raitt and on similar charges, is still out and has not been formally notified of the charges against him. For this notification, Commissioner Nier has been awaiting the outcome of the first Raitt suspension.

PINNACLE HILL REPORT TO BE MADE TUESDAY

Finance Committee of Council To Report on Resolution Authorizing Purchase for Park.

City Council is to receive a report from its finance committee at the regular meeting Tuesday night respecting the resolution which authorizes the acquisition of Pinnacle Hill for public park purposes. The proposed purchase includes the old cemetery.

Just 90 years ago today, Aug. 28, 1839, a committee appointed by the congregation of St. Patrick's Church, now the cathedral, acting jointly with the church trustees, adopted regulations for the cemetery at the Pinnacle, fixed the price of burial lots at \$10, and provided for the interment of the poor at the expense of the society.

The church corporation still owns upwards of 27 acres. A large part of the burying ground lies in the Town of Brighton, just over the city line.

First Catholic Cemetery The first Catholic cemetery in Rochester was in the churchyard on the site of the present cathedral, Platts Street and Plymouth Avenue North. It was necessary to remove some bodies to make space for a new and larger church in 1832. In June, 1836, the trustees of St. Patrick's Church appointed a committee "to select a plot of ground suitable for a burying place for the use of the members of the Catholic inhabitants of Rochester and its vicinity."

This committee made no progress, and on Dec. 4, 1837, another committee was appointed "to purchase from the Common Council four acres of the burying ground on the Henrietta Road."

Nothing came of this appointment, but at a meeting of St. Patrick's congregation Dec. 9, 1839, it was unanimously resolved "that order on the lot of 12 1/2 acres in size and write in propriety and necessity of having copied first position on the ballot use of the Catholic population of this city and vicinity."

Thereupon a proposition from Richard Christie to the board of trustees for the sale of a 10-acre lot, adjoining the city line near the Pinnacle, was announced, and the purchase authorized at \$100 an acre.

The trustees announced April 12, 1839, that the land had been purchased, but the congregation did not meet until Aug. 25, 1839, to complete arrangements for use of the cemetery.

Sought More Ground When Bishop McQuaid came to Rochester 60 years ago it was figured that the Pinnacle could provide burial space for another 10 years. For a time it was thought possible to retain the Pinnacle as a permanent Catholic cemetery by discontinuing interment on the hill and its slopes and purchasing additional acreage in the neighborhood.

But this plan was abandoned when the owners of the required land asked what was then considered, exorbitant prices. It was determined to find another burial site, and accordingly in July, 1871, to be used by such voters as may it was announced that Bishop McQuaid had purchased 100 acres at candidate other than those who \$200 an acre on the Charlotte boulevard.

This was the beginning of Holy order for approximately 172,000 Sepulcher Cemetery and a portion of it was consecrated for interment, this number being based on date use, Sunday, Sept. 10, 1871, last year's registration in the city. Before winter came bodies from the Pinnacle and other Catholic cemeteries in Rochester had been removed to Holy Sepulcher.

Goodwin Says He'll Seek Re-Election On Council Record

Check Will Show, He Says, That He Kept Pledges—Admits Mistakes, Expects to Make More, But Promises His 'Level Best.'

Proclaiming his intention to solicit votes on his record, and on renewed pledges to the public, Councilman Harry C. Goodwin, seeking his second term as an insurgent, today issued a statement comprising practically his entire primary campaign.

"The records of the council will show," he said, "that I have kept every pledge made. As a candidate for re-nomination and election, I repeat those pledges."

Business will take Mr. Goodwin away from Rochester much of the time between now and Sept. 17, primary election day. Instead of actively campaigning, he is laying out his record before the public and promising to pursue the same policies if, the future, if re-elected.

While he is classed as a candidate of the City Manager League, that is not the title he assumes. He welcomes its endorsement, as he does that of any group, and states his desire to see the city manager administration continue, but he maintains he is tied up with no particular group.

"As a councilman," said Mr. Goodwin, "I have tried to do the best I knew how. I have made mistakes. If re-elected, I shall probably make more. Any man who thinks he can serve on the Council and please all people at all times is simply kidding himself."

"All I can hope to do, and all I promise to do, is my level best, and to vote on all questions as I believe to be for the best interest of the greatest number."

Despite his firm declaration of political independence, the councilman makes room in his statement for a personal endorsement of the four other so-called city manager candidates, in no uncertain terms.

In explanation of Mayor Joseph C. Wilson's endorsement by both the Republican organization and the City Manager League, Mr. Goodwin said:

"Mayor Wilson was endorsed by the organization because he is the only man in political life in Rochester who can dictate to the organization rather than be dictated to by it."

Mr. Goodwin's statement: "As I shall be out of the city most of the time between now and primary day, Sept. 17, I desire to issue this statement that voters may be informed where I stand as a councilman and as a candidate for nomination in the primaries. As I have already said, my personal business and my duties as councilman come first. If I have any time left I shall give it to the campaign."

"Mayor Wilson, in spite of the endorsement of the Republican organization, deserves re-nomination and re-election. He was endorsed by the organization because he is the only man in political life in Rochester who can dictate to the organization rather than be dictated to by him. Any other man in public life who accepts the endorsement of the organization must be considered as ready to serve the organization."

Endorsement of Councilman and Mayor Wilson, who were elected by larger majorities than they received two years ago, their work, as councilman has been their approach. They have done things which people may criticize, but they have done nothing that would have anyone questioning their motives. They have not played politics, have voted according to their individual judgment and have at all times been zealous in behalf of better government for Rochester.

Mr. Stanton, on his record as a citizen and as a man who thinks and acts independently, deserves nomination and election. As to my own record I have no defense to offer. Before I entered office I promised that I would not enter into any combinations with my fellow councilmen. I would vote according to my best judgment; that I was not committed to anyone for city manager; that I would represent the Republican, Democrat and Socialist alike; that I would not allow union labor or capital to dictate to me; that when questions came before the council I would get all the information I could from all sources; that I would introduce any measure into the council on request, reserving the right to vote for or against the measure as I thought best; that I would vote to uphold the principles of non-partisan government, laid down in the original

NIER MAKES NO COMMENTS ON RAITT CASE

Reinstated Park Director Did Not Take Up His Duties Yesterday

Direction of park affairs was not taken up yesterday by Charles E. Raitt, director of parks, who was exonerated by decision of City Manager Stephen B. Story of the charge of responsibility for the drowning of Raymond J. Garland at Ontario Beach Park on June 18.

Mr. Raitt was in conference with his attorney, Edward N. Ogden, and no statement was issued by them. It is unknown whether he will go to his office today.

City Manager Story did not dispose of other charges made against Director Raitt by George J. Nier, commissioner of public safety, but concerned himself in his finding with only the circumstances relating to the drowning, holding Mr. Raitt free from all blame. Mr. Raitt was charged with general incompetency by Commissioner Nier, and such allegations City Manager Story said in his decision will be taken up later.

City Manager Story is on his vacation at Freeport, L. I., the home of his parents, and will not be back until next Monday. Commissioner Nier had no comment to make on any phase of the proceedings. In the absence of Mr. Story, he is the acting city manager.

RAITT CHARGES AGAINST RAITT MADE PUBLIC

Four Reasons for Ousting Park Director Given by Commissioner — Neglect Is Alleged.

The reasons for which Public Safety Commissioner Nier ousted Park Director Raitt from office a second time yesterday were made public today by counsel for Mr. Raitt.

"These charges are a matter we feel the public is entitled to know. We declined to divulge them at first, because we considered it Mr. Nier's place to do so. Since we have given him ample opportunity to publish them, and he still refuses, we will submit them to the public."

The letter with which Commissioner Nier suspended Director Raitt at noon yesterday, after the latter had been restored to his job by City Manager Stephen B. Story, follows:

"Please take notice that I propose to remove you from office as director of parks, on the following charges: 1. Incompetency, 2. Insubordination, 3. Neglect of duty, 4. Failure to co-operate with your superiors."

The first suspension of Mr. Raitt by Commissioner Nier was based on a charge of the same general character, in addition to the specific charge of responsibility for the Garland drowning. The subsequent hearing on the charges by City Manager Story had to do principally with the drowning, and it was the city manager's decision that responsibility for the drowning could not "logically and fairly" be attached to Mr. Raitt that was the basis of Mr. Raitt's restoration to his office by the city manager.

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FRIDAY, AUGUST 30, 1929

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NICHOLS O. K.'S BALLOTS FOR CITY PRIMARY

Names of 18 Candidates To Appear in Alphabetical Order—Vice-Mayor Heads List.

With the city council campaign about to be launched by both the Republican and City Manager organizations, which will be the principal contestants in the battle Sept. 17, Commissioner of Elections H. Alden Nichols today approved the printed ballot which will be used in the election.

The names of the 18 council candidates will appear in alphabetical order on the ballot, which is 5 1/2 by 12 1/2 inches in size and write in propriety and necessity of having copied first position on the ballot use of the Catholic population of this city and vicinity."

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Commissioner Nichols placed an order for approximately 172,000 ballots for use in the primary election, this number being based on date use, Sunday, Sept. 10, 1871, last year's registration in the city. Before winter came bodies from the Pinnacle and other Catholic cemeteries in Rochester had been removed to Holy Sepulcher.

The law provides that additional ballots amounting to 100 per cent. of the registration also shall be printed and 10 per cent. of this combined total, for use as sample ballots, making approximately 172,000 printed ballots exclusive of the ballots to be used in the primary election for other candidates for city, county and legislative positions and offices in the town and places on ward, town and county committees.

DRAWING FIXES PRECEDENCE ON BALLOT SHEETS

Arrangements of Candidates in Partisan Primaries Determined by Lot

Positions of candidates in the partisan primaries on the ballots to be used Sept. 17 were determined by lot yesterday by H. Alden Nichols, commissioner of elections. There are contests for the nomination for supervisor in ten wards and in one town and there are also contests for committeemen in a number of districts.

The names of the candidates for the non-partisan primaries for councilman at large are arranged in the ballot in alphabetical order and Vice-Mayor Isaac Adler will be first on the list of eighteen names and Mayor Joseph C. Wilson will be last.

Interest centers in the three-cornered contest in Irondequoit headed by Thomas E. Broderick, present supervisor, obtained first place in all but two instances.

The Irondequoit candidates will have the following arrangement on the ballot: Supervisor—Thomas E. Broderick, first; August E. Zimmerman, second, and Walter E. Wegman, third.

Town Clerk—Earl A. Partridge, first; Raymond A. Metzger, second, and Joseph E. Whitcombe, third. Justices of the Peace—Bernard J. Heberle, first; Alfred Gasser, second; J. Stewart Glasgow, third, and Albert Jons, fourth.

Town Superintendent—George Sink, first, and George Schaebecker, second. Tax collector—William Widman, first, and Arthur Tischer, second. Assessors—Long terms, Ernest Haker, first and Theodore Seitz, second; short terms, William C. Green, first; Seymour Titus, second and John Cooper, third.



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My comment on his re-suspension was forthcoming today from Mr. Raitt. "I will have absolutely nothing to say for the present," he stated.

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Just 90 years ago today, Aug. 28, 1839, a committee appointed by the congregation of St. Patrick's Church, now the cathedral, acting jointly with the church trustees adopted regulations for the cemetery at the Pinnacle, fixed the price of burial lots at \$10, and provided for the interment of the poor at the expense of the society.

The church corporation still owns upwards of 27 acres. A large part of the burial ground lies in the Town of Brighton, just over the city line.

First Catholic Cemetery The first Catholic cemetery in Rochester was in the churchyard on the site of the present cathedral, Platt Street and Plymouth Avenue North. It was necessary to remove some bodies to make space for a new and larger church in 1832. In June, 1836, the trustees of St. Patrick's Church appointed a committee "to select a plot of ground suitable for a burying place for the use of the members of the Catholic inhabitants of Rochester and its vicinity."

This committee made no progress, and on Dec. 4, 1837, another committee was appointed "to purchase from the Common Council four acres of the burying ground on the Henrietta Road."

Nothing came of this appointment, but at a meeting of St. Patrick's congregation Dec. 9, 1839, it was unanimously resolved "that this meeting is convinced of the propriety and necessity of having a burial ground for the exclusive use of the Catholic population of this city and vicinity."

Thereupon a proposition from Richard Christie to the board of trustees for the sale of a 10-acre lot, adjoining the city line near the Pinnacle, was announced, and the purchase authorized at \$100 an acre.

The trustees announced April 12, 1839, that the land had been purchased, but the congregation did not meet until Aug. 25, 1839, to complete arrangements for use of the cemetery.

Sought More Ground When Bishop McQuaid came to Rochester 60 years ago it was figured that the Pinnacle could provide burial space for another 10 years. For a time it was thought possible to retain the Pinnacle as a permanent Catholic cemetery by enclosing its slopes and purchasing additional acreage in the neighborhood.

But this plan was abandoned when the owners of the required land asked what was then considered exorbitant prices. It was determined to find another burial site, and accordingly in July, 1871, to be used by such voters as may desire to write in the name of a Quaid had purchased 109 acres at \$200 an acre on the Charlotte have been designated.

Commissioner Nichols placed an order for approximately 172,000 ballots for use in the primary election, this number being based on last year's registration in the city wards which totalled around 142,000 in the largest in the history of Rochester. The law provides that additional ballots amounting to 10 per cent of the registration also shall be printed and 10 per cent of this combined total, for use as sample ballots, making approximately 172,000 printed ballots exclusive of the ballots to be used in the primary election for other candidates for city, county and legislative positions and offices in the town and places on ward, town and county committees.

Goodwin Says He'll Seek Re-Election On Council Record

Check Will Show, He Says, That He Kept Pledges—Admits Mistakes, Expects to Make More, But Promises His 'Level Best.'

Proclaiming his intention to solicit votes on his record, and on renewed pledges to the public, Councilman Harry C. Goodwin, seeking his second term as an insurgent, today issued a statement comprising practically his entire primary campaign.

"The records of the council will show," he said, "that I have kept every pledge made. As a candidate for re-nomination and election, I repeat those pledges."

Business will take Mr. Goodwin away from Rochester much of the time hereafter, now and Sept. 17, primary election day. Instead of actively campaigning, he is laying his record before the public and promising to pursue the same policies in the future, if re-elected.

While he is classed as a candidate of the City Manager League, that is not the title he assumes. He welcomes its endorsement, as he does that of any group, and states his desire to see the city manager administration continue, but he maintains he is tied up with his particular group.

"As a councilman," said Mr. Goodwin, "I have tried to do the best I know how. I have made mistakes. If re-elected, I shall probably make more. Any man who thinks he can serve on the Council and please all people at all times is simply kidding himself."

All I can hope to do, and all I promise to do, is my level best, and to vote on all questions as I believe to be for the best interest of the greatest number."

Despite his firm declaration of political independence, the councilman makes room in his statement for a personal endorsement of the four other so-called city manager candidates, in no uncertain terms.

In explanation of Mayor Joseph Wilson's endorsement by both the Republican organization and the City Manager League, Mr. Goodwin said:

"Mayor Wilson was endorsed by the organization because he is the only man in political life in Rochester who can dictate to the organization rather than be dictated to by it."

Mr. Goodwin's statement: "As I shall be out of the city most of the time between now and primary day, Sept. 17, I desire to issue this statement that voters may be informed where I stand as a councilman and as a candidate for nomination in the primaries."

He says already, my personal business, and my duties as councilman come first. If I have any time left I shall give it to the campaign.

"Mayor Wilson, in spite of the endorsement of the Republican organization, deserves re-nomination and re-election because he is the only man in political life in Rochester who can dictate to the organization rather than the organization dictating to him. Any other man in public life who accepts the endorsement of the organization must be considered as ready to serve the organization."

Vice Mayor Adler and Councilman Flynn deserve re-nomination and re-election by large majorities. Their work as councilmen has been above reproach. They have done things which people may criticize, but they have done nothing that warrants anyone questioning their motives. They have played a political game voted according to their individual judgment and have at all times been zealous in their habit of better government for Rochester.

NIER MAKES NO COMMENTS ON RAITT CASE

Reinstated Park Director Did Not Take Up His Duties Yesterday

Direction of park affairs was not taken up yesterday by Charles B. Raitt, director of parks, who was exonerated by decision of City Manager Stephen B. Story of the charge of responsibility for the drowning of Raymond J. Gartland at Ontario Beach Park on June 18.

Mr. Raitt was in conference with his attorney, Edward N. Ogden, and no statement was issued by them. It is unknown whether he will go to his office today.

City Manager Story did not dispose of other charges made against Director Raitt by George J. Nier, commissioner of public safety, but concerned himself in his finding with only the circumstances relating to the drowning, holding Mr. Raitt free from all blame. Mr. Raitt was charged with general incompetency by Commissioner Nier, and such allegations City Manager Story said in his decision will be taken up later.

City Manager Story is on his vacation at Freeport, L. I., the home of his parents, and will not be back until next Monday. Commissioner Nier had no comment to make on any phase of the proceedings. In the absence of Mr. Story, he is the acting city manager.

DRAWING FIXES PRECEDENCE ON BALLOT SHEETS

Arrangements of Candidates in Partisan Primaries Determined by Lot

Positions of candidates in the partisan primaries on the ballots to be used Sept. 17 were determined by lot yesterday by H. Alden Nichols, commissioner of elections. There are contests for the nomination for supervisor in ten wards and in one town and there are also contests for committeemen in a number of districts.

The names of the candidates in the non-partisan primaries for councilman at large are arranged in the ballot in alphabetical order and Vice-Mayor Isaac Adler will be first on the list of eighteen names and Mayor Joseph C. Wilson will be last.

Interest centers in the three-cornered contest in Irondequoit and in the drawing the ticket headed by Thomas E. Broderick, present supervisor, obtained first place in all but two instances.

The Irondequoit candidates will have the following arrangement on the ballot: Supervisor—Thomas E. Broderick, first; August E. Zimmerman, second; and Walter E. Wegman, third.

Town Clerk—Earl A. Partridge, first; Raymond A. Metzger, second; and Joseph E. Whitcombe, third.

Justices of the Peace—Bernard J. Heberle, first; Alfred Gasser, second; J. Stewart Glasgow, third, and Albert Jones, fourth.

Town Superintendent—George Sink, first, and George Schneebeger, second.

NIER CHARGES AGAINST RAITT MADE PUBLIC

Four Reasons for Ousting Park Director Given by Commissioner — Neglect Is Alleged.

The reasons for which Public Safety Commissioner Nier ousted Park Director Raitt from office a second time yesterday were made public today by counsel for Mr. Raitt.

They are listed under four headings. In making known the formal charges, which both sides refrained from divulging yesterday and which Commissioner Nier still refused to reveal today, Edward M. Ogden, Raitt's attorney, said:

"These charges are a matter we feel the public is entitled to know. We declined to divulge them at first, because we considered it Mr. Nier's place to do so. Since we have given him ample opportunity to publish them, and he still refuses, we will submit them to the public."

The letter with which Commissioner Nier suspended Director Raitt at noon yesterday, after the latter had been restored to his job by City Manager Stephen B. Story, follows:

"Please take notice that I propose to remove you from office as director of parks on the following grounds: 1. Neglect of duty. 2. Incompetency. 3. Insubordination. 4. Failure to co-operate with his superiors, and failure to carry out instructions, the alleged insubordination being cited particularly as the publication of a statement criticizing the conduct of Commissioner Nier, during the discussion following the first Raitt suspension."

The first suspension of Mr. Raitt by Commissioner Nier was based on a charge of the same general character, in addition to the specific charge of responsibility for the Gartland drowning. The subsequent hearing on the charges by City Manager Story had to do principally with the drowning, and it was the city manager's decision that responsibility for the drowning could not "logically and fairly" be attached to Mr. Raitt that was the basis of Mr. Raitt's restoration to his office by the city manager.

In his Raitt decision the city manager did, however, refer to the general charge which has now been used as the basis for the second suspension. He said "the latter is an internal family matter which I intend to take up later."

Wednesday, in City Manager Story's absence from the city, Commissioner Nier for the second time dismissed Mr. Raitt, and on the general charge of neglect, incompetence, etc., which the city manager had expressly stated he intended "to take up later."

It is perhaps Mr. Story's affair whether he will permit to stand without protest this summary determination of the "family matter" by the Commissioner of Public Safety. If Commissioner Nier consulted City Manager Story concerning the "family matter," before he acted this second time, then the public would be interested to know that.

The public has at least the right to know whether the city manager approves of the second Raitt dismissal, and—if so—on what grounds. If Mr. Story does not approve, then it would seem to be his move.

Raitt further said, in that statement, that he had "sensed definite opposition" towards himself from Mr. Nier from the start. He accused his superior officer of neglect in certain respects, intimated he favored personal friends in awarding such jobs as architectural contracts, and asserted that Mr. Nier has on several occasions hindered work in the park department by continued failure to procure necessary equipment.

Edward M. Ogden, attorney for Charles B. Raitt, in a telegram today to City Manager Stephen B. Story at his vacation address, Freeport, Long Island, denied that Mr. Raitt had promised he would resign after reinstatement.

In commenting on a report that the action of Commissioner Nier in re-suspending Mr. Raitt was in accordance with an understanding with Mr. Story, Mr. Ogden said: "We cannot believe that you could have given your approval to this action. These matters are so important to Mr. Raitt that I ask you to deny this report."

FRIDAY, AUGUST 30, 1929

What Next?

The Raitt case will not down. Like many another affair of public interest it will not be settled until it is settled right. Any reasonably observant person on the streets of Rochester knows that the public believes it is not yet settled right.

General approval greeted City Manager Story's reinstatement of Park Director Raitt Monday. The public had felt since the first that Commissioner Nier's summary dismissal of Director Raitt, last June, on the charge of responsibility for the Gartland drowning at Ontario Beach Park, was not warranted by the facts, and was wholly unjust to Mr. Raitt.

Wednesday Commissioner Nier again suspended Mr. Raitt from duty as Director of the Bureau of Parks, at the same time that he notified Mr. Raitt that he proposed to remove him from his office at noon next Tuesday, September 3.

The charges on which Commissioner Nier bases his second dismissal of Mr. Raitt were given to the public yesterday by Mr. Raitt's attorney, Commissioner Nier refusing to disclose them.

They are general in character, alleging neglect properly to perform the duties of his office, instrumentality in destroying the morale of the employes of the Bureau of Parks, failure to co-operate with his superiors, and insubordination and failure to carry out instructions, the alleged insubordination being cited particularly as the publication of a statement criticizing the conduct of Commissioner Nier, during the discussion following the first Raitt suspension.

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Few Protests Made Against Assessment Value Of Property

Period For Filing Allegations to Close at 4 P. M. Today—Complaints Have Been Received on Less Than 5 Per Cent. of Property.

The period for city taxpayers to seek readjustments in their 1930 assessment valuations was to close at 4 p. m. today with an unusually small number of allegations on file for the total 10 days.

Today was also set as the only day on which allegations would be received at the city assessor's office on county and state taxes. Those complaints, too, were sporadic.

Allegations have been received on less than 5 per cent. of the approximately 100,000 pieces of property listed for appraisal in Rochester. City Assessor George S. Taylor is expected. He estimated between 500 and 1,000 taxpayers have appeared with complaints.

The board of assessment review met in Mr. Taylor's office today to start its consideration of allegations. Any adjustments that the board may consider are merited will be made later, personal inspection of property being necessary in most cases.

"The complaints are becoming fewer every year, as our scientific system of assessment is more universally applied," said Mr. Taylor.

RAITT DENIES EVERY CHARGE MADE BY NIER

Accusations Too General, Deposed Park Head Says in Reply—Political Factors Held Motive.

Charles B. Raitt, dismissed director of parks, today made the following reply to charges preferred by Commissioner of Public Safety George J. Nier:

"In answer to the charges contained in your notice of proposal to remove me from office as director of parks of the City of Rochester, New York, I deny each of the allegations contained in the said notice, including specifically the charge of failure and neglect to properly perform the duties and functions of the said office, the charge of destroying the morale of the employes, the charge of failure to co-operate with my superiors, the charge of insubordination and failure to carry out instructions, and I affirmatively allege that in the best of my knowledge and belief there is no truth in any of those allegations."

In the latter part of paragraph four you refer to a statement alleged to have been published by me in the public press on June 29. The statement of which you complained was made at a time subsequent to my suspension from office as director of parks, and was in answer to certain defamatory accusations previously made against me, and published in the public press of the City of Rochester.

"I also wish to enter an objection to the character of the charges made, in that they are general, and not sufficiently specific to make it possible for me to defend or to know the real grounds, if any, upon which your dismissal is to be based."

"I also wish to enter a general objection to your action in proposing to remove me, and to the notice thereof, upon the basis that it is founded solely on political reasons, and that there is in fact no real basis for removing me from office."

PETROSSI CO. GETS CLINTON PAVEMENT JOB

Company, Barred While President Was Under Indictment, Now Listed as 'Responsible Bidder.'

The John Petrossi Company, Inc., recently put back on the city's list of "responsible bidders" was today awarded the job for asphalt resurfacing of Clinton Avenue North.

The company's proposal, low among the bids, was \$39,911.30. The street will be improved from Main Street East to Central Avenue.

The Petrossi Company was denied contracts by the city while its head, John Petrossi, was under indictment for alleged bribery in connection with a city improvement job. The city has still to appeal an injunction obtained by the company against the city, on its refusal to recognize a low bid. The injunction was sustained by Supreme Court Justice Willis K. Gillette.

The Bureau of Purchase and Supply awarded also today a contract to George G. Josh for walks, grading, and stone curbs in Darrow Street from Clinton Avenue North to the west end of the street. The amount of the bid was \$1,924.15.

New steam traps are to be installed in City Hall at a cost of \$1,228. The contract has been given to Perdue & Gloeckle.

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BIG STREET PROGRAM OF CITY AT PEAK

To Put Thoroughfares in Best Condition in Their History, Is Object

MUCH ALREADY DONE

Further Step To Be Begun This Week, in Resurfacing Clinton Avenue North

By HIRAM MARKS

With the asphalt resurfacing of Clinton Avenue North, between Main Street East and Central Avenue, scheduled to be started this week, another step will be taken by the municipal administration to bring the streets of Rochester into the best condition in their history of the city.

More work has been done in improving streets in the last twenty months than in any other similar period, and the aggregate has reached such proportions that there is no comparison.

Long Discussed Projects Taken Up

The Clinton Avenue project was sponsored by Councilman William F. Durman, and the work is being expedited under the direction of City Manager Stephen B. Story and Harold W. Baker, commissioner of public works. Through the cooperation of the administrative forces of the city, under the direction of City Manager Story, and the local improvements committee of the City Council, made up of Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson, and Councilman Chester A. Peake, a number of street projects have been put forth in the last twenty months that have been the subject of discussion, without action, for several years.

Most important of these is the concrete paving of Plymouth Avenue South, between Clarissa and Barton streets. This is one of the main arteries out of the city to the south, and connects with the Great-er University of Rochester development, the Rochester Air port, Genesee Valley Park, and a large residential community. The paving of the street has been the subject of discussion and disagreement among various interests, but under the guidance of the present administration it was settled and the work is now well advanced. The resurfacing of State Street, between Main and Commercial streets, is a further step toward bringing about improvement of thoroughfares in the central portion of the city. The reconstruction of Buffalo Road, connecting with the state highway, also the improvement of Lyell Avenue and Henrietta Road, have all been accomplished, or the actual construction started, within the last twenty months. This work, having been done in response to sentiment expressed by motorists through the Automobile Club of Rochester. The

improvement of these stretches of road, on direct routes into the city, has attracted much motorist travel into the city and brought additional shoppers here, and has been de clared to be of most potent aid to the progress of the city.

Will Seek to Adjust Differences

The section of the City Plan relating to major thoroughfares which includes the study of Broad Street extension will be ready on Nov. 1, enabling the city to go forward with some of the larger projects. Councilman Milne, during the next week, will seek to reconcile differences of property owners in Lake Avenue Boulevard, between River and Stinson streets, regarding the apportionment of the cost for the concrete pavement in that stretch of the boulevard, so that the sewers can be laid this fall and the pavement early next Spring. Sentiment is unanimous in favor of the improvement, but sharp division of opinion has arisen as to the percentage that should be paid by the city at large. Councilman Milne will endeavor to iron out the difficulties so that the construction of the pavement can be started early enough next Spring so as not to handicap travel to the lake next Summer. Delay in beginning construction of the fifty-four foot pavement in that part of Lake Avenue Boulevard between Stinson Street and Beach Avenue caused this section to be closed until July 4, and with a virtually impassable detour, thousands of persons were deprived of the use of the bathing beach and lake-side park during the hot weather in June.

All Repair Records Shattered

All records for asphalt repairs have been shattered by the Department of Public Works this year. This work is done by Edward Miller, superintendent of maintenance, who was deputy to Commissioner Baker.

In the reorganization of the city manager government under specific request from City Manager Story, attention was directed by Mr. Miller to bringing the streets to the best possible state of repair. The comment coming to the administration indicates that motorists and citizens generally have warmly indorsed this move to bring the streets into satisfactory condition.

Final figures for this year have not been computed, but the record for last year, the first under Mr. Story's administration, has already been exceeded. Last year 14,000 tons of asphalt were laid at a cost of \$9.85 a ton. In 1927, a total of 12,970 tons was laid at a cost of \$11.20 a ton.

The reduction during the first year of Mr. Story's administration was \$1.35 a ton, or a total of \$18,912. This saving, it is pointed out, is all the more significant as the same asphalt plant, the same equipment and the same gang of men were used last year as in 1927.

Voting Law To Be Changed

The City Council tonight will inaugurate legislation to qualify new voters and those who have moved into Rochester since the 1925 election, for the municipal non-partisan primary on September 17.

An amendment to the municipal non-partisan election law will strike out the clause "for the last preceding election," which alone differentiates the local law from the general election law. With this clause out, all those who have been added to the register for the partisan primary or the November election will be eligible to vote. That amendment will lay on the table until September 16, when its adoption by the Council will permit all who have enrolled or registered for the partisan primaries to vote in the non-partisan primary. When the amendment has laid on the table seven days it may be voted on.

STORY SWAYED BY ATTACK ON NIER BY RAITT

City Manager Announces He Is Backing Up His Commissioner in Interest of Discipline.

This is the statement issued by City Manager Stephen B. Story in dismissing Director of Park Raitt: "The administrative organization, under the city manager form of government, provides for four major departments. At the heads of these four departments are four officers—the commissioner of public works, the commissioner of public safety, the corporation counsel and comptroller. These men each are responsible to the city manager and through him to the city council for the successful conduct of the city's business. Secondary to the four main departments are the bureaus into which the departments are subdivided. At the heads of these bureaus are directors or officers with specially designated titles. These directors are, of course, responsible to their department heads.

The Department of Public Safety is a large and important department of the city's governmental organization. Its commissioner is responsible for the Bureaus of Fire, Police, Five and Police Telegraph, Health, Charities, Weights and Measures and Parks. Its annual budget is upwards of four million dollars. Next to the Department of Public Works it is the largest budget expenditure agency in the city government.

As the head of this department the Commissioner of Public Safety has under him upwards of 1,500 employees. The position is one of no small responsibility. To conduct properly this department, as well as any of the other departments, the commissioners must exercise discipline and control. If the commissioners fail in this respect they cannot effectively administer their departments. If they are to maintain this discipline and control they must, in matters which relate to departmental administration, have the support of the City Manager. As long as they are appointed by the Manager and serve at his pleasure they must have his support while in charge of their departments.

This elementary principle must be apparent to every person who conducts a business or an industrial enterprise. The Bureau of Parks is an important part of the Department of Public Safety organization but it is not the most important bureau and its budget expenditure is but one-tenth of that of the entire department. The position of director of parks is subordinate to that of the commissioner of public safety. The latter officer has suspended and proposes to remove the director of parks.

Insultation Cited On the occasion of the Garland accident the commissioner granted a hearing which later was placed by the Commissioner in my hands. After hearing the evidence presented the director of parks was cleared by me of responsibility for the death of Mr. Garland. Mixed in with the facts of the Garland case were many matters which related to internal administration and these were carefully separated from the former. I foreclosed Mr. Nier from presenting any of them at the hearing and by my orders he made no statement of them.

In the discussion over the suspension of the director of parks I gave out an authorized newspaper statement by the director of parks attacking the commissioner. Much of this statement I know to be without foundation in fact. For the director of parks to continue on the job after attacking his superior officer, even under what appeared to be provocation, is not to my mind conducive to the maintenance of control and discipline in the whole department of public safety. A similar situation exists in the case of any organization in the business field.

Real progress, in general, has been made in the administration of the bureaus of the department of public safety. The bureaus were not so Mr. Nier would not have any confidence and some other person would be filling the position of commissioner of public safety. My experience with Mr. Nier since Jan. 1, 1928, has convinced me of his efficiency and of his loyalty. He has to be the responsible for his acts as commissioner. For the good of the service of the department of public safety in the matter of the suspension and removal of the director of parks we are my support.

Parks Head Fired; Story Can't Ignore His Attack On Nier

City Manager Approves of Ousting Raitt to Preserve Departmental Discipline—Published Statement on June 22 Apparently Decisive Factor.

Charles B. Raitt was dismissed as director of city parks this noon by George S. Nier, commissioner of public safety. In taking this action Commissioner Nier had the formal backing of City Manager Stephen B. Story, who issued a statement setting forth his reasons why Mr. Raitt in the interests of control and discipline could no longer be tolerated as head of the park bureau which was directly under the supervision of the commissioner and was a branch of the Department of Safety.

Apparently the published statement given out by Mr. Raitt following his suspension by the commissioner June 22 last, on charges growing out of the accidental death of Raymond Gartland at Ontario Beach Park, June 18, could not be overlooked by Mr. Story.

The city manager in his extended statement makes it plain that an important factor in the successful administration of the commissioners who head the four city departments and are responsible to the city manager is that of control and discipline, and that the department heads must be supported by the chief executive of the city.

Mr. Raitt, in attacking the commissioner of public safety, lost the support of Mr. Story, it appears.

In dismissing Mr. Raitt, the commissioner formally served notice of the dismissal on the municipal service board.

WEDNESDAY, SEPTEMBER 4, 1929

Raitt Dismissed

In supporting Commissioner Nier's removal of Charles B. Raitt as director of parks, City Manager Stephen B. Story says that the administrative work of the city cannot be carried on effectively unless the heads of departments can exercise discipline and control over their subordinates. He cites particularly the statement issued by Mr. Raitt at the time of his suspension, as creating a situation in which he could not hope to remain as an assistant of an official whom he had publicly and severely criticized.

There is some force in this contention. Mr. Raitt was ill advised to issue such a statement if he expected to remain as a subordinate of Mr. Nier. It will be recalled that he went beyond defense of his course in connection with the Gartland drowning and asserted that the commissioner was actuated by personal and political prejudice.

Mr. Nier's course, however, had been extremely brusque and summary, and so far as the Gartland case was concerned was not sustained by the later investigation or by public opinion.

Forced to choose between Mr. Raitt and Mr. Nier, Mr. Story has backed the responsible department head. In this he is within his legal authority as administrative head of the city government. Yet the whole case, beginning with keeping Mr. Raitt waiting about for months after he had been given reason to expect the park appointment, and ending with his dismissal without any evidence that he was unable to perform properly duties for which he appeared to be well equipped, falls short of the administrative standards to be desired under the manager form of government.

BILL IN COUNCIL AMENDS CHARTER ELECTION RULES

What Council Did Last Night

Business transacted last evening by the City Council included the following matters: Received from Vice-Mayor Adler an amendment to the election features of the City Manager Charter extending to all persons who have moved into the city, or changed their voting residence and to all persons reaching their twenty-first birthday since last election, the privilege of participating in the non-partisan primaries.

City Manager Story submitted a resolution of the City Planning Board approving the widening of Stillson Street, from Grove Street to University Avenue, from thirty-three to fifty feet.

The Business District Improvement Association submitted a resolution urging curtailment of all capital expenditures from River to Stinson Streets were introduced by Councilman Milne, who announced that he would call a conference in an effort to adjust differences of opinion as to the apportionment of the cost.

As the head of this department the Commissioner of Public Safety has under him upwards of 1,500 employees. The position is one of no small responsibility. To conduct properly this department, as well as any of the other departments, the commissioners must exercise discipline and control. If the commissioners fail in this respect they cannot effectively administer their departments. If they are to maintain this discipline and control they must, in matters which relate to departmental administration, have the support of the City Manager. As long as they are appointed by the Manager and serve at his pleasure they must have his support while in charge of their departments.

This elementary principle must be apparent to every person who conducts a business or an industrial enterprise. The Bureau of Parks is an important part of the Department of Public Safety organization but it is not the most important bureau and its budget expenditure is but one-tenth of that of the entire department. The position of director of parks is subordinate to that of the commissioner of public safety. The latter officer has suspended and proposes to remove the director of parks.

In the discussion over the suspension of the director of parks I gave out an authorized newspaper statement by the director of parks attacking the commissioner. Much of this statement I know to be without foundation in fact. For the director of parks to continue on the job after attacking his superior officer, even under what appeared to be provocation, is not to my mind conducive to the maintenance of control and discipline in the whole department of public safety. A similar situation exists in the case of any organization in the business field.

Real progress, in general, has been made in the administration of the bureaus of the department of public safety. The bureaus were not so Mr. Nier would not have any confidence and some other person would be filling the position of commissioner of public safety. My experience with Mr. Nier since Jan. 1, 1928, has convinced me of his efficiency and of his loyalty. He has to be the responsible for his acts as commissioner. For the good of the service of the department of public safety in the matter of the suspension and removal of the director of parks we are my support.

The Council had before it a communication from Harry J. Bareham, chairman of the Republican County Committee, inviting attention to the election provisions that stipulated persons who have in the last ten months passed their twenty-first birthday, and to those who have moved into the city, or from one election district to another.

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Amendment Handed in For Goodwin Seeks to Eliminate Numbers

SAID NEEDED ON VOTING MACHINES

Councilmen Handle Big Budget of New and Routine Matters

By HIRAM MARKS

The fullest possible expression of the electorate of Rochester in the non-partisan primaries on Sept. 17 will be possible as the result of an amendment to the election features of the City Manager Charter, proposed last evening to the City Council by Vice-Mayor Isaac Adler, extending the franchise to persons who have attained their majority since the last election, and to those who have moved into the city, or from one election district to another.

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This is necessary, for the back of the voting machine has no names, and the candidates' votes are indicated by the number that appears on the face of the machine. The use of numbers on the face of the machine, in conjunction with the names, is objectionable to Councilman Goodwin, who wishes to frustrate the circulation of cards advising voters to register their choice for a group of numbers, thereby the identity of the candidate himself being lost and the selection of candidates on their individual merit, rather than by support from any group in the community, being partly destroyed.

Hard to Do Without

In introducing the amendment requested by Councilman Goodwin, it was made clear by Vice-Mayor Adler that he did so as a matter of courtesy to the Councilman, who is absent from the city. The matter will be examined by the law committee to determine the practicality of the suggestion. It is difficult, it is pointed out, to determine how a count of the votes cast by each candidate could be made if the numbers were eliminated, as their presence on the back of the machine is regarded as essential to the use of the mechanical voting devices.

City Manager Story submitted a communication with reference to the sale of land at Elmwood and South avenues to Isadore S. Friedman for \$3,100 and the matter was referred by Vice-Mayor Adler to the finance committee. The property was sold at public auction and the price carries the approval of the Finance Committee, as a favorable report on the sale is anticipated.

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Would Reduce Browncroft Fare

Three petitions relating to the operation of busses in the city were filed with the Council by City Clerk Thomas E. O'Leary in behalf of the Rochester Co-ordinated Bus Lines, Inc. They were referred by Vice-Mayor Adler to the public utilities committee for consideration. One petition covers the route of the Browncroft bus lines, which is part of the East Avenue Bus Line, controlled by the New York State Railway. The railways, through its subsidiary bus company, desires permission to substitute for the fifteen-cent service on the Browncroft line, the regular bus service of the other bus line, and this is expected to be a stimulus to bus patronage in the Browncroft section of the city.

The second petition covers a route that includes Ridgeway Avenue and Mount Road Boulevard in the northwest section of the city. The installation of the service is in response to a request from Councilman Nelson A. Milne, representative of the district. The third petition provides for the use of busses for coal service in the Thurston Road section. Public hearings on the petitions will be conducted by the public utilities committee after adequate notice to interested persons is given.

Boulevard Paving Petition

Councilman Milne, chairman of the local improvement committee, presented a petition for concrete pavement and sewers in Lake Avenue Boulevard, between River and Stinson Streets with seventy-five per cent. of the cost to be assessed on the city at large, and twenty-five per cent. on the abutting property owners. The petition was referred to the local improvement committee. Councilman Milne said that within the next ten days or two weeks, after proper notice has been given to all property owners interested, he will call a meeting of all property owners in the section of Lake Avenue Boulevard under discussion, to reach agreement as to the apportionment of the cost of the improvement, which is urged by unanimous approval, the differences concerning only the apportionment of the cost.

Elmwood Avenue Hearing Called

Vice-Mayor Adler called a public hearing on the closing of a portion of Elmwood Avenue, caused by the grade crossing elimination at the entrance of Genesee Valley Park, but there were no allegations from property owners. Councilman Chester A. Peake read an adverse report of the City Planning and Zoning Committee on an ordinance changing the zone of the corner lot of Mallin, corner and against an asphalt pavement in that street. Councilman Peake filed a petition for a pavement in Maple Street.

The ordinance by Councilman Milne fixing the compensation of Frank Frey, architect, for services in conjunction with the Edgerton Branch Library, was referred to the finance committee. Councilman Milne's resolution changing from "E" residence district to "E" commercial district the lot at Maple and Colvin Street, was referred by Vice-Mayor Adler to the city planning and zoning committee. Councilman Peake's resolution authorizing City Manager Story to enter into a contract for steam to heat the City Hall, without limitation, was referred to the finance committee. Councilman Guzzetta's resolution fixing the compensation of McFarcl & Eddy for services in conjunction with the study of the city's sewage problem went to the same committee, and his resolution authorizing the substitution of bonds for insurance pending the action of the Mayor went to the law committee.

Invited to Toronto Fair

The Council received a communication from Samuel McBride, mayor of Toronto, inviting its members to be the guests of the City of Toronto at the Canadian National Exhibition, which will close in that city on September 7. Mayor McBride said that he would be pleased personally to show the councilman members the exhibit. Vice-Mayor Adler directed that public acknowledgment of the invitation be made.

BIG STREET PROGRAM OF CITY AT PEAK

To Put Thoroughfares in Best Condition in Their History, Is Object

MUCH ALREADY DONE Further Step To Be Begun This Week, in Resurfacing Clinton Avenue North

By HIRAM MARKS With the asphalt resurfacing of Clinton Avenue North, between Main Street East and Central Avenue, scheduled to be started this week, another step will be taken by the municipal administration...

Long Discussed Projects Taken Up The Clinton Avenue project was sponsored by Councilman William F. Durman, and the work is being expedited under the direction of City Manager Stephen B. Story...

Most important of these is the concrete paving of Plymouth Avenue South, between Clarissa and Barton streets. This is one of the main arteries out of the city to the south...

Improvement of these stretches of road, on direct routes into the city, has attracted much motorist travel into the city and brought additional shoppers here...

Will Seek to Adjust Differences The section of the City Plan relating to major thoroughfares which includes the study of Broad Street extension will be ready on Nov. 1, enabling the city to go forward with some of the larger projects...

All Repair Records Shattered All records for asphalt repairs have been shattered by the Department of Public Works this year. This work is done by Edward Miller, superintendent of maintenance...

In the reorganization of the city manager government under specific request from City Manager Story, attention was directed by Mr. Miller to bringing the streets to the best possible state of repair...

Final figures for this year have not been computed, but the record for last year, the first under Mr. Story's administration, has already been exceeded. Last year 14,000 tons of asphalt were laid at a cost of \$9.85 a ton. In 1927, a total of 12,970 tons was laid at a cost of \$11.20 a ton.

The reduction during the first year of Mr. Story's administration was \$1.35 a ton, or a total of \$18,912. This saving, it is pointed out, is all the more significant as the same asphalt plant, the same equipment and the same gang of men were used last year as in 1927.

Voting Law To Be Changed

The City Council tonight will inaugurate legislation to qualify new voters and those who have moved into Rochester since the 1928 election, for the municipal non-partisan primary on September 17.

An amendment to the municipal non-partisan election law will strike out the clause "for the last preceding election," which alone differentiates the local law from the general election law. With this clause out, all those who have been added to the register for the partisan primary of the November election will be eligible to vote.

This amendment will lay on the table until September 16, when its adoption by the Council will permit all who have enrolled or registered for the partisan primaries to vote in the non-partisan primary. When the amendment has laid on the table seven days it may be voted on.

STORY SWAYED BY ATTACK ON NIER BY RAITT

City Manager Announces He Is Backing Up His Commissioner in Interest of Discipline.

This is the statement issued by City Manager Stephen B. Story in dismissing Director of Park Raitt: "The administrative organization, under the city manager form of government, provides for four major departments. At the heads of these four departments are four officers—the commissioner of public works, the commissioner of public safety, the corporation counsel and comptroller. These men each are responsible to the city manager and through him to the city council for the successful conduct of the city's business...

The Department of Public Safety is a large and important department of the city's governmental organization. Its commissioner is responsible for the Bureau of Fire, Police, Fire and Police Telegraph, Health, Charities, Welfare and Menstrues and Parks. Its annual budget is upwards of four million dollars. Next to the Department of Public Works it is the largest current expense spending agency in the city government.

As the head of this department the Commissioner of Public Safety has under him upwards of 1,500 employees. The position is one of no small responsibility. To conduct properly this department as well as any of the other departments, the commissioners must exercise discipline and control. If the commissioners fail in this respect, they not effectively administer their departments. If they are to maintain discipline and control they must, in matters which relate to their departmental administration, have the support of the City Manager. As long as they are appointed by the Manager and serve at his pleasure they must have his support while in charge of their departments.

This elementary principle must be apparent to every person who conducts a business or an industrial enterprise. The Bureau of Parks is an important part of the Department of Public Safety organization but it is not the most important bureau and its budget expenditure is but one-tenth of that of the entire department. The position of director of parks is subordinate to that of the commissioner of public safety. The latter officer has suspended and proposed to remove the director of parks.

In the discussion over the suspension of the director of parks there appeared an authorized newspaper statement by the director of parks attacking the commissioner. Much of this statement I know to be without foundation in fact. For the director of parks to continue on the job after attacking his superior officer, even under what appeared to be provocation, is not in my mind conducive to the maintenance of control and discipline in the whole department of public safety. A similar situation would not be tolerated in any organization in the business field.

Real progress, in general, has been made in the administration of the bureau of the department of public safety. If this were not so Mr. Nier would not have my confidence and some other person would be filling the office of director of public safety. My experience with Mr. Nier since Jan. 1, 1928, has convinced me of his inefficiency and of his loyalty. He has to take the responsibility for his acts as commissioner. For the good of the service of the department of public safety in the matter of the suspension and removal of the director of parks he has my support.

Parks Head Fired; Story Can't Ignore His Attack On Nier

City Manager Approves of Ousting Raitt to Preserve Departmental Discipline—Published Statement on June 22 Apparently Decisive Factor.

Charles B. Raitt was dismissed as director of city parks this noon by George S. Nier, commissioner of public safety. In taking this action Commissioner Nier had the formal backing of City Manager Stephen B. Story, who issued a statement setting forth his reasons why Mr. Raitt in the interests of control and discipline could no longer be tolerated as head of the park bureau which was directly under the supervision of the commissioner and was a branch of the Department of Safety.

Apparently the published statement given out by Mr. Raitt following his suspension by the commissioner June 22 last, on charges growing out of the accidental death of Raymond Gartland at Ontario Beach Park, June 18, could not be overlooked by Mr. Story.

The city manager in his extended statement makes it plain that an important factor in the successful administration of the commissioners who head the four city departments and are responsible to the city manager is that of control and discipline, and that the department heads must be supported by the chief executive of the city.

Mr. Raitt, in attacking the commissioner of public safety, lost the support of Mr. Story, it appears. In dismissing Mr. Raitt, the commissioner formally served notice of the dismissal on the municipal service board.

WEDNESDAY, SEPTEMBER 4, 1929

Raitt Dismissed

In supporting Commissioner Nier's removal of Charles B. Raitt as director of parks, City Manager Stephen B. Story says that the administrative work of the city cannot be carried on effectively unless the heads of departments can exercise discipline and control over their subordinates. He cites particularly the statement issued by Mr. Raitt at the time of his suspension, as creating a situation in which he could not hope to remain as an assistant of an official whom he had publicly and severely criticized.

There is some force in this contention. Mr. Raitt was ill advised to issue such a statement if he expected to remain as a subordinate of Mr. Nier. It will be recalled that he went beyond defense of his course in connection with the Gartland drowning and asserted that the commissioner was actuated by personal and political prejudice.

Mr. Nier's course, however, had been extremely brusque and summary, and so far as the Gartland case was concerned was not sustained by the later investigation or by public opinion.

Forced to choose between Mr. Raitt and Mr. Nier, Mr. Story has backed the responsible department head. In this he is within his legal authority as administrative head of the city government. Yet the whole case, beginning with keeping Mr. Raitt waiting about for months after he had been given reason to expect the park appointment, and ending with his dismissal without any evidence that he was unable to perform properly duties for which he appeared to be well equipped, falls short of the administrative standards to be desired under the manager form of government.

BILL IN COUNCIL AMENDS CHARTER ELECTION RULES

Amendment Handed in For Goodwin Seeks to Eliminate Numbers

SAID NEEDED ON VOTING MACHINES Councilmen Handle Big Budget of New and Routine Matters

By HIRAM MARKS The fullest possible expression of the electorate of Rochester in the nonpartisan primaries on Sept. 17 will be possible as the result of an amendment to the election features of the City Manager Charter, proposed last evening to the City Council by Vice-Mayor Isaac Adler, extending the franchise to persons who have attained their majority since the last election, and to those who have moved into the city, or from one election district to another.

These persons, under the present interpretation of the election law, were barred from voting in the primaries.

Bareham Suggests Remedy The Council had before it a communication from Harry J. Bareham, chairman of the Republican County Committee, inviting attention to the election provisions that debarrd persons who have in the last ten months passed their twenty-first birthday, from the right to participate in the primaries, and suggesting that remedial action be taken. Vice-Mayor Adler's amendment, which was referred to the law committee, of which the Vice-Mayor is chairman, corrects the situation and will enable a complete expression from the voters a week from next Tuesday, when the nonpartisan primaries will be conducted in conjunction with the party primaries.

Vice-Mayor Adler favored the amendment, which will be acted on in time so it may become effective before the primaries, as he declared the very spirit of the City Manager Charter and the nonpartisan administration of municipal affairs is the participation in the selection of councilmen in the primaries and election by all voters of legal age, irrespective of party affiliations, or any other consideration. The controlling factor, he said, should be their residence in the community, and the amendment making it possible for hundreds of additional voters to register their preferences in the selection of the men who will guide the councilmanic functions under the new Charter is a constructive step in carrying out the scope and intent of genuine city manager government.

Goodwin Seeks to Oust Numbers At the request of Councilman Harry C. Goodwin, who, with Vice-Mayor Adler and Councilman Edward P. Flynn, makes up the law committee, the Vice-Mayor introduced an amendment to the election provisions that would eliminate any numbers from being used in connection with the arrangement of the names of candidates for councilmen at large on the voting machine.

The Object of a City Plan The Executive Committee of the Business District Improvement Association, in a communication to the City Council, calls attention to a matter that bears directly on the usefulness and value of a city plan, the preparation of which is now in the hands of experts.

Without funds the city cannot possibly finance such improvements as may be recommended in a city plan. There is available, for capital expenditures, under the margin of debt limit, about \$13,000,000. But by adopting plans for improvements piecemeal in advance of the acceptance of a city plan, those funds can be exhausted. After that, the adoption of a city plan would be merely a gesture, well meaning but of no practical value.

A carefully devised city plan embraces more than a map, or a series of maps. It also embodies a program of expenditures arranged according to the relative importance of all proposed improvements, together with a budget, looking forward to the needs of the future.

"In view of the rapidly dwindling amount of city funds available for public improvements," says the communication of the Business District Improvement Association, "we venture to emphasize the very great importance of a City Plan, a carefully developed program and a sound budget prior to authorization by the Council of further and additional capital expenditures."

A program, a budget and a city plan—has the City Council any scheme to suggest that promises to be more satisfactory, or better calculated to insure the greatest return for the money invested? If it has not, then the thing to do is to postpone additional major commitments until the city plan at least has been presented.

In the nonpartisan primaries on the paper ballots the 18 candidates are arranged in alphabetical order. Vice-Mayor Adler heading the list and Mayor Joseph C. Wilson being at the bottom. Voters mark with a cross, within the little square in front of each of the names, their preference for five of the 18. No party emblems or numbers appear on the ballot. The ten candidates receiving the highest number of votes in the primaries are arranged on the voting machine. The arrangement on the machines is by lot; and while there are no party emblems, arrangement is made for use of numbers.

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Hard to Do Without In introducing the amendment requested by Councilman Goodwin, it was made clear by Vice-Mayor Adler that he did it as a matter of courtesy to the Councilman, who is absent from the city. The matter will be examined by the law committee to determine the practicality of the suggestion. It is difficult, it is pointed out, to determine how a count of the votes will be made if the numbers could be made if the numbers were eliminated, as their presence on the back of the machine is regarded as essential to the use of the mechanical voting devices.

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The second petition covers a route that includes Ridgeway Avenue and Mount Road Boulevard in the northwest section of the city. The installation of the service is in response to a request from Councilman Nelson A. Milne, representative of the district. The third petition provides for the use of Buses for owl service in the Thurston Park section. Public hearings on the petitions will be conducted by the public utilities committee after adequate notice to interested persons is given.

Boulevard Paving Petition Councilman Milne, chairman of the local improvement committee, presented a petition for concrete pavement and sewers in Lake Avenue Boulevard, between River and Stutson Streets, with seventy-five per cent of the cost to be borne by the city.

Conkey Avenue, and it was sustained by unanimous vote of the Council. Councilman Durman introduced for Councilman Foulkes a petition for a concrete pavement in Illinois Street, also a remonstrance against the improvement of Packard Street. Councilman Milne introduced a petition for an asphalt pavement in Plover Street, also for a concrete pavement in the same street, and a remonstrance against an asphalt pavement in that street. Councilman Peske filed a petition for a pavement in Maple Street.

The ordinance by Councilman Milne fixing the compensation of Frank Frey, architect, for services in conjunction with the Edgerton Branch Library, was referred to the finance committee. Councilman Milne's resolution changing from "2d" residence district to "2d" commercial district, the lot at Maple and Colvin Streets, was referred by Vice-Mayor Adler to the city planning and zoning committee. Councilman Peake's resolution authorizing City Manager Story to enter into a contract for steam to heat the City Hall, without competition, was referred to the finance committee. Councilman Guzzetta's resolution fixing the compensation of Metcalf & Eddy for services in conjunction with the study of the city's sewage problem went to the same committee, and his resolution authorizing the substitution of bonds for insurance policies by his line operators went to the law committee.

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64 DELAY ASKED IN PURCHASE OF PINNACLE

City Plan Program, Budget Requested from Council Before It Spends Cash

The agitation that has developed for the purchase of Pinnacle Hill for park purposes did not crystallize in any official action last evening but the City Council had before it a resolution adopted by the Executive Committee of the Business District Improvement Association yesterday afternoon...

The resolution follows: In connection with possible capital expenditure by the City for the purchase of the Pinnacle and also applying to other similar capital expenditures, may we submit the following:

- City Planning—usually involves three things: A City Plan—Adequate and comprehensive. A Program—Carefully arranged according to the relative importance of all proposed improvements and the ability of certain improvements to quickly pay for themselves and thus, a little later to finance other improvements. A Budget—Usually covering a period of time such as 10 or 20 years.

Mr. Raitt Dismissed Dismissal of Charles B. Raitt as director of city parks by Commissioner of Public Safety Nier has been sustained by City Manager Story who had previously exonerated Mr. Raitt for responsibility for the drowning of a youth at Ontario Beach Park.

Mr. Story concludes his statement by saying: "My experience with Mr. Nier since Jan. 1, 1928, has convinced me of his efficiency and of his loyalty. He has to take the responsibility for his acts as commissioner. For the good of the service of the Department of Public Safety in the matter of the suspension and removal of the Director of Parks he has my support."

The City Manager did not sustain Mr. Nier in his first effort to remove Mr. Raitt, but does sustain the later charges of insubordination and failure to co-operate with his superiors. Apparently Mr. Raitt was in the right in one instance and in the wrong in the other. Mr. Story presumably acted according to his best judgment on both occasions.

But this unfortunate controversy should not be permitted to obscure the fact that the parks for years have been one of the city's greatest assets, or the further fact that the administration of the Park Department has been rated in importance accordingly. Mr. Story spent months looking for a park commissioner who in his judgment would measure up to the requirements of the position. He had a free hand in making a decision. His choice finally fell on Mr. Raitt. It is apparent now that the choice was not a happy one, whether because of conditions which the appointee could not overcome or because he did not measure up to expectations.

The result is the same in either event. The Park Department is again without a head. Events of the past few months cannot have improved the standard of efficiency in the department. It will take time to recover lost ground. Citizens expect Mr. Story to keep these things in mind in selecting a successor to Mr. Raitt, taking into consideration the importance of naming a commissioner who can work in harmony with his superiors and also one who can maintain the former standard of the park administration and inaugurate improvements where improvement is possible. Furthermore, when Mr. Story finds such a man it will be his duty to see that this man has the support and backing of the City Manager in the performance of the duties connected with the office.

\$40,000 In Street Paving Work Given To One Contractor

City Gives Three Jobs to Roach-Thompson Corporation, For Paving of Carling and Drexmore Roads and Craig Street —Buys Shoes For Poor.

Three city street contracts, totalling in cost nearly \$40,000, were today awarded to a single contracting firm. The successful company, out of six bidders on each job, was the Roach-Thompson Corporation.

The Bureau of Purchase and Supply also today awarded contract for shoes and rubbers to be distributed to the poor through the Department of Charities. The contract went to King's Shoe Store. Though no total figure was available, the department's estimate had been \$15,000.

Cast iron pipe and special castings for the water division of the Department of Public Works will cost the city \$13,492.50. Contract at that figure was given this morning to the U. S. Pipe & Foundry Company.

River Site And Flood Protection

Plans for flood protection and of sites for location of public buildings over the Genesee River, between Court and Main streets, have been developed by the Department of Public Works, with advice of John R. Freeman, hydraulic engineering expert of wide experience.

Perfect flood protection against any possible high water conditions is a difficult and expensive matter. Yet it is generally conceded that, even if no more buildings are placed over the river, better protection than we now have is required. In all probability the course finally adopted will be a compromise between the extreme protective measures and the present situation.

The sites designated between Court and Broad and Broad and Main provide three areas for public buildings, totalling nearly 275,000 square feet. This will be ample for three large buildings and their approaches. A good-sized office building can be placed on a plot 100 by 200 feet, or 20,000 square feet. It is a large building, indeed, which occupies more than 40,000 feet of ground space.

This work of studying the river site has been an essential preliminary to proper consideration in the City Plan of the proposals for a Civic Center at that point. It should give the necessary engineering groundwork for dealing with the matter having such wide civic significance.

COUNCIL WILL SPEED VOTE ON PRIMARY BILL

May Have Adjourned Meeting Thursday To Act on Amendment to Nonpartisan Law.

The City Council will race the calendar in an effort to give new voters the right to vote in the non-partisan primary election Sept. 17.

The ordinary process of the Council will be speeded up, if a recommendation of Vice-Mayor Isaac Adler, chairman of the law committee, is accepted tonight.

Mr. Adler intends to ask the Council to adjourn, when its business is finished tonight, to next Thursday, probably at noon, for a public hearing on an amendment to the non-partisan election law and for final action on it.

The vice-mayor recently introduced in the Council a measure to remove limitations on eligibility to vote in primary elections. Present provisions leave persons who have become eligible to vote since the last election out of the picture so far as non-partisan primary is concerned.

The law committee was called into session at noon today by its chairman to discuss what its recommendation would be to the Council on the Adler ordinance. It was expected the committee would concur with Mr. Adler's opinion.

Councilman Harry C. Goodman was back in the city today and said he would attend the Council meeting tonight.

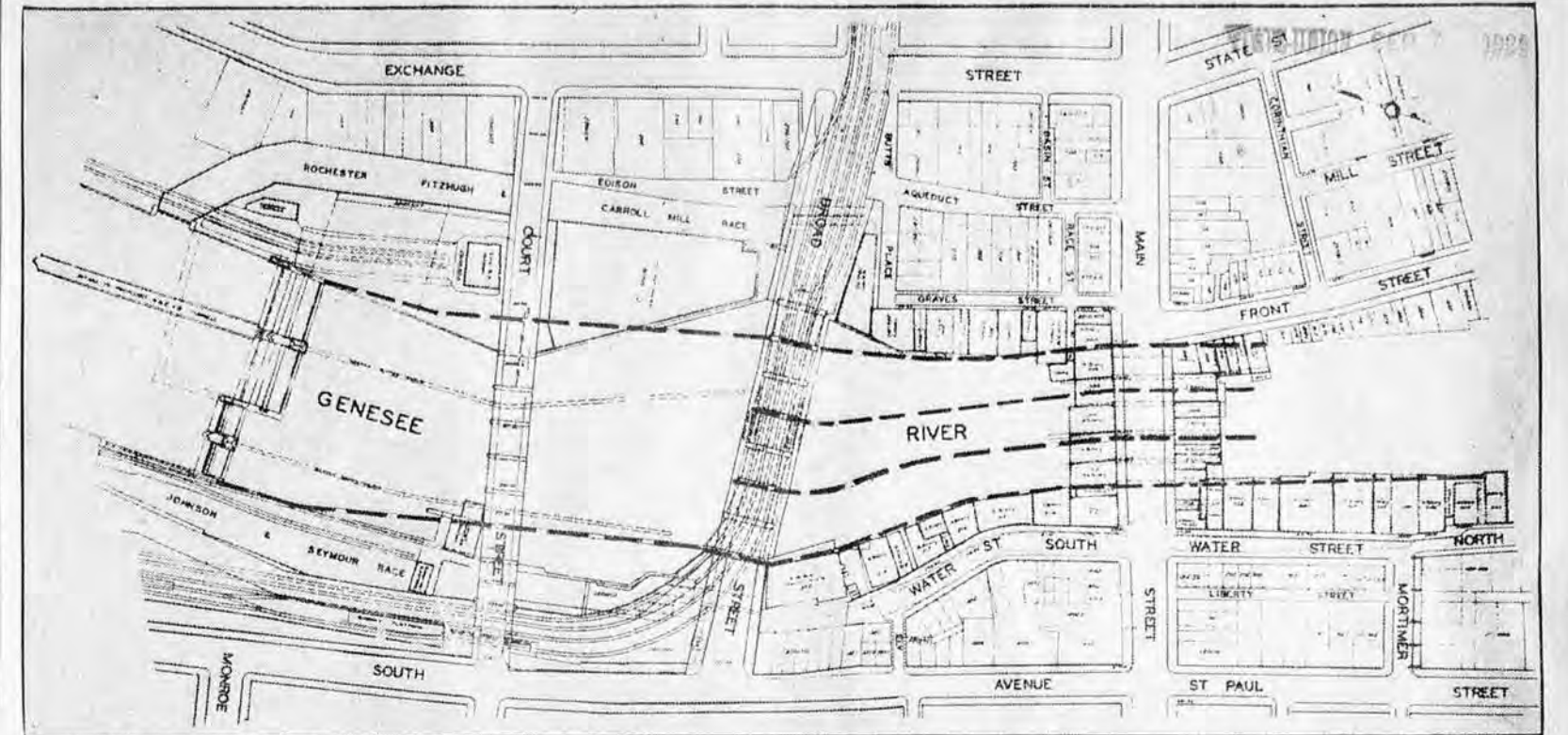
Though no action is scheduled on his proposition to eliminate numbers from the faces of voting machines, and though there is no rush to get this ordinance through, as it would not apply until the fall election, there was a good prospect of some "fireworks" on the question.

Councilman Goodwin and Election Commissioner H. A. den Nichols are at loggerheads on the proposal, Mr. Nichols contending it would be highly expensive and would create confusion for the election inspectors to abn the numbers. It was pretty well assured today Mr. Goodwin would have something to say about it, if an opening occurs tonight.

Aside from this possibility, the Council apparently faces a meeting to act, confined to matters.

Plan Providing 3 Areas For Civic Center

Proposed Flood Protection Plan For Rochester



If Harland Bartholomew, city planner, advocates placing the civic center over the Genesee River, this plan will be used to forefend any possible future flood danger. The diagram shows proposed foundation walls in the river, to support the supra-structure. This plan is approved by John R. Freeman of Providence, R. I., consulting hydraulic engineer whom the city retained.

Baker Submits Danger From Flood Cut To Minimum In Tentative Proposal

Department of Public Work Prepares Plan For Building Across Genesee—For Use Only if Bartholomew Recommends Civic Center Above River.

Three areas for civic center buildings, totalling nearly 275,000 square feet, would be available under plans which the Department of Public Works has drawn up.

With advice of John R. Freeman, hydraulic engineering expert of Providence, R. I., the department has prepared a plan which would permit of building across the Genesee River with a minimum of flood danger.

This map, according to Harold W. Baker, commissioner of public works, and Edwin A. Fisher, consulting city engineer, will be submitted to Harland Bartholomew and his associates, who are working on Rochester's city plan.

"It is for use only if Mr. Bartholomew recommends a civic center on the Genesee River site," Mr. Baker emphasized. "It does not mean the city is recommending that location, or that the city plan will be confined to it."

Mr. Bartholomew and his staff have agreed to submit their report on a civic center plan by Dec. 1. Their first report, on a major street plan, will be made on Nov. 1.

The accompanying illustration shows the proposed location of foundations for any buildings that might be constructed over the river. Based on an accurate survey of the river from the Large Canal and the upper falls northward, it shows where foundations may be located so as not to accentuate flood menace, and so as not to interfere with additional flood protection work in the Genesee.

The plans approved by Mr. Freeman would provide an area on the east side of the river, bounded by Court Street and South Avenue, of about 6,000 square feet; one on the west side, bounded by Broad, Court and Edison streets (involving the closing of the old mill race) of about 104,000 square feet; and the suggested site over the river.

Council Sets Next Monday for Assessment Hearing

Upon the resolution of Councilman Edward P. Flynn, the City Council fixed next Monday evening as the date for a public hearing on the confirmation of the 1930 assessment rolls. All property owners wishing to allegiate on their assessment will have their last opportunity there.

The Council upon the resolution of Councilman Milne, approved the price of \$8,000 offered by Samuel R. Parry for the abandoned water works property in Mill Street, which adjoins property owned by Mr. Parry.

New Subway Stations Asked Councilman Peske introduced a resolution requesting City Manager Story to prepare ordinances for construction of subway stations at Alexander Street and at Jay or Smith Streets, and a resolution requesting Charles R. Barnes, commissioner of railroads, to provide subway stops at these streets. Both resolutions were referred to the Public Utilities Committee.

The Council adopted an ordinance by Councilman Flynn providing for the acquisition of a parcel of land in Livonia. In response to an inquiry by Councilman Goodwin, it was explained by City Manager Story that the city has a 60-day option for \$1,500 on one of the last three parcels of property necessary to protect the watershed of Hemlock Lake, a source of water supply for the city.

An ordinance by Councilman Flynn authorizing City Manager Story to have surface repairs at Broad and Oak Streets made without competitive bidding went to the Finance Committee.

Goodwin Asks Pension Equalization Upon the favorable report of the Law Committee, the Council passed an ordinance authorizing the substitution of bonds for insurance policies on bus lines. Councilman Goodwin requested City Manager Story to have prepared and ready for introduction next Monday evening an ordinance providing for the equalization of pensions of the older members of the police force.

Councilman Peske filed a petition for a macadam pavement in Wall Street. A resolution by Councilman Durman providing for the closing of a portion of Northland Avenue was adopted. Councilman Durman's resolution authorizing George J. Nier, commissioner of public safety, to pay physicians' and hospital bills of police and firemen injured while on duty was affirmed. City Manager Story abolished two positions in the Department of Public Works and created two others with an adjustment in salaries resulting in a saving of \$120 a year to the city.

BILL ON NEW VOTERS COMES UP THURSDAY

Council Will Then Pass on Proposal To Extend Primary Franchise

Upon motion of Councilman Louis S. Foulkes the City Council adjourned last evening to noon Thursday, when it will take action on a local law introduced by Vice-Mayor Isaac Adler extending to new voters and voters who have moved into Rochester within the year, the right to participate in the nonpartisan primary election next Tuesday.

This amendment to the election features of the City Charter was suggested to the Council on Aug. 16 by Harry J. Egan, chairman of the Monroe County Republican Committee.

The Council by unanimous action adopted a resolution directing City Clerk Thomas P. O'Leary to advertise the hearing relating to the correction of the register for the primary election. No mention was made of another local law relating to the amendment sought by Councilman Goodwin to remove the numbers from the faces of voting machines, and it is not believed any action will be taken on it.

Councilman Goodwin said that the "original Charter provision was made to take care of the new voters, but in the hauling and pulling of the law to suit H. A. den Nichols, commissioner of elections, the provisions were eliminated in the rewriting and he is equally chargeable with the Council for their omission."

CITY COUNCIL VOTES PINNACLE HILL PARK PLAN; CUMBERLAND EXTENSION UP

Ordinance by Durnan Proposes Franklin to Clinton Lane

PRICE FOR LAND IS AGREED UPON \$250,000 Set by City and Owners; Other Improvements On

An ordinance for the extension of Cumberland Street from Clinton Avenue North to Franklin Street was introduced in the City Council last evening by Councilman William F. Durnan and was referred by Vice-Mayor Isaac Adler to the Local Improvements Committee for consideration.

Agreement has been reached between the city and a group of property owners for the necessary land. Participating in the negotiations were City Manager Stephen B. Story, Councilman Durnan and Warren W. Allen, assistant to City Purchasing Agent Wendal T. Andrews.

The extension of the street is sought as a means of relieving traffic congestion in Andrews and Franklin streets and it will make a direct connection from Central Avenue and Franklin Street through Cumberland Street to University Avenue.

The work of resurfacing Clinton Avenue North from Main Street East to Central Avenue will be started in a day or two and Councilman Durnan said that this improvement, together with the extension of Cumberland Street, will be of much advantage in developing the business section reached by these streets and in accordance with the program of the Business District Improvement Association.

The negotiations leading to the agreement on the extension of Cumberland Street have taken weeks, Councilman Durnan said, and the committee said that much assistance has been given to it by City Manager Story. With favorable action by the City Council, it is expected that the extension of the street will be completed early next Spring.

What Council Did Last Night

The City Council last night adopted an adverse report of the finance committee relating to the acquisition of Pinnacle Hill for park purposes.

Received an ordinance from Councilman William F. Durnan for the extension of Cumberland Street to relieve traffic congestion; also ordinances for additional lighting in State and Exchange Streets and for the widening of Stillson Street, from Grove Street to University Avenue; all referred to the local improvement committee.

Received from Councilman Joseph L. Guzzetta a local law to change the dates for collection of taxes from Jan. 1 and July 1 to April 1 and Oct. 1; referred to the law committee.

Adjourning to noon Thursday, to take action on a local law extending the privilege of voting in the nonpartisan primaries to new voters and voters who have moved into the city within the last year.

Received from Councilman Harry C. Goodwin request for the preparation of an ordinance by City Manager Story equalizing the pensions of the older members of the police force, who retired on half pay when salaries were much lower than at present.

BILL IN COUNCIL TO SHIFT DATES OF TAX LEVIES

Presented by Guzzetta, Who Argued Present System Is Hardship on Taxpayers

A local law providing for the collection of taxes on April 1 and Oct. 1, instead of Jan. 1 and July 1, as provided at present in the Charter, was introduced in the City Council last evening by Councilman Joseph L. Guzzetta.

In supporting the local law, Councilman Guzzetta read a prepared statement outlining some of the reasons why he favored the proposal and offering to answer questions regarding the inquiry he made into the subject. He was questioned by Councilman Goodwin and Vice-Mayor Adler about some of the figures he used in his statement.

City Saves by Present System Under the previous system the taxes were not collected until May 1; and, as the city's normal expense is about \$1,500,000 a month to the city in interest charges, and Vice-Mayor Adler pointed out that a thorough investigation would be made by the law committee.

Dr. Guzzetta's Statement The statement by Councilman Guzzetta in support of the local law follows:

Last Spring in this Council I suggested that an ordinance be drawn altering the present city tax collection dates. I had at that time what I felt were sound reasons for demanding a change.

It appears that the larger portion of the bill, with the exception of the land of St. Patrick's Cemetery and the northern part of the Heckman property, is within the town of Brighton. The property is owned as follows:

First: Harper Sibley, 12 acres. Second: Maud G. Heckman and others, 7 acres. Third: St. Patrick's Cemetery Association, 27 acres.

CITY FINANCE REVIEWED BY COUNCILMAN

Edward F. Flynn Explains Economics Effect of Manager Government

SAYS NOT LIKE OLD DAYS Back With Bareham, or On With Progress? He Asks Radio Hearers

Achievements under the twenty months of city manager administration were discussed by Councilman Edward F. Flynn in a radio address broadcast last evening by Station WHAM.

Mr. Flynn, a candidate for re-nomination with the endorsement of the City Manager League, outlined a number of results that have been obtained by the city manager administration, and on this record based his request for support for the state endorsed by the League.

Discusses City Finances Councilman Flynn is a member of the law and finance committees of the City Council, two of the most important arms of the councilmanic body, and has had a close contact with the affairs of municipal government.

Results attained in other branches of municipal activity including improvement of streets and administration of the Police and Fire bureaus, were touched on by Councilman Flynn.

Finance Committee Report The report of the finance committee follows: Your finance committee, to which was referred a resolution to request the city manager to have prepared an ordinance for the purchase of properties on Pinnacle Hill, respectfully reports that through the deputy city manager, who in charge of the location and purchase price of the lands involved.

Your committee believes that the debt would be reduced at this time in spending so large a sum, or even a considerable part thereof, for the purchase of these properties. No one can question the desirability of securing them for the city. In view, however, of the city plan which is now in course of preparation and the large expenditure which the development of that plan will undoubtedly necessitate, we are convinced that the purchase of the Pinnacle Hill at this time would not be justified.

In this connection, we wish to recognize the co-operation offered by the Monroe County Park Commission and if the time comes when the city can see its way clear to purchase and preserve these hills, we shall cordially welcome any assistance the Monroe County Park Commission may be able to give us.

our increasing expenses. We had to meet the current expense burden of \$2,918,000 left us by the outgoing administration. We had the benefit of a 30 per cent. increase in assessments, and fixed a tax rate of \$25.79. We finished the year with nearly a half million surplus which we applied to current expense debt reduction.

But, turning from these two financial points, we find real progress made in many lines. "Do you remember how long Lewiston Avenue needed paving? Mt. Hope Avenue? Plymouth Avenue? Buffalo Road? These entrances to the city are now already paved in course of construction.

Insurance Rates Going Down "Do you realize that there has been established a fire prevention division in the Fire Bureau which will greatly eliminate the risk to buildings and their occupants from bad conditions which would be hard to get easily started?"

"Do you know that in 1927, 1,873 automobiles were stolen, and in 1928 only 865 were taken, and in 1929 this proportionate reduction is continuing?"

"The buying minutes prevent my enlarging this list. I must, however, call your attention to the fact that insurance rates on all kinds are going down in Rochester. This is proof positive that what I have related has begun to show its effect."

Finished Year With Surplus "And, in the face of all of this, we finished the year with a \$911,000 surplus, which was applied, as I have said before, to the reduction of current expense debt. Since 1919, we have beaten the devil about the bush and legally evaded the constitutional limit, in two short years of the city manager administration we have reduced the debt two million dollars.

"Without boring you with endless figures about debt, let me say to you that in 1927, under the Republican machine control, the city's debt increased \$5,269,100. In 1928, it increased \$2,165,810. This amount is only 41 per cent. of that of the last administration.

"I don't think the people want to lose the ground they have gained. They can retain the effective service of a group of hard-working and honest city officers by voting for Adler, Goodwin, Stanton, Wilson, and Flynn in the nonpartisan primary on Sept. 17 and then electing them to the Council on Election Day.

"Thank you."

Higgins Disallows \$1,200 Charge For Convention Report

Four Declare Themselves Victims of Publishing Concern Seeking to Collect Exorbitant Fees—University of Buffalo Also Fighting Claims.

Bills totalling about \$1,200 against the City of Rochester, through four of its officials, have been protested and will not be paid, according to Comptroller Clarence E. Higgins.

The comptroller is one of the victims of what he terms a "hold-up" scheme, whereby a publishing concern seeks to collect exorbitant fees from officials who desired printed reports of the Institute of Municipal Affairs which they attended in Buffalo last July.

The University of Buffalo, which sponsored the institute, is investigating the scheme, and Mr. Higgins said he would hold the university responsible for payment of the bills if they should be held valid.

The company apparently contends the cards some of the visitors signed were agreements to pay for the record at the rate of 35 cents a page.

Engineering activities covered included: enlargement of the Brighton sewage disposal plant, construction of the University district disposal plant, data on sewage disposal at the Charlotte plant and the main plant, statistics on water supply, growth of the Rochester street lighting system, telephone subways, street improvements, sewer construction, sidewalk construction, paving by street railway company.

"We take pleasure in acknowledging the uniformly kind and courteous treatment, valuable aid and counsel received from the Mayor and from our associates in the Board of Estimate and Apportionment and the Board of Contract and Supply, and from all officers and employees of the Department of Public Works and various other departments of the city government; also the earnest and efficient services of assistants in this department."

As it is too late to make any further changes effective for the coming primary, your committee recommends the adoption of the amendment.

NEW VOTERS LAW PASSED BY COUNCIL

Permits Those Come of Age Since Last Election To Vote in Primaries

TO CORRECT REGISTRY Provides That Persons Who Have Changed Residence Will Not Lose Ballot

At a special meeting of the City Council yesterday noon, unanimous approval was given to a local law introduced by Vice-Mayor Isaac Adler, extending the right to participate in the primaries next Tuesday to voters who have become of age since last election, and also to correct the registry list with reference to voters who have changed their residence since then.

Correction of the registry was along lines suggested in a letter to the City Council on Aug. 16 by Harry J. Bareham, chairman of the Monroe County Republican Committee.

The law committee, made up of Vice-Mayor Adler, chairman, and Councilmen Edward P. Flynn and Harry C. Goodwin, considered the matter, and a favorable report was submitted at yesterday's special session, which was called on motion of Councilman Louis S. Foulkes.

First: Under the Charter as originally drawn and as passed by the Council February 28, 1925, and under the Election Law then applicable, provision was made for the addition of such names to the register by the board of inspectors for each election district at a meeting to be held the second Saturday before the primary.

Second: Early in 1929, the commissioner of elections objected to this procedure on account of the expense involved, and an amendment was prepared by the Corporation Council and adopted June 10, 1929, which gave the commissioner of elections, in place of the board of inspectors, the power to correct the registry list, but the change made in the Election Law at that time left no provision for the addition of the names of certain classes of new voters.

Third: This omission the amendment now before the Council seeks to correct, by permitting the commissioner of elections to add to the register the names of new voters who enrolled between Feb. 1 and the thirtieth day preceding the primary.

In the opinion of your committee, the amendment is not quite as broad as it should be, as all persons who have become entitled to vote since the last election, whether enrolled with a party or not, should be added to the register.

RECORD OF ERIE CANAL WORK IS MADE BY POOLE

Process of Conversion of Old Canal Bed to Broad Street Preserved for Future Generations.

A permanent pictorial record of the process by which Rochester converted the obsolete Erie Canal bed into a subway is now preserved for future generations in municipal archives.

After long delay, due partly to lack of funds, the Department of Engineering has at last issued its "seven-year report" covering the period of subway and Broad Street construction.

The outstanding feature of the reports is a detailed review of the steps of subway construction, and a choice collection of photographs depicting the process from beginning to end.

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Summing up his report, Mr. Poole said: "We take pleasure in acknowledging the uniformly kind and courteous treatment, valuable aid and counsel received from the Mayor and from our associates in the Board of Estimate and Apportionment and the Board of Contract and Supply, and from all officers and employees of the Department of Public Works and various other departments of the city government; also the earnest and efficient services of assistants in this department."

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Ordinance by Durnan Proposes Franklin to Clinton Lane PRICE FOR LAND IS AGREED UPON \$250,000 Set by City and Owners; Other Improvements On

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Agreement has been reached between the city and a group of property owners for the necessary land. Participating in the negotiations were City Manager Stephen B. Story, Councilman Durnan and Warren W. Allen, assistant to City Purchasing Agent Wendal T. Andrews.

The extension of the street is sought as a means of relieving traffic congestion in Andrews and Franklin streets and it will make a direct connection from Central Avenue and Franklin Street through Cumberland Street to University Avenue.

The work of resurfacing Clinton Avenue North from Main Street East to Central Avenue will be started in a day or two and Councilman Durnan said that this improvement, together with the extension of Cumberland Street, will be of much advantage in developing the business section reached by these streets and in accordance with the program of the Business District Improvement Association.

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Sought as Traffic Relief

The extension of the street is sought as a means of relieving traffic congestion in Andrews and Franklin streets and it will make a direct connection from Central Avenue and Franklin Street through Cumberland Street to University Avenue.

Councilman Louis S. Foulkes introduced an ordinance for the asphalt pavement widening and walks in Stillson Street, from Grove Street to University Avenue. It is proposed to widen the street from 23 to 30 feet.

Councilman Durnan introduced an ordinance for concrete pavement and walks in Judge Place. Councilman Milne introduced an ordinance for asphalt pavements in Caliban Park and Dove Street.

BILL IN COUNCIL TO SHIFT DATES OF TAX LEVIES

Presented by Guzzetta, Who Argued Down

Because of the large expenditure that would be necessary to acquire Pinnacle Hill for park purposes, the finance committee of the City Council, in a report submitted last evening by Vice-Mayor Isaac Adler and Councilman Edward P. Flynn, recommended that nothing be done at this time regarding acquisition of the property.

Goodwin Withdraws Motion

The report of the committee shows that the St. Patrick's Cemetery Association asked \$1,000,000 for twenty-seven acres; Maud G. Heckman and others, \$60,000 for seven acres, and no price was quoted for the twelve acres owned by Harper Sibley, as he is out of the city.

Councilman Guzzetta contended that the payment of taxes on January 1 was a hard burden on property owners. Councilman Goodwin asked, through Vice-Mayor Adler, some questions regarding the county tax payments, due on January 1, and Mr. Adler smilingly said that the county treasurer, Harry J. Bareham, "is not here to answer."

Councilman Goodwin questioned the acquisition of the Pinnacle Hill park because it had been received about the new method of paying taxes, which, it is contended, saves approximately \$50,000 a year to the city in interest charges, and Vice-Mayor Adler pointed out that a thorough investigation would be made by the law committee of the local law proposed by Councilman Guzzetta.

Dr. Guzzetta's Statement

The statement by Councilman Guzzetta in support of the local law follows:

Last Spring in this Council I suggested that an ordinance be drawn altering the present city tax collection dates. I had at that time what I felt were sound reasons for demanding a change. Since then I have made further study of the matter, and I believe that the people of this city there should be no further delay. I am introducing an ordinance which provides for the shifting of the collection dates from January 1 and July 1, to April 1 and October 1, respectively.

When this matter was brought up before I was urged to delay matters so that the city administration might have the benefit of further experience respecting the operation of the collection system I do not know whether the administration has yet had sufficient experience, but I do know that the public has, and that this method of collecting taxes is now being applied to nearly every side. To the average taxpayer every winter payment brings a bill of \$1,000,000. No figure has been obtained from Mr. Sibley, as he is out of the city.

Your committee believes that the city would not be justified at this time in spending so large a sum, or even a considerable part thereof, for the purchase of these properties, which are now in course of preparation and the large expenditure which the development of that plan which is undoubtedly necessary, we are convinced that the purchase of the Pinnacle Hill at this time would not be justified.

Unanimously Adopts Adverse Report of Finance Group

GOODWIN BLANKS HIS RESOLUTION Project Desirable but Cost Is Too High Just Now, Committee Says

By HIRAM MARKS

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Mr. Flynn, a candidate for re-nomination with the endorsement of the City Manager League, outlined a number of results that have been obtained by the city manager administration, and on this record based his request for support for the slate endorsed by the League.

Discusses City Finances

Councilman Flynn is a member of the law and finance committees of the City Council, two of the most important arms of the councilmanic body, and has had a close contact with the affairs of municipal government. He discussed the city's finances, pointing out that the city manager government added \$845,500 to the general indebtedness of the city in 1925, while in 1927, the last year under the former Charter, \$3,423,000 was added. In other words, he asserted, the city manager government in its first year curbed its additions to the general city debt to an amount "equalling only one-quarter the spending of the last republican machine administration year."

Results attained in other branches of municipal activity including improvement of streets and administration of the Police and Fire bureaus, were touched on by Councilman Flynn.

"A determined effort is being made by the Republican organization under Mr. Bareham's instructions to lead the attention of the voters of the City of Rochester away from a consideration of their best interests and to fix it upon some things which really are of no serious importance in the conduct of the city's affairs," Mr. Flynn said.

"Without having you with me, I would not have been able to do this. This is proof positive that what I have related has begun to show its effect."

Finished Year With Surplus

"And, in the face of all of this, we finished the year with a \$491,000 surplus, which was applied, as I have said before, to the reduction of current expense debt. Since 1919, we have beaten the devil about the bush and legally evaded the constitutional limit; in two short years of the city manager administration we have reduced the debt two million dollars. And the Republican organization, through its spokesman Mr. Bareham, is asking you to throw it all overboard and go back to the good old days under the safe and sane administration of the group of Republicans he represents. Aye—back to the good old days when patronage in the shape of jobs, purchase orders, open market contracts, charity orders for what have you were easy to be had, debt to an amount equalling only one-quarter the spending of the last Republican machine administration year. The city manager government could make its additions to general debt four times as great and then just equal the increase of its predecessor. This ought to dispose effectively of any argument concerning the wanton extravagance of the city manager administration. All of these figures are a matter of public record, and can easily be verified by anyone who takes the trouble to

our increasing current expense burden of \$2,918,000 left us by the outgoing administration; we had the benefit of a 20 per cent. increase in assessments, and fixed a tax rate of \$25.79. We finished the year with nearly a half million surplus which we applied to current expense debt reduction. 1929 saw a \$25.74 tax rate and assessments to the same level as 1928; and yet, our opponents have the temerity to cry out about mounting tax bills. 1929 is the first year the tax bill has ever remained stationary, and if you doubt my word on this, get out your tax bill and check up.

Cites Progress Made

"But, turning from these two financial points, we find real progress made in many lines. Do you remember how long Lewiston Avenue needed paving? Mt Hope Avenue? Plymouth Avenue? Buffalo Road? These entrances to the city are now already paved, or in course of construction. Do you ever recall the sewage which has flowed into the Genesee River near Maplewood Park ever since that section of the city gave up the old cesspools? Construction work is now under contract to take this stench and filth out of the river, and the problem is being solved by the city manager administration. The old government had plans drawn for several years for a sewage plant right in Maplewood Park, but never stirred itself to carry the plans out.

Insurance Rates Going Down

"Do you realize that there has been established a fire prevention division in the Fire Bureau which will greatly eliminate the risk to buildings and their occupants? The fire conditions which would help fires to get easily started? That this Fire Prevention Bureau is each day making it more difficult for the incendiary to practice the fine art of setting fires because the probability of being caught in the act is growing each day?"

"Do you know that in 1927, 1,875 automobiles were stolen, and in 1928 only 865 were taken, and in 1929 this phenomenal reduction is continuing? Do you know that in 1927, 2,874 automobile tags were issued, and in 1928 the number grew to 28,777? That the fines and forfeitures paid in to the city treasury show an 84 per cent. increase?"

"The hurrying minutes prevent my enlarging this list. I must, however, call your attention to the fact that the things which really are accomplishments, which really are achievements, which really are figures about which I have related have begun to show its effect."

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After long delay, due partly to lack of funds, the Department of Engineering has at last issued its "seven-year report" covering the period of subway and Broad Street construction.

The reports, compiled into a single volume by C. Arthur Poole, formerly city engineer, now consulting engineer in the Bureau of Design and Construction, cover the years from 1921 to 1927. The 1928 report has yet to be printed.

The outstanding feature of the reports is a detailed review of the steps of subway construction, and a choice collection of photographs depicting the process from beginning to end. Pictures of the abandoned canal bed, which no longer cuts across the heart of Rochester will one day prove historic, no doubt.

Other important projects which transpired during the seven-year period and are summed up in the reports include sewage disposal plants, widespread street improvements and the municipal testing laboratory.

Engineering activities covered include: enlargement of the Brighton sewage disposal plant, construction of the University district disposal plant, data on sewage disposal at the Charlotte plant and the main plant, statistics on water supply, growth of the Rochester street lighting system, telephone subways, street improvements, sewer construction, sidewalk construction, paving by street railway company.

Summing up his report, Mr. Poole said: "We take pleasure in acknowledging the uniformly kind and courteous treatment, valuable aid and counsel received from the Mayor and from our associates in the Board of Estimate and Apportionment and the Board of Contract and Supply, and from all officers and employees of the Department of Public Works and various other departments of the city government; also the earnest and efficient services of assistants in this department."

NEW VOTERS LAW PASSED BY COUNCIL

Permits Those Come of Age Since Last Election To Vote in Primaries

TO CORRECT REGISTRY

Provides That Persons Who Have Changed Residence Will Not Lose Ballot

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Correction of the registry was along lines suggested in a letter to the City Council on Aug. 15 by Harry J. Bareham, chairman of the Monroe County Republican Committee.

The law committee, made up of Vice-Mayor Adler, chairman, and Councilmen Edward P. Flynn and Harry C. Goodwin, considered the matter, and a favorable report was submitted at yesterday's special session, which was called on motion of Councilman Louis S. Foulkes. All of the councilmen, with the exception of Mayor Wilson and Councilman Goodwin, were in attendance.

Law Committee Report

The report of the law committee which recommended the favorable action on the local law with reference to the change in the election provisions of his City Manager Charter, follows:

Your law committee, to which was referred a local law to amend the Charter so as to permit voting at the primary by persons who were not on the registration list at the last preceding election, but who since then have become entitled to vote, begs leave to report as follows:

First: Under the Charter as originally drawn and as passed by the Council February 28, 1923, and under the Election Law then applicable, provision was made for the addition of such names to the register by the board of inspectors for each election district at a meeting to be held the second Saturday before the primary.

Second: Early in 1929, the commissioner of elections objected to this procedure on account of the expense involved, and an amendment was prepared by the Corporation Council and adopted June 10, 1929, which gave the commissioner of elections, in place of the board of inspectors, the power to correct the registry list, but the changes made in the Election Law at that time left no provision for the addition of the names of certain classes of new voters.

Third: This omission the amendment now before the Council seeks to correct, by permitting the commissioner of elections to add to the register the names of new voters who enrolled between Feb. 1 and the thirtieth day preceding the primary, the existing list of voters, and the amendment is not quite as broad as it should be, as all persons who have become entitled to vote since the last election, whether enrolled with a party or not, should be added to the registry.

Historic Scrapbooks Collection

CITY COUNCIL VOTES DOWN PINNACLE HILL PARK PLAN; CUMBERLAND EXTENSION UP

Ordinance by Durnan Proposes Franklin to Clinton Lane

PRICE FOR LAND IS AGREED UPON \$250,000 Set by City and Owners; Other Improvements On

An ordinance for the extension of Cumberland Street from Clinton Avenue North to Franklin Street was introduced by Councilman William F. Durnan...

Agreement has been reached between the city and a group of property owners for the necessary land. Participating in the negotiations were City Manager Stephen B. Story, Councilman Durnan and Warren W. Allen...

Sought as Traffic Relief The extension of the street is sought as a means of relieving traffic congestion in Andrews and Franklin streets...

The work of resurfacing Clinton Avenue North from Main Street East to Central Avenue will be started in a day or two...

The negotiations leading to the agreement on the extension of Cumberland Street have taken weeks, Councilman Durnan said, and the committee said that much assistance has been given to it by City Manager Story...

The extension of the street will be completed early next Spring. The largest parcel of land necessary is owned by the Salem Evangelical Church.

What Council Did Last Night

The City Council last night adopted an adverse report of the finance committee relating to the acquisition of Pinnacle Hill for park purposes.

Received an ordinance from Councilman William F. Durnan for the extension of Cumberland Street to relieve traffic congestion; also ordinances for additional lighting in State and Exchange Streets...

Received from Councilman Joseph L. Guzzetta a local law to change the dates for collection of taxes from Jan. 1 and July 1 to April 1 and Oct. 1...

Adjoined to noon Thursday, to take action on a local law extending the privilege of voting in the nonpartisan primaries to new voters and voters who have moved into the city within the last year.

Received from Councilman Harry C. Goodwin request for the preparation of an ordinance by City Manager Story equalizing the pensions of the older members of the police force, who retired on half pay when salaries were much lower than at present.

An ordinance for new lighting in State Street from Main Street to Central Avenue was introduced by Councilman Milne...

Councilman Louis S. Foulkes introduced an ordinance for the asphalt pavement widening and walks in Stillson Street, from Grove Street to University Avenue...

Councilman Chester A. Penke introduced an ordinance for new lighting in Exchange Street from Main Street to Troup Street. Much more brilliant lighting is proposed that will add to the attractiveness of these streets...

Councilman Durnan introduced an ordinance for concrete pavement and walks in Mudge Place. Councilman Milne introduced an ordinance for asphalt pavements in Callahan Park and Dove Street.

BILL IN COUNCIL TO SHIFT DATES OF TAX LEVIES

Presented by Guzzetta, Who

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CITY FINANCE REVIEWED BY COUNCILMAN

Edward F. Flynn Explains Economics Effected by Manager Government SAYS NOT LIKE OLD DAYS

Back With Bareham, or On With Progress? He Asks Radio Hearers

Achievements under the twenty months of city manager administration were discussed by Councilman Edward F. Flynn in a radio address broadcast last evening by Station WHAM.

Mr. Flynn, a candidate for re-nomination with the indorsement of the City Manager League, outlined a number of results that have been obtained by the city manager administration, and on this record based his request for support for the slate indorsed by the League.

Discusses City Finances Councilman Flynn is a member of the law and finance committees of the City Council, two of the most important arms of the councilmanic body...

Results attained in other branches of municipal activity including improvement of streets and administration of the Police and Fire bureaus, were touched on by Councilman Flynn.

"A determined effort is being made by the Republican organization under Mr. Bareham's instructions to lead the attention of the voters to the City of Rochester's financial condition...

"Without boring you with endless figures about debt, let me say to you that in 1927, under the Republican machine control, the city's debt increased \$5,269,100. In 1928, it increased \$2,160,810. This amount is only 41 per cent of that of the last administration.

"And, in the face of all of this, we finished the year with a \$491,000 surplus, which was applied, as I have said before, to the reduction of current expense debt. Since 1919, we have beaten the devil about the bush and legally evaded the constitutional limit...

out increasing the current expense burden of \$2,918,000 left us by the outgoing administration... We finished the year with nearly a half million surplus which we applied to current expense debt reduction...

"But, turning from these two financial points, we find real progress made in many lines. "Do you remember how long Lawton Avenue needed paving? Mi Hope Avenue? Plymouth Avenue? Buffalo Road? These entrances to the city are now already paved, or in course of construction...

"Have you ever seen our park roads in better shape? Or, for that matter, any of the park maintenance at a higher standard? "Do you realize that the Charity Bureau is caring for more families and giving more relief than ever before? And, that the Municipal Hospital, together with the overflow into the four general hospitals of the city, is doing more than ever before to bring health to the more unfortunate people of the city...

"Do you know that in 1927, 1,475 automobiles were taken, and in 1928 only 865 were taken, and in 1929 a proportionate reduction in convictions? Do you know that in 1927, 5,874 automobile tags were issued, and in 1928 the number grew to 28,777? That the fines and forfeitures paid in to the city treasury show an 84 per cent increase? "The hurrying minutes prevent my enlarging this list. I must, however, call your attention to the fact that insurance companies are going down in Rochester. This is proof positive that what I have related has begun to show its effect.

"I don't think the people want to lose the ground they have gained. They can retain the effective service of a group of hard-working and honest city officers by voting for Adler, Goodwin, Stanton, Wilson, and Flynn in the nonpartisan primary on Sept. 17, and then electing them to the Council on Election Day. "Thank you."

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The comptroller is one of the victims of what he terms a "hold-up" scheme, whereby a publishing concern seeks to collect exorbitant fees from officials who desired printed reports of the Institute of Municipal Affairs which they attended in Buffalo last July.

Mr. Higgins and Mr. Taylor received bills of \$400 each, and the other two were billed for approximately \$200 apiece. Mr. Higgins refuses to pass any of the bills to the City Treasury, which would ordinarily pay reasonable bills for publications required by city officials.

The University of Buffalo, which sponsored the institute, is investigating the scheme, and Mr. Higgins said he would hold the university responsible for payment of the bills if they should be held valid.

The company apparently contends the cards some of the visitors signed were agreements to pay for the report at the rate of 25 cents a page. The reports are valuable enough, said Mr. Higgins, containing much data on municipal affairs which it is desirable to preserve, but are not worth that money, he adds.

The University of Buffalo has retained counsel to prevent payment of the bills, and the Rochester officials are awaiting word as to the outcome.

"We take pleasure in acknowledging the uniform, kind and courteous treatment, valuable aid and counsel received from the Mayor and from our associates in the Board of Estimate and Apportionment and the Board of Contract and Supply, and from all officers and employees of the Department of Public Works and various other departments of the city government; also the earnest and efficient services of assistants in this department."

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Correction of the registry was along lines suggested in a letter to the City Council on Aug. 18 by Harry J. Bareham, chairman of the Monroe County Republican Committee.

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Third: This omission the amendment now before the Council seeks to correct, by permitting the commissioner of elections to add to the register the names of new voters who enrolled between Feb. 1 and the thirtieth day preceding the primary. In his opinion, however, the amendment is not quite as broad as it should be, as all persons who have become entitled to vote since the last election, whether enrolled with a party or not, should be added to the register.

As it is too late to make any further changes effective in the coming primary, your committee recommends the adoption of the amendment.

RECORD OF ERIE CANAL WORK IS MADE BY POOLE

Process of Conversion of Old Canal Bed to Broad Street Preserved for Future Generations.

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Advanced STORES IANNO & HOCK, INC. R. ALTONVILLE INSURANCE AND LIFE EXPLANATION Phone Main 1012-1013

Right Turns at Downtown Intersections to Be Tried

On Committee Report Will Be Permitted Between 9:30 and 11:30 a. m. and 1:30 and 4:30 p. m., Beginning on Sept. 23

Right hand turns by motorists will be permitted beginning on Monday morning, Sept. 23, at intersections of Main Street with State and Exchange, St. Paul and South Avenue, and Clinton Avenue North and South between the hours of 9:30 and 11:30 o'clock in the morning and 1:30 and 4:30 o'clock in the afternoon, according to announcement made by City Manager Stephen B. Story.

The change was recommended as an experiment by a special committee of Rochesterians, suggested by City Manager Story, which has for the last month been investigating the matter of right hand turns, which have been strongly advocated by merchants and property owners on the larger streets intersecting Main Street.

Investigation Conducted The subject has been the source of discussion for the last year, and George J. Nier, commissioner of public safety, has co-operated in an investigation. About a month ago officers of the Chamber of Commerce took the matter up with City Manager Story, who pointed out that there were three civic agencies, other than the city and property owners interested, who had direct contact with the problem: namely, the Automobile Club of Rochester, Chamber of Commerce, and the Rochester Engineering Society.

Mr. Story suggested that each of these agencies appoint three members of a committee of nine to make an investigation and report before September 15. The committee made its report yesterday afternoon, and City Manager Story immediately accepted it and announced that it would be effective next week.

He consulted with Commissioner Nier, and during the coming week the police will be especially instructed in the handling of traffic during the hours in which the turns are permitted.

The representatives of the Automobile Club of Rochester, selected by its president, were Dewey Crittenden, Frank J. Smith and Harry B. Crowley; those of the Chamber of Commerce, Herbert W. Bramley,

Rochester is the safest city in the United States, according to the latest statistics of the National Safety Council. The high record of operation of the city officials, Safety Council of the Chamber of Commerce, and other interested agencies devoted to the safety of the city, is a credit to the city.

Ban Stays for Peak Hours Accordingly, the ban will not be lifted during the peak traffic rush at noon and night at the busy street intersections. City Manager Story pointed out that the pedestrians in Rochester have been educated to look to the lights at the busy corners as protection against vehicles.

Will Watch Outcome The Rochester Engineering Society for several years, in co-operation with the Boy Scouts, has conducted a survey into traffic problems in Rochester, and Mr. Brown, who is safety engineer of the New York State Railways, served as chairman of the special committee.

The committee organized with Mr. Crowley as chairman and Mr. Brown as secretary, because of the diversity of interests represented, brought a wealth of experience to the deliberations, City Manager Story pointed out. All of the men are thoroughly familiar with Rochester conditions, they went into the problem thoroughly, and their decision represents deliberate and sound judgment, the City Manager said.

With the preparation of its report, the committee agreed to follow in conjunction with the police and other city officials will closely watch the outcome of the change in the traffic regulations and will recommend such modifications as actual experience in the removal of the ban may dictate.

To Revise Traffic Rules City Manager Story said that the committee has consented to act in an advisory capacity on other traffic matters under consideration, and that soon a revised traffic ordinance, which is being worked up under the direction of Mr. Story, will be submitted to the committee, also a new taxicab ordinance.

With the tremendous increase in the number of automobiles in use in Rochester and the necessity of safeguarding the rights of pedestrians, City Manager Story said that the work of the committee is of far-reaching importance, and he lauded the civic spirit with which the men took up the responsibility and also the constructive thought they have given to the matter.

Continued on Page 74

Historic Scrapbooks Collection

CITY EXPERT ON TRAFFIC RELIEF BODY

Harland Bartholomew, City Plan Consultant, Named on National Group SEEK CONGESTION RELIEF

Was Engaged by City Manager to Aid in Rochester's Civic Center Study

Appointment of Harland Bartholomew, consultant to the preparation of the city plan in Rochester, as member of a committee appointed by United States Secretary of Commerce Lamont to study plans for the relief of traffic congestion, is announced from Washington. Mr. Bartholomew is included among a group of nationally prominent men who have been appointed to study the problem.

Mr. Bartholomew was engaged by City Manager Stephen B. Story for the consultant of the Rochester city plan and he and his associates are under contract to furnish by Nov. 1 the section relating to major streets and thoroughfares, and on Dec. 1 the section relating to the civic center.

St. Louis Planner Mr. Bartholomew prepared the city plan of St. Louis, involving the expenditure of \$90,000,000, also plans for a number of other large cities. The national committee will study the problem of relief in large cities, which is a problem being studied intensely in Rochester by City Manager Story and George J. Nier, commissioner of public safety, together with other city officials, including members of the City Council, will meet in Washington Oct. 10.

Previously two other committees were appointed by Secretary Lamont and they will work in the same purpose and will direct attention to the maintenance of the motor vehicle and protection of railway grade crossings and major highway intersections.

Congestion Problem "Traffic congestion and inadequate facilities for street and highway traffic constitute one of the foremost problems before us today," Secretary Lamont said. "The universal interest in coping with this problem is emphasized by the personnel of this committee, embodying in its membership public officials, representatives of real estate groups, street railways, steam railroads and rail terminals, motor vehicle users, dealers and manufacturers, building contractors, police and fire departments, department stores, taxicab owners, State highway departments, city planners, traffic engineers and civic and other organizations.

Police Pension Law Introduced Councilman Harry C. Goodwin introduced a local law with reference to the equalization of pensions for members of the police force, and Vice-Mayor Adler referred it to the law committee. Councilman Peake's resolution directing City Clerk Thomas P. O'Leary to advertise a hearing on the closing of Rice Alley was adopted.

Hearing Called on Tax Dates The Council adopted a resolution by Councilman Joseph L. Guzzetta, fixing next Monday evening as the time for a public hearing on a local law introduced by Dr. Guzzetta changing the date of payment of taxes from Jan. and July 1 to April and Oct. 1. The local law is before the law committee, and after a public hearing, Vice-Mayor Adler, chairman of the committee, will report on the measure.

CITY TO CUT EXPENSE OF SNOW DRIFTS

Redistricting, Competitive Bidding Announced in Sidewalk Plowing MAY SHIFT TAX DATES

January 1 Regarded as Too Near Christmas to Ask for Payment

Award of snow cleaning contracts this year by competitive bidding is expected to result in further saving to the city, and the ordinance covering the work in fifteen districts, in which the city is divided, are before the Local Improvements Committee of the City Council for consideration.

During the past winter contracts for sidewalks snow ploughing were awarded on a competitive contract for the first time in recent years, and according to Harold W. Baker, commissioner of public works, under whose direction the contracts were executed, 44 miles were added to the list of the sidewalks to be plowed, and the cost of plowing all walks, including the 4.4 miles added, was \$35,678.10 less than the preceding winter of 1927-28, when contracts were awarded on a non-competitive basis.

Additional savings are expected to accrue from the plan worked out this year by Commissioner Baker and approved by City Manager Stephen B. Story and submitted to the City Council. The districts are arranged in the most efficient manner and endeavor was made to correct a situation last year, where one district paid a greater price than another, although competition entered into the award of all contracts. It is pointed out by Councilman Durman that where a street divided two districts, property owners on one side paid more than those on the other for plowing service, and City Manager Story and Commissioner Baker, on the basis of last year's experience, have endeavored to correct this situation.

Improvement Urged The improvement is urged by a large number of property owners in the vicinity as a means of relieving traffic congestion, and a committee representing the property owners, made up of Assemblyman Haskell H. Marks, and Charles T. Chapin, co-operated with City Manager Stephen B. Story, Wendell T. Andrews, city purchasing agent, Warren Allen, deputy city purchasing agent, in charge of land purchases in moving the prices with owners of land that was required that were considered equitable.

The prices arranged have been approved by the city authorities and the councilman committees and formal approval to the ordinance is expected to be given next Monday evening. The only person who spoke with reference to the improvement when the measure was called by Vice-Mayor Adler, was Sol Neilman, who asked several questions regarding the assessment, which were answered by Mr. Vedder, after which Mr. Neilman said that he was heartily in favor of the improvement.

Two Subway Stops Public hearings were held on the following local improvement ordinances: Downing Place walks, estimate, \$750; Mudge Place concrete pavements and walks, \$2,100; Stillson Street asphalt pavement reconstruction, widening and walks, \$25,000; Callaghan Park asphalt pavement, \$8,200; Love Street asphalt pavement, \$19,000; State Street lighting from Main Street to Central Avenue, \$6,400; Highland Park Terrace tract, concrete pavements, sanitary and storm water sewers, \$143,000; Greg Street surface treatment, \$900; South Avenue district sanitary and storm water sewers, \$80,000; Haywood Street widening, \$3,000; Exchange Street lighting from Main Street to Trapp Street.

Upon the favorable report of the Public Utilities Committee, read by Councilman Chester A. Peake, calling upon Charles R. Barnes, commissioner, to bring about the establishment of two additional subway stations, one at Alexander Street and the other either Smith or Jay Street. E. W. Weyrauch, No. 220 Mount Hope Avenue, complained about the use of a concrete mixer in that thoroughfare by the Consolidated Materials Company and said that the situation had become intolerable. Councilman Goodwin said that he knew that the picture drawn by Mr. Weyrauch was in accordance with the facts. City Manager Story explained that the mixer is operated by a permit granted by him and he was not disposed to renew it.

MERCHANTS SUPPORT TAX SHIFT, REALTORS OPPOSE; CULVER PAVING PROPOSED

40-Ft. Concrete Paving Would Be Provided on Entrance to City FIRST HEARING LISTED MONDAY

A local improvement ordinance for Culver Road concrete pavement, sewer and walks, from Waring Road to the city line, was introduced last evening by Councilman William F. Durman and was referred by Vice-Mayor Adler to the Local Improvements Committee. This improvement has been specially urged by the Automobile Club of Rochester as a means of improving the approaches to Rochester for the attraction of motorist travel and has been under contemplation and negotiation for several months.

Property owners adjoining the improvement had deeded without cost to the city a 15-foot strip on each side and it will make possible the laying of a 40-foot pavement. Later this can be increased to 25 feet, Councilman Durman pointed out, so that a pavement capable of carrying a heavy traffic load is possible.

Hearing on Monday The improvement, it is expected, will provide stimulus to the agitation for the improvement of Culver Road as far as Durand-Eastman Park. The first hearing on the ordinance will be held a week from next Monday evening and the second hearing the next Monday evening, after which the Local Improvements Committee, Councilman Nelson A. Milne, chairman, will report.

A public hearing was held on the ordinance for the extension of Cumberland Street, introduced by Councilman Durman. City Manager Story read a communication from Harold W. Baker, commissioner of public works, giving the estimate of the cost at \$275,000, which covers the acquisition of property between Clinton Avenue and Franklin Street, Arthur J. Vedder, of the City Planning Board, pointed out that the property will be acquired for approximately \$250,000, but the estimate permits a 10 per cent margin to meet legal requirements.

Improvement Urged The improvement is urged by a large number of property owners in the vicinity as a means of relieving traffic congestion, and a committee representing the property owners, made up of Assemblyman Haskell H. Marks, and Charles T. Chapin, co-operated with City Manager Stephen B. Story, Wendell T. Andrews, city purchasing agent, Warren Allen, deputy city purchasing agent, in charge of land purchases in moving the prices with owners of land that was required that were considered equitable.

Collection by Districts Suggested Councilman Harry C. Goodwin said that it has been suggested to him that the taxes might be collected in districts. He requested, through Vice-Mayor Adler, that Councilman Goodwin's resolution authorizing City Manager Story to file a list of grade crossings, which elimination of a resolution is in accordance with action desired by the Public Service Commission.

Oxford Street and Tunnel Park, went to the same committee. Councilman Goodwin is clear to the Council that he is not sponsoring the change but introduced it at request of the property owner. The property is now in a residential zone, opposite commercial property, and the owner desires permission to erect a commercial structure. Councilman Goodwin's resolution amending the lease for the Lincoln-Alliance Bank Building Tower, used by the city for smoke prevention, activities, was adopted, as was his resolution disapproving the price for a parcel of land required for Blossom Road widening.

What Council Did Last Night

Business transacted by the City Council last evening included the following matters: Conducted hearings on Councilman Joseph L. Guzzetta's local law advancing three months the semi-annual tax payment dates, with the Real Estate Board of Rochester opposing and the Retail Merchants' Council and the Chamber of Commerce favoring.

Received ordinance by Councilman William F. Durman for 40-foot concrete pavement in Culver Road from Waring Road to city line; also held public hearing on his ordinance for the extension of Cumberland Street from Clinton Avenue North to Franklin Street.

Councilman Harry C. Goodwin served notice that he would introduce next Monday evening a local law restricting political activity on the part of city employees. Adopted resolutions by Councilman Chester A. Peake providing for two additional subway stops, one at Alexander Street and the other at either Smith or Jay Street.

Vice-Mayor Isaac Adler called for allegations on a number of local improvement ordinances without response from interested property owners and business conducted included a number of matters relating to municipal land purchases and sales; minor contracts, settlements of claims and other routine city business.

WOULD NOT BAR CITY WORKERS, GOODWIN SAYS

Proposed Law Not Aimed To Keep Employees from Office, He States

Notice was given to the City Council last evening by Councilman Harry C. Goodwin that next Monday evening he will introduce a local law which would "put city employees in a position so that they will not have to contribute either time or money to political service so they may obtain and hold their positions purely on their ability and disposition to do their work well."

News Story Wrong Councilman Goodwin made this statement to the council with reference to his proposed measure: "An afternoon newspaper unwittingly states 'Goodwin Would Bar City Employees From Running for Office.' This statement is so far from the facts that I feel, in justice to the newspaper and its readers, that I should state just what I desire to accomplish.

"I have no desire to prevent any employee from running for office. That is everyone's privilege, and I am delaying introduction of my amendment another week, so there will be the possibility of a measure that will prevent such action.

"What I seek to do is to put city employees in a position so that they will not have to contribute either time or money to political service so they may obtain and hold their positions purely on their ability and disposition to do their work well. So long as city employees take part in primaries or are elected. No man should be privileged to hold two offices.

NO PROTEST AGAINST CITY TAX ROLLS

Council Confirms Them in Absence of Allegations Against Assessments

VALUATION, \$650,000,000 Purchase of Land Adjoining Blast Furnace Authorized at Price of \$41,200

Not one of the thousands of taxpayers in Rochester appeared before the City Council last evening to allege on their assessments for the 1930 taxes.

Higgins asking authority to renew \$150,000 in school construction notes and \$125,000 in water works improvement notes, and Vice-Mayor Flynn's resolution authorizing the action was adopted by unanimous consent.

Ordinances for Snow Removal Snow cleaning ordinances for the season 1929-1930 were introduced by Councilman Louis S. Foulkes, Neilson A. Milne, and Chester A. Peake. Under a plan worked out by City Manager Story in conjunction with Harold W. Baker, commissioner of public works, the city is divided into fifteen districts, and the ordinance provides for the award of these contracts in each of these districts by competitive bidding.

Confirmation of the assessment rolls is final, and the valuations shown in them will be employed in the levying of taxes. To Buy Land Next Blast Furnace On the favorable report of the finance committee, the Council last evening authorized the purchase of a parcel of land on the east side of Lake Avenue Boulevard immediately adjoining to the north the blast furnace property. The purchase is made from Julia E. Roberts for a consideration of \$41,200. The property has a frontage of 148 1/2 feet in Lake Avenue and a depth of two hundred feet, and is a substantial addition to the blast furnace property. It will be used for part dock, and park purposes.

City Manager Story presented a communication from Comptroller of the Finance Committee.

Right Turns at Downtown Intersections to Be Tried

On Committee Report Will Be Permitted Between 9:30 and 11:30 a. m. and 1:30 and 4:30 p. m., Beginning on Sept. 23

By HIRAM MARKS
Right hand turns by motorists will be permitted beginning on Monday morning, Sept. 23, at intersections of Main Street with State and Exchange; St. Paul and South Avenue, and Clinton Avenue North and South between the hours of 9:30 and 11:30 a. m. and 1:30 and 4:30 p. m.

Investigation Conducted
The subject has been the source of discussion for the last year, and George J. Nier, commissioner of public safety, has co-operated in an investigation.

Mr. Story suggested that each of these agencies appoint three members of a committee of nine to make an investigation and report before September 15.

Continued on Page 24

Rochester is the safest city in the United States... Safety Council of the Chamber of Commerce...

Ban Stays for Peak Hours
Accordingly, the ban will not be lifted during the peak traffic rush at noon and night at the busy street intersections.

Report of Committee
In the report of the committee the work of the Rochester police in traffic matters is warmly commended.

With the preparation of its report, the committee agreed to follow the matter through, and in conjunction with the police and other city officials will closely watch the outcome of the change in the traffic regulations.

To Revise Traffic Rules
City Manager Story said that the committee has consented to act in an advisory capacity on other traffic matters under consideration.

Continued on Page 24

CITY EXPERT ON TRAFFIC RELIEF BODY

Harland Bartholomew, City Plan Consultant, Named on National Group

SEEK CONGESTION RELIEF
Was Engaged by City Manager to Aid in Rochester's Civic Center Study

Appointment of Harland Bartholomew, consultant to the preparation of the city plan in Rochester, as member of a committee appointed by United States Secretary of Commerce Lamont to study plans for the relief of traffic congestion, is announced from Washington.

St. Louis Planner
Mr. Bartholomew prepared the city plan of St. Louis, involving the expenditure of \$90,000,000, also plans for a number of other large cities.

Mr. Bartholomew was engaged by City Manager Stephen E. Story for the consultant of the Rochester city plan and he and his associates are under contract to furnish by Nov. 1 the section relating to major streets and thoroughfares, and on Dec. 1 the section relating to the civic center.

Congestion Problem
Traffic congestion and inadequate facilities for street and highway traffic constitute one of the foremost problems before us today.

Police Pension Law Introduced
Councilman Harry C. Goodwin introduced a local law with reference to the equalization of pensions for members of the police force, and Vice-Mayor Adler referred it to the law committee.

Hearing Called on Tax Dates
The Council adopted a resolution by Councilman Joseph L. Guzzetta, fixing next Monday evening as the time for a public hearing on a local law introduced by Dr. Guzzetta changing the dates of payment of taxes from Jan. and July 1 to April and Oct. 1.

CITY TO CUT EXPENSE OF SNOW DRIFTS

Redistricting, Competitive Bidding Announced in Sidewalk Plowing

MAY SHIFT TAX DATES
January 1 Regarded as Too Near Christmas to Ask for Payment

By HIRAM MARKS
Award of snow cleaning contracts this year by competitive bidding is expected to result in a further saving to the city, and the ordinance covering the work in different districts in which the city is divided, are before the Local Improvements Committee of the City Council for consideration.

Mr. Bartholomew is included among a group of nationally prominent men who have been appointed to study the problem.

During the past winter contracts for sidewalks snow ploughing were awarded on a competitive contract for the first time in recent years.

Additional savings are expected to accrue from the plan worked out this year by Commissioner Baker and approved by City Manager Stephen E. Story.

A public hearing was held on the ordinance for the extension of Cumberland Street, introduced by Councilman Durman.

May Change Tax Dates
The Law Committee of the City Council made up of Vice-Mayor Adler, Councilman Harry C. Goodwin and Edward P. Flynn, will this evening in conjunction with the councilmanic session, hold a public hearing on a local law introduced by Councilman Joseph L. Guzzetta changing the dates for collection of municipal taxes from January 1 and July 1 to April 1 and October 1.

Improvement Urged
The improvement is urged by a large number of property owners in the vicinity as a means of relieving traffic congestion, and a committee representing the property owners, made up of Assessor Blyman Haskell H. Marks, and Charles T. Chapin, co-operated with City Manager Stephen E. Story, Wendell T. Andrews, city purchasing agent, Warren Allen, deputy chief purchasing agent, in charge of land purchases, in arriving at prices with owners which was required that were considered equitable.

The prices arranged have been approved by the city authorities and the councilmanic committee introduced by Councilman Durman is expected to be given next Monday evening. The only person who spoke with reference to the improvement when the measure was called by Vice-Mayor Adler, was Sol Neiman, who asked several questions regarding the assessment, which were answered by Mr. Vedder, after which Mr. Neiman said that he was heartily in favor of the improvement.

MERCHANTS SUPPORT TAX SHIFT, REALTORS OPPOSE; CULVER PAVING PROPOSED

40-Ft. Concrete Paving Would Be Provided on Entrance to City

FIRST HEARING LISTED MONDAY
Improvement Favored by Auto Club To Attract Motorist Travel

Two Subway Stops
Public hearings were held on the following local improvement ordinances: Dowling Place walks, estimate, \$750; Mudge Place concrete pavements and walks, \$2,100; Stillson Street asphalt pavement reconstruction, widening and walks, \$25,000; Calligan Park asphalt pavement, \$8,200; Dove Street asphalt pavement, \$10,000; State Street lighting from Main Street to Central Avenue, \$8,400; Highland Park Terrace tract, concrete pavements, sanitary and storm water sewers, \$145,000; Grant Street surface treatment, \$600; South Avenue district sanitary and storm water sewers, \$80,000; Hawwood Street widening, \$3,000; Exchange Street lighting from Main Street to Troup Street.

Upon the favorable report of the Public Utilities Committee, read by Councilman Harry C. Goodwin, chairman, the council adopted two resolutions introduced by Councilman Chester A. Peake calling upon Charles H. Barnes, commissioner, to bring about the establishment of two additional subway stations, one at Alexander Street and the other either Smith or Jay Street.

Property owners adjoining the improvement had deeded without cost to the city a 15-foot strip on each side and it will make possible the laying of a 40-foot pavement.

Hearing on Monday
The improvement, it is expected, will provide stimulus to the agitation for the improvement of Culver Road as far as Durand-Eastman Park. The first hearing on the ordinance will be held a week from next Monday evening and the second hearing the next Monday evening after which the Local Improvements Committee, Councilman Nelson A. Milne, chairman, will report.

A public hearing was held on the ordinance for the extension of Cumberland Street, introduced by Councilman Durman.

Asks Zone Change
Councilman Edward P. Flynn's resolution fixing the compensation of Metcalf & Eibly for services furnished the city was adopted.

Collection by Districts Goodwin
Councilman Harry C. Goodwin said that it has been suggested to him that the taxes might be collected in districts. He requested, through Vice-Mayor Adler, that Comptroller Clarence E. Higgins inform him whether this practice has been followed in any other city; also the actual cost to the city in interest charges by advancing the collection periods three months, also whether the collection by districts, spreading the payment over a number of months in the year would save the city anything by making it unnecessary to hire extra clerical force.

The law committee, through Vice-Mayor Adler, chairman, will report on Councilman Guzzetta's measure next Monday evening, it is expected.

What Council Did Last Night

Business transacted by the City Council last evening included the following matters: Conducted hearing on Councilman Joseph L. Guzzetta's local law advancing three months the semi-annual tax payment dates, with the Real Estate Board of Rochester opposing and the Retail Merchants' Council and the Chamber of Commerce favoring.

Adopted resolutions by Councilman Chester A. Peake providing for two additional subway stops, one at Alexander Street and the other at either Smith or Jay Street.

Vice-Mayor Isaac Adler called for allegations on a number of local improvement ordinances without response from interested property owners and business conducted included a number of matters relating to municipal land purchases and sales; minor contracts, settlement of claims and other routine city business.

Guzzetta Bill To Alter Collection Dates Given Hearing

TO BE REPORTED MONDAY EVENING

Goodwin Asks if Levy Might Not Be Made by Districts

By HIRAM MARKS
Support for Councilman Joseph L. Guzzetta's local law changing the dates for payment of city taxes from Jan. and July 1 to April and Oct. 1, came from the Retail Merchants Council of the Chamber of Commerce, when Vice-Mayor Isaac Adler last night called a public hearing on the measure.

Lester Nusbaum of 188 Rutgers Street, representing the merchants' council, said that a resolution had been unanimously adopted urging the city authorities to advance the dates because of the hardship imposed on small property owners, especially in being required to meet one-half their taxes on Jan. 1, when other obligations like mortgage interest, coal bills, county taxes and holiday bills are due.

Realtors Thomas P. O'Leary read a communication from the Real Estate Board of Rochester, signed by Joseph F. Engel, president, in which the board of the present dates is urged. This communication incorporated a resolution by the realtors, in which it is declared, "because of the increased interest charges and the cost of making the necessary changes in the various city departments, the Real Estate Board of Rochester favors retention of the present plan of collecting city taxes, on Jan. 1 and July 1, until further opportunity has been given to study the necessity of desirability of any change in such dates."

As individuals, and reflecting their opinion, they have heard, the change was advocated by Clement J. Lanni of the Rochester Alliance Press, Editor and publisher of La Stampa Unità, and William J. Edell of the Twenty-first Ward. Both reiterated the statements of Mr. Nusbaum, that hardship came to the small property owners, especially by the bill that is due on Jan. 1.

Councilman Harry C. Goodwin said that it has been suggested to him that the taxes might be collected in districts. He requested, through Vice-Mayor Adler, that Comptroller Clarence E. Higgins inform him whether this practice has been followed in any other city; also the actual cost to the city in interest charges by advancing the collection periods three months, also whether the collection by districts, spreading the payment over a number of months in the year would save the city anything by making it unnecessary to hire extra clerical force.

The law committee, through Vice-Mayor Adler, chairman, will report on Councilman Guzzetta's measure next Monday evening, it is expected.

WOULD NOT BAR CITY WORKERS, GOODWIN SAYS

Proposed Law Not Aimed To Keep Employees from Office, He States

Notice was given to the City Council last evening by Councilman Harry C. Goodwin that next Monday evening he will introduce a local law which would "put city employees in a position so that they will not have to contribute either time or money to political service so they may obtain and hold their positions purely on their ability and disposition to do their work well."

News Story Wrong
Councilman Goodwin made this statement to the council with reference to his proposed measure: "An afternoon newspaper unwittingly states 'Goodwin Would Bar City Employees From Working for Office.' This statement is so far from the facts that I feel, in justice to the newspaper and its readers, that I should state just what I desire to accomplish.

"I have no desire to prevent any employee from running for office. That is everyone's privilege and I am delaying introduction of my amendment another week so there will be no possibility of a measure that will prevent such action."

"I want to do is to put city employees in a position so that they will not have to contribute either time or money to political service. If he is elected to office, let him resign the job he held before being elected. No man should be privileged to hold two offices. "I also object to school teachers acting as playground directors during their vacations. As teachers, they are reasonably well paid. There are many young men and women who are having twenty-hand sledging financially in getting through school and college. I feel that they should be given the playground positions if they qualify. In a spirit of fair play I feel that teachers should step aside during the summer and give others a chance to earn money that will help the through the winter months and enable many of them to continue in school."

NO PROTEST AGAINST CITY TAX ROLLS

Council Confirms Them in Absence of Allegations Against Assessments

VALUATION, \$650,000,000

Purchase of Land Adjoining Blast Furnace Authorized at Price of \$41,200

Not one of the thousands of taxpayers in Rochester appeared before the City Council last evening to allege on their assessments for the 1930 taxes.

When Vice-Mayor Isaac Adler, presiding officer, asked for allegations on the tax rolls which were submitted by City Assessor George S. Taylor, there was no response. Later the rolls were confirmed by unanimous action of the Council, on a resolution introduced by Councilman Edward P. Flynn of the finance committee.

Realty Valued at \$650,000,000

The assessment rolls were not totaled but the aggregate value of the real property shown in them is approximately \$650,000,000, according to estimates by Comptroller Clarence E. Higgins. The assessment last year was \$634,000,000, and while there was no general increase this year, the normal increase owing to new construction will bring it up approximately \$15,000,000 more, it was estimated.

City Manager Stephen E. Story and his department heads, in conjunction with the finance committee of the City Council, made up of Mayor Wilson, Vice-Mayor Adler, and Councilman Flynn, will start immediately the preparation of the 1930 budget. The budget must be confirmed by the Council by Nov. 12.

Confirmation of the assessment rolls is final, and the valuations shown in them will be employed in the levying of taxes.

To Buy Land Next Blast Furnace
On the favorable report of the finance committee, the Council last evening authorized the purchase of a parcel of land on the east side of Lake Avenue Boulevard immediately adjoining to the north the blast furnace property. The purchase is made from Julia E. Roberts for a consideration of \$41,200. The property has a frontage of 148 1/2 feet in Lake Avenue and a depth of two hundred feet, and is a substantial addition to the blast furnace property. It will be used for port, dock, and park purposes.

Higgins asking authority to renew \$150,000 school collection notes

\$125,000 in water works improvement notes, and Councilman Flynn's resolution authorizing the action was adopted by unanimous consent.

Ordinances for Snow Removal
Snow cleaning ordinances for the season 1929-1930 were introduced by Councilman Louis S. Foulkes, Nelson A. Milne, and Chester A. Peake.

Under a plan worked out by City Manager Story in conjunction with Harold W. Baker, commissioner of public works, the city is divided into fifteen districts, and the ordinances provide for the award of these contracts in each of these districts by competitive bidding. The districts are arranged in a manner that is expected to result in equalization of cost for the work, and under a plan expected to permit the snow removal with the greatest efficiency and economy.

The ordinances were referred by Vice-Mayor Adler to the local improvement committee, and a report will be made later.

Hearing Called on Tax Dates
The Council adopted a resolution by Councilman Joseph L. Guzzetta, fixing next Monday evening as the time for a public hearing on a local law introduced by Dr. Guzzetta changing the dates of payment of taxes from Jan. and July 1 to April and Oct. 1. The local law is before the law committee, and after the public hearing, Vice-Mayor Adler, chairman of the committee, will report on the measure.

City Manager Story presented a communication approving the position of case supervisor for the World War relief committee, and fixing a salary of \$2,700 for it.

A measure for a concrete pavement in Flover Street was introduced by Councilman Milne, and for a concrete pavement in Illinois Street by Councilman Foulkes. Councilman Peake filed a remonstrance against a macadam pavement in Wall Street.

Police Pension Law Introduced
Councilman Harry C. Goodwin introduced a local law with reference to the equalization of pensions for members of the police force, and Vice-Mayor Adler referred it to the law committee. Councilman Peake's resolution directing City Clerk Thomas P. O'Leary to advertise a hearing on the closing of Rice Alley was adopted.

Annabelle Heit, 39 Mazda Terrace, filed a petition complaining against a smoke nuisance alleged to be caused by the Rochester Recograph Company in Hollenbeck Street. City Manager Story will investigate.

Right Turns at Downtown Intersections to Be Tried

On Committee Report Will Be Permitted Between 9:30 and 11:30 a. m. and 1:30 and 4:30 p. m., Beginning on Sept. 23

By HIRAM MARKS

Right hand turns by motorists will be permitted beginning on Monday morning, Sept. 23, at intersections of Main Street with State and Exchange, St. Paul and South Avenue, and Clinton Avenue North and South between the hours of 9:30 and 11:30 o'clock in the morning and 1:30 and 4:30 o'clock in the afternoon, according to an announcement made by City Manager Stephen B. Story. They are permitted now from 6:30 p. m. to 9:30 a. m.

This change was recommended as an experiment by a special committee of Rochesterians, suggested by City Manager Story, which has for the last month been investigating the matter of right hand turns, which have been strongly advocated by merchants and property owners on the larger streets intersecting Main Street.

Investigation Conducted The subject has been the source of discussion for the last year, and George J. Nier, commissioner of public safety, has co-operated in an investigation. About a month ago officers of the Chamber of Commerce took the matter up with City Manager Story, who pointed out that there were three civic agencies, other than the city and property owners interested, who had direct contact with the problem: namely, the Automobile Club of Rochester, Chamber of Commerce, and the Rochester Engineering Society.

Mr. Story suggested that each of these agencies appoint three members of a committee of nine to make an investigation and report before September 15. The committee made its report yesterday afternoon, and City Manager Story immediately accepted it and announced that it would be effective next week. He consulted with Commissioner Nier, and during the coming week the police will be especially instructed in the handling of traffic during the hours in which the turns are permitted.

The representatives of the Automobile Club of Rochester, selected by its president, were Dewey Crittenden, Frank J. Smith and Harry B. Crowley; those of the Chamber of Commerce, Herbert W. Bramley,

James B. P. Duffy and Frank Goetz, and those of the Rochester Engineering Society, Leon R. Brown, John W. Morrison, and James E. Kelly.

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Will Watch Outcome The Rochester Engineering Society for several years, in co-operation with the Boy Scouts, has conducted a survey into traffic problems in Rochester, and Mr. Brown, who is safety engineer of the New York State Railways, served as chairman of the special committee.

The committee organized with Mr. Crowley as chairman and Mr. Brown as secretary, because of the diversity of interests represented, brought a wealth of experience to the deliberations, City Manager Story pointed out. All of the men are thoroughly familiar with Rochester conditions, they went into the problem thoroughly, and their decision represents deliberate and sound judgment, the City Manager said.

With the preparation of its report, the committee agreed to follow the matter through, and in conjunction with the police and other city officials, will closely watch the outcome of the change in the traffic regulations and will recommend such modifications as actual experience in the removal of the ban may dictate.

To Revise Traffic Rules City Manager Story said that the committee has consented to act in an advisory capacity on other traffic matters under consideration, and that soon a revised traffic ordinance will be brought up under the direction of Mr. Story, will be submitted to the committee, also a new taxicab ordinance.

With the tremendous increase in the number of automobiles in use in Rochester and the necessity of safeguarding the rights of pedestrians, City Manager Story said that the work of the committee is of far-reaching importance, and he lauded the civic spirit with which the men took up the responsibility and also the constructive suggestions they have given to the matter.

Continued on Page 21

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CITY TO CUT EXPENSE OF SNOW DRIFTS

Redistricting, Competitive Bidding Announced in Sidewalk Plowing

MAY SHIFT TAX DATES January 1 Regarded as Too Near Christmas to Ask for Payment

By HIRAM MARKS

Award of snow clearing contracts this year by competitive bidding is expected to result in a further saving to the city, and the ordinance covering the work in fifteen districts in which the city is divided, are before the Local Improvements Committee of the City Council for consideration.

St. Louis Planner Mr. St. Louis prepared the city plan of St. Louis, involving the expenditure of \$90,000,000, also plans for a number of other large cities.

Congestion Problem Traffic congestion and inadequate facilities for street and highway traffic constitute one of the foremost problems before us today.

Police Pension Law Introduced Councilman Harry C. Goodwin introduced a local law with reference to the equalization of pensions for members of the police force, and Vice-Mayor Adler referred it to the law committee.

Hearing Called on Tax Dates The Council adopted a resolution by Councilman Joseph L. Guzzetta, fixing next Monday evening as the time for a public hearing on a local law introduced by Dr. Guzzetta changing the date of payment of taxes from Jan. 1 to July 1.

Weather Report

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MERCHANTS SUPPORT TAX SHIFT, REALTORS OPPOSE; CULVER PAVING PROPOSED

40-Ft. Concrete Paving Would Be Provided on Entrance to City

FIRST HEARING LISTED MONDAY

By HIRAM MARKS

A local improvement ordinance for Culver Road concrete pavement, sewer and walks, from Waring Road to the city line, was introduced last evening by Councilman William F. Duran and was referred by Vice-Mayor Adler to the Local Improvements Committee.

Hearing on Monday The improvement, it is expected, will provide stimulus to the agitation for the improvement of Culver Road as far as Durand-Eastman Park. The first hearing on the ordinance will be held at 8 o'clock on Monday evening at the second hearing the next Monday evening, after which the Local Improvements' Committee, Councilman Nelson A. Milne, chairman, will report.

Asks Zone Change Councilman Edward P. Flynn's resolution fixing the compensation of Metcalf & Bady for services furnished the city was adopted, as was Councilman Duran's resolution authorizing George J. Nier, commissioner of public safety, to levy traffic congestion, and a committee representing the property owners, made up of Assemblyman Haskell H. Marks, and Charles T. Chapin, co-operated with City Manager Stephen B. Story, Wendell T. Andrews, city purchasing agent, Warren Allen, deputy city purchasing agent, in charge of land purchases, in arriving at prices with owners of land that was required that were considered equitable.

Improvement Urged The improvement is urged by a large number of property owners in the vicinity as a means of relieving traffic congestion, and a committee representing the property owners, made up of Assemblyman Haskell H. Marks, and Charles T. Chapin, co-operated with City Manager Stephen B. Story, Wendell T. Andrews, city purchasing agent, Warren Allen, deputy city purchasing agent, in charge of land purchases, in arriving at prices with owners of land that was required that were considered equitable.

Collection by Districts Suggested Councilman Harry C. Goodwin said that it has been suggested to him that the taxes might be collected in districts. He requested, through Vice-Mayor Adler, that Comptroller Clarence E. Higgins inform him whether this practice has been followed in any other city; also the actual cost to the city in interest charges by the varying the collection periods three months, also whether the collection by districts, spreading the payment over a number of months in the year, would save the city anything by making it unnecessary to hire extra clerical force.

Students from Playgrounds "It will also be my aim to have the law so drawn that a man or woman holding a city position cannot hold a county position at the same time. If a city employee wants to run for office, let him resign the job he held before being elected. No man should be privileged to hold two offices."

Notice was given to the City Council last evening by Councilman Harry C. Goodwin that next Monday evening he will introduce a local law which would "put city employees in a position so that they will not have to contribute either time or money to political service so they may obtain and hold their positions purely on their ability and disposition to do their work well."

What Council Did Last Night

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Adopted resolutions by Councilman Chester A. Peake providing for two additional subway stops, one at Alexander Street and the other at either Smith or Jay Street.

Vice-Mayor Isaac Adler called for allegations on a number of local improvement ordinances without response from interested property owners and business conducted included a number of matters relating to municipal land purchases and sales; minor contracts, settlement of claims and other routine city business.

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Proposed Law Not Aimed To Keep Employees from Office, He States

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Councilman Goodwin made this statement to the council with reference to his proposed law.

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"I also object to school teachers acting as playground directors during their vacations. As teachers, they are reasonably well paid. There are many young men and women who are having pretty hard sledding financially in getting through school and college. I feel that they should be given the playground positions if they qualify. In a spirit of fair play I feel that teachers should step aside during the Summer and give others a chance to earn money that will help the mothers in the winter months and enable many of them to continue in school."

WATER SHED TAX TOO HIGH, CITY DEMURS

Supreme Court Will Review Assessments of Land at Canadice, Hemlock Lakes

TRACTS CLAIMED WILD Should Be Classed as Farm Lands They Once Were, Is Ontario County's Stand

Papers in certiorari proceedings have been served on assessors of the townships of Canadice and Richmond, Ontario County, citing them to appear at a special term of Supreme Court here Monday for a review of assessments on lands surrounding Canadice and Hemlock lakes, from which the City of Rochester obtains much of its water supply.

The proceedings were instituted by Corporation Counsel Clarence M. Platt in an effort to obtain a reduction of assessments against city property in Ontario County. Earl S. Warner, Ontario County attorney, will represent the townships.

Opposes Increased Assessments An effort will be made by the City of Rochester to show that assessments on marginal lands about Canadice Lake in the Town of Canadice, raised last year to \$723,200, should not exceed \$83,350.

It is the city's contention that the lands in question must be maintained in a wild and uncultivated condition as a sanitary protection to the water supply, and that in this state should be assessed only as unimproved property.

County Attorney Warner will oppose the sought-for reduction, on the ground that the tax rule under which the reduction is asked, applies to ordinary reforestation projects, and not to instances where cultivated land has been adapted to protective land for water supply.

In commenting on Rochester's action, County Attorney Warner pointed out that in his opinion the matter revolves into the question: "How much is land worth to protect a municipality's water supply?"

Were Thriving Farm Lands "These lands," Mr. Warner stated, "were thriving farms when acquired by the City of Rochester, and as such were subject to the usual assessments for farm property. The city proceeded to strip the lands of all buildings and to set out trees for the purpose of protecting its water supply, and it now asks to have the property assessed as forest lands."

"If the city succeeds in its efforts to secure Hoyooye Lake for a supplementary water supply," Mr. Warner continued, "it will do the same thing to marginal lands about that body of water, and then without doubt seek to have the land assessed as forest land."

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CUT SOUGHT ON ONTARIO PROPERTY

Whether lands re-forested as a sanitary protection to a city's water supply are worth more than lands in a naturally wild and uncultivated state, is a question the courts will be asked to determine as a result of Rochester's efforts to obtain a reduction in assessments on property it owns in Ontario County.

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Papers have been served on assessors of Canadice and Richmond townships, citing them to appear at a special term of Supreme Court in Rochester, next Monday.

NEW QUESTION INVOLVED That an entirely new question is involved in the case, is the opinion of County Attorney Earle S. Warner of Ontario County, who will oppose the motion. He holds that the provision of the tax law under which the certiorari proceedings are instituted, applies to ordinary reforestation projects and not to instances where cultivated land has been adapted to protective lands for a water supply.

In a news dispatch from Canadice, today County Attorney Warner is quoted as follows: "The lands in question were thriving farm lands when acquired by the City of Rochester and, as such, were subject to the usual assessments for farm property. The city proceeded to strip the lands of all buildings and to set out trees for the purpose of protecting its water supply, and it now asks that this property be assessed as forest land."

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City First Must Fix Cost, Approve Plans For Ridge Road Span

Council to Meet Friday Afternoon to Inspect Seven Different Designs For New Bridge Over Genesee River and Make Suggestions.

The most ambitious structure yet to span the Genesee in Rochester—the proposed Ridge Road bridge in the northern part of the city—may be under way early next year. If city officials arrive at a satisfactory decision on the type or bridge to be built and the amount of money that can be spent for it, they expect to have contract plans ready by the end of this year.

With preliminary plans already well advanced for the Ridge Road span, a conference of City Council members has been called for 3 p. m. Friday, to inspect work done thus far, to ask questions, and to make suggestions.

"It will be an informal conference to familiarize the City Council with plans for the new bridge," said Harold W. Baker, commissioner of public works, in announcing today the invitation to councilmen. Commissioner Baker and Frank P. McKibben, the engineer designing the structure, will present the plans to the group.

Seven different designs are being considered—five of concrete and two of steel. While Commissioner Baker says it will be an engineering decision as to whether or not concrete is preferable over steel, he remarks that "the location is good for a concrete bridge."

Both single and double deck types are under deliberation. "All designs being considered," said Mr. Baker, "are of the arch type. We are giving much attention to aesthetic considerations, as the opportunity at that location is excellent for architectural beauty."

A preliminary decision will be made to illuminate the span by night when it is completed, is being worked out by the General Electric Company at no expense to the city.

Expert Drawing Plans During the last two days, Commissioner Baker has been in conference with the plans with Mr. McKibben, who is the designer of the new Smith Street bridge now under construction. Mr. McKibben, bridge expert from Black Gap, Pa., has been engaged in the Ridge Road plans for the last eight weeks, with a corps of 14 assistants.

It is anticipated the bridge would take 18 to 20 months to build, and that completion of the entire project, with approaches, would require two years.

The new Smith Street bridge was placed ahead of Ridge Road plans, according to Mr. Baker, because of the pressing need for relief to build another bridge ahead of it," he said, "a large expenditure would have been necessary to make the Smith Street bridge safe for traffic in the meantime. Moreover, I am not convinced that holding of the Ridge Road bridge first would have greatly affected the traffic situation so far as Smith Street is concerned."

Traffic Conditions Studied Commissioner Baker would make no prediction of what the Ridge Road cost might approximate, except to admit it might be more than that of the nearly-million-dollar Smith Street structure.

Preliminary studies of traffic conditions in the Ridge Road section have been made by the bridge engineers. They find, for instance, that, on the west side of the river, traffic in Ridge Road has tripled in volume since 1926. Studies are also being made on the St. Paul Street side of the proposed crossing, showing a lighter increase. The studies will be shown to and discussed by the councilmen Friday.

Rochester's total bridge traffic in 1929 is 19 per cent. over that of 1928, a count by Boy Scouts showed. The heaviest traffic is over Main Street East bridge, where 13,396 vehicles passed between 8 a. m. and 7 p. m. Broad Street bridge is second with 11,944, Central Avenue next with 10,311, Chalmers Street next with 9,382, Court Street next with 9,134, and Driving Park Avenue next with 8,280.

STREET PART OF CITY PLAN NEARLY DONE

Delivery Ahead of Agreed Date Will Speed Work on Development Program

MUCH PROGRESS MADE

Rochester Already Operating Under State Planning and Zoning Law

By HIRAM MARKS

Such excellent progress has been made toward preparation of the section of the City Plan relating to major thoroughfares that it is possible that Harland Bartholomew and his associates may have it ready a few days before Nov. 1, the date when he agreed to deliver it to City Manager Stephen B. Story.

Harold W. Baker, commissioner of public works, and the engineering forces of the city have been co-operating with Mr. Bartholomew, who ranks among the most noted city planners in the world, and the work has been expedited by reason of the great amount of technical information that already has been gathered. Edwin A. Fisher, former consulting city engineer, has taken an active part in the work.

Will Permit Definite Program Under the arrangement that was approved by the City Council, the section of the City Plan with reference to major streets and thoroughfares, which embraces such important projects as the extension of Broad Street eastward, was to be ready on Nov. 1, and the section relating to the Civic Center was to be ready on Dec. 1.

With these two studies completed, the city authorities believe that many undertakings that are being discussed in the community can be definitely arranged in a logical order that will assure their completion over a period of years, and under a plan in keeping with the city's ability to finance, without great pressure on the taxpayers.

Vice-Mayor Isaac Adler said that the councilmanic committee will immediately take up consideration of the recommendations laid down by Mr. Bartholomew in the first section of the City Plan with the view of definitely starting action on the suggestions. City Manager Story said that the various agencies that have been recruited from civic spirited citizens to participate in the formulation and carrying out of the plan are awaiting the City Plan, which sets back line is established, which restricts future holdings to the line; and eventually all buildings conform, and the street is widened without expense to the city. The construction of new structures on the setback line, according to experience of other cities, is a stimulus to adjacent property to conform, and while during the process of construction, the street may have a ragged building contour, it is only a comparatively short time before all buildings conform, and the benefits achieved greatly overshadow the appearance and inconvenience in the transition stage.

Height and Area Law There has also been adopted the last year a new height and area ordinance covering zoning. This ordinance was the result of fifteen months' work, and puts Rochester, for the first time, under the state City Planning and Zoning law, and also for the first time on a firm legal basis in regard to zoning. The new zoning ordinance is already in operation. It covers area and height of buildings with the view of safeguarding the interests both of the city at large and of adjoining property owners, yet is said to be sufficiently flexible so as not to retard progress and enjoin construction.

CONCRETE IS DECIDED FOR RIVER SPAN

Action Taken at Informal Meeting of Officials To Be Ratified by Council

DESIGN IS ACCEPTED

Frank P. McKibben, Famous Bridge Engineer, Here for Conference

By HIRAM MARKS

The type of bridge to be erected at Ridge Road was selected at an informal conference of city officials yesterday afternoon and decision to begin construction immediately was reached. The conference concluded after a long discussion of various designs submitted by Frank P. McKibben, bridge engineer, who was decided that the location lent itself most advantageously to a concrete structure and from several studies that were submitted there was selected the one that was considered the most desirable from the viewpoint of efficiency, embellishment and general enhancement of the community.

Attending the informal conference were a majority of the members of the City Council and all were in complete agreement that something exceptionally fine should be put forward by the city in the construction of the bridge. At the conclusion of the meeting, Mr. McKibben, whose work in the engineering field in conjunction with bridge construction takes him all over the United States and to a number of other countries, declared that the design selected will give Rochester one of the outstanding bridges in the world.

Bridge of Concrete At the suggestion of Vice-Mayor Isaac Adler, the decision reached at the informal conference will be ratified by formal councilmanic action a week from Monday evening and at that time Mr. McKibben will be in attendance to answer any questions that the public may wish to ask him about the bridge or anything the Council might desire to clear up.

The bridge will be of concrete construction and unanimous sentiment developed among the councilmanic members to face it on two sides with a durable stone, such as granite. It was brought out that this will mean an additional expenditure of approximately \$400,000, but will greatly extend the life of the bridge and will lessen the maintenance cost. The facing of the bridge with granite, it was pointed out, not only will greatly enhance the attractiveness of the structure, but over an extended period will prove economical and to the best interests of the city.

Both Councilman Nelson A. Milne, of the Northwest district, and Councilman William F. Duran, of the Northeast district, who are co-sponsors of the bridge were of the opinion that the construction should go forward immediately and they endorsed enthusiastically the declaration of Harold W. Baker, commissioner of public works, under whose direction the tentative plans were drawn, that a bridge of which "we all will be proud should be erected at Ridge Road."

The total estimated cost of the structure selected is \$3,066,000 and Mr. McKibben said that with the selection of the type of bridge that is to be erected he and his associates can go forward with the preparation of the contract drawings and have them ready by Dec. 1. This will enable the city to award the contract so that construction can start early in the Spring. The greatest part of two years will be necessary to complete the construction.

60 Foot Approach Elimination of the crossing of the bridge approach with St. Paul Street was decided and Commissioner Baker was authorized to proceed with the various studies he had started to bring this about. This cost is approximately \$300,000 and City Manager Stephen B. Story explained that St. Paul Street will be depressed so that the bridge approach will go over it connecting with thoroughfares to the eastward. The bridge will connect on the east side with Keeler Street, which when extended will provide a 60 foot roadway, enabling six lines of traffic to move with convenience. There were several suggestions for connection with Ridge Road and adjacent streets and the studies by Commissioner Baker, with other city officials under City Manager Story co-operating, are intended to take care of the traffic problem.

Councilmen were in agreement that there should be an elimination of the crossing at St. Paul Street because of the heavy volume of vehicular travel flowing in that street and the difficulties it would have with the heavy volume that would pass over the bridge. In the canvass of sentiment of the councilmen by Commissioner Baker each agreed that the city should look forward and do a complete job on the bridge and take care of all contingencies.

The bridge will be 1,700 feet long, from end to end, and will have a height of 150 feet above the river, at the crown of the arch. The roadway will be 60 feet wide, providing for the movement of six traffic lanes, and there will be two wide walks from nine to twelve feet. The main span will be 300 feet wide.

Of Classic Design Included in the estimate of \$3,066,000 is the cost of the St. Paul Street elimination. Property for the bridge approaches has already been acquired, some of it five or six years ago. Mr. McKibben said that the bridge will be of classic design, following that of the Roman structures and the early Egyptian ones. The Romans, he pointed out, originated the use of the arch, and the Ridge Road bridge will be an artistic treatment of this efficient type of construction.

Connecting the east and west sides of the city, in close proximity with the Kodak Park plant of the Eastman Kodak Company, employing thousands of workers, the bridge is expected to be the source of great convenience to thousands of people. Councilmen were in complete accord with the statement by the city officials as pointed out by City Manager Story and Commissioner Baker that there is great sentiment in the community for the immediate construction of the bridge.

Attending the conference were Vice-Mayor Isaac Adler, Councilman Nelson A. Milne, chairman of the Local Improvement Committee; Councilman William F. Duran, chairman of the Public Safety Committee; Councilman Edward P. Flynn, chairman of the Public Works and Engineering Committee; Councilman Louis S. Foulkes, chairman of the City Planning and Zoning Committee, Mayor Wilson, who is rapidly recovering from his illness, could not be present; Councilman Harry C. Goodwin was out of the city and Councilman Joseph L. Guzzetta could not attend.

All councilmen joined in the discussion regarding the best type of bridge and one by one the various drawings, embracing not only concrete but also steel construction, were eliminated and definite selection of the design made. In attendance also were Henry L. Howe and C. Arthur Poole, of the city engineering department.

Driving Park Safe Because of the heavy burden that falls on the Driving Park Avenue bridge by reason of the closing of Smith Street, pending construction of a new steel structure, Mr. McKibben made clear that he inspected the strength of all members in the Driving Park Avenue bridge and found that the structure can safely carry from three to four times the load it is now handling, even in view of the increased traffic on it. He said that there was nothing to be feared by the public in using the bridge as the factor of safety was beyond any situation that might develop. City Manager Story directed attention to this line of thought to clear up any uncertainty that may prevail about the condition of the Driving Park Avenue bridge.

Mr. McKibben said that there is always more or less vibration in bridges of the construction of that at Driving Park Avenue and while this is unquestionably disagreeable, it was not dangerous and was not a condition to cause concern.

Mr. McKibben will attend a conference in New Orleans next week and will return to Rochester for the Council session a week from Monday. Vice-Mayor Adler said that the public is invited to visit the Council and discuss any phase of the Ridge Road bridge that may be of interest. The construction of the bridge is one of the largest single projects undertaken by the city and the preliminary work under Commissioner Baker's direction has covered several years.

CITY'S CASE ON LAKE PROPERTY IS CALLED HERE

Efforts of the City of Rochester to obtain a review of assessments on property owned by the city in Canadice and Richmond townships reached Supreme Court Justice Willis K. Gillette in Special Term of Supreme Court here today.

The city seeks to have the taxes on its property in the vicinity of Canadice and Canadice lakes reduced on the ground that the lands are in an uncultivated condition and are thus unimproved. The court referred the matter to Official Referee S. Nelson Sawyer of the Seventh Judicial District for settlement.

The reference was made after Assistant Corporation Counsel George S. Draper and Earle S. Warner, Ontario County attorney, appeared in regard to two certiorari proceedings brought by the city against assessors of the two townships.

In the subsequent proceedings the city will seek to show that assessments on its property in the Canadice Lake region, raised to \$723,200 last year, should not exceed \$83,350, and a reduction from \$657,335 to \$382,900 on lands and water lines in Richmond, which carry water to the city from Hemlock Lake.

Opposing attorneys say there is extensive testimony to be taken and that the litigation will not be terminated for several months.

State Street Traffic Job To Be Finished Nearly Month Ahead Of Contract Period

First Street in City to Have Reinforced Areaways—50 Working Days Spent in Laying New Pavement From Main to Commercial Street

State Street, newly paved, will be ready for traffic next Saturday, contractors announced today. John Rauber Jr., in charge of construction for Whitmore, Rauber & Vicinus, pointed out that the work, begun Aug. 8, will have been completed in 50 working days, nearly one month ahead of the time called for in the contract.

The job covers State Street from Main Street to Commercial Street. Laying of sidewalks and building areaways was the most difficult part of the job, however, Mr. Rauber said. Sidewalks slabs weighing eight tons were removed whole and carried away, a truck being needed in many cases to carry a single block. Some of them were so heavy that they broke the hoisting equipment. Formerly it would have taken days to break them up and carry them away, using hand labor.

Total Cost \$92,632 By a co-incident the State Street concrete was laid by Louis Kohl, who has placed pavements for Whitmore, Rauber & Vicinus for 50 years and who surfaced the same street 33 years ago for the same company.

The contract price for the entire job was \$92,632.53. This included reinforced areaway construction. It is the first street in the city to have this improvement, Mr. Rauber said.

The new pavement is from 54 to 60 feet wide and 1,660 feet in length. It consists of a six-inch concrete base over an old six-inch concrete base, making the entire base one foot in depth. Over this is a three-inch asphalt surface.

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In commenting on Rochester's action, County Attorney Warner pointed out that in his opinion the matter revolves into the question: "How much is land worth to protect a municipality's water supply?"

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In the Town of Richmond, Rochester seeks to obtain a reduction from \$657,535 to \$382,900 on its several miles of pipe line which carries water from Hemlock Lake through Ontario County on its way to the city. Assessors on whom papers were served in this case are William H. Bacon, Charles W. Ashley and J. M. Huff.

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A plan to install flood-lights to illuminate the span by night was included in being worked out by the General Electric Company at no expense to the city.

Expert Drawing Plans During the last two days, Commissioner Baker has been in conference over the plans with Mr. McKibben, who is the designer of the new Smith Street bridge now under contract. Mr. McKibben, bridge expert from Black Gap, Pa., has been engaged in the Ridge Road plans for the last eight weeks, with a corps of 14 assistants.

Construction of the aging Smith Street span. "Had we undertaken to build another bridge ahead of it," he said, "a large expenditure would have been necessary to make the Smith Street bridge safe for traffic in the meantime. Moreover, I am not convinced that building of the Ridge Road bridge first would have greatly affected the traffic situation so far as Smith Street is concerned."

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COUNCIL WILL REVIEW PLANS FOR NEW SPAN

Informal Meeting Is Called To Consider Drawings for Bridge at Ridge Road

An informal conference of members of the City Council has been called for 3 o'clock tomorrow afternoon by Frank P. McKibben, commissioner of public works, for the purpose of discussing with them plans for the Ridge Road bridge. Conditions there lend themselves to the construction of a concrete bridge and seven drawings have been prepared by Frank P. McKibben, bridge engineer, for the consideration of the council. Five of these drawings are for concrete structures and two for steel.

Because of the residential sections tapped by the bridge and the fact that it is visible for long distances the situation at Ridge Road lends itself to a concrete structure, which permits greater embellishment, it is declared. Utility and architectural beauty are combined in the various drawings, Commissioner Baker feels, and both the single and double deck types are under consideration.

After the views of the councilman members are obtained it is possible to crystallize the sentiments in one or two drawings and from these make decision as to the contract drawings. It is possible to start the bridge early next year.

Under the direction of City Manager Story there has been a comprehensive survey into traffic conditions confronted at all bridges and in conjunction with material developed by Commissioner Baker and George J. Niert, commissioner of public safety, there have been the statistics of the Rochester Engineering Society, obtained in cooperation with the Boy Scouts.

Height and Area Law There has also been adopted the last year a new height and area ordinance covering zoning. This ordinance was the result of fifteen months' work, and puts Rochester, for the first time, under the state City Planning and Zoning law, and also for the first time on a firm legal basis in regard to zoning. The new zoning ordinance is already in operation. It covers area and height of buildings with the view of safeguarding the interests both of the city at large and of adjoining property owners, yet is said to be sufficiently flexible so as not to retard progress and enjoin construction.

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Both Councilman Nelson A. Milne, of the Northwest district, and Councilman William F. Duran, of the Northeast district, which are connected by the new bridge were of the opinion that the construction should go forward immediately and they endorsed enthusiastically the declaration of Harold W. Baker, commissioner of public works, under whose direction the tentative plans were drawn, that a bridge of which "we all will be proud should be erected at Ridge Road."

The total estimated cost of the structure selected is \$3,086,000 and Mr. McKibben said that with the selection of the type of bridge that is to be erected he and his associates can go forward with the preparation of the contract drawings and have them ready by Dec. 1. This will enable the city to award the contract so that construction can start early in the Spring. The greatest part of two years will be necessary to complete the construction.

60 Foot Approach Elimination of the crossing of the bridge approach with St. Paul Street was decided and Commissioner Baker was authorized to proceed with the various studies he had started to bring this about. This cost is approximately \$300,000 and City Manager Stephen B. Story explained that St. Paul Street will be depressed so that the bridge approach will go over it connecting with thoroughfares to the eastward.

The bridge will connect on the east side with Keeler Street, which when extended will provide a 60 foot roadway, enabling six lanes of traffic to move with convenience. There were several suggestions for connection with Ridge Road and adjacent streets and the studies by Commissioner Baker, with other city officials under City Manager Story co-operating, are intended to take care of the traffic problem.

Councilmen were in agreement that there should be an elimination of the crossing at St. Paul Street because of the heavy volume of vehicular travel flowing in that street and the difficulties it would have with the heavy volume that would pass over the bridge. In the canvass of sentiment of the councilmen by Commissioner Baker each agreed that the city should look forward and do a complete job on the bridge and take care of all contingencies.

The bridge will be 1,700 feet long, from end to end, and will have a height of 150 feet above the river, at the crown of the arch. The roadway will be 60 feet wide, providing for the movement of six traffic lanes, and there will be two sidewalks from nine to twelve feet. The main span will be 300 feet wide.

Of Classic Design Included in the estimate of \$3,086,000 is the cost of the St. Paul Street elimination. Property for the bridge approaches has already been acquired, some of it five or six years ago. Mr. McKibben said that the bridge will be of classic design, following that of the Roman structures and the early French bridges. The Romans, he pointed out, originated the use of the arch, and the Ridge Road bridge will be an artistic treatment of this efficient type of construction.

Connecting the east and west sides of the city, in close proximity with the Kodak Park plant of the Eastman Kodak Company, employing thousands of workers, the bridge is expected to be the source of great convenience to thousands of people. Councilmen were in complete accord with the statement by the city officials as pointed out by City Manager Story and Commissioner Baker that there is great sentiment in the community for the immediate construction of the bridge.

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All councilmen joined in the discussion regarding the best type of bridge and one by one the various drawings, embracing not only concrete but also steel construction, were eliminated and definite selection of the design made. In attendance also were Henry L. Howe and C. Arthur Poole, of the city engineering department.

Because of the heavy burden that falls on the Driving Park Avenue bridge by reason of the closing of Smith Street, pending construction of a new steel structure, Mr. McKibben made it clear that he inspected the strength at all members in the Driving Park Avenue bridge and found that the structure can safely carry from three to four times the load it is now handling, even in view of the increased traffic on it. He said that there was nothing to be feared

STREET PART OF CITY PLAN NEARLY DONE

Delivery Ahead of Agreed Date Will Speed Work on Development Program

MUCH PROGRESS MADE

Rochester Already Operating Under State Planning and Zoning Law

By HIRAM MARKS

Such excellent progress has been made toward preparation of the section of the City Plan relating to major thoroughfares that it is possible that Harland Bartholomew and his associates may have it ready a few days before Nov. 1, the date when he agreed to deliver it to City Manager Stephen B. Story.

Harold W. Baker, commissioner of public works, and the engineering forces of the city have been cooperating with Mr. Bartholomew, who ranks among the most noted city planners in the world, and the work has been expedited by reason of the great amount of technical information that already has been made toward preparation of the section of the City Plan relating to major thoroughfares that it is possible that Harland Bartholomew and his associates may have it ready a few days before Nov. 1, the date when he agreed to deliver it to City Manager Stephen B. Story.

COUNCIL WILL REVIEW PLANS FOR NEW SPAN

Informal Meeting Is Called To Consider Drawings for Bridge at Ridge Road

An informal conference of members of the City Council has been called for 3 o'clock tomorrow afternoon by Frank P. McKibben, commissioner of public works, for the purpose of discussing with them plans for the Ridge Road bridge. Conditions there lend themselves to the construction of a concrete bridge and seven drawings have been prepared by Frank P. McKibben, bridge engineer, for the consideration of the council. Five of these drawings are for concrete structures and two for steel.

Because of the residential sections tapped by the bridge and the fact that it is visible for long distances the situation at Ridge Road lends itself to a concrete structure, which permits greater embellishment, it is declared. Utility and architectural beauty are combined in the various drawings, Commissioner Baker feels, and both the single and double deck types are under consideration.

After the views of the councilman members are obtained it is possible to crystallize the sentiments in one or two drawings and from these make decision as to the contract drawings. It is possible to start the bridge early next year.

Under the direction of City Manager Story there has been a comprehensive survey into traffic conditions confronted at all bridges and in conjunction with material developed by Commissioner Baker and George J. Niert, commissioner of public safety, there have been the statistics of the Rochester Engineering Society, obtained in cooperation with the Boy Scouts.

Height and Area Law There has also been adopted the last year a new height and area ordinance covering zoning. This ordinance was the result of fifteen months' work, and puts Rochester, for the first time, under the state City Planning and Zoning law, and also for the first time on a firm legal basis in regard to zoning. The new zoning ordinance is already in operation. It covers area and height of buildings with the view of safeguarding the interests both of the city at large and of adjoining property owners, yet is said to be sufficiently flexible so as not to retard progress and enjoin construction.

CONCRETE IS DECIDED FOR RIVER SPAN

Action Taken at Informal Meeting of Officials To Be Ratified by Council

DESIGN IS ACCEPTED

Frank P. McKibben, Famous Bridge Engineer, Here for Conference

By HIRAM MARKS

The type of bridge to be erected at Ridge Road was selected at an informal conference of city officials yesterday afternoon and decision to begin construction immediately was reached. The conference concluded after a long discussion of various designs submitted by Frank P. McKibben, bridge expert. It was decided that the location lent itself most advantageously to a concrete structure and from several studies that were submitted there was selected the one that was considered the most desirable from the viewpoint of efficiency, embellishment and general enhancement of the community.

Attending the informal conference were a majority of the members of the City Council and all were in complete agreement that something exceptionally fine should be put forward by the city in the construction of the bridge. At the conclusion of the meeting, Mr. McKibben, whose work in the engineering field in conjunction with bridge construction takes him all over the United States and to a number of other countries, declared that the design selected will give Rochester one of the outstanding bridges in the world.

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CITY'S CASE ON LAKE PROPERTY IS CALLED HERE

Efforts of the City of Rochester to obtain a review of assessments on property owned by the city in Canadice and Richmond townships reached Supreme Court Justice William K. Gillette in Special Term of Supreme Court here today.

The city seeks to have the taxes on its property in the vicinity of Hemlock and Canadice lakes reduced on the ground that the lands are in an uncultivated condition and are thus unimproved. The court referred the matter to Official Referee S. Nelson Sawyer of the Seventh Judicial District for settlement.

The reference was made after Assistant Corporation Counsel George S. Draper and Earle S. Warner, Ontario County attorney, appeared in regard to two certiorari proceedings brought by the city against assessors of the two townships.

In the subsequent proceedings the city will seek to show that assessments on its property in the Canadice Lake region, raised to \$723,200 last year, should not exceed \$83,350, and a reduction from \$657,535 to \$382,900 on lands and water lines in Richmond, which carry water in the city from Hemlock Lake.

Opposing attorneys say there is extensive testimony to be taken and that the litigation will not be terminated for several months.

State Street Traffic Job To Be Finished Nearly Month Ahead Of Contract Period

First Street in City to Have Reinforced Areaways—50 Working Days Spent in Laying New Pavement From Main to Commercial Street

State Street, newly paved, will be ready for traffic next Saturday, contractors announced today. John Rauber Jr., in charge of construction for Whitmore, Rauber & Vicinus, pointed out that the work, begun Aug. 8, will have been completed in 50 working days, nearly one month ahead of the time called for in the contract.

The job covers State Street from Main Street to Commercial Street. Laying of sidewalks and building areaways was the most difficult part of the job, however. Mr. Rauber said. Sidewalks slabs weighing eight tons were removed whole and carried away, a truck being needed in many cases to carry a single block. Some of them were so heavy that they broke the hoisting equipment. Formerly it would have taken days to break them up and carry them away, using hand labor.

Total Cost \$92,632 By a coincidence the State Street concrete was laid by Louis Rehl, who has placed pavements for Whitmore, Rauber & Vicinus for 20 years and who surfaced the same street 23 years ago for the same company.

The contract price for the entire job was \$92,632.05. This included reinforced areaway construction. It is the first street in the city to have this improvement, Mr. Rauber said.

The new pavement is from 54 to 60 feet wide and 1.680 feet in length. It consists of a six-inch concrete base over an old six-inch concrete base, making the entire base one foot in depth. Over this is a three-inch asphalt surface.

Used New Methods To make possible the record speed with which the street construction was achieved, Whitmore, Rauber & Vicinus used several new methods, including mixing the concrete at a central plant in Mount Hope Avenue, Mr. Rauber said. By this method it was possible to lay one side of the thoroughfare from Andrews Street to Main Street in a single working day, a record for Rochester. Quick-setting concrete of a type that will bear traffic in three days instead of the former ten, was used.

Attending the conference were Vice-Mayor Isaac Adler, Councilman Nelson A. Milne, chairman of the Local Improvement Committee, Councilman William F. Duran, chairman of the Public Safety Committee; Councilman Edward P. Flynn, chairman of the Public Works and Engineering Committee; Councilman Louis S. Foulkes, Councilman Chester A. Peake, chairman of the City Planning and Zoning Committee, Mayor Wilson, who is rapidly recovering from his illness, could not be present; Councilman Harry C. Goodwin was out of the city and Councilman Joseph L. Guzzetta could not attend.

PROPOSED CHANGE OF TAX COLLECTION DATES BEATEN; NEWS STAND APPEAL LOSES

Council Tie Defeats Amendment Giving Vendors Hearing

LAW COMMITTEE REPORT ADVERSE

VanSchaick Defends Newsboys; Goodwin May Ask Revote

What Council Did Last Night

Business transacted last evening by the City Council included the following matters:

Defeated by a vote of five to three local law by Councilman Joseph L. Guzzetta to change the dates for payment of city taxes from Jan. 1 and July 1 to April 1 and Oct. 1.

Received from Councilman Goodwin two local laws to repeal political activities of municipal employees, and sent both to the law committee.

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Guzzetta's Local Law Voted Down, 5 to 3, by City Council

SHIFT THOUGHT TOO EXPENSIVE

More Extended Trial Believed Owing to Present System

By HIRAM MARKS

By a vote of five to three, the City Council last evening defeated a local law introduced by Councilman Joseph L. Guzzetta to change the dates of collection of municipal taxes from Jan. and July 1 to April and Oct. 1.

In a report signed by Vice-Mayor Isaac Adler, chairman, and Councilman Harry C. Goodwin and Edward P. Flynn, the law committee reported adversely on the local law, the principal reason advanced being that the change suggested by Councilman Guzzetta would compel an additional expenditure of \$125,000 by the city, and that sufficient experience has not been had with the present collection periods to justify a change at this time.

Guzzetta Questions Figures

Councilman Guzzetta, questioned the figure quoted by the committee in behalf of the news vendors and in behalf of the news vendors and Councilmen Flynn, Goodwin and Peake voted to sustain the committee's adverse report. Under parliamentary procedure, the amendment was lost by the tie vote, Councilman Goodwin suggested that he would ask for a reconsideration of the amendment when Mayor Wilson is able to attend the councilmanic sessions so that there will be a decisive vote on the measure and it will not fall by a tie ballot.

Following is the Law Committee's report in opposition to the amendment.

Expenses incurred at \$125,000

Finally, the city would lose bank interest which it is now collecting, which is estimated at \$30,000, making a total additional expense and loss to the city, if the proposed amendment is adopted, approximately \$125,000.

During the first four months of 1929, the city collected for general city taxes, and \$79,683. Up to Sept. 1 it collected \$14,672.75, or 54.85 per cent of the total amount due up to Sept. 1, 1928.

Moreover, \$67,196.02 which did not come due until July, was paid prior thereto.

Reports Few Complaints

Fourth: The city treasurer reports that between \$0,000 and \$0,000 pieces of property are assessed; that the number of complaints received on account of the change in time of collection is very small; that there have been just as many complaints of approval of the change in time, and particularly that the system of collection in two installments has met with general commendation.

Fifth: The experience of other cities shows that collection in January is no hardship after the taxpayers have become used to it, and that the city has had no trouble in New York collecting its taxes in January, including Albany, Binghamton, Buffalo, Oneida, Poughkeepsie, Rome, Troy and Yonkers.

Sixth: It has been suggested that the city might be zoned, and collection in two installments be made in different parts of the city. Your committee believes that serious consideration in this result of tax collection in different dates in different sections. Furthermore, the present system of water sewers, street lighting, tree planting, grading and seeding, Graft Street, surface treatment.

Councilman Foulkes introduced local improvement ordinances for Elizabeth Place widening and Irondequoit Street concrete pavement and walks. Councilman Peake introduced ordinances for tree planting in Nellis Park and Maple Street asphalt pavement and walks.

An estimate of \$12,200 was given by the Councilman Baker for Illinois Street concrete pavement and \$9,500 for Plover Street concrete pavement.

IMPROVEMENTS FOR STILLSON STREET MOVED

New Pavement, Sidewalks Planned; Bills for Other Thoroughfares Approved

The ordinance for the asphalt pavement reconstruction and widening of Stillson Street, with new walks, between Grove Street and University Avenue, was passed last evening by the City Council following favorable report of the Local Improvement Committee.

The Council had a hearing on the proposed Cumberland Street extension and there were no appearances. The measure will come up next Monday evening.

Local improvement ordinances passed last evening included the following: Caliban Park, asphalt pavement; State Street, additional lighting from Main Street to Central Avenue; Highland Park Terrace (real, concrete pavements, sanitary and storm water sewers, Elmwood Avenue, tree planting, grading and seeding; Graft Street, surface treatment.

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By resolution of the Council, the following names were added to the Brig-Gen. Casimir Pulaski Memorial Day Committee the following names: Frank McShane, William F. Love, Harry J. McKay, Milton E. Gibbs, Andrew J. Kavanaugh, F. Fibbian Zimmerman, Leroy E. Snyder, George J. Nier and Philip Federbush.

Councilman Foulkes presented a remonstrance against the pavement and walks in Mudge Place. Councilman Milne filed a petition for a pavement in Meridden Street and for sidewalks in Rochelle Avenue.

Asks Laws to Curb City Workers in Politics

Two local laws governing political activities by municipal employees were introduced in the City Council last evening by Councilman Goodwin and were referred to the Law Committee for consideration.

One prohibits municipal employees from being warders in political campaigns. At present under the Charter, they are restrained from being committeemen.

The other makes it impossible for a city employee to hold another political position. Councilman Goodwin made it clear that the law is worded so that it does not apply to Councilman Milne, who is a deputy sheriff, and he said that he had no idea of making it apply personally to any member of the City Council, all of whom are elected.

The method of awarding the snow cleaning contracts on a competitive basis will be the subject of a conference that members of the Local Improvement Committee will have this week with Harold W. Finkler, commissioner of public works.

There were no appearances when Vice-Mayor Isaac Adler called for allegations last evening before the Council on the local law by Councilman Goodwin which would compel the elimination of numbers and letters from faces of the voting machines. No allegations were presented to the Law Committee on the measure compelling shoe shining establishments to close at 1 o'clock Sundays and holidays.

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BUILDING CODE CHANGE IS ASSURED

After more than ten years of surveying, Rochester today was virtually assured a new building code for late this year or early in 1930.

City Manager Story said the new code, on which Rudolph Miller, New York expert, has worked off and on for at least five years, soon will be submitted to the City Council.

This code may revive building change to greatly hampered by the construction, which contractors zoning code and red tape of getting action from the Zoning Board of Appeals. Building dropped to \$500,000 in September, its lowest mark for recent years.

Two other codes are to be submitted to the City Council before the end of the year. One is for new regulations of taxicabs and the other for improved traffic regulations. Safety Commissioner George J. Nier has just returned from a traffic survey of New Jersey cities.

The new building code may meet with many obstacles before it is adopted. It will attempt to regulate the use of combustibles and define certain restrictions on steel frame construction.

Other city administrations have attempted to draw the lines for business interests, with the result that the city has continued with its antiquated code.

FENNEL PLANNED CODE

More than ten years ago, the late Simon J. Fennell, then building superintendent, began writing a new building code. When he was dismissed six years ago, because he stood by the regular Republicans against the insurgent forces led by Mayor Clarence D. Van Zandt, Joseph C. Wilson, then comptroller, and District Attorney William F. Love, the writing of a new code was turned over to Mr. Miller.

When Mayor Van Zandt died, and Martin B. O'Neil succeeded him, Mr. Fennell was restored as building superintendent, and Mr. Miller lost his job. Mr. Fennell said he would write his own code. He died before his work was finished.

Milne Demands Story Take Action in Leake Suspension

Councilman Threatens Council Probe If City Manager Does Not Dispose of Charge Against Playground Head

Echoes of the Raitt case resounded last night when Councilman Nelson A. Milne issued a statement taking City Manager Stephen B. Story to task for failure to dispose of charges still pending against Chester B. Leake, superintendent of playgrounds and suspended on June 25, at the same time as Charles B. Raitt, former director of parks.

Mr. Milne asserted that Leake is still drawing his pay and that it is Mr. Story's duty to dispose of the charges against him, both in Justice Appeals. Building dropped to \$500,000 in September, its lowest mark for recent years.

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Historic Scrapbooks Collection

Varied Programs To Feature Fire Prevention Week

Parade of Old and New Apparatus For Fighting Flames Marks Opening of Observance—Exhibits Are Arranged—Schools to Co-operate.

Rochester, in line with communities in every state in the Union, is this week observing Fire Prevention Week.

Acting upon proclamation of Mayor Joseph C. Wilson, Rochesterians are heeding President Herbert Hoover's request that serious attention be given ways and means of reducing America's huge fire waste.

Rochester plans include a number of innovations. The week's program, under the fire prevention division of the Bureau of Fire Prevention and the Fire Prevention Committee of the Chamber of Commerce, was planned by a special subcommittee of the Chamber's Fire Prevention Committee.

Fire Prevention Week was officially opened this noon by Rochester's first fire prevention parade to demonstrate steps in the evolution of fire fighting equipment.

Friday afternoon there will be a demonstration of the efficiency of Rochester's motor-driven, motor-operated water tower at the Clarissa Street bridge under Fire Chief, Frank A. Jaynes.

Educational plans for Fire Prevention Week will be featured by three district exhibits.

The parade started at 11:45 from Hose 12, St. Paul Street. The line of march was from Hose 12 to Andrews, to Franklin, to Main Street East, to Main Street West, to Fitzburgh Street, to Broad Street to South Avenue, to Main, to St. Paul and to the quarters at Hose 12. The parade was followed

Mayor Would Have Election Evidence Go To Grand Jury

"The evidence obtained in relation to the election fraud in the Second Ward should go to the Grand Jury and be pushed to the limit," Mayor Joseph C. Wilson declared in a statement on the situation.

"If we can't have honest elections and primaries, Rochester is in pretty bad shape," he said.

Bill Defeated in Council

Councilman Makes Heated Argument When Elimination of Face Numbers Is Refused;

Socialists Ask Petition Nominations

With Councilman Harry C. Goodwin being recorded emphatically in the opposition the Council adopted an adverse report submitted by Vice-Mayor Isaac Adler and Councilman Edward Flynn, members, with Councilman Goodwin, on the law committee, on the local law he introduced to compel the elimination of numbers from the faces of voting machines.

Councilman Goodwin, in his speech, which rang through the corridors of the City Hall, declared that numbers were all right to indicate the individuality of voters, but they should not be used for candidates for councilmen.

Trainers Get Proclamation Copies of Mayor Wilson's proclamation have been sent to 115 public and parochial school teachers and principals, to 250 clergymen in Rochester and nearby places, to 26 librarians, 25 social centers, 45 theaters, and to 350 members of Community Safety Clubs organized by Rochester Safety Council in every ward and district in the city.

Inspection of every public school building by a fire prevention committee consisting of teachers and principals, to 250 clergymen in Rochester and nearby places, to 26 librarians, 25 social centers, 45 theaters, and to 350 members of Community Safety Clubs organized by Rochester Safety Council in every ward and district in the city.

First, the elimination may be made very simply. It requires merely that the slip which is inserted on the face of the machine shall contain the number of the candidate, and not the designating number and letter corresponding to the number and letter on the counter on the back of the machine.

Second, the difficulty which your committee finds with the proposal is that it allows no means of identifying the name on the face of the machine with the counter on the back.

Sees Number, Name Mixup The law (paragraph 26) requires the chairman of the board of inspectors to announce the designating number and letter on each counter for each candidate's name and the result as shown by the counter number.

Both are in congested districts and will fill a vital need according to Mr. Story. One will be in North Goodman Street near Central Park, adjacent to the stone quarry. It is 183 by 500 feet and has been plowed and graded.

A second is at North and Carter Streets. This site is 500 by 400 feet. It will be plowed and graded in the near future.

Both sites have been owned by the city for some time.

COUNCIL GIVES ITS APPROVAL TO EXTENSION

Peake Stands Alone Against Cumberland Plan After Land Owners Cut Price

Extension of Cumberland Street from Clinton Avenue North to Franklin Street was approved by the City Council last evening after Councilman Chester A. Peake, chairman of the City Planning and Zoning Committee, opposed the measure on the ground that it should await the preparation of the section of the city plan, with reference to major thoroughfares, which will be ready by the last of this month.

The estimated cost of the extension is \$250,000, which is a reduction from the \$500,000 originally asked by the property owners, who have the land that is required.

Members of the Local Improvement Committee are Councilman Nelson A. Milne, chairman; Mayor Joseph C. Wilson, and Councilman Peake. Councilman Milne said that he was not reporting on the matter until he had had a few weeks, awaiting the city plan.

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The principles of efficiency and democracy in municipal government are thereby combined. This is the Rochester scheme that business sense and efficiency are sufficient to the maintenance of the city.

Under the present electoral method by majority vote, only the business interests are represented.

Councilman Duran pointed out that three different city planning commissions have approved the extension, that congestion in Central Avenue and Andrews Street was growing worse daily, that the improvement and that Assemblyman Marks had "worked day and night to effect an agreement for a satisfactory price."

In any event, the lamentable lack of primary interest—only 20 per cent. of those qualified voted—coupled with the outstripping of the Sanzozor League by the political machine, indicate an apathy, under which the new charter system must fail.

Therefore, the Socialist Party feels that the demand for a responsible incorporation in it of the essential principles of democratic representation in voting, to make it democratic, representative and non-partisan.

CONCRETE BRIDGE AT RIDGE ROAD FAVORED BY COUNCIL; EQUALIZED PENSIONS PASS

Adler Alone Averse Plans To Be Made at Once for Structure 84 Feet Wide

CLAIMS MEASURE CAN BE OUTLAWED Provision to End Fire and Police Dispute Long Agitated

The local law providing for the equalization of pensions of retired members of the police and fire departments was adopted last evening after Vice-Mayor Isaac Adler, chairman of the Law Committee, submitted a minority adverse report to the measure.

The subject of equalizing the pensions of the retired police and firemen has been agitated in Rochester for several years and the inclination of the Council has been to favor it, but the measure is said to be unconstitutional.

At the hearing on the local law introduced by Councilman Goodwin, the declaration was made by Judge John Kinney that if there was a constitutional question, and he doubted its existence, the matter should be decided by the courts, not the Council.

Council Act Seen Legal Councilman Goodwin and Flynn felt that this stand was well taken and in their report they declared they are "of the opinion that the local law should be considered on its merits and that it is now within the province of this Council to pass upon the constitutionality of the local law."

Vice-Mayor Adler's position was that the law cannot be held and therefore should not be adopted. His minority report is as follows:

I desire to submit a minority report as a member of the Law Committee upon the proposed local law in relation to pensions. The law which is before your honorable body at this time is the same law which was introduced May 7, 1928, and upon which the Law Committee submitted a report on Oct. 1, 1928, which appears at page 625 of the Council proceedings for that year.

Sentiment expressed by the citizens present, including Daniel E. Suter, was that a "real structure" should be erected and that a sixty-foot roadway with a nine-foot sidewalk on each side, making a bridge eighty-four feet wide, over all, should be placed at Ridge Road, C. Arthur Poole, of the city engineering force, agreed with this conclusion and the ordinance will so provide.

Numerous questions were asked Mr. McKibben, and the meeting took the form of a round table discussion. Elimination of the crossing of the east bridge approach with St. Paul Street, was discussed, and Mr. McKibben submitted an illustration to show how St. Paul Street could be depressed, and entrance or exit made from the bridge through a series of right turns, forming a plaza with access drives.

Renewal of \$700,000 in City Notes Asked

COUNCIL VOTES TO RUSH AHEAD IMPROVEMENT

Cumberland Street Property Owners Cut Prices and City Feels Moral Obligation for Haste.

Ordinances providing for the renewal of \$700,000 in city notes were introduced in the City Council by Councilman Flynn and were referred by Vice-Mayor Adler to the finance committee. The ordinances were introduced after City Manager Story read a communication from Comptroller Clarence E. Higgins asking authority to renew the notes, which will become due next month.

The notes are divided as follows: General revenue, \$290,000; school revenue, \$160,000; municipal building construction, \$10,000; Elmwood Avenue subway, \$40,000; Winton Road subway, \$40,000; municipal land purchase, \$70,000; transit subway construction, \$25,000; school construction, \$60,000.

Councilman Milne and Councilman Duran introduced an ordinance approving a price of \$12,000 asked by Fred J. Blum for a parcel of property required for the Smith Street bridge.

Commissioner Baker submitted an estimate of \$150,000 for concrete pavement, sewer, and walk in Culver Road, from Waring Road to the city line, and in the hearing on the measure the construction of laterals before the pavement was laid was urged by a taxpayer.

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Decision to Be Made Soon in Suspension of Playground Head

Inquiry was made at the City Council meeting, last evening of City Manager Story by Councilman Milne as to the status of the charges made against Chester B. Peake, suspended director of playgrounds.

City Manager Story said that Councilman Milne was absolutely correct in his position and he said that he had requested George J. Nier, commissioner of public safety, two weeks ago to clear the matter up.

Mr. Leake's attorney had been retained but the matter would be completed tomorrow.

Finance Ordinances Now With Committee

The finance committee of City Council today had up for consideration ordinances authorizing City Comptroller Clarence E. Higgins to renew city notes aggregating \$700,000 which will mature next month.

The ordinances were introduced last night at the council meeting after a communication from the comptroller asking authority to renew the notes had been received.

CITY TO HAVE 2 ADDITIONAL PLAYGROUNDS

Rochester will have two new playgrounds early next Spring, Stephen B. Story, city manager, announced today.

Both are in congested districts and will fill a vital need according to Mr. Story. One will be in North Goodman Street near Central Park, adjacent to the stone quarry.

AMENDMENT TO ELECTION LAW REJECTED HERE

Council Disapproves Proposition To Eliminate Letters and Numbers From Voting Machines.

On the adverse report of Councilmen Edward P. Flynn and Isaac Adler and against the wishes of Councilman Goodwin, City Council by a seven to one vote, has rejected the amendment to the non-partisan election law which was aimed to eliminate letters and numbers from the face of voting machines.

The reason given for killing the proposed amendment was that the proposal allowed no means of identifying the name on the face of the machine with the counter on the back.

Breaks Spirit of Law

Mr. Goodwin insisted that the numbers, which he favored eliminating, broke the spirit of the non-partisan election law, a sterling feature of the city manager charter. If the high courts had not held that proportional representation, which was urged in a petition received from the Socialist party, unconstitutional in this state, Mr. Goodwin said he would have favored the amendment, but since its adoption here is impossible, he urged the next best means which he said is the elimination of numbers and letters from the face of the balloting machine.

This action, the councilman declared, not mean, the complete erasing of the election of numbers from the back where the count was taken.

Mr. Goodwin recorded the lone vote in favor of the amendment when Vice-Mayor Adler called the roll. The adverse report which killed the amendment follows:

Your law committee, to which was referred an amendment to paragraph 249 of the election law, designed to eliminate numbers and letters from the face of the voting machines to be used on election day, respectfully reports as follows:

First, the elimination can be made very simply. It requires merely that the slip which is inserted on the face of the machine shall contain therein the names of the candidates, and not the designating number and letter corresponding to the number on the counter on the back of the machine.

Second, the difficulty which your committee finds with the amendment is that it does no means of identifying the name on the face of the machine with the counter on the back.

Third, the amendment can be made very simply. It requires merely that the slip which is inserted on the face of the machine shall contain therein the names of the candidates, and not the designating number and letter corresponding to the number on the counter on the back of the machine.

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Plans For Bridge Explained By Expert At Council Meeting

Council Orders Drafting of Ordinance For Concrete Structure—Use of Red Stone For Facing Suggested—Would Cut Cost, Taxpayer Declares.

The City Council today was committed to the construction of a concrete bridge over the lower Genesee Gorge to connect the East and West Ridge roads.

Formal approval of the concrete type was given last evening at a council meeting attended by a record crowd of taxpayers interested in this long delayed bridge project.

There was no harking, but a number of questions were asked and to all accounts answered satisfactorily.

Speakers of 15 architects and engineers' studies and drawings had been hung on the walls of the council chamber. These showed questions of the concrete and steel types of construction.

A spotlight was used to bring out the fine details of the drawings as the city's bridge expert, Frank P. McKibben, explained the progress of the work under his direction.

Concrete Favored. Mr. McKibben told the audience most of the experts were in favor of a concrete type of bridge, with a single 300-foot span arching the river from bank to bank, a roadway 60 feet between curbs permitting six lanes of traffic, and sidewalks of nine feet.

The natural beauty of the gorge lends itself to colorful treatment of this type of bridge, it was declared.

Mr. McKibben explained the nature of the studies made and gave an estimated cost of a concrete bridge with an arch 300 feet across and the top 150 feet above the river as \$2,430,000.

This cost would be increased about \$100,000, Mr. McKibben said, if it was decided to face the structure with granite or some other durable stone. This, he said, was explained, would extend the life of the structure about 25 years, and would defer maintenance and repair charges about 30 years, Mr. McKibben said.

Red Stone Suggested. This stone, which has weathered storms ever since 1890, nearly 60 years, and shows no evidence of other wear, was suggested as material for facing the bridge by Mr. Suter.

He gave two reasons. One is the lessening of the cost of facing, the stone used at St. Bernard's Seminary is found along the river banks owned by the city. Its use would eliminate freight charges on long hauls from either Vermont or Indiana, in addition to the purchase price of the stone. Another reason for the use of the red stone was that it has already demonstrated its durability in the full view of Rochester folk.

Mr. McKibben said the plans for handling traffic on the new bridge provide no left-hand turns.

The council after hearing the expert's explanations of the drawings and the problems involved in the several types of construction, passed a resolution introduced by Councilman Flynn directing the commissioner of public works to prepare an ordinance for a concrete bridge.

PLAN EXPERT CONFERS WITH CITY MANAGER

Harland Bartholomew of St. Louis, city planning expert retained by the City Council here, was in Rochester today with Earl O. Mills, his associate, to confer with officials.

The two had luncheon with City Manager Stephen B. Story, Commissioner of Public Works Harold W. Baker, and Herman Russell, chairman of the City Planning Commission. A report was made on the progress on the city plan to date and this afternoon the experts were to make a tour of the city in company with officials.

Mr. Bartholomew's report on streets is due Nov. 1 and his findings on the advisability of building a civic center over the Genesee River is due Dec. 1. On those dates the reports will be handed to the Council, although they may not immediately be made public.

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City Lets Contract For Borings On New Bridge Across River

Pennsylvania Drilling Company Awarded Work on Bid of \$3,850—Contracts For Actual Construction Work Being Prepared—Other Work Awarded.

Early next week the first steps will be taken in the construction of Rochester's new bridge over the Genesee River opposite the Ridge Road intersection of St. Paul Boulevard.

Contract for borings was let Monday by the City Bureau of Purchases and Supply to the Pennsylvania Drilling Company, the bid of \$3,850 which was the lowest of three submitted. Wells will be sunk to determine the exact nature of the rock strata underlying the proposed foundations. The work will begin Monday.

Meanwhile, Commissioner of Public Works Harold W. Baker was busy preparing contracts for the actual bridge construction. These will be advertised and contracts awarded, he said, before Jan. 1, so that actual building can begin early in the Spring.

The new span, which is to be of concrete and capable of bearing six lanes of traffic, was authorized at last Monday night's meeting of the City Council.

Another improvement contract announced today is for the improvement of Calahan Park Road. It went to the Rochester Willite Company for \$5,255.19.

CITY FINANCE WORK BETTER SAYS HIGGINS

His Department Benefited Greatly by New Charter, Comptroller Asserts

RECALLS OLD METHODS

City's Credit Enhanced, Employees Have Better Morale, He Declares

By HIRAM MARKS

Consolidation of the financial work of the city and the central responsibility, as provided for in the City Manager Charter has been a forward step in municipal administration and has effected results beyond what was contemplated or expected, says Comptroller Clarence E. Higgins.

Mr. Higgins, who was deputy comptroller, before the city manager government went into effect, pointed out that it was his private opinion that the city's financial work had been handicapped under the independent and decentralized Department of Finance, which prevailed under the old Charter, and he said that it must be apparent to the most casual observer that the reorganization has been conducive to greater efficiency in the administration of the city's finances.

Thinks Financial Status Improved. Comptroller Higgins believes that the enviable position of the city in the money market not only has been maintained, but that there is good reason to believe that its position has been enhanced. The city has obtained very favorable rates on its borrowings throughout the year, he says, although a number of cities have had difficulty in financing their obligations.

It is believed that the financial policies of the city are sound and that the general financial situation is better than it has been in several years, says the Comptroller. The margin of debt under the State Constitution is not embarrassing and a good start has been made in wiping out the current expense deficiency inherited on January 1, 1928, he asserts.

Changes in methods of procedure have been effected expeditiously after decisions have been made to make such changes. Payroll, purchase order, billing, and payment methods which have been in vogue for years have been changed to meet the new requirements and to effect a more businesslike procedure. Individual prejudices, whims, and caprices have given way to the new spirit of co-operation in the department.

The policy of retaining and promoting efficient employees has had a salutary effect on the morale of the department. Promotions from the ranks to vacancies and more responsible positions have been made, and it has been the desire and endeavor to reward employees who have particular aptitude and ability and good records of performance.

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"I am still of the opinion that the law cannot be upheld and therefore believe that it should not be adopted."

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Old Policemen, Firemen Now To Get Relief From Inequalities Of Pensions

Policemen and firemen who retired from service years ago when salaries were lower than the current remuneration are now to get relief from the apparent inequalities of the pension system which permits retirement on the half pay received at the time of quitting the job.

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Law Uraed To Keep City Employees Out of Politics

COUNCILMEN DIVIDED ON PROPOSITION

Goodwin, Sponsoring Local Law, Clashes Sharply With Milne

ASKS LEAGUE WATCHERS

Adler Introduced Measure To Give Manager Men Places at Polls

By HIRAM MARKS

Spirited debate developed before the City Council last evening in the hearings on the local law proposed by Councilman Harry C. Goodwin, which would prevent, if adopted, a city employee from serving as a watcher or worker in conjunction with a primary or election, or an appointive city employee from holding a political office.

At the opening of the hearing Charles Hawken, a police telegraph operator, asserted that the law was aimed at him and he said that before he entered the Republican primaries for supervisor in the Eleventh Ward he scrutinized the charter and found no prohibitive section in it. Mr. Hawken was nominated in the primaries and he charged that the law is unfair.

In Deference to Milne

In response to an inquiry by Councilman Joseph L. Guzzetta, the statement was made by Councilman Goodwin that he did not provide in his measure that the restriction should apply to elective city officials in deference to Councilman Nelson A. Milne, who is chief deputy sheriff. Councilman Goodwin said that he had no inclination to make it a personal matter with Councilman Milne.

This brought a sharp response from Councilman Milne, who said that while he appreciated Councilman Goodwin's attitude that it was entirely unnecessary and he would take care of himself. He charged that the local laws were presented solely as a political move and for campaign effect and added that "Mr. Goodwin, isn't kidding anybody," and "the public knows it," and he invited Councilman Goodwin to go "as far as he likes where I am concerned."

Realizes Mistake

Councilman Goodwin said in response that he realized he has made a mistake in "extending the courtesy to Councilman Milne" and asserted that "I serve notice that at the proper time I will introduce an amendment extending the restriction to elective city officials."

City Clerk Thomas P. O'Leary then read a communication from the Central Trades & Labor Council, incorporating a resolution in which protest was made against the local law prohibiting city employees from acting as watchers

or workers in a primary or election, on the ground that it was a blow to political rights of individuals and in defiance of rights guaranteed by the constitution of the United States and the State of New York. A committee made up of Wensel Rober, Wesley E. Beatty and John Heiden was appointed to present the views of the Central Trades & Labor Council to the City Council.

Two Employee Types

This brought a detailed speech from Councilman Goodwin with reference to his reasons for introducing the measure and he asserted he was actuated by the desire to prevent a political organization being developed under the city manager administration, declaring that it was just as possible to recruit the city employees in such a movement as it would be under a political organization's administration of city affairs. He charged that when there was no logic or reason to an argument the flags always waved and constitutional rights paraded. He discussed the two types of city employees, as he sees them, one that desires to render service to the city in return for his compensation; the other who prefers to warm a chair and work on primary and election day. He said that the measure intended to protect the city employee who desired to do his work, without political activity.

Councilman Edward P. Flynn asked whether the Federal Government did not have a restriction against postal employees engaging in political affairs, and Vice-Mayor Isaac Adler asserted that it did. Vice-Mayor Adler asserted that there was no question in his mind about the constitutionality of Councilman Goodwin's measure, the question to be decided was its wisdom.

'Lot of Political Hokum'

Councilman Milne reiterated his statement that the speech by Councilman Goodwin was a "lot of political hokum," and was intended to "kid the public." He said in reference to Councilman Goodwin's assertion about the county government being conducted by employees, whose first interest is politics, that Councilman Goodwin, accompanied by a lawyer, accountant made an inspection of county affairs and must have found everything all right, or "Harry would surely tell us." He added that "if the city was run as well as the county it would have a good government and everybody would be much better for it." Concluding Councilman Milne asserted that the "Political hokum that Councilman Goodwin is springing isn't registering on the people, nor are they falling for it."

Got Idea from Milne

Councilman Goodwin asserted that he got the idea of restricting city employees from serving as watchers and workers from Councilman Milne when two years ago they were both on the same slate and Councilman Milne said something should be done to prevent the organization from getting the benefit of the city employees' political work.

Councilman Guzzetta at this point intervened to assert that Councilman Goodwin is in the advertising business, and the street railways advertise; thereby he might be influenced on the public utilities committee, and a law should be proposed. Later under miscellaneous business, Councilman Goodwin asked Councilman Guzzetta to repeat his statement, and then launched into a defense of himself, asserting that he has no connection with public utilities; his record in the council is clean and all street railway employees from having their teeth pulled by Councilman Guzzetta as just as much in point as the statement against him, made by Dr. Guzzetta. A vote on the local laws will be taken next Monday night.

Vice-Mayor Adler presented a local law, which was referred to the Law Committee, which would make it possible for the City Manager League to have a watcher in each district the same as that of the political committees. In explanation of the law, Vice-Mayor Adler said that H. Alden Nichols, commissioner of elections, doubted whether authority existed for an independent political group such as the city manager league to appoint watchers and the local law provided the necessary authority. A hearing on the measure will be conducted next Monday night.

Snow Cleaning

Upon the favorable report of the Local Improvement Committee, read by Councilman Milne, chairman, the council adopted the snow cleaning ordinance under which the city is divided into 15 districts and the award made by competitive bidding. The committee on the suggestion of Councilman William E. Durman recommended that Purchasing Agent Wendell T. Andrews shall require each snow cleaning contractor to submit a bid, which will represent the price per front foot per strip for snow cleaning in addition to a fixed sum set by the purchasing agent as a standby charge.

Councilman Goodwin asked Mr. Durman to explain this suggestion and the councilman asserted that he was willing to have snow cleaning contractors liberally paid for what they did, but not to pay them for what they did not do, which has been the practice in Rochester for a number of years. The ordinance were unanimously adopted.

Councilman Milne presented a petition, which was referred to the Public Utilities Committee, urging the restoration of trolley service in Emerson Street as a matter of necessity and convenience. Councilman Durman presented an ordinance, referred to the Law Committee, amending the news stand ordinance. Permission was given to Harry J. Barcham to erect a marquee at 128 North Street.

Upon the favorable report of the Local Improvement Committee the council passed the ordinance by Councilman Durman for Culvert Road concrete pavement, sewers and water, also the ordinance by Councilman Chester A. Peske for additional lighting in Exchange Street.

Councilman Milne presented a resolution for an asphalt pavement in Archer Street and a cinder pavement in Pittsford and Perinton Streets.

EAST AVENUE'S TREES TO STAY, SAY ENGINEERS

Garden Club Told Protests Are Premature; Widening of Street Not Planned

Protests of the Rochester Garden Club against removal of trees along East Avenue are somewhat premature, it appeared last night, when city and state officials said no plans had been arrived at for removing any trees.

Henry L. Howe, director of design and construction of the city, said there were no plans, in his knowledge, for the widening of East Avenue within the city limits, at the present time and Howland E. Smith, district engineer for the state Department of Public Works said:

"We do not know yet just how wide a pavement will be from the city line to Pittsford village. The widening and repaving will not be carried out before 1931. Newspaper announcements that a pavement of 60 feet had been decided upon were incorrect. The pavement will be that wide because there is not room for such a road." Correspond to the width at the city line, in probability, Mr. Smith said, and the pavement there is about 56 feet wide. Further, the widening between Main Street East and Alexander Street, the avenue is 40 feet between curbs.

Ultimately, Mr. Howe said, East Avenue will have to be widened between Colby Street and Winton Road as there is a narrow stretch there, cumbered with car tracks. But that matter is to be considered by Harland Bartholomew, the city planning expert retained by the city.

Police Bureau Efficiency Helped by New Installation, Story Says

Eastman and Bausch & Lomb Products Have Been Used to Aid Identification. City Manager Declares; Tells of Rearrangements at Police Headquarters

Efficiency of the Bureau of Police has been enhanced by installation during the past year of equipment made by the Eastman Kodak Company and the Bausch & Lomb Optical Company, declared City Manager Stephen B. Story yesterday. He pointed out that "the best and most up-to-date equipment for use in criminal identification work is made by these firms, yet it was not until last year, the first under the city manager government, that this equipment was acquired by the city and put in use by the Police Bureau, under direction of George J. Nier, commissioner of public safety.

"We now have compound microscopes, stereoscopic microscopes, photo-micrographic camera, speed camera, enlarging camera with the necessary lighting equipment and all the accessories, together with laboratory apparatus for blood and stain analyses available for solving problems arising from crimes and for determining upon whom guilt should be placed," declared Mr. Story. "Competent men with technical training are at work in the laboratory making the equipment useful. Without skilled operators the greatest collection of apparatus would be worth practically nothing.

"Last year the identification divisions performed 13,345 services. All of the persons passing through the police mill, for example, those persons picked up and subjected to some sort of an examination, have been fingerprinted and we have been able to apprehend several characters wanted in other cities and whose fingerprints and descriptions had been broadcast through police circles. As a meas-

Consider City, Not Contractors

Ever since Commissioner Baker, in 1925, persuaded the city to acquire a plant to produce asphalt for street repair work, asphalt pavement contractors have been objecting to the plan. Its advantages, however, were so readily demonstrated that these biased attacks never got far.

But now Ernest Whitbeck, candidate for the City Council on the organization ticket, takes up the burden of complaint. He says:

An examination of the figures will show that the city's charge for repairing asphalt pavements is greater than would be the charge if the work were done by competitive bidding and contract. Just where Mr. Whitbeck got his figures is not clear. What is clear is that they have no connection with the facts. The last contract price for asphalt for repair work, as shown by the city's records, was \$14.30 per ton and 3,442 tons were laid under the contract at this price. In 1928 there were produced at the city asphalt plant and laid in the streets 14,000 tons at a cost of \$8.88 per ton. To lay the same amount at the \$14.30 contract price would have cost the city \$200,200, instead of the actual cost of \$124,320, which includes all overhead and depreciation charges on the plant for the year.

There is another advantage beside lower costs. The city is able to do the work as occasion arises and the weather is favorable. Under a contract arrangement it would almost necessarily be done in one block.

Perhaps this is what Mr. Whitbeck has in mind when he suggests that all repairs should be made "in the Spring by competitive bidding, so that the streets would be open through the greater part of the year." One would suppose that it would be best to make the repairs as needed. That can be done with the aid of a municipal asphalt plant.

It is rather surprising to find a candidate for the City Council proposing that a plant which has already more than paid for itself and gives such low costs on repair work should be discontinued, and the work turned over to contractors. That might please the contractors, but where does the city come in on Mr. Whitbeck's plan?

WATER RATES PROTEST RATE OF WATER CO.

Petition to City Manager Wants Ontario Water Cost to be Made Similar to Hemlock Charge.

Protest against the water rates demanded by the Rochester and Lake Ontario Water Service Corporation is made in a petition from Tenth Ward residents, now in the hands of City Manager Stephen B. Story.

It asks municipal intervention, requesting the city, by purchase or other means, to establish a system by which the users of Ontario water will pay rates more proportional to those who use water from the Hemlock Lake reservoir.

At a taxpayers' meeting, where the petition was drawn up, Alexander Russell, vice-president of the Lake Ontario Water Service Corporation, told the complainants they would have to pay a higher rate than that prevalent in sections of the city served from Hemlock Lake, so long as the city exacts a high tax from the corporation.

Any arrangement whereby the company would rent its mains to the city, or sell water wholesale to the city for distribution, would not be feasible, Mr. Russell contended, and would be unfair to the corporation.

Councilman Nelson A. Milne told the gathering that on Feb. 4 he introduced a resolution in City Council asking the city manager to investigate the possibility of purchasing or leasing the water corporation and that the resolution was ignored.

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ure of protection to the public, all licensed chauffeurs have been fingerprinted and photographed. The total last year was 1,947, but only about 500 of these are active.

"New methods of filing and classifying criminal information and photographs have been installed and a businesslike arrangement of apparatus the work has been greatly expedited.

"The filing system and record room of the Police Bureau has been revamped and rearranged so that almost any sort of data can be secured without delay or confusion. New forms for recording police information have been devised and put in use.

Slow Down!

By an order issued to the Police Department by Commissioner of Public Safety George J. Nier, policemen are directed to enforce a speed limit of fifteen miles an hour for motor vehicles when pavements are wet.

At the present time traffic, particularly at the rush hours, is exceedingly heavy in Rochester streets. Any person who tries to cross a busy intersection on foot is made aware of the speed with which cars approach and the difficulty of getting from curb to curb without having to wait for a line of cars to pass.

Every driver of an automobile knows that a wet pavement is treacherous and that wet brakes are not always dependable. Sudden leaves or a thin glaze of ice on the pavement call for the utmost caution in driving, no matter how perfect the braking equipment.

Fifteen miles an hour on wet pavements at this season is none too slow, particularly in the neighborhood of schools or when approaching intersections. Fast driving is no credit to any driver when pavements are in a treacherous condition. Speed is dangerous when misused; any speed that makes stopping impossible at intersections is dangerous.

'Unreasonable,' Says Durman

In casting his vote, Councilman Durman contended that the law was an unreasonable restriction on the rights of a city officer or employee, and maintained that a city worker, a property owner interested in municipal affairs, should be accorded the privilege of working for his favorite candidates.

The law committee reported adversely on the ordinance by Councilman Goodwin prohibiting a city employee from holding any elective city, town, or county office. The committee in its report, which was signed by Councilman Goodwin, felt that since the nominations were made in the recent primaries it would be unjust to deprive any candidate of the "fruits of his victory."

The situation applies directly to Charles Hawken, police telegraph operator, who won the Republican nomination for supervisor in the Eleventh Ward. Mr. Hawken at the hearing on the measure pointed to the injustice that would be done him by the enactment of the law.

Guzzetta Calls for Vote

Councilman Goodwin asked permission to withdraw the measure, to renew it after election. Councilman Guzzetta asked for an explanation of this request, and Councilman Goodwin said that he did not want a charge of politics to be raised. Councilman Guzzetta called for a vote, and the Council by unanimous action defeated the proposal by Councilman Goodwin, who himself voted in the negative, but said that he would reintroduce the measure, making it effective two years hence and making it apply to both elective and appointive city officials.

By unanimous action, the Council adopted a local law by Vice-Mayor Adler that gives the City Manager League the privilege of having watchers in all polling booths at election.

The ordinance by Councilman William F. Durman making it discretionary upon the city manager whether a newsstand shall be permitted in front of any premise was passed unanimously after favorable report by the law committee.

Councilman Durman introduced the measure at the request of George S. van Schaick, who took up the campaign of the newsboys who were threatened with removal at the will of property owners. Twice the Council adopted a measure that made it discretionary upon the property owners whether the newsstands should be permitted; Mr. van Schaick as a service to the newsboys, continued the agitation.

City Clerk Charles Goodwin appointed city officers or employees from acting, working or serving as a watcher or worker at the polls at any election or primary, respectively reports that it favors this law for the reason that, in the opinion of your committee, city employees should be free from any pressure or influence of any kind, and we believe the only way to secure this freedom is by the enactment of such a law. We therefore recommend the adoption of the law.

COUNCIL DEBARS CITY EMPLOYEES AS POLL WORKERS

But Defeats Goodwin Bill to Forbid Them Holding Office; Provides for Manager League Election Watchers

GIVES STORY AUTHORITY TO PERMIT NEWSSTANDS

The local law that prohibits city officers or employees from acting, working, or serving as a watcher or worker at the polls at any election or primary was adopted by the City Council last evening, by a vote of five to three.

The law committee, consisting of Vice-Mayor Isaac Adler, chairman; Councilman Edward P. Flynn, and Councilman Harry C. Goodwin, filed a unanimous report recommending adoption of the ordinance, and in the voting these three members were supported by Councilmen Louis S. Foulkes and Chester A. Peake. Voting in the opposition were Councilmen William F. Durman, Joseph L. Guzzetta, and Nelson A. Milne.

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City Manager Stephen B. Story submitted an application from the Sherwood Shoe Company to install a steel pole in Union Place.

Upon the favorable report of the Finance Committee, the Council amended the ordinance authorizing the city treasurer to extend time of payment of La Grange Avenue sewer, also disapproved purchase of land in Emerson Street owned by Walker Lee, Jr. The public utilities committee reported that it has turned over the petition for the restoration of Emerson Street trolley car service to Charles R. Barnes, commissioner of railroads, for consideration.

Councilman Foulkes introduced an ordinance amending the Carling Road, Dixonville Road and Delray Road sewers, walks, and grading local improvement measure, and it was referred to the local improvements committee.

Another local law referred to your law committee prevents a city employee from holding any elective city, town, or county office. In a new ordinance, introduced as a successful campaign for nomination as supervisor at the recent primary your committee is of the opinion that it would not be just to deprive him of the fruits of his victory.

Your committee therefore recommends that the law be not adopted. A third local law referred to your law committee is designed to give candidates for councilmen the right to appoint watchers at the election. The election law makes no provision for newspaper election notices, no provision for councilman to protect himself against illegal voting by having watchers in the election booths. Fair play requires that such provision be made. We therefore recommend the adoption of the law.

An ordinance has been referred to your law committee which authorizes the city manager to issue permits for newsstands after a hearing, notwithstanding the protest of the owner of existing property.

This proposition has been before your committee twice, and on both occasions your committee recommended that the measure be not adopted. Your committee has reached the conclusion that, while the proposed ordinance may cause embarrassment and difficulty to the city manager, who becomes the arbiter, nevertheless no injustice is done to the property owner who has the same opportunity as the owner of the stand to present his case. Your committee now recommends, therefore, that the ordinance be adopted.

Spanish War Memorial

Councilman Goodwin introduced a resolution requesting City Manager Story to include in the budget, which will be submitted to the Council at a special meeting Friday noon at 12 o'clock, an item of \$10,000 to erect a hiker monument in honor of the Spanish War veterans from this community who died in service, or as the result of the service. Councilman Goodwin is a Spanish War veteran, and he said that the county will be asked to contribute a similar sum toward the monument.

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MAYOR WILSON DEFENDS ACTS OF ASSESSOR

Harry J. Bareham Says His North Street Assessments Haven't Been Reduced

A statement by Mayor Joseph C. Wilson in defense of City Assessor George S. Taylor, and another by Harry J. Bareham, Republican county chairman, asserting that no property in North Street in which he is interested appears on his 1928 or 1929 tax bills, were the aftermath issues yesterday of charges by Charles E. Warren of favoritism in making assessments, and the defense of himself by Mr. Taylor, and the denunciation of Mr. Warren's radio address by Vice-Mayor Isaac Adler.

"Knowing George S. Taylor as I do, I can say for him that his integrity and honesty would not permit him to show favoritism to anybody in the assessment of property," Mayor Wilson said.

"If he reduced assessments along University Avenue, or on Main Street or in any other part of the city, he did it because such action was justified. Mr. Taylor was elected to office repeatedly as a Republican. He would not be likely to favor City Manager League adherents just because of these affiliations, in preference to Republicans."

"There were hundreds of cases during the allegation period when the city's own surveys backed the claims of property owners and convinced the Bureau of Assessments that the specific assessments were too high. In such cases adjustments were made. That, of course, is the purpose of the allegation period."

"I have every confidence in George Taylor. I worked with him for 12 or 14 years, and I do not think his honesty and integrity can be questioned. He decides cases dealing with assessment valuations on their merits and bases his decisions on facts."

Bareham Denies Crit

"If there has been any decrease in the valuation of the properties at 136-144 North Street, it has been placed on the assessment rolls by the assessors for the 1928 and 1929 tax rolls show more than the 20 per cent blanket increase," Mr. Bareham said.

"Recently the city acquired sufficient property from the rear of both parcels for a new alley and on one parcel this necessitated cutting off a two-story fireproof building, fifty-six feet wide, to a depth necessary for the entire alley."

"We acquired that property last Spring. I am told the city paid the former owner \$9,513.54 for the site and that portion of the building torn away. There was also a similar settlement made with us for the land taken for the same purpose from the adjacent property."

"I left it entirely with the assessors to readjust the assessment accordingly. One of these properties had been without tenants seven years when we bought it."

Enforce 15-Mile Speed Law---Nier

Safety Commissioner George J. Nier issued an order to Police Director Curtis W. Barker today calling for strict enforcement of the fifteen-mile-an-hour speed limit on wet pavements.

"This is the most dangerous season and the danger to motorists and pedestrians is greater because of wet leaves on damp and wet pavements," Commissioner Nier explained.

"Motorists must use caution passing schools and intersections near schools. There are eighty-six schools in Rochester. Multiplied by four for the intersections approaching schools which should be policed, it means we would use 344 policemen to properly safeguard school children."

"We have practically no police left for patrol work because of those stationed on street improvements, at schools and otherwise engaged in traffic duty."

"We must have the co-operation of the people. For this reason the fifteen-mile-an-hour speed limit for wet pavements must be enforced."

The 1930 Budget

Budget estimates for 1930 submitted to the City Council by City Manager Stephen B. Story total \$12,397,437. This is an advance of \$274,138.96 for 1929. Nearly all of this advance is covered by increased outlay for the Bureau of Charities and other relief work.

The budget of the Board of Education, also submitted yesterday, shows an increase of \$63,743 over last year. The city manager has no control over the outlay of the Board of Education, but the City Council makes the final appropriations to cover both budgets.

It is not anticipated that the combined increase in the two budgets will cause any increase in the tax rate. The growth of the city, which brings in new taxable property, will balance this estimated increase in expenditures. That will make two years without substantial change in the taxes for the individual property owner. The county tax rate, which has been rising sharply in recent years, is expected to decline somewhat in the coming year.

It would appear that we are coming to the end of the long period of rising city and county tax demands.

Business Done by Councilmen

Business transacted last evening by the City Council included the following items:

Adopted unanimously the Local Law by Vice-Mayor Isaac Adler giving permission to the City Manager League to have watchers at the polls on Election Day.

Defeated unanimously the Local Law by Councilman Harry C. Goodwin relating to appointive city employees holding elective city or county offices.

Adopted by a vote of five to three Local Law by Councilman Goodwin prohibiting city employees from acting as workers or watchers at the polls at election or primaries.

Adopted unanimously ordinance by Councilman William F. Durman making it discretionary upon city manager to determine whether newsstands should be located in front of premises.

Received from City Clerk Thomas P. O'Leary petition of New York State Railways to use several streets in bus route to take place of the Rochester & Eastern Railways.

Adjourned on motion of Councilman Louis S. Foulkes to special meeting at noon on Friday for the purpose of receiving from City Manager Story the budget for 1930.

NEW CITY PLAN NEXT WEEK

First section of the new city plan, which was ordered for delivery today, will not be in the hands of city officials before next week, Public Works Commissioner Harold W. Baker, announced today.

Harlan W. Bartholomew, St. Louis expert in charge of preparing the plan, will deliver it to the City Planning Commission.

The section to be delivered at this time will cover street extensions and widenings and will not deal with civic center, bridges and other subjects, Mr. Baker said.

"There will be no announcements about this section of the plan until the planning commission has studied it and made recommendations about it," said Mr. Baker.

Budget Estimate for 1930

The message presented to the City Council yesterday by City Manager Story containing the budget estimate for 1930, is of particular interest to the public, coming as it does on the eve of election, and at the close of a campaign in which city finances have come in for a great deal of discussion. It must be understood that the City Council has sole jurisdiction over expenditures, and the estimates prepared may be increased or diminished by that body. But the document as it stands presents a fair picture of the probable financial appropriations for the general city departments, excluding the budget of the Board of Education.

The message shows that appropriations for 1929 totaled \$9,595,380.05, while estimates for 1930 total \$9,869,519.01, an increase of \$274,138.96 for 1930 over 1929. This increase is due to increased estimates for charities and relief work, which include World War relief, G. A. R. Relief, Bureau of Charities and care of indigent sick at the Municipal Hospital. These items show a total increase of \$239,060. Increases in the estimates for street lighting, election expenses and City Court show a total of \$54,410. The grand total of \$239,476 more than accounts for the general budget increase.

This sum will not affect the tax rate, which will probably remain about what it was last year, as the increase of assessments due to new construction this year will make up this difference.

What has been accomplished by the City Manager government in the way of improving the city's financial position is shown in the record of borrowings for current expenses. In 1919 city expenditures began to outrun revenues, and in that year the city borrowed \$250,000 to make good the deficit. This practice continued year after year, with borrowings of increased amount, until in 1927 the city borrowed \$2,918,000. The first year of the City Manager government current borrowing was reduced \$968,000. This year a further reduction will be made of \$1,150,000, or a total reduction of \$2,118,000 in two years.

This is an extremely gratifying showing, and indicates that the time is not very far distant when all the indebtedness for current expenses will be wiped out, and the city will be on a basis where yearly revenues will meet yearly expenditures. While expenditures naturally will show some increase from year to year when current borrowings have ceased, unless some extraordinary situation arises the savings that have been made ought to be reflected in the tax rate.

One of the strongest arguments in favor of changing the form of government was the city's unsatisfactory financial condition. The reduction in the borrowing for current expenses shows that this condition of affairs has changed very much for the better, and has justified the claims made in behalf of the new government.

In submitting the current expenditure budget, Mrs. Edwina Danforth, president of the Board of Education, sent the following letter to Mayor Wilson:

Minimum Requirement Honorable Joseph C. Wilson, Mayor of Rochester, Rochester, New York. Dear Sir: The Board of Education is submitting to you, as chairman of the Council, its annual budget for current expenditures for the calendar year 1930. This budget has been drawn with great care so that it represents the minimum amount that will be required to operate the schools during the year.

In this year it has not been possible to proceed with a number of services of unquestioned educational value, due to the limitation of the appropriation for equipment. Among them might be cited the projected new high school, the new classroom building, the development of the new high school, and the new high school building. It is hoped that the Council will not find it necessary to reduce this budget, as it would unquestionably mean the curtailment of services, or at least the further postponement of valuable work of the type that has just been mentioned. Yours very truly,

(Signed) EDWIN E. DANFORTH, President, Board of Education.

Construction Delayed In submitting the request for money to build new schools and buy sites, Mrs. Danforth sent the following letter to Mayor Wilson: Honorable Joseph C. Wilson, Mayor of Rochester. The Board of Education is submitting to you, as Chairman of the Council, and Chairman of the Finance Committee of the Council, its request for an additional appropriation for the construction of buildings during the calendar year of 1930, as specifically described below. In order that relief may be given in the cases of the most urgent needs of the schools, it will be necessary for the Board of Education to receive authorization to incur the following projects:

1. Washington Junior High School, from this year's building program. The construction of adequate health facilities, cafeteria, and assembly hall.

2. Jefferson Junior High School, addition, held over by necessity from this year's building program. The provision of suitable health facilities.

3. Elementary School No. 46, held over by necessity from this year's building program. The construction of adequate health facilities, cafeteria, and assembly hall.

CITY BUDGET \$12,397,437 TAX RATE TO BE UNCHANGED; SCHOOLS NEED \$12,763,044

Education Hampered by Lack of Funds for Construction

REQUEST MADE IS ASSERTED MINIMUM

Urge Present Purchase of Sites To Escape Later Price Rise

Expenditure requests totaling \$12,763,044.56 for schools are asked of the City Council by the Board of Education. In two statements sent to Mayor Wilson yesterday.

Of this amount, \$9,869,519.01 is for current expenses, fixed charges and minor capital outlay and \$2,903,525.55 is for new buildings and sites.

Of the current expense item, \$2,360,000 is estimated as receivable from sources other than taxes, leaving \$7,509,519.01 to be raised by taxes. The amount to be raised by taxes exceeds the amount from taxation last year for schools by \$36,256.56.

The \$2,903,525.55 requested for new buildings and sites, it is presumed, will be raised by bond issues.

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over by necessity from this year's building program. The construction of this school on Newcastle and Dorchester Roads will give relief to the overcrowded conditions at elementary school No. 28.

No. 4 Elementary School No. 35, Altonville, Grant Avenue. The eastern portion of this building erected in 1921 presents a serious menace to the safety of life and health.

5. Charlotte Junior-Senior High School. The main building at Lake Avenue and River Street, is a former district school required by annexation of the school territory.

6. Elementary School No. 15, Avon Hill Avenue. Addition. The unprecedented growth in the senior high schools during the past three years has been reflected in the over-crowding of Monroe Junior-Senior High School. The necessity of retaining a larger senior high school department at Monroe will reduce the enrollment available for the junior high school pupils.

In order that all junior high school pupils who are entitled to do so may attend Monroe, it is planned to bridge over from the Monroe High School to the new addition of No. 15, in order to give relief at the high school.

More Sites Needed In addition to the needs of the Board of Education for building construction, there will also be needed \$250,000 for the purchase of sites. Unless these sites are granted in the immediate future, with a favorable real estate market, it will be necessary to make a much larger expenditure at a later time.

To obtain the Benjamin Franklin Junior-Senior High School, the Frank Fowler Day School No. 52, and the additions to elementary schools Nos. 11 and 36, and the altered section of No. 41, will require an appropriation of \$250,000, which is requested. The total amount requested for building construction, for sites and for equipment, is, therefore, \$3,405,000.

The early consideration of this request by the Council will be very greatly appreciated, as it will make possible much better and more economical planning for the needs of the schools, and will enable the engineering and architectural services of the Board of Education to be conducted without interruption.

(Signed) EDWIN E. DANFORTH, President, Board of Education.

The main items in the school current-expense budget are given in the table in an adjoining column.

The estimated increase in current expenses of the city in 1930 over 1929 is shown by City Manager Story as \$274,138.96, and in his message to the Council he outlines the factors that go to make up this increase, most of which goes to charitable endeavors conducted by the city. The Bureau of Charities receives an increase of \$162,865; World War Relief, \$45,829; G. A. R. Relief, \$12,675, and the care of indigent sick at the Municipal Hospital, \$17,500. Added to these, Mr. Story points out are three items over which he has no control, increased City Court expenses, \$28,000; election expenses, \$9,000, and increased street lighting, \$27,410, making a total of \$293,470, more than offsetting economies and efficiencies obtained in the administration of other city departments, notwithstanding the normal increase in expense as the city develops and grows.

No Change in Rate In his message, City Manager Story points out that there will be practically no change in the 1930 tax rate as compared with that of 1928 and 1929. Reduction in current expense borrowing is shown by City Manager Story in his message. When his administration took office it was confronted with a current expense deficit of \$2,918,000, and in two years, with the assistance of increased receipts, this has been reduced \$2,118,000, or more than two-thirds. City Manager Story points out that responsibility for addition to the debt of the city rests with the Council and shows that outside of indebtedness incurred to finance local improvements, which is assessed directly on the benefiting property owners, there has been an increase in two years of \$1,754,000 for general city items.

Estimated Increase in Municipal Expenses Is \$274,138

CHARITABLE AND WELFARE COSTS UP

Great Saving Effected More Than Balanced by New Spending

Expenditures of \$12,397,437.16, including \$9,869,519.01 for current expenses, are estimated for 1930, according to the budget submitted by City Manager Stephen B. Story to a special meeting yesterday noon of the City Council.

The budget was referred by Vice-Mayor Isaac Adler to the Finance Committee for consideration, and a public hearing on it will be held in conjunction with the councilmanic session on Monday evening, Nov. 11. Final action on the budget must be taken before Nov. 15.

School Budget Additional The budget of City Manager Story, which covers the general city departments, does not include appropriations for the Board of Education, which has independent control over its finances, after funds are directed to the board by the Council. This budget was received yesterday and a request for \$9,869,519.01 is made for 1930 expenses, also \$3,405,000 for new building construction. The budget of the Board of Education shows an increase of \$63,743.50 over last year.

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City Manager Story's Budget Message to the Council

City Manager Story's message on the budget, addressed to the City Council, follows:

Attached herewith is the budget estimate for the year 1930. This estimate covers only the general city departments and does not cover the budget of the Board of Education.

Following is a general discussion of features of the budget together with a detailed statement of each item of appropriation arranged in a convenient form for reference.

The estimates as submitted herewith call for an increase in the appropriations for current operating expenses for the general city departments of \$274,138.96 over the appropriations of 1929. See schedule "D." The items of increase or decrease are discussed in the second part of this message. Each item of appropriation bears a tabulation showing the amounts expended in 1927 and 1928, the appropriations of 1929 and the estimate for 1930. Thus the growth or decrease in each item of expenditure for the four years can be seen at a glance.

If we set up the totals for all of the items of current operating expense appropriations, exclusive of self-sustaining utilities, which are the Water Bureau, the Public Market and Mount Hope Cemetery, we have the following figures:

Total Budget General Departments Expended 1927 \$11,449,586.38 Expended 1928 9,129,974.00 Appropriated 1929 9,595,380.05 Estimated 1930 9,869,519.01 A total increase of \$274,138.96 of 1930 over 1929.

If we seek to account for this increase we can find the large increases have been made in charities, etc., which are:

World War Relief \$45,829.00 G. A. R. Relief 12,675.00 Bureau of Charities 162,865.00 Care of Indigent Sick at Municipal Hospital 17,500.00

TOTAL \$228,669.00 Then if we add items over which the City Manager has no control we can find:

Increased Street Light. \$27,410.00 Increased Election Expenses 9,000.00 Increased City Court Expenses 28,000.00

TOTAL \$54,410.00 By adding this to the charities, we get \$283,079.00, which more than balances the increase.

Charity Costs Rise Our items for charitable purposes have shown the greatest increase in the past two years. In our budget are five items which go to make up the city's burden for the care of the indigent. These items are the Bureau of Charities, the World War Relief, the G. A. R. Relief, the Hospital Care of Indigent Sick and a proportion of the expenses of the Municipal Hospital, which is attributable to the care of the indigent sick. The total extent of these increases is shown by this tabulation:

Expended 1927 \$519,791.72 Expended 1928 769,600.16 Expended 1929 846,118.00 Estimated 1930 919,792.00

The continued employment depression has resulted in unusual and increasing demands. Hand in hand with unemployment comes sickness due, perhaps, to lack of warmth, nourishment and reduced resistive power. The Community Chest supported agencies are also feeling their full burden at this time and we are receiving many cases formerly of a temporary nature and cared for by the street agencies which, due to the protracted depression, have become chronic and are now the city's charges.

In this expansion of relief work we have of necessity increased the amount of current expense for the work and to prevent waste of the funds.

Debt Service, General Fund Expended 1927 \$2,650,957.56 Expended 1928 2,527,384.83 Expended 1929 2,527,384.83 Estimated 1930 2,527,384.83

The increase of \$27,786.19 is fully accounted for by the increase in the amount of interest on the bonds which are accounted for by the re-entrance into the budget of \$688,000.00 for the February payments on serial bonds which was eliminated in the 1929 budget, due to change in taxing and budgeting rates. It should be noted that the general debt service for 1930 is \$123,029.47 less than for 1927. There has been some public discussion lately of the matter of debt increase, and statements have been handed out indiscriminately to indicate that the City Manager has increased enormously the city's debt. This is not true. The City Manager, for several purposes, such as local improvements, school construction, construction projects for the general city departments such as bridges, aviation field, etc., and also for current expense deficiencies.

Local Improvements Local improvement borrowing is for the purpose of lending the credit of the city to property owners in order to help the city get their pavements, sidewalks and sewers built. The fund is a self-sustaining one and expenditures from it are offset by bills receivable from the property owners. It is not a matter of assessment. Every local improvement is passed by the Council after a rather long and out procedure. Not a penny is spent on these local improvements without an investigation from the Council either in the form of a resolution or a petition of at least 25 per cent of the owners of a street. In the past two years the total improvement ordinance estimates on ordinances passed by the Council have been as follows:

1928.....\$2,976,400.00 1929.....2,259,775.00 1930.....2,527,384.83

Contract prices have averaged much lower than the average estimates.

The City Manager has nothing to say about the authorization for borrowing on account of the Board of Education. It is entirely a matter between the Board and the Council. The manager is concerned in the borrowing for general city purposes, exclusive of local improvements and education. And, in the past two years the city's debt on this account has increased in the amount of:

1927.....\$29,000.00 1928.....829,000.00 1929.....925,000.00

\$1,754,000.00 for general city items. This, of course, does not include borrowing for current expenses, which are now going to discuss. It will be recalled that this borrowing in 1927 was \$250,000 and grew in eight years to \$2,918,000 in 1927. In the first City Manager year, 1928, we planned to pay off \$500,000 at the time the budget was made. Due to increased receipts, this sum was increased to \$968,000 and the current expense debt reduced to \$1,950,000. In the budget for this year (1929) we planned to pay off \$800,000 and reduce this debt to \$1,150,000. We now find that we can, by the application of increased receipts, effect a further reduction of \$350,000, which makes the current expense debt item which we have anticipated in the 1930 budget \$800,000, which is a reduction of \$2,118,000 in two years. The 1930 budget makes provision for paying off all deficiency notes outstanding Dec. 31, 1929.

The amount of current expense borrowing which will result from the

Summary of 1929 School Expenditures and 1930 Estimates

Item No.	Department, Bureau, Office or Item	1928 Expenditures	1929 Expenditures	Estimated 1930 Expenditures	1929 Appropriation	Total For 1930	Increase Over 1929 Appropriation	Allowed by Manager 1930	
1-Council and Clerk:		\$ 76,985.82	\$ 38,901.68	\$ 81,923.27	\$ 82,766.64	\$ 69,980.00	\$ -12,786.64	\$ 69,980.00	
(a) Current Expenses		61,154.00	23.52	62,834.00	55,534.00	64,715.00	9,181.00	64,715.00	
(b) Election Expenses		7,248.59	5,124.04	6,885.00	7,050.00	7,155.00	105.00	7,050.00	
2-Mayor's Office, Current Expenses		27,187.94	19,558.52	27,200.00	10,000.00	10,000.00		10,000.00	
3-City Manager's Office, Current Expenses		10,499.17	8,810.67	11,890.00	13,110.00	13,110.00	100.00	13,110.00	
4-Service Bureau		50,230.97	44,567.57	61,146.12	61,970.00	72,005.00	10,035.00	62,880.00	
5-Civil Service Commission, Current Expenses		32,378.76	30,943.77	42,652.55	34,200.00	62,425.00	28,135.00	51,425.00	
6-City Court-Civil Branch, Current Expenses									
7-City Court-Criminal Branch, Current Expenses									
8-G. A. R. Relief:		53,440.06	46,258.28	69,640.53	57,325.00	70,065.00	12,740.00	70,000.00	
(a) Current Expenses		4,381.77	4,490.00	4,490.00	4,500.00	4,500.00		4,500.00	
(b) Memorial Day		127,211.69	107,073.94	138,124.50	123,020.00	168,839.70	45,829.70	150,000.00	
9-War Memorial Relief, Current Expenses									
10-War Memorial Tablet		1,662.48	1,202.28	1,916.49	1,957.00	2,012.00	75.00	2,012.00	
11-Examining Board of Plumbers, Current Expenses		720.00	540.00	765.00	765.00	765.00		765.00	
12-Board of Stationary Engineers, Current Expenses		40.00		80.00	80.00	80.00		80.00	
13-Board of Stationary Engineers, Current Expenses									
14-Public Library:		318,038.69	214,442.18	318,500.00	318,500.00	463,840.35	145,340.35	335,124.72	
(a) Current Expenses		12,886.68	6,232.29	13,103.37	13,104.00	13,104.00		10,000.00	
(b) Division of History		56,682.55	49,363.60	64,357.87	64,980.00	94,918.00	29,938.00	70,000.00	
15-Municipal Museum, Current Expenses		7,546.45	8,601.91	7,675.00	7,675.00	8,375.00	700.00	7,875.00	
16-Board of School Census									
DEPARTMENT OF FINANCE									
17-Comptroller's Office and Bureau of Audit and Accounts:		47,578.10	37,479.95	50,727.70	50,750.00	50,750.00		50,750.00	
(a) Current Expenses		1,455.33	467.25	6,000.00	10,000.00	10,000.00		10,000.00	
(b) Contingent Fund (For All Departments)		416,672.62	222,838.03	408,170.99	418,220.00	404,520.00	-5,700.00	404,520.00	
(c) Fixed Charges (Other Than Debt)		82,826.61	62,947.49	83,590.42	81,000.00	92,815.00	11,815.00	90,045.00	
18-Bureau of Treasury, Current Expenses									
19-Bureau of Assessments:		58,763.59	47,376.23	64,800.00	75,000.00	75,000.00		70,720.00	
(a) Current Expenses		52,627.03	21,931.64	30,200.00	32,100.00	21,100.00	-11,000.00	20,325.00	
(b) Special Equalization Work									
20-Bureau of Purchase and Supply:		16,115.74	11,879.02	19,005.00	19,235.00	19,025.00	-210.00	18,725.00	
(a) Current Expenses		5,900.75	4,725.80	7,029.91	7,029.91	7,000.00	-29.91	7,000.00	
(b) Stores Fund				5,000.00	5,000.00				
(c) Stores Fund									
21-		81,227.61	50,284.98	80,283.72	81,570.00	81,570.00		81,570.00	
(a) Current Expenses		868.52	943.38	2,700.00	2,700.00	2,700.00		2,700.00	
(b) Tax Foreclosure Fund									
DEPARTMENT OF PUBLIC SAFETY									
22-Commissioner's Office, Current Expenses		23,324.11	15,495.97	24,740.00	24,740.00	24,740.00		24,740.00	
23-Bureau of Police, Current Expenses		1,066,609.05	886,266.03	1,102,788.15	1,102,788.15	1,237,286.00	134,497.85	1,237,286.00	
24-Bureau of Fire, Current Expenses		1,206,228.97	928,023.04	1,217,776.70	1,217,776.70	1,247,425.63	29,648.93	1,227,776.63	
25-Bureau of Fire-Police Telegraph C. E.		108,626.80	88,417.16	117,744.58	123,415.00	128,920.00	5,505.00	123,415.00	
26-Bureau of Health-Municipal Hospital:		411,980.21	231,613.13	334,853.25	310,030.00	368,557.55	58,527.55	335,000.00	
(a) Bureau of Health-General-Current Exp.		305,171.02	282,806.65	373,853.75	373,853.75	377,488.00	29,488.00	370,000.00	
(b) Current Expenses		105,000.00*	70,000.00	100,000.00	100,000.00	100,000.00		100,000.00	
(c) Care of Indigent Sick at Private Hospitals		298,280.22	288,204.24	436,783.00	318,793.00	481,055.00	162,262.00	456,753.00	
27-Bureau of Charities, Current Expenses		20,776.35	15,983.91	20,856.37	19,916.00	22,800.85	2,884.85	19,916.00	
28-Bureau of Weights and Measures, C. E.		379,145.13	335,332.41	441,780.85	445,702.63	509,878.51	64,275.88	451,064.73	
29-Division of Parks, Current Expenses		194,912.34	141,320.80	198,302.18	200,721.93	245,822.06	45,100.13	198,985.63	
30-Division of Parks-Playgrounds and Recreation-Current Exp.									
DEPARTMENT OF PUBLIC WORKS									
31-Commissioner's Office, Current Expenses		47,181.11	33,698.19	44,959.92	45,800.00	45,800.00		45,800.00	
32-Bureau of Maintenance and Operation, C. E.		2,181,593.41	1,615,844.70	2,131,673.38	2,303,250.00	2,279,200.00	-24,050.00	2,279,200.00	
(a) General Office, Current Expenses		24,820.50	2,522.35	14,749.39	18,000.00	18,000.00		18,000.00	
(b) Division of Tests and Materials, C. E.		77,910.59	33,744.77	44,993.04	50,000.00	48,500.00	-1,500.00	48,500.00	
(c) Division of City Maps and Survey, C. E.		18,058.04	25,745.05	46,327.40	48,550.00	57,350.00	8,800.00	47,550.00	
(d) Division of City Plan and Zoning, C. E.									
33-Division of Motor Equipment, C. E. (Net)		645,278.09	516,716.87	695,791.14	719,250.00	719,000.00	-250.00	716,600.00	
34-Division of Street Lighting, C. E.									
35-Bureau of Buildings:		47,821.20	31,944.62	42,592.03	48,200.00	48,800.00	600.00	48,800.00	
(a) Buildings and Structures, Current Exp.		296,805.96	198,135.90	294,131.20	288,225.00	285,100.00	-3,125.00	285,100.00	
(b) Maintenance of City Buildings, C. E.									
36-Bureau of Design and Construction:		118,754.97	89,150.00	106,250.00	106,250.00	126,200.00	19,950.00	126,200.00	
(a) General Office, Current Expenses		26,763.71	19,353.72	25,804.06	27,150.00	30,045.00	2,895.00	30,045.00	
(b) Division of Tests and Materials, C. E.		77,910.59	33,744.77	44,993.04	50,000.00	48,500.00	-1,500.00	48,500.00	
(c) Division of City Maps and Survey, C. E.		18,058.04	25,745.05	46,327.40	48,550.00	57,350.00	8,800.00	47,550.00	
(d) Division of City Plan and Zoning, C. E.									
Total General Fund, Current Expenses and Fixed Charges		\$9,120,948.51	\$6,912,147.26	\$9,592,521.87	\$9,595,380.05	\$10,330,351.65	\$730,971.60	\$9,889,519.01	
GENERAL FUND-DEBT SERVICE									
37-Payments Principal and Interest on General Bonds and Notes		\$3,527,334.83	\$1,332,065.62	\$1,094,734.40	\$2,000,121.00	\$2,527,918.00	\$527,796.19	\$2,527,918.00	
Total Current Expenses, Fixed Charges and Debt Service-General Fund		**\$12,658,283.34	\$8,244,512.88	\$11,587,256.27	\$11,595,501.95	\$12,864,282.74	\$1,268,780.79	\$12,397,437.10	
WATER FUND									
38-D. P. W.-Division of Water, C. E. and Fixed Charges		\$634,002.28	\$484,566.03	\$946,121.24	\$711,860.00	\$717,150.00	\$5,290.00	\$701,860.00	
39-Comptroller-Principal and Interest on Water Bonds and Notes		756,333.03	512,192.04	771,074.71	751,237.00	751,932.51	695.51	751,932.51	
Total C. E., Fixed Charges and Debt-Water Fund		\$1,390,335.31	\$1,026,758.07	\$1,717,195.95	\$1,493,187.00	\$1,502,132.51	\$8,945.42	\$1,458,842.51	
MARKET FUND									
40-Dept. Public Safety-Bureau of Markets, C. E.		\$13,115.25	\$8,461.40	\$18,825.00	\$20,500.00	\$20,500.00		\$20,500.00	
Estimated Market Revenues					\$50,000.00				
MT. HOPE CEMETERY FUND									
41-Dept. Public Works-Mt. Hope Cemetery, C. E.		\$106,232.66	\$101,858.16	\$132,810.85	\$135,000.00	\$135,000.00		\$135,000.00	
Estimated Mt. Hope Cemetery Revenues					\$135,000.00				
*Original appropriation					\$10,000.00				
**Reappropriated to Departments					3,000.00				
*This amount includes Bureau of Health and Fixed Charge Expenditures.									
**Includes an amount of \$1,538,200.00 borrowed and spent in 1927.									
***Includes an amount of \$600,000.00 borrowed and spent in 1923.									

Board of Education (School Fund) 1929 Expenses, Appropriations; 1930 Estimates

Character and Object of Expenditure	1928 Expenditures	Estimated 1929 Expenditures	1930 Request	Total for 1930	Increase over 1929
Current Expenses	\$7,072,024	\$7,469,000	\$7,490,000	\$7,550,000	\$295,000
Administration	211,327	226,000	220,000	235,000	15,000
Business Administration	115,150	124,000	120,000	128,000	8,000
Educational Administration	26,177	102,000	100,000	107,000	7,000
Instruction	5,252,393	5,532,000	5,500,000	5,800,000	290,000
Auxiliary Agencies	404,530	418,000	415,000	435,000	20,000
Operation	782,354	837,000	890,000	890,000	20,000
Maintenance	420,817	427,000	395,000	405,000	10,000
Fixed Charges	396,822	430,000	435,000	450,000	15,000
Capital Outlay	425,497	165,000	125,000	195,000	70,000
Total Current Expenses, Fixed Charges and Capital Outlay	\$7,894,343	\$8,055,000	\$8,050,000	\$8,400,000	\$350,000
Debt Service (to Comptroller)	2,337,384	1,774,301	1,744,301	1,458,044	-286,256
Total Current Expenses, Fixed Charges, Capital Outlay and Dedemption of Debt	\$10,231,727	\$9,769,301	\$9,794,301	\$9,858,044	\$63,743
Summary of 1929 Appropriation and 1930 Request					
	1929	1930	1930		
Total Appropriation	\$9,794,301	\$9,858,044	\$9,858,044	\$9,858,044	\$63,743
Estimated Receipts Other than Taxes	2,260,000	2,360,000	2,360,000	2,360,000	100,000
Required from Taxes	\$7,534,301	\$7,498,044	\$7,498,044	\$7,498,044	\$86,256

NEW PAVING IN TWO YEARS SETS RECORD

Manager Government Makes Rapid Strides Toward Better Streets

ALL SECTIONS SHARE Main Gateways to Rochester Improved to Let Throughs of Visitors In

One hundred fifty-three paving contracts have been let by the city and the work completed or nearly completed in the last two years, the greatest number in the history of the city in any similar period. The local improvements are sought by benefitting property owners, and they repay to the city the cost of the work, with interest. Rochester streets, the city administration feels, are in better condition than at any time previously, and this is due to the large increase in the number of miles of improved streets within the city and the large addition to the tonnage of asphalt repairs made under the direction of Harold W. Baker, commissioner of public works.

The Local Improvements Committee of the Council, made up of Councilman Nelson A. Mine, chairman; Mayor Joseph C. Wilson and Councilman Chester A. Peake, has had a busy time during the last two years passing on the great volume of improvements that have come to the committee. The local improvement ordinances originate either from petition of the benefitting property owners, or in a resolution of the Council, and two hearings are held on each project before the entire Council. The hearings held in conjunction with the regular Monday sessions of the Council have been largely attended, and ample opportunity has been provided for each interested property owner to be heard, it was pointed out. Both Mayor Wilson and Vice-Mayor Isaac Adler, who have presided at the councilmanic sessions, have urged that complete discussion of the improvements be brought before the Council.

Nearly 400 Miles Paved

City Manager Stephen B. Story points out that in 1928 there were 18.42 miles of pavement laid or 330,381 square yards and in 1929 there has been 15.79 miles of pavement laid, or 303,265 square yards, a total of 34.21 miles, or 633,646 square yards for the two years. There are today within the city 399 miles of paved streets.

The city administration, in response to a program advocated by the Auto Club of Rochester, through George C. Donahue, secretary, has laid particular stress on the improvement of entrances to the city as a means of bringing shoppers and tourists here. Retail merchants, hotels, restaurants and others who benefit by the coming to Rochester of people within the shopping area have strongly sponsored this program, and as a consequence, four major projects have been undertaken in the last two years. Lewiston Avenue, Mount Hope Avenue, Plymouth Avenue and Buffalo Road, all have direct communication with the main arteries out of the city, and in the case of Plymouth Avenue, the city was able to settle a controversy between the property owners that has dragged for several years.

Big Projects Advanced

The downtown section has been improved by the paving program, including State Street, Court Street and Clinton Avenue North, and Mine of the Northwest district, Councilman William F. Durnan of the Northeast district, Councilman Louis E. Foulkes of the East district and Councilman Chester A. Peake of the South district.

Contracts Awarded For Snow Cleaning Under New Method

Contractors Now Guaranteed Eighth-Cent Per Lineal Foot of Sidewalk—Yoeman Wins 13 of 15 District Contracts—City Allows \$139,000.

Contracts for the removal of snow from Rochester sidewalks during the coming Winter were let today by the city Bureau of Purchase and Supply. The city has allowed \$139,000 for snow cleaning costs for 1929-30.

Francis X. Yoeman was the successful bidder in 13 of the 15 districts in which the city has been divided. The Rochester Ice and Cold Storage Company was the successful bidder in the first district and Joseph Ahy in the eleventh district.

The amounts at which the contracts were awarded varied from \$195 in the first district to \$73 in the ninth district for each trip. The contracts between the city and the cleaners is much different in form this year than that employed last year. Last year the city estimated snow cleaning costs at \$161,000, but at the close of the Winter it was found that the actual cost had been only \$88,645.33. This was because snowfall was light and the contractors were not called upon to make a great number of trips. It is said that several of the

Summary of 1929 School Expenditures and 1930 Estimates

Table with columns: Item No., Department, Bureau, Office or Item, 1928 Expenditures, 1929 Expenditures, 1929 Estimated Expenditures, 1929 Appropriation, Total For 1930, Increase Over 1929 Appropriation, Allowed by Mayor 1930. Includes sections for Department of Finance, Department of Law, and Department of Public Safety.

Table for GENERAL FUND—DEBT SERVICE, WATER FUND, and MARKET FUND. Columns include Item No., Description, 1928, 1929, 1929 Estimated, 1929 Appropriation, Total For 1930, Increase Over 1929 Appropriation, Allowed by Mayor 1930.

Table for MT. HOPE CEMETERY FUND. Columns include Item No., Description, 1928, 1929, 1929 Estimated, 1929 Appropriation, Total For 1930, Increase Over 1929 Appropriation, Allowed by Mayor 1930.

*This amount includes Bureau of Health and Fixed Charge Expenditures. **Includes an amount of \$1,328,200.00 borrowed and spent in 1927. ***Includes an amount of \$600,000.00 borrowed and spent in 1928.

Board of Education (School Fund) 1929 Expenses, Appropriations; 1930 Estimates

Table for BOARD OF EDUCATION Request for 1930. Columns include Character and Object of Expenditure, 1928 Expenditures, 1929 Expenditures, 1929 Estimated Expenditures, 1929 Appropriation, Total for 1930 Appropriation, Increase over 1929. Includes sections for Current Expenses, Fixed Charges, and Capital Outlay.

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City Manager Stephen B. Story points out that in 1928 there were 1842 miles of pavement laid or 330,581 square yards and in 1929 there were 2,000,000 square yards.



definite steps toward bringing about the construction of a boulevard to the lake in Lake Avenue has been started and two sections completed, with others in contemplation.

CODE ON NEW BUILDING TO BE STUDIED

Ready To Submit to Council When Printed, Story Tells That Body

By HIRAM MARKS The new building code, which modernized construction regulations in Rochester and brings them in line with the advanced thought and requirements of leading American cities will be ready for submission to the City Council as soon as it is printed.

The code has been more than two years in preparation under the direction of Rudolph Miller, expert of New York, who at one time was superintendent of buildings for the metropolis.

Hearings Planned

Mr. Story said that when the code is printed it will be widely distributed and after introduction in the council, public hearings on it will be conducted and contractors, builders, property owners and interested persons will be provided ample opportunity to be heard.

Upon the favorable report of the finance committee, the council approved the price asked for lands for Cumberland Street extension, as proposed by Councilman William F. Durran.

The council by resolution of Councilman Chester A. Peake changed the property at Spring Street and Goldsmith Place, just at of the Frontenac apartments a commercial, rather than residential zone.

Contracts Awarded For Snow Cleaning Under New Method

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COUNCIL PLANS AIRING MONDAY FOR 2 BUDGETS

The finance committee of City Council is deliberating on the city budget for 1930, as well as the Board of Education's budget estimates, and will give citizens opportunity to have their say on the figures Monday night.

Public hearing will be given by the committee immediately after the regular City Council meeting. Vice-Mayor Isaac Adler, chairman of the finance committee, said some cuts will doubtless be made in both budgets.

As the city charter provides that the budget for the ensuing year not be adopted later than Nov. 15, the Council will probably adjourn from Monday night to Thursday or Friday noon, to receive the finance committee's report and adopt the budget.

BOARD PASSES NEXT WEEK ON STREETS PLAN

First Material Step Toward Realization of City Plan Will Be Taken Wednesday at 2 p. m.

The first material step towards realization of Rochester's city plan will be made when the City Planning Board approves the major streets plan, to be submitted next week.

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FIRST REPORT TO BE KEPT SECRET

Rochester city planners will know next Wednesday what, in the opinion of experts, must be done in the way of extending and widening the existing streets as the first step in carrying into effect a general city plan.

On that day at 2 p. m., the major street section of the general plan, which is being prepared by Harvard Bartholomew of St. Louis, will be submitted in the five members of the City Planning Commission.

The current expense budget for 1930 calls for \$8,460,000, exclusive of payment on debt. This is an increase of \$100,000 over the amount asked for last year, or an increase of \$345,000 of the anticipated expenses of 1929. The comparison on purely current expenses shows that when the debt and capital outlay are omitted, the increase over 1929 is \$315,000.

Historic Scrapbooks Collection

Councilman States Removal Would Be Violation Of Trust

If Reynolds Trustees Decide to Abandon Spring Street Site and Move Collections to Oak Hill, Court Action Will Be Taken, Says Peake.

Court action will be taken to maintain the Reynolds library on the present site in Spring Street if the Reynolds trustees decide to abandon the property by transfer of the rich collections to the University of Rochester library at Oak Hill, Councilman Chester A. Peake said today.

A report compiled by three out-of-town specialists at the request of the Reynolds trustees was up for consideration by the board yesterday afternoon at a meeting in the library, but as only five members out of the 11 attended, it was decided to defer decisive action until a full representation meets.

Present at yesterday's meeting were George A. Carnahan, chairman of the board; Mortimer Anstice, one of the heirs of the Reynolds estate who will benefit if the Spring Street site is abandoned as a library; Prof. John R. Slater, C. Schuchman, Davis and Leonard Bacon, Dr. Rush Rhees, president of the University of Rochester, was one of the trustees unable to attend. Another was Herbert J. Winn, who is abroad but will return about Dec. 1. Others on the board were Julius M. Wile, Edward G. Miner, Edward Harris, Joseph E. Weller, and Joseph T. Alling. The full membership is said to be about 20, but the board, a self-perpetuating body, can reduce this number by refusing to fill vacancies as they occur.

The library was founded in 1834 as a free public library. It has on its shelves at the present time upwards of 93,000 volumes. Its collections cover broad fields of research and study besides classical and current fiction. In addition to the Spring Street buildings, a central reading room is maintained in the Reynolds Arcade where current newspapers, periodicals, encyclopedias and dictionaries are available.

Reynolds Planned Memorial. Mortimer Fabian Reynolds, the first white child born in the settlement which developed into present Rochester, was the founder of this library system and planned it as a memorial to his father, Abelard Reynolds, who became the first postmaster here when the postoffice of Rochester was established July 1, 1812, and to an older brother, William Abelard Reynolds.

Councilman Peake said today that under the act of incorporation passed in 1834 the Supreme Court has power to supervise the Reynolds library and that at any time require the trustees to render a full account of the execution of their trust.

"The city will take this case into the highest court for decision before the Reynolds trustees will be permitted to let this valuable and useful library pass from the people of Rochester to the control of the university," said Dr. Peake.

"Removal of the library and abandonment of the Reynolds homestead would be, in my judgment, a flagrant breach of trust, and violates the conditions which Mr. Reynolds laid down in his will."

"And this devise of the homestead property on condition that the same shall always be occupied by said corporation for its library and any other of the educational purposes contemplated by said act."

WOULD FIND COURT VIEW ON LIBRARY

Dr. Peake Hints Litigation To Determining Meaning of M. F. Reynolds' Will

HAS PREPARED PLANS Abandonment of Homestead Would Be Breach of Trust, He Says

On the heels of further delay on the question of disposition of the Reynolds library, Councilman Chester A. Peake yesterday declared that if the Reynolds trustees decide to abandon the property by merging the collections with those of the University of Rochester library at Oak Hill, as an individual he would insist on court action to determine the intent of the Mortimer F. Reynolds will.

Dr. Peake has had plans made for the site which provide for a museum under the Rundell endowment on the west and on the east a library building each 350 feet deep and 60 feet wide connected with an administration building in the center midway between Broad and Spring streets. He urges the city to take over the operating costs of the Reynolds library and keep the building downtown.

Dr. Peake points out that the city maintains a central library in Court Street, not far from the Reynolds library in Spring Street. He believes that by creation of a dual advisory board, the Reynolds library could be operated as the central library.

"Mr. Reynolds intended the Reynolds library to be a public library for the benefit of the community," Dr. Peake states, "and if he had intended that it be joined with the University he would have specified that in his will."

"Before the Reynolds trustees will be permitted to let this valuable and useful library pass from the people of Rochester to the control of the University, I will insist, if necessary, that the case be taken to the highest court for decision."

"The first paragraph of the Reynolds will covered the library and reads: 'First, I give, devise and bequeath to the Reynolds library, a corporation created by an act of the Legislature of New York, passed Feb. 2, 1834, being chapter 9, of the laws of 1834.'

"All the property known as the Arcade and the East Arcade in the City of Rochester."

"Also my homestead, 40 Spring Street, in Rochester, with all the land and buildings and as much of my personal property, including gas fixtures upon the premises, as my adopted daughter, Mary, now the wife of Josiah Anstice, may desire to set apart to go with it."

"And this devise of the homestead property on condition that the same shall always be occupied by said corporation for its library and any other of the educational purposes contemplated by said act."

"The foregoing devise and bequest are intended as a memorial of my father, Abelard Reynolds, of my brother, William Abelard Reynolds, and myself."

Three weeks before his death in 1892 by a codicil to this will, Mr. Reynolds made provision in case of a breach of the conditions on which he devised the homestead to the library corporation the property so left to the library was to be disposed of as part of his residuary estate and thus revert to the Anstice heirs.

Only Few Officers Of Police Staff Get Raises In Salary

New Budget Dims Hopes of Bluecoats For General Increase in Pay—Deputy Health Officer and Municipal Hospital Superintendent to Get More Money.

Rochester's Bureau of Police, whose 400 blue-coated patrolmen have been living and working in expectancy of a blanket increase in salary, buzzed with surprise, disappointment and chagrin today when the "cops" learned that they are not to get a general raise but that certain of their number are to receive special increases, unless the City Manager's budget for next year is subjected to some harpooning by the finance committee of the City Council, following the scheduled public hearing Monday night.

The changes provided in the new budget, which have brought joy to a few and been disappointing to the majority, include a boost of \$825 each for E. J. Ford, director of the police training school, and Charles W. Vollmer, statistician; a raise to Lieutenant of Detectives Anthony Andrews from \$2,992 to \$3,300; a boost to Joseph Sheridan, property clerk, from \$2,100 to \$2,548; \$130 each to 20 patrolmen doing plain clothes work; a boost of \$200 to \$2,200, and of \$100 each to five other stenographers now receiving \$1,700.

Safety Commissioner George J. Nier, in commenting on the increases, said today that the raises granted Lieutenant Andrews in recognition of his good work in the police automobile squad. The 20 plainclothesmen are being given individual increases of \$250, he said, in recognition of their detective work. They are to be graded as Grade B detectives and assigned to the various precinct stations. The regular detective squad will be raised as Grade A men.

It would cost the city practically a half million dollars additional a year if the police and firemen were granted an increase of \$400 a year each, as they requested, Commissioner Nier said. There are approximately 1,000 in the two bureaus who would be affected. Disappointed over their failure to obtain the coveted raise, they have asked for an appointment with the finance committee to discuss the matter. This conference must be held before Nov. 15.

The members of the police bureau who have been granted increases are: E. J. Ford, \$825; Charles W. Vollmer, \$825; Joseph Sheridan, \$448; and five other stenographers, \$100 each.

"The finance committee of the City Council, at the close of a regular session, will have a public hearing on the 1929 budget estimates of the city and the Board of Education."

The Council will adjourn its meeting, probably until Friday, for the ensuing year be approved not later than Nov. 15, and Friday is the 15th.

The finance committee is particularly desirous of obtaining expressions from the taxpayers relative to the budget proposals before it makes its recommendation to the Council at the adjourned session.

Mayor Joseph C. Wilson is chairman of the Finance committee, and its other members are Vice-Mayor Fuller and Councilman Edward P. Flynn.

The combined budgets of city and school board total nearly \$25,000,000. While the school budget is prepared separately from the general city budget, by the Board of Education, it is treated as a budget of the city department and must be passed on by the Council along with the rest of the municipal budget.

SKATING RINK PLAN OPPOSED BY COUNCILMEN

Proposal To Lease Convention Hall Annex Rouses Protest—John Routier Backs Project.

A roller skating rink in the annex of Convention Hall is the proposal of John Routier, 583 Brooks Avenue, but members of the City Council seem almost unanimously opposed to it.

When John Ellendt, superintendent of buildings under whose jurisdiction city structures are rented, submitted request for a lease of the annex, the councilmen objected last week. Mr. Routier was promised an opportunity to present his argument and he is expected to appear tonight.

While the renting of most city-owned buildings is done without lease, usually for a brief period of time, Mr. Routier asked the building bureau for a definite lease of the Convention Hall property for a skating rink and was willing to agree not to permit roller skating there whenever any other portion of the building was being used for another purpose.

Ordinarily, the City Council does not have to pass upon rental of a building, but when a lease is involved it is necessary for the Council to do so. City Manager Stephen B. Story said an immediate storm of objection was raised by individual councilmen when he broadened the subject to them at an informal conference, but that he did not know the reason for the protest.

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Mr. Story said he had considered every possible suggestion for the relief of the northwest section and had finally come to the conclusion that purchase of the company was the best.

Firemen's Appeal for Pay Increase Sounded

Campaign of police and firemen for more pay was carried to the public today, with an open appeal to citizens of Rochester to use every possible influence on councilmen for a budget appropriation to provide for increases for the uniformed city employees.

The appeal was issued by George O'Brien, vice president of the New York State Firemen's Association, and president of the City Firemen's Association.

"We feel that we are justified," he said, "in asking the support of the citizens of Rochester whom we are hired to protect and who are ready to give them what we believe to be adequate reasons why we are deserving of the salary increase we have requested. We are only asking for a fair hearing before the public in this matter."

Referring to the present salary as it affects firemen, Mr. O'Brien pointed out that they work 365 days a year, less an annual furlough of fifteen days. Their time is so arranged, he said, that they only average two days off in every sixteen days, less than a day a week.

"When on duty platoon firemen work ten hours and on night platoons fourteen hours," he said. "An average of twelve hours per day. This, when divided into our daily wage gives us the sum of 47 cents per hour, less than an average laborer's wage and far less than that of a mechanic or tradesman."

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SENTIMENT FAVORS RAISE BUT FINANCE OBJECTIONS LOOM

Durban, Goodwin Lead Fight for Advance in Salaries

ADLER AND STORY SUGGEST CAUTION

Finance Committee To Consider Matter; To Report Friday

Increases Outlined

George J. Nier, commissioner of public safety, outlined the few increases that are provided in the budget before the council. Twenty special officers become detectives, second grade, for the purpose of coordinating the work in the detective bureau, and in the interest of efficiency, and they receive an increase of \$130 a year annually. There are increases for Detective Lieutenant Anthony Andrews, the property clerk, clerk of the record bureau and the training school instructor, and that, with Commissioner Nier pointed out. He gave a number of reasons to justify these increases, and Councilman Durman said that he was heartily in accord with them.

City Manager Story explained the salary situation as has been prevalent in Rochester in the last few years, he said that he favored greater salaries for all city employees, and felt they were entitled to them but the financial stringency of the city precluded this action. He said that what increases have been granted have been for those who specially merited it or where there has obviously been an increase. He said that the police and firemen represented approximately 1,000 of the 2,700 employees of the city, not including laborers, and he said that for each \$100 a year granted them it would mean the raising of \$100,000 from some source, and the only avenue open was borrowing. He explained that the city is limited in taxation to 2 per cent of the assessed valuation; assessments could not be raised for a year, and then there was a question whether it was desirable.

Mr. Story said that while neither the council or the Finance Committee had any authority to raise salaries, as this was a function that under the charter rested entirely with the city manager, he would acquiesce to its wishes, and he expressed his hope that the additional money being provided for this purpose, Mr. Story said that he wishes to leave with the council for its most earnest consideration, the matter of making solvent the police and firemen's pension funds. He said that the firemen's fund is exhausted and that \$50,000 had to be raised by taxation this year to meet its obligation. He said the police fund is approaching this status, and to place the funds on a solvent basis will require \$250,000 and this will be \$250,000 a year, over a 50 year basis. He said it is a obligation of the city to the police and firemen to meet this requirement, and pointed to the fact that pensions were deferred compensation.

The other city employees other than police and firemen, including clerical help, were in need of raises were points made by Mr. Story, Councilman Guzzetta questioned Commissioner Nier about salaries in other cities, and made the point that there was increased efficiency where there was greater pay. It was brought out that a committee of the police and firemen will meet before Friday with the Finance Committee to canvass the situation. The suggestion was made by Councilman Goodwin that there be a graduated scale of salaries so that the men could work up to a higher grade.

City Manager Story said that he saw the firemen in action today and he said that nobody would begrudge them an increase, neither would they disapprove an increase for the police. If the city was financially able to grant them, he said that notwithstanding the commissioner's personal feelings in the matter and the wishes to more adequately compensate city employees, including police and firemen, the subject necessitated the most serious consideration in the interest of the entire city.

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CITY TO RAISE BLUECOATS' PAY

With an announcement yesterday that the City Council is prepared to consider demands of the police and firemen for more pay, came information that the 1929 budget already provides increases for a number of police bureau employees.

Police and firemen asked raises from \$2,100 to \$2,500 a year, which would mean an increase of \$400 a year, tentative city budget estimates of the city budget. It is the subject of a council hearing tomorrow night.

Police raises scheduled in the budget are: Anthony Andrews, chief of the Automobile Theft Bureau, as well as head of the detective squad, raised from \$2,992 to \$3,300.

Twenty plain clothes men, from \$2,100 to \$2,500 each as grade B detectives.

Twenty detectives, now known simply as detectives, will be listed as grade A detectives, and will cost \$2,548.

Bryant Ford, director of the Police Training School, from \$2,100, his present salary as a patrolman, to \$2,625 as titled director of the school.

Joseph Sheridan, listed as a patrolman from \$2,100 to \$2,500, and formal designation as property clerk.

Charles W. Vollmer, patrolman, does not mention Vollmer's name but he has been in charge of police for Chief Andrew J. Kavanaugh. The budget stipulates \$2,625 will be paid to police statisticians.

One stenographer, increased from \$2,000 to \$2,200, and five other stenographers from \$1,700 to \$1,800. The only increase for a fire department employee is for John Forbes, superintendent of houses, from \$2,310 to \$2,600.

Jeremiah McCarthy, superintendent of police and fire alarm telegraph, from \$3,500 to \$3,800.

CITY WILL SEE TO SNOW WORK, SAYS STORY

Rochester's sidewalks will be clean this winter, boycott or no boycott by snow cleaning contractors, City Manager Story today declared.

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STORY WOULD BUY WATER COMPANY

As the only certain means of relieving property owners of the northwest section of the city from exorbitant water taxes, City Manager Story today was preparing a plan for purchasing the Rochester & Lake Ontario Water Company, which serves outlying sections of the city and surrounding towns.

Mr. Story told the City Council last night that if the people in the northwest section are to have water rates comparable with those of residents using Hemlock Lake water, the Lake Ontario Company's city mains must be purchased, and made a part of the municipal system.

Mr. Story said by purchasing the company's mains the city will have measure of relief would be possible, but even then, the city would be at the mercy of the company in buying its water.

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A total of \$10,000 was asked by the Kerns in their negligence actions brought against the city.

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Summary of City Council's Session

Business transacted by the City Council last evening included the following matters:

Heard discussion regarding increase in salaries for police and firemen as proposed by Councilman William F. Durman and referred matter to finance committee, with action to be taken Friday noon at a special session of the Council.

Reviewed suggestion from City Manager Story in response to inquiry by Councilman Nelson A. Milne that he will present a definite proposal to the Council soon, looking toward acquisition by the city of the Rochester & Lake Ontario Water Company.

Received quarterly report of Charles R. Barnes, commissioner of railroads, for period ended June 30 last, showing sharp shrinkage in revenues and passenger travel, yet surplus for quarter from operation of Rochester lines for the period because of the 10-cent fare.

Adopted resolution of Councilman Joseph E. Guzzetta, requesting Commissioner Barnes to bring about restoration of Emerson Avenue surface lines; also transacted other business relating to municipal affairs.

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Councilman States Removal Would Be Violation of Trust

If Reynolds Trustees Decide to Abandon Spring Street Site and Move Collections to Oak Hill, Court Action Will Be Taken, Says Peake.

Court action will be taken to maintain the Reynolds library on the present site in Spring Street if the Reynolds trustees decide to abandon the property by transfer of the rich collections to the University of Rochester library at Oak Hill, Councilman Chester A. Peake said today.

A report compiled by three out-of-town specialists at the request of the Reynolds trustees was up for consideration by the board yesterday afternoon at a meeting in the library, but as only five members out of the 11 attended, it was decided to defer decision until a full representation should be present.

Present at yesterday's meeting were George A. Carnahan, chairman of the board; Mortimer Antice, one of the heirs of the Reynolds estate who will benefit if the Spring Street site is abandoned as a library; Prof. John R. Slater, C. Schuyler Davis and Leonard Bacon, Dr. Rush Rhees, president of the University of Rochester, was one of the trustees unable to attend. Another was Herbert J. Winn, who is abroad, but will return about Dec. 1. Others on the board who failed to appear yesterday were Julius M. Wile, Edward G. Miner, Edward Harris, Joseph F. Weller, and Joseph T. Alling. The full membership is said to be about 20, but the board, a self-perpetuating body, has the number by refusing or failing to fill vacancies as they occur.

The library was founded in 1884 as a free public library. It has on its shelves at the present time upwards of 93,000 volumes. Its collections cover broad fields of research and study besides classical and current fiction. In addition to the Spring Street buildings, a central reading room is maintained in the Reynolds Arcade where current newspapers, periodicals, encyclopedias and dictionaries are available.

Reynolds Planned Memorial Mortimer Fabricius Reynolds, the first white child born in the present Rochester, was the founder of this library system and planned it as a memorial to his father, Abelard Reynolds, who was the first postmaster here when the postoffice of Rochester was established July 1, 1812, and to an older brother, William Abelard Reynolds.

Councilman Peake said today that under the act of incorporation passed in 1884 the supreme court has power to supervise the Reynolds library and may at any time require the trustees to render a full account of the execution of their trust.

"The city will take this case into the highest court for decision before the Reynolds trustees will be permitted to let this valuable and useful library pass from the people of Rochester to the control of the university," said Dr. Peake.

"Removal of the library and abandonment of the Reynolds homestead would be, in my judgment, a flagrant breach of trust, and violates the conditions which Mr. Reynolds laid down in his will."

"The first paragraph of the Reynolds will covered the library and read: 'First, I give, devise and bequeath to the Reynolds library, a corporation created by an act of the Legislature of New York, passed Feb. 2, 1884, being chapter 9, of the laws of 1884.'

"All the property known as the Arcade and the East Arcade in the City of Rochester.

"Also my homestead, No. 40 Spring Street, in Rochester with all the land and buildings and as much of my personal property, including gas fixtures upon the premises, as my adopted daughter, Mary, now the wife of Josiah Antice, may desire to set apart to go with it."

"And this devise of the homestead property is on condition that the same shall always be occupied by said corporation for its library and any other of the educational purposes contemplated by said act."

WOULD BE COURT VIEW ON LIBRARY

Dr. Peake Hints Litigation To Determining Meaning of M. F. Reynolds' Will

HAS PREPARED PLANS Abandonment of Homestead Would Be Breach of Trust, He Says

On the heels of further delay on the question of disposition of the Reynolds library, Councilman Chester A. Peake yesterday declared that if the Reynolds trustees decide to abandon the property by merging the collections with those of the University of Rochester library at Oak Hill, as an individual he would insist on court action to determine the intent of the Mortimer F. Reynolds will.

Dr. Peake has had plans made for the site which provide for a museum under the Russell endowment on the west and on the east a library building each 350 feet deep and 60 feet wide connected with an administration building in the center midway between Broad and Spring streets. He urges the city to take over the operating costs of the Reynolds library and keep the building downtown.

Dr. Peake points out that the city maintains a central library in Court Street, not far from the Reynolds library in Spring Street.

He believes that by creation of a dual advisory board, the Reynolds library could be operated as the central library.

"Mr. Reynolds intended the Reynolds library to be a public library for the benefit of the community," Dr. Peake states, "and if he had intended that it be joined with the University he would have specified that in his will."

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In City Court, Fred O. Viehmann, clerk of the criminal branch, is to be increased from \$3,500 to \$3,800 and Ray C. Schaefer, clerk of the civil branch, similarly.

In the Health Bureau an increase from \$1,500 to \$4,500 is provided for Dr. A. S. Johnson, deputy director, and an increase from \$2,100 to \$3,000 for Ward Thompson, superintendent of the Municipal Hospital.

Outside the Department of Public Safety the most important adjustment will favor Warren C. Allen, deputy purchasing agent in charge of real estate—from \$2,800 to \$4,000.

Of Police Staff Get Raises in Salary

New Budget Dims Hopes of Bluecoats For General Increase in Pay—Deputy Health Officer and Municipal Hospital Superintendent to Get More Money.

Rochester's Bureau of Police, whose 400 blue-coated patrolmen have been living and working in expectancy of a blanket increase in salary, buzzed with surprise, disappointment and chagrin today when the "cops" learned that they are not to get a general raise but that certain of their number are to receive special increases, unless the City Manager's budget for next year is subjected to some harpooning by the finance committee of the City Council, following the scheduled public hearing Monday night.

The changes provided in the new budget, which have brought joy to a few and keen disappointment to the majority, include a boost of \$825 each to Bryan Ford, director of the police training school, and Charles W. Vollmer, statistician; a raise to Lieutenant of Detectives Anthony Andrews from \$2,992 to \$3,300; a boost to Joseph Sheridan, property clerk, from \$2,100 to \$2,546; raises of \$130 each to 20 patrolmen; \$200 to one stenographer; a boost of \$2,000 to \$2,200, and of \$100 each to five other stenographers now receiving \$1,700.

Safety Commissioner George J. Nier, in commenting on the increases, said today that the raises granted Lieutenant Andrews is in recognition of his good work in the police automobile squad. The 20 plainclothesmen are being given individual increases of \$250, he said, in recognition of their detective work. They are to be graded as Grade B detectives and assigned to the regular detective squad which is now Grade A men.

It would cost the city practically a half million dollars additional a year if the police and firemen were granted an increase of \$400 a year each, as they requested, Commissioner Nier said. There are approximately 1,000 in the two bureaus who would be affected. Disappointed over their failure to obtain the coveted raises, they have asked for an appointment with the finance committee to discuss the matter. This conference must be held before Nov. 15.

The members of the police bureau who have been granted increases are: Warren W. Allen, deputy city purchasing agent in charge of real estate transactions, gets the prize increase, from \$2,800 to \$4,000. Jeremiah McCarthy, superintendent of fire alarm telegraph bureau, is increased from \$3,500 to \$3,800; John Forbes, superintendent of police depot, \$2,310 to \$2,600; deputy health officer, \$4,500 to \$4,900; J. Ward Thompson, superintendent of Municipal Hospital, \$2,400 to \$3,000; Fred O. Viehmann, clerk of City Court, criminal branch, \$3,500 to \$3,800, and Ray C. Schaefer, clerk of City Court, civil branch, \$3,600 to \$3,800.

Several other minor increases in salary have been granted to employees in other departments.

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SKATING RINK PLAN OPPOSED BY COUNCILMEN

Proposal To Lease Convention Hall Annex Rouses Protest—John Routier Backs Project.

A roller skating rink in the annex of Convention Hall is the proposal of John Routier, 533 Brooks Avenue, but members of the City Council seem almost unanimously opposed to it.

When John E. Elmer, superintendent of buildings under whose jurisdiction city structures are rented, submitted request for a lease of the annex, the councilmen objected last week. Mr. Routier was promised an opportunity to present his argument and he is expected to appear tonight for that purpose.

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Mr. Story said by purchasing the company lines within the city a measure of relief would be possible, but even then, the city would be at the mercy of the company in buying its water.

Details of his purchase plan Mr. Story said could not be disclosed until negotiations with the company were further advanced. No price was given by Mr. Story. Some years ago, the company was appraised at \$2,000,000.

Mr. Story said he had considered every possible suggestion for the relief of the northwest section and had finally come to the conclusion that purchase of the company was the best.

SENTIMENT FAVORS RAISE BUT FINANCE OBJECTIONS LOOM

Durnan, Goodwin Lead Fight for Advance in Salaries

ADLER AND STORY SUGGEST CAUTION

Finance Committee To Consider Matter; To Report Friday

An increase of salaries for police and firemen was sought by Councilman William F. Durnan last evening before the City Council and after much discussion the matter was referred to the Finance Committee for consideration.

It was brought up by Commissioner of Public Safety Nies that the men now receive \$2,100 and ask \$2,500.

While unanimous opinion favoring such an increase was expressed by Mayor Isaac Adler and Councilman Stephen B. Story pointed out that the police and firemen retirement funds are now insolvent to an extent of \$50,000 to bring them to a sound actuarial basis and that there is a moral obligation on the part of the city, if not an implied contract, to bring these funds up to date.

The budget, providing for the salaries for next year, is before the Finance Committee, made up of Mayor Joseph C. Wilson, Vice Mayor Adler and Councilman Edman Durnan and Councilman Durnan has been active in an endeavor to bring about a salary increase for the police and firemen.

Mr. Adler, who is chairman of the Finance Committee, expressed his lack of sympathy with the request of the police and firemen, but there was serious objection expressed by Mr. Adler, Councilman Louis S. Foulkes and Councilman Flynn to the desirability of adding to the city's expense borrowing of the city, which under the charter must be abolished by 1933, even though it might mean curtailment of some essential municipal activity to bring this about.

The salient facts brought out in the discussion were these: Vice Mayor Adler—that the present budget as prepared by City Manager Story and the Board of Education necessitates the borrowing of \$900,000 next year as compared with \$800,000 this year and the Board of Education has been requested to reduce its budget \$100,000, and foreign increase.

Councilman Foulkes—that the city is taxing to its limit that taxes can not be raised and if police and firemen are to be raised in salary the money must be borrowed.

Councilman Durnan's resolution as introduced and seconded by Councilman Goodwin directed that the Finance Committee amend the budget so that it would provide a general increase for the police and firemen. Later he amended this to provide that the Finance Committee consider the matter and make recommendations to the Council, which on motion of Councilman Foulkes meets in special session on Friday at noon to adopt the budget in accordance with the charter provisions. The amended resolution finally was adopted unanimously, and the Finance Committee will report Friday.

Mr. Story said that while neither the council or the Finance Committee had any authority to raise salaries, as this was a function that under the charter rested entirely with the city manager, he would acquiesce to its wishes, if expressly directed to do so in addition to this purpose. Mr. Story said that he wishes to leave with the council for its most earnest consideration, the matter of making solvent the police and firemen's pension funds. He said that the Yeoman's fund is estimated at that \$55,000 had to be raised by taxation this year to meet its obligation. He said the police fund is approaching this status, and to place the funds on a solvent basis will require \$500,000 and that will be \$100,000 a year over a 50-year basis. He said it is an obligation of the city to the police and firemen to meet this requirement, and pointed to the fact that pensions were deferred compensation.

The other city employees, other than police and firemen, adding the needed help were in need of raises were points made by Mr. Story. Councilman Guzzetta questioned Commissioner Nier about salaries.

He said that while neither the council or the Finance Committee had any authority to raise salaries, as this was a function that under the charter rested entirely with the city manager, he would acquiesce to its wishes, if expressly directed to do so in addition to this purpose. Mr. Story said that he wishes to leave with the council for its most earnest consideration, the matter of making solvent the police and firemen's pension funds. He said that the Yeoman's fund is estimated at that \$55,000 had to be raised by taxation this year to meet its obligation. He said the police fund is approaching this status, and to place the funds on a solvent basis will require \$500,000 and that will be \$100,000 a year over a 50-year basis. He said it is an obligation of the city to the police and firemen to meet this requirement, and pointed to the fact that pensions were deferred compensation.

CITY TO RAISE BLUECOATS' PAY

With an announcement yesterday that the City Council is prepared to consider the demands of the police and firemen for more pay, came information that the 1930 budget already provides increases for a number of police bureau employees.

Police raises scheduled in the budget are: Anthony Andrews, chief of the Automobile Unit, as well as Lieutenant of Detectives, raised from \$2,992 to \$3,300.

Twenty plain clothes men, from \$2,100 to \$2,500 each as grade B detectives.

Twenty detectives, now known as grade A detectives, and will consist of a box room and extinguisher.

Does \$500 Damage

Mr. Story said he had considered every possible suggestion for the relief of the northwest section and had finally come to the conclusion that purchase of the company was the best.

Before the city can hope to get additional water from Hemlock Lake, he said, there must be a supply of water from Lake Ontario and water from Lake Ontario offered the most advantageous bargain.

Mr. Story said he had considered every possible suggestion for the relief of the northwest section and had finally come to the conclusion that purchase of the company was the best.

Historic Scrapbooks Collection

CITY SEEKS TO PURCHASE WATER LINES

Negotiating With Ontario Company, Manager Story Informs Council

DETAILS NOT READY YET

Restoration of Car Service for Emerson Street Asked of Railway Commissioner

Negotiations are under way between the city and the Rochester & Lake Ontario Water Company...

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SUBSTANTIAL GAIN SHOWN BY TROLLEYS

Surplus for Second Quarter, \$25,139, as Compared With \$5,788 Deficit in 1928

Although there was a falling off in the total number of passengers carried on the Rochester lines of the New York State Railways...

Subway Contributes to Surplus

The surplus of the surface trolley car lines, above the guaranteed return to the railroads under the contract, was \$32,632.01...

Commissioner's Letter

Commissioner Barnes' letter to Mayor Wilson and the City Council accompanying the report follows:

The report of operations under the service-at-cost contract of the Rochester City and Suburban Lines...

The financial results for this quarter are shown in the report summarized as follows:

Revenues from all sources \$1,329,011.75

Operating expenses, taxes and return on investment \$1,303,871.98

Service-at-cost surplus \$25,139.77

A surplus of \$25,139.77 resulted from the operation of the surface trolley lines...

During this quarter there was a ten-cent cash fare and an eight and a third-cent ticket fare...

The net results show a surplus of \$25,139.77 compared with a deficit of \$5,788.16 in 1928.

Command with the same quarter in 1928, there was a falling off in total passengers carried on all lines...

There were 667,497 passengers carried in the subway during the quarter...

Summary of Operations

Following is a summary in Commissioner Barnes' report showing the results of the operation from April 1 to June 30, inclusive:

Table with 3 columns: Description, 1929, 1928. Rows include Total revenue, Total operating expenses, Net operating revenue, etc.

Table with 3 columns: Description, 1929, 1928. Rows include Surplus, surface lines, Surplus, subway lines, Deficit, bus lines, etc.

Table with 3 columns: Description, 1929, 1928. Rows include Surplus, service-at-cost operation as of March 31, 1929, etc.

Table with 3 columns: Description, 1929, 1928. Rows include Total railway lines, Gasoline buses, Frictionless trolleys, etc.

Table with 3 columns: Description, 1929, 1928. Rows include Total all lines, Total passengers same quarter 1928, etc.

Table with 3 columns: Description, 1929, 1928. Rows include Revenue from transportation, Revenue from other railway operations, etc.

Table with 3 columns: Description, 1929, 1928. Rows include Operating income, Non-operating income, Total income, etc.

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FIRE, POLICE RAISE URGED BY DURMAN

If Denied, Councilman Says He Will Attempt To Have Referendum by People

GETTING LABORERS' PAY

Head of Firemen's Group Asks Public Study and Support of Request

Increase the salaries of the members of the Police and Fire Bureau, or destroy the incentive for efficient duty and jeopardize the morale of the men...

Work for Laborers' Pay

The present rate of pay, which to a fireman, with his average of twelve hours a day, makes it 47 cents an hour...

Form of Report

We have determined the future size of the city based on present conditions and probable growth.

Support For City Plan

In the organization of the Rochester Civic Improvement Association a step has been taken which is vital to the successful operation of the city plan.

Salary \$800 Below New York

At the time of the war, the councilman said, Rochester's police and firemen were only \$200 behind those of New York City.

Budget Hearing Friday

The budget hearing closed with the Council fixing Friday noon for a special meeting to adopt the budget.

Council Divided

The council appeared ready for a sharp division on the petition of the policemen and firemen.

Summary of Operations

Following is a summary in Commissioner Barnes' report showing the results of the operation from April 1 to June 30, inclusive:

900,000 Total Population Seen Here For 1970

Bartholomew Submits Planning Report, Dealing With Major Thoroughfares and a Central Traffic District to Care For Needs of the Future.

By Cecil Roseberry

Envisioning a population of 900,000 for Rochester by 1970, Harland Bartholomew, city plan expert, this afternoon submitted a scheme of major thoroughfares and of a central traffic district devised to take care of that population.

The major street scheme itself is among the individual sections, and the plan for a central traffic district—the area within which traffic will concentrate largely as the city grows to its ultimate population of 900,000.

Improvements Suggested

One map shows the existing use of streets with regard to traffic lines, parked automobiles, street car lines, bus lines, and such data, as well as kinds of paving, within the central traffic area.

Fisher Consulted

These recent projects, Mr. Bartholomew asserted, have resulted in 12 miles of widened streets, and in the opening of 12 miles of new streets.

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Summary of Operations

POLICE MAKE LAST PLEA FOR BOOST IN PAY

Open Letter from Officers of Locust Club Stresses Necessity of Salary Increases.

Executive officers of the Locust Club, policemen's organization, today stated what they term a final plea to the public for support of the request of police and firemen for an increase in salary.

The last-minute appeal of policemen and firemen, with Councilman William F. Durman as their head spokesman, for a blanket raise in pay to be included in the budget, is not likely to be granted.

Others Ask Pay Raise

The members of police and fire departments, who receive a basic salary of \$2,100 and want \$2,500, are not the only city employees supplicating for more pay next year.

May Have to Borrow

The city received more than \$500,000 as its aid from the state income tax this year. If it does not get at least \$800,000 for 1930, Mr. Adler stated, the city will be forced to borrow, anyhow, for its current expenses.

At Tax Rate Limit

As Mr. Adler explained to City Council last Monday night, the city is now at the constitutional 2 per cent limit of its tax rate.

When it became apparent that the budget would have to be sliced somewhere, the Board of Education agreed to knock off \$100,000 from its capital expenditure estimate, and this is seemingly the only reduction that will be voted by the council tomorrow.

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Council To Take Up \$25,560,481 Budget At Friday Session

One Hundred Thousand Dollar-Item From Board of Education Request Only Reduction—Small Likelihood of Raise in Pay For Firemen, Cops.

The city budget for 1930 will be adopted tomorrow with only one reduction—that of \$100,000 from the Board of Education's requests—it was indicated today.

The City Council will convene in adjourned session at noon tomorrow and is expected to adopt a budget of \$25,560,481.65, of which \$12,397,437.10 is for general city expenditures and debt service, and \$13,163,044.55 for the Board of Education.

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DETAILS NOT READY YET

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Negotiations are under way between the city and the Rochester & Lake Ontario Water Company...

Milne Asks for Report

Councilman Milne pointed out that in Feb. 1929, he presented a resolution to the city...

Branch Library Asked

Councilman Guzzetta urged the appropriation of \$20,000 for a branch library in the Central Park section...

Council Divided

The council appeared ready for a sharp division in the opinion of the police and firemen...

Summary of Operations

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SUBSTANTIAL GAIN SHOWN BY TROLLEYS

Surplus for Second Quarter, \$25,139, as Compared With \$5,788 Deficit in 1928

Although there was a falling off in the total number of passengers carried on the Rochester lines...

The report shows that in the quarter ending this year there was a decrease of revenue from all sources...

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The surplus of the surface trolley car lines, above the guaranteed return to the railroads...

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The financial results for this quarter as shown in the report summarized, are as follows:

Service-at-cost surplus of \$25,139.75 resulted from the operation of the surface trolley lines...

During this quarter there was a sharp increase in the number of passengers carried on all lines...

There was a falling off in the total passengers carried on all lines in 1928...

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If Denied, Councilman Says He Will Attempt To Have Referendum by People

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Head of Firemen's Group Asks Public Study and Support of Request

Increase the salaries of the members of the Police and Fire Bureaus, or destroy the incentive for efficient duty...

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As the budget now stands, the city must increase its borrowing from \$800,000 to \$900,000 next year...

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In the organization of the Rochester Civic Improvement Association a step has been taken which is vital to the successful operation of the city plan...

Street Survey

One section shows existing widths of all streets; all of the present grade separations, such as viaducts, subways, and the like...

REROUTING PLANNED

President James F. Hamilton of the New York State Railways said a rerouting of Emerson Street buses would be considered to give service over the river north of Main Street East...

"Few people seem to realize," Mr. O'Brien said, "that firemen work 4,380 hours a year, while the average worker works an eight-hour day, Saturday afternoons and Sundays off, works a little more than 2,600 hours a year and usually for much more money per hour..."

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STREET PLAN OFFERED BY SPECIALIST

Rochester Business Section Arteries Gave Him Brand New Problem, He Says

MADE BY PAST ERRORS Committee Will Study His Report Before Taking Definite Steps

Arrangement of streets in Rochester's business district is much less convenient than in most cities, Harland Bartholomew, city planner, said yesterday, after the presentation of his first report on a Rochester city plan to the City Planning Board.

Looks Ahead Forty Years "In his yesterday's report, first of a series dealing with phases of the proposed city plan, Mr. Bartholomew concerned himself with street widenings and extensions in the downtown business section. He based his plan on a future population of nine-hundred thousand persons by 1970; and of it, Mr. Bartholomew said:

"While the report anticipates the growth of the city in forty years, the scale of the plan may be termed average and compares with other cities. The population estimate is not extreme, nor is it more radical, than that of other municipalities.

"I found conditions here were not greatly dissimilar to other cities studied, but the worst complication arose from the arrangement of the business district. The city is poorer than in the average city, and particularly, of such cities as Chicago and St. Louis, where the rectangular plan of layout out streets was followed. It follows from this that our efforts to work out a happier circulation scheme for traffic was somewhat more complicated."

Mr. Bartholomew's report was not given out in detail. He explained its provisions at a long session of the City Planning Board yesterday afternoon and explained that he recommended that a committee of three members of the board be appointed by its chairman, J. Foster Warner, to study it and make such suggested changes as it saw fit. After the completion of this study, which he estimates will take two months, based on the result in other cities, Mr. Bartholomew suggested that he meet with the board again and work out a final downtown street plan.

"Mr. Bartholomew said he planned to be in Rochester three days and give such advice and assistance as may be required of him. His next report, dealing with the proposed Civic Center, will be ready for submission to the board about Dec. 10, he said. Earl O. Mills, his associate, was at the meeting yesterday.

The report contains thirty maps, and each map is the subject of a detailed report. The whole contains individual studies of existing conditions, such as topographical characteristics of the city and adjacent districts, present density and distribution of population, and probable growth and spread of new population. A section shows existing widths of all streets, all of the present grade separations, as well as grade crossings, on the streets chosen as elements in the comprehensive street plan.

was at the meeting yesterday. Members of the City Planning Board, besides Mr. Warner, are John W. Fulreider, Henry L. Howe, Edward G. Miner, and Clarence M. Platt. Arthur L. Vedder is secretary.

Wage Increase Given Firemen And Policemen

But Only at Cost of Prospective Jump in General Assessments—Story Warns the Council of Strain on City's Finances

—Vote Six to Two. Policemen and firemen of Rochester were jubilant this afternoon at provision for their increase in pay, but taxpayers received a shock on learning that their assessed valuations are likely to be increased 15 per cent. next year to pay for it. The salary boost is to take effect Oct. 1, 1930, if legal difficulties do not intervene.

The City Council, at a noon meeting packed with cops and firemen who were off duty, adopted the 1930 budget of \$23,897,824.17, including provision for a graduated increase of pay for the city's 1,000 uniformed employes amounting to \$400 a year each for those who have served seven years or more. At the same time came a resolution ordering the city assessor "to proceed immediately with the necessary steps to equalize and to increase the assessable valuations of real property of the city and to place the said valuations on the next assessment roll."

This resolution, unanimously adopted, came from Councilman Edward P. Flynn, and gave as reasons for the action that it is estimated the city will be required to borrow \$900,000 for current expenses in 1930, and that any increase in salary for policemen and firemen will add a corresponding amount to each succeeding budget. Before the resolution was introduced, City Manager Story had warned the Council that the requested increase would mean that, by 1931, the city would have to be borrowing \$1,850,000, or else increase its assessed valuations, as the constitutional tax rate limit of 2 per cent. has been reached.

Mr. Milne, Duran Opposed He said a general assessment increase of 15 per cent. on real property would give the city an additional \$1,850,000 in taxes, only \$800,000 of which would be available for future expansion. The budget ordinance was adopted by a vote of six to two, the ninth councilman, Mayor Joseph C. Wilson, being absent because of illness. Those who voted against it were Councilmen Nelson A. Milne and William F. Duran.

Mr. Milne explained his negative vote as being prompted by his dissatisfaction that provision was not made for an increase in salaries of other city employes, of which he mentioned meter readers and ashmen. He wanted \$25,000 more than the \$100,000 already reduced from the Board of Education's budget, to be taken from the same source for further salary increases. Another simultaneous resolution of Mr. Flynn's, adopted unanimously, ordered that "a study be made as early as possible of the salaries of all city officials and employes with a view to the adoption of a definite schedule throughout the force."

Guzzetta in Dispute Councilman Joseph L. Guzzetta, recently re-elected Republican organization man, rose at once to say he had introduced a similar resolution a year ago which was turned down. Both Dr. Guzzetta and Mr. Milne were quite obvious at loggerheads with City Manager Story throughout the discussion that preceded adoption of the budget.

The actual scale of pay for firemen and police, if the ordinance stands the test of legality, was cited by Mr. Story in his communication granting it, as follows: First year of service, \$1,785; second, \$1,900; third, \$2,000; fourth, \$2,100; fifth, \$2,200; sixth, \$2,300; seventh, \$2,400; above seven years of service, \$2,500. The present basic rate of pay for both departments is \$2,100.

Mr. Story said that it was possible that the action taken today might be illegal in view of the charter provisions that the city manager shall fix salaries when the budget is under preparation.

COUNCIL APPROVAL LOOKED FOR TODAY

Committees of Two Bureaus Say This Is Satisfactory

By JOSEPH R. MALONE Firemen and police are in a position to get favorable action on their request for salary increases today when the City Council meets to adopt the 1930 budget.

Under a plan which seemed to meet general favor last night, not only from the finance committee, which has the budget under consideration, but from other members of the Council and the city administration, the increase, to a maximum of \$2,500 a year for both firemen and police, would become effective on Oct. 1, 1930, instead of on Jan. 1, as originally requested.

Would Minimize Problem This would mean the increase would be effective only three months of 1930, and the financing problem that would result if it were made effective as of Jan. 1. The finance committee is expected to report favorably today on making provision for the salary increase from Oct. 1, and the budget as referred by the committee to the Council to make provisions for whatever additional appropriations may be necessary.

A committee of three firemen led by George O'Brien, with a like number of policemen, led by Charles Steinmiller, met with Vice-Mayor Isaac Adler, Councilman Edward P. Flynn, City Manager Stephen B. Story and Public Safety Commissioner George J. Nier yesterday afternoon and presented their request for salary increases. Mr. Adler and Mr. Flynn compose a majority of the finance committee; Mayor Wilson, the third member, being unable to be present, as he is convalescing at home.

TEAM OWNERS OPPOSE AWARD OF CONTRACTS

A delegation of team owners today called on City Manager Story to protest against the awarding of snow cleaning contracts to F. X. Yeoman. They told Mr. Story their association would consent to look after the snow cleaning in city streets at cost during the approaching winter but under no condition, they said, would they accept the work from Mr. Yeoman as subcontractors.

Hending the delegation was Gus Werner, president of the Team Owners Association. He was accompanied by Leo Hezler, F. N. Elam, P. Mimmiel and A. Johnson, the latter representing the E. J. McGahan estate.

The delegation explained their attitude in regard to the snow cleaning contracts and urged that, in the letting of the contracts, the specifications be lived up to. These specifications provide that the successful bidder must have equipment equal to one plow for every hundred and fifty feet, which means that if all the contracts were awarded to one man at the amount of the estimate, he would be required to furnish 133 plows.

Mr. Werner said that his association is equipped with 134 plows and sufficient horse power, and he or some other member of the association would be ready to accept of short notice. He charged that Mr. Yeoman does not possess the needed equipment and therefore is disqualified as a bidder. The delegation was informed that, while Mr. Yeoman had submitted the low bid for most of the work, the contracts had not been awarded. The team owners said the specifications were made to cover 40 trips whereas they should have been made to cover 26 trips. At the rate of 40 trips, they contended, the compensation would not be sufficient to cover the cost of the men and horses.

Except for such changes in the budget as may be necessary from the new salary increase plan, the only change to be reported by the finance committee today will be a reduction of \$100,000 in the Board of Education's request. It was said last night. The total budget, to be adopted today on report of the finance committee, will provide appropriations of more than \$23,000,000 for general city expenditures and debt service, and \$13,163,944.56 for the Board of Education.

City Engineering Concrete And Sewer Bids On Project To Be Received Nov. 27

Plan to Hasten Award of Contracts—Road Will Be Link to Boulevard of the Future to Durand-Eastman Park.

City engineering officials today were focusing attention on the repaving of Culver Road from Waring Road to the city line, an improvement which promises to be a link in a future boulevard all the way to Durand-Eastman Park.

Bids on Culver Road concrete pavement, sewers, and walks are to be received on Nov. 27, City Engineer Henry L. Howe, Jr., stated today. "The engineers' estimate of the maximum cost is \$108,125.00.

To Hasten Awards It is planned to hasten award of the contract in order that sewers may be laid before winter, to have the stage set for actual paving early in the Spring. The ordinance provides for a 40-foot concrete pavement of slightly more than 3,200 feet in length, from Waring Road to a point 150 feet north of Norton Street, at the general northerly city line. A projection of the city line borders Culver Road north to Durand-Eastman, at a distance of 33 feet each side of the center of the road.

Looking to the future boulevard, the new Culver Road is being laid out at a 66-foot width, including sidewalks. The 40-foot concrete

CITIZENS FOR FIRE, POLICE PAY INCREASE

Good Support Reported for Request by Department Men for Raises

With the decision of the Finance Committee of the City Council concerning the request of police and firemen for a salary increase from \$2,100 to \$2,500 annually to be formally announced today, George O'Brien, president of the City Firemen's Association and chairman of a special committee representing both departments, last night declared that their campaign for an increase was meeting with gratifying support from the public.

"More than a score of letters from citizens and men in public life have been received by the committee," Mr. O'Brien said. "All of them readily agree that members of both departments are unquestionably deserving of the increase requested and offer their indorsement and support."

Must Provide for Families In a final statement on behalf of the police and firemen last night, Mr. O'Brien declared that it was not themselves alone that the large majority of the members of both departments were considering, but their homes and families.

PETROSSI GETS PAVING The Bureau of Purchase and Supply today awarded a contract for concrete pavements in Highland Park (Tract) to the John Petrossi Company at \$9,870.

Story Outlines TEN ITEMS ON YEAR'S WORK LIST

New Trolley Service Contract Chief Aim — Civic Center To Be Given More Study

By J. GODY WALLER Rochester's city government will establish 1930 as a year of record municipal achievements, if a program outlined by City Manager Stephen B. Story yesterday is carried out.

To Be Sure, Mr. Story has not been re-elected for another term. That he will be ready for work if he is, was indicated in the plans he discussed.

Some of them may make or break City Council members politically, but they cover business which must be handled.

Most important is the renewal of the service-at-cost contract with the New York State Railways. Most of the councilmen believe it must be renewed, with provisions to lead the public to hope for a lower than present fare in the next ten years.

Standardization of salaries and positions in every city department. Consideration of the city plan, with a possible decision on a civic center.

Application of scientific assessment. Enlarging the city's water supply. Promotion of harbor development.

Establishment of a service bureau at the City Hall. Building of a new bath house at Ontario Beach Park. Paving of more entrance roads to the city, including Leav Avenue, Scottsville Road and Monroe Avenue.

CAR FARE ISSUE LEADS The service-at-cost contract was a political campaign issue this year. Councilman Joseph L. Guzzetta and Councilman-elect R. Andrew Hamilton attacked the administration for failing to ask more stringent regulations of the New York State Railways in a new contract. The administration councilman, however, the Republican organization for the old contract.

There must be some modifications in the interest of the car riders if both the City Manager League and Republican organization councilmen are to save their faces with the people. Those must be political maneuvering, for the district councilmen who will be up for reelection in 1931.

Next to the service-at-cost contract in importance comes the standardization of city employes' salaries and positions. When accomplished, this will stop for all time the annual petitions of employes for more pay. They will get increases as they advance to better positions.

Mr. Story said this standardization would increase the cost of government 5 per cent. annually, and should be effected only after serious deliberation, as its consequences will be felt in the tax bills. CITY PLAN TO FORE The city plan will not necessitate any expenditures next year, Mr. Story said, unless something radical in street extension is proposed. The plan will bring the Civic Center to the front as a subject of serious consideration, with the public to be fully acquainted with the cost of building over the river and centralizing all important municipal office buildings.

HALLAUER IS SEEN LIKELY CHOICE

C. L. Cadle Also Mentioned as Possibility in Impending Fight

The emphatic declaration by Harry J. Barstow, Republican leader, that the organization group within the City Council will have a candidate for city manager when the council organizes January 2, led to considerable speculation today as to the probable choice.

Mr. Barstow declined to comment further than that the organization group will have a candidate. "The Old Guard at various times has advanced the name of Carl Hallauer of the Bausch & Lomb Optical Company for a City Hall place but invariably he was suggested when the organization forces were not in control and their move ment was only a gesture.

Mr. Hallauer is again suggested for city manager, Charles E. Bostwick, Tenth Ward leader, talked of Mr. Hallauer about the post two weeks ago. Mr. Bostwick proposed Mr. Hallauer for safety commissioner as the time George J. Nier was named.

In addition to Mr. Hallauer the Republicans have in mind Carl L. Cadle, general manager of the Rochester Gas & Electric Corp., and William W. Foster, vice president of the Union Trust Company and head of the Rochester, Lockport & Buffalo Railroad Corporation.

Neither is a candidate, but either could be induced to accept the job party leaders said, if it were possible to win it away from the City Manager League forces, who appear in a position to dominate municipal government another two years.

There was much gossip on the possibility of the organization steering one of the City Manager League councilmen to effect a combination against retaining City Manager Stephen B. Story, about City Hall today.

The G. O. P. group needs but one name as its champion of Dr. Joseph L. Guzzetta, Nelson A. Milne, William F. Duran and R. Andrew Hamilton appeared solid for emergencies.

A report was current that the administration had promised to make Charles Stetson mayor if he would leave from the City Manager League group within the Council. "I was elected on the City Manager League ticket," said Stetson today. "And anybody who knows me should know me better than to suggest I would sell out to anybody. I have been a Democrat too long for that."

The work of holding the league councilmen together is being done by Dr. Chester A. Peaks, Louis St. Paulkes, Isaac Adler and Mr. Schuchman. The latter appeared to be in the hands of Mr. Adler, who is a firm believer that Mr. Story has made good as city manager and should be re-elected for another two years.

Convention Hall annex has become a skating rink after a long period of idleness. Under a month's special permit given by John G. Ellwood, superintendent of buildings, the place is being operated by John Routier, with the promise of a long-term lease on the property if conditions are satisfactory at the end of the month.

The Bureau of Buildings is preparing a lease, one of the terms of which will be that the skating rink suspend operation whenever the adjacent Convention Hall is in use for a function with which the skating rink interferes. It is understood that the city confinement was understood to have been opposed at first, in fitting the annex for a skating rink, but after Mr. Routier had presented his arguments to them, all Council members are reported to have agreed it would be desirable to have the city drawing some revenue from the building, than to let it stand idle.

The temporary agreement under which the rink is now running will terminate Dec. 15. The rink will be closed the week of Dec. 1 for a result of the Fanatics' Association in Convention Hall.

SKATING RINK IS OPENED AT HALL ANNEX

Councilmen Withdraw Objections to Leasing of City Building — Special Permit Issued.

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Arrest Will Be Made In Near Future, Says Director C. W. Barker

Successful Prosecution of Case Expected to Result in Employment of Section Against Other Offenders in City and County.

Arrest under Section 1530 of the Penal Law, known as the "nuisance act," today faced the proprietor of some Rochester speakasy as a test case to determine if that law may be employed to prosecute vendors of alcoholic beverages, according to a statement made by Curtis W. Barker, police director.

Mr. Barker said police would in the very near future make an arrest under "the nuisance" act as an experiment, and if the prosecution is successful, it is expected that the section will be employed against owners and operators of the numerous speakasies of Rochester and the rest of Monroe County.

Bracket Type Lamps Believed Solution In Lighting Problem

Start Installation of Lights on Trolley Poles in Lake Avenue—City Officials Feel Street Will Now Be Lighted Effectively.

As a solution to the difficult problem of lighting Lake Avenue, the Department of Public Works has started installation of bracket type incandescent street lamps on the trolley poles of the New York State Railways between Lyell and Driving Park avenues.

The street has long been dangerous for night driving because of ineffective lighting, and city officials attribute many accidents to that defect. After experimentation, they have hit upon the bracket type, slanting its rays to the pavement, as most satisfactory.

The "nuisance act" finds its origin back in English Common Law, Mr. Love says. It did not gain much attention under the repeal of the Mullan-Gage Act which enabled the closing of speakasies by injunction proceedings. No arrest of a speakasy proprietor under this section has ever been made locally, and it is the aim of Mr. Barker to learn the power and effectiveness of the law.

Although this law has not been invoked locally, it has been upheld by the Court of Appeals of New York State in a unanimous decision handed down a year ago. As recently as last week, the Appellate Division, Fourth Department, affirmed the convictions of two men found guilty in Genesee and Warsaw under the "nuisance act."

Lawyers point out that the "nuisance act" is very drastic in that the only thing necessary to prove guilty is to establish that liquor has been sold by the defendant over an indefinite period of time. It is not necessary to have on hand a number of complaints before the proprietor is arrested. It is not mandatory to prove the place was operated publicly, nor is the prosecution called upon to establish that it was run in a disorderly manner.

Some attorneys say that because the "nuisance act" is centuries old, it should not be used to enforce the Eighteenth Amendment, and that if the state wanted local enforcement the Mullan-Gage act would not stand repealed. Meanwhile, those who believe the power granted in the act could be used to wipe out every speakasy in the state and elsewhere merely point to the approval of the act in courts of high jurisdiction.

In announcing that an arrest would be made as a test of the section, Mr. Barker said:

"The police department will cooperate to the fullest extent in prosecuting speakasies, as it has been doing in the past, working either independently or with federal prohibition agents, to perform a duty, which act or omission:

- 1. "Annoys, injures or endangers the comfort, repose, health or safety of any considerable number of persons; or,
2. "Offends public decency; or,
4. "In any way renders a considerable number of persons insecure in life, or use of property."

COUNCILMEN DEBATE USE OF FUND GIVEN TO CITY BY RUNDEL FOR ART GALLERY

Guzzetta Urges Construction of Library Now to Aid Labor Conditions; Adler Replies Matter Is Being Studied

PEAKE SUGGESTS BEQUEST COULD BE EMPLOYED TO BUILD ART GALLERY

City Is Not Playing Fair with Mr. Rundel, Declares Guzzetta; Things Have Moved under Manager Plan, Replies Adler

By HIRAM MARKS

That the city go ahead as soon as possible with the construction of a central library, employing the Rundel Library Fund now, according to Councilman Joseph Guzzetta, approximating \$1,200,000, was urged to the City Council last evening by Councilman Guzzetta, who declared that the time was never more opportune than at present to go ahead with the construction.

Councilman Guzzetta maintained that building a library would help labor conditions; and he maintained that the city has not kept faith with the late Morton W. Rundel, who died eighteen years ago, leaving approximately \$400,000 to the city for library purposes.

Location Being Considered Vice-Mayor Adler said that the matter has been working toward a solution and there was a matter of location, which is being considered in conjunction with the section of the city plan relating to a civic center; also there is the question of the status of the Reynolds Library, which is being considered with reference to consolidation either with the city's library system or that of the University of Rochester.

Upon inquiry from Councilman Guzzetta the statement was made by Harold W. Baker, commissioner of public works, who is acting city manager for a few days in the absence of City Manager Stephen B. Story, who is attending the 16th annual convention of the International City Managers' Association at Fort Worth, Texas, that the civic center section of the city plan will be ready for submission to the City Planning Board about Dec. 1. After it is approved by the board it will be submitted to the City Council.

Corporation Counsel Clarence M. Platt said that the city anticipates no difficulty from the suit to distribute the Rundel fund to heirs on the ground that the city has not exercised its rights under the estate. Councilman Chester A. Peake brought out that the fund could be used to build an art gallery, within the city's discretion. Vice-Mayor Adler explained that wide discretionary powers were visited with the city under the broad terms of Mr. Rundel's gift.

Progress in Last Two Years When Councilman Guzzetta reiterated his declaration that the city is not playing fair with Mr. Rundel, Vice-Mayor Adler said he could not speak for the period before Jan. 1, 1928, when he took office as councilman, but during the last two years definite progress toward employment of the fund in a constructive manner in the interest of all citizens has been taken and the project ought to develop in the near future.

Only five councilmen were in attendance last evening. They were Vice-Mayor Adler, Councilmen Louis S. Foulkes, Joseph L. Guzzetta, Nelson A. Milne and Chester A. Peake. Charles Stanton, councilman-elect, attended the conference before the public session and also listened to the proceedings.

City Tax Rate \$25.76 Per Thousand, Four-cent Rise

REAL ESTATE VALUATIONS SHOW GAINS

Increase on Property This Year in City Totals \$13,836,834

TAX EASTMAN THEATER Scientific Method of Fixing Value of Property to Be Used for 1931

By HIRAM MARKS Real estate valuations in Rochester for 1930 tax purposes total \$627,929,811, an increase of \$13,836,834 over the valuation this year, according to announcement made yesterday afternoon by George S. Taylor, city assessor. The tax rate for 1930 will be \$25.76 for each \$1,000 valuation, compared with \$25.72 for this year. Virtually the entire increase in assessments for 1930 is due to new construction, Mr. Taylor declared, but there has been added to the tax rolls the Eastman Theater, with an assessment of \$1,600,000. The School of Music, which is under the direction of the University of Rochester, is exempt.

Tax Levy Nearly Same The tax levy for 1930 is \$16,751,420.75, according to Comptroller Clarence E. Higgins. With the regular rate \$25.76 a thousand, it is nearly the same as last year, as predicted by City Manager

Table with columns: Ward, Real Estate, Increase, Loss, and City of Rochester. Lists data for various wards and categories like Franchise, Personal, Pension.

Stephen B. Story. The pension rate is \$12,166 a thousand for 1930. Franchise valuations for 1930 are \$21,967,876, which is \$16,264 less than last year. The total valuation for tax purposes is \$650,783,605, which includes real, franchise, personal and property with pension exemptions.

The City Council at its last meeting adopted unanimously a resolution instructing City Manager Story to have put in effect in 1931 the scientific method of assessments. The preliminary work necessary to the installation of this system has been nearly completed and represents two years of survey, under the direction of Comptroller Higgins and Assessor Taylor. There was a force of thirty employed in the undertaking, and this has been reduced to six, as the work has been completed.

Based on Survey Under the scientific method of assessment, which will control valuations for tax purposes beginning next year, there has been an actual survey of each parcel of property in Rochester. Instead of appraising by a glance at the property from the exterior, cognizance has been taken of construction costs, Mr. Taylor explained, interior finish is considered, the number of rooms, area, appointments of the houses, including number of bathrooms, and other factors that enter into valuation. The survey goes to the heating facilities of houses and other elements.

New maps have been prepared under the direction of the engineering department, and the purpose of the survey and the scientific method of appraising is to eliminate inequalities in assessments. Comptroller Higgins and Assessor Taylor believes that this will be accomplished when the new system is put in effect, and will be a number of adjustments under the new plan, both upward and downward, the revisions directed to the proposition of fairness to all property owners.

Following is the list of valuations for 1930 tax purposes announced yesterday afternoon by Assessor Taylor:

Ten City Problems

Whether or not the ten problems set forth by City Manager Stephen B. Story as of major importance are all of that character may become a matter of controversy. There is plenty of room for a diversity of opinion in considering the specific merits of each of the ten, without going into the question of precedence, which is certain to provoke argument.

As stated in the news columns Sunday, the ten major problems that will face the city government in 1930 are renewal of the service at cost contract with the New York State Railways; standardization of salaries in city departments and bureaus; consideration of a city plan, with a possible decision on the civic center; application of scientific assessment; enlarging the city's water supply; promotion of harbor development; construction of Ridge Road bridge; establishment of a service bureau at City Hall; building a new bath house at Ontario Beach Park; paving of more entrance roads into the city, including Lyell Avenue, Scottsville Road and Monroe Avenue.

It must be conceded that the City Manager has arranged a formidable schedule of work for the city government to undertake next year. The city's growth and development seems destined to become increasingly rapid within the next decade, thus crowding on the municipal government an unusual number of important problems for solution at the earliest possible date.

Mr. Story's statement should be of considerable help to the community by arousing thought and provoking discussion of the schedule proposed.

Rundel Fund and Central Library

Good prospect is seen of an early adjustment of all questions regarding the proposed Central Library for Rochester, and construction of the building by use of the money accumulated in the Rundel Memorial fund.

Morton W. Rundel died November 5, 1911, leaving to the city property then valued at about \$400,000, "to be used either alone or in connection with other funds in erecting, equipping and maintaining a structure to be known as the 'Rundel Memorial Building' for the purpose of a library and fine arts building for the use and enjoyment of all the people of Rochester."

Since that date the city has successfully opposed suits brought or threatened by other claimants and has received as residuary legatee the reversion of property in which a sister of Mr. Rundel had a life interest. Meantime the value of the legacies has greatly increased through gain in the value of securities—principally Eastman Kodak stock—and accrued dividends and interest.

During a debate at the last council meeting Councilman Joseph L. Guzzetta estimated the funds at \$1,200,000 and urged immediate construction of the building; both to give employment to workers and to carry out the terms of the will.

Vice-Mayor Isaac Adler pointed out that two questions affecting the library site and endowment now appear to be nearing settlement. The report on the City Plan will include recommendations regarding the proposed Civic Center, and the trustees of the Reynolds Library are expected soon to decide whether they will join their resources with those of the city in maintaining an adequate Central Library for the use of all the people of Rochester.

These matters are important. Rochester needs a Central Library. It should be properly located. If the Reynolds trustees can see their way clear to adding that foundation's funds to those at the city's disposal an endowment will be provided for purchase of books.

It is to be hoped that a decision on all points can be reached quickly and actual construction of a library on the most suitable site begun.

SNOW JOBS NOT YEOMAN'S YET

Chances that the snow cleaning contractors, who recently threatened boycott of city work this winter, would still get a slice of the \$100,000 appropriation were bright today.

City Manager Stephen B. Story this morning informed Gas Warner, who represents the revolting contractors, that Frank Yeoman, who has thirteen of the fifteen contracts for snow cleaning, had not qualified under all of the specifications of the agreements. Until he does, all of the contracts are not his, Story said.

Mr. Warner told Story that the sub-contractors he represents would not accept commissions from Mr. Yeoman on the work. With the possibility that Yeoman may not fulfill terms of the agreement, the revolting contractors had a ray of hope. If the contract goes to another they will enter bids, they said.

NEW HANGAR TO BE READY DECEMBER FIFTEENTH

With the completion, during the next month, of a new hangar which can house twenty-five ships, Rochester Airport will strengthen its reputation as one of the most modern airports, according to Ira Kuebel, acting manager.

Wide windows on three sides and a door clearance of one hundred feet are features of special interest to the aviator and the mechanic. The "monarch of them all," the Ford trimotor plane ever lands at the port, the new hangar will be able to house it.

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Bracket Type Lamps Believed Solution In Lighting Problem

Start Installation of Lights on Trolley Poles in Lake Avenue—City Officials Feel Street Will Now Be Lighted Effectively.

As a solution to the difficult problem of lighting Lake Avenue, the Department of Public Works has started installation of bracket type incandescent street lamps on the trolley poles of the New York State Railways between Lyell and Driving Park avenues.

The street has long been dangerous for night driving because of ineffective lighting, and city officials attribute many accidents to that defect. After experimentation, they have hit upon the bracket unit, slanting its rays to the pavement, as most satisfactory. Fifty-six pairs are to be installed, one unit on each pole. They are similar to those installed last Summer on Lake Avenue between Stutsen Street and Beach Avenue. The same scheme was put in use a year ago on Genesee Street and Arnett Boulevard, except the lights were alternated, rather than being placed on every pole.

The difficulty in lighting Lake Avenue has been due to the width of the street, the heavy tree growth, and the fact that street car tracks run on either side. The latter arrangement has been the most serious obstacle, as there was no room for light-posts between the tracks and the pavement, and poles placed between the rails and the sidewalk would place the light too far from the road to be effective.

These two new stretches of Lake Avenue lights will add about \$10,000 to the city's annual street lighting bill, according to John V. Lewis, director of the bureau of maintenance and operating. He estimates that the cost of electricity for this purpose, all over the city, has increased \$200,000 since the city manager administration took office two years ago.

"Rochester is one of the best lighted cities in the United States," he said. "It pays twice as much per capita for electricity as does New York City. Rochester stands

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Location Being Considered Vice-Mayor Adler said that the matter has been working toward a solution and there was a matter of location, which is being considered in conjunction with the section of the city plan relating to a city center; also there is the question of the status of the Reynolds Library, which is being considered with reference to consolidation either with the city's library system or that of the University of Rochester.

Upon inquiry from Councilman Guzzetta the statement was made by Harold W. Baker, commissioner of public works, who is acting city manager for a few days in the absence of City Manager Stephen B. Story, who is attending the 16th annual convention of the International City Managers' Association at Fort Worth, Texas, that the civic center section of the city plan will be ready for submission to the City Planning Board about Dec. 1. After it is approved by the board it will be submitted to the City Council.

Corporation Counsel Clarence M. Platt said that the city anticipates no difficulty from the suit to distribute the Rundel fund to heirs on the ground that the city has not exercised its rights under the estate. Councilman Chester A. Peake brought out that the fund could be used to build an art gallery, within the city's discretion.

Progress in Last Two Years When Councilman Guzzetta reiterated his declaration that the city is not playing fair with Mr. Rundel, Vice-Mayor Adler said he could not speak for the period before Jan. 1, 1928, when he took office as councilman, but during the last two years definite progress toward employment of the fund in a constructive manner in the interest of all citizens has been taken and the project ought to develop in the near future.

Only five councilmen were in attendance last evening. They were Vice-Mayor Adler, Councilmen Louis S. Foulkes, Joseph L. Guzzetta, Nelson A. Milne and Chester A. Peake. Charles Stanton, councilman-elect, attended the conference before the public session and also listened to the proceedings.

City Tax Rate \$25.76 Per Thousand, Four-cent Rise

REAL ESTATE VALUATIONS SHOW GAINS

Increase on Property This Year in City Totals \$13,836,834

TAX EASTMAN THEATER Scientific Method of Fixing Value of Property to Be Used for 1931

By HIRAM MARKS
Real estate valuations in Rochester for 1930 tax purposes total \$627,929,811, an increase of \$13,836,834 over the valuation this year, according to announcement made yesterday afternoon by George S. Taylor, city assessor. The tax rate for 1930 will be \$25.76 for each \$1,000 valuation, compared with \$25.72 for this year. Virtually the entire increase in assessments for 1930 is due to new construction. Mr. Taylor declared, but there has been added to the tax rolls the Eastman Theater, with an assessment of \$1,600,000. The School of Music, which is under the direction of the University of Rochester, is exempt.

Tax Levy Nearly Same
The tax levy for 1930 is \$16,751,420.75, according to Comptroller Clarence E. Higgins. With the regular rate \$25.76 a thousand, it is nearly the same as last year, as predicted by City Manager

1930 VALUATIONS—CITY OF ROCHESTER.		Increase	Less
Ward	Real Estate	\$ 40,000	
1st	\$ 29,829,209	290,181	
2nd	18,881,921		74,451
3rd	15,226,709		
4th	55,880,985	805,405	
5th	42,612,870	775,706	
6th	38,691,017	1,978,982	
7th	19,894,532	731,000	
8th	10,517,029	29,570	
9th	8,701,775	92,100	
10th	59,431,213	1,447,316	
11th	11,936,182	135,425	
12th	43,839,713	95,845	
13th	6,916,858	97,325	
14th	23,366,298	580,965	
15th	10,118,662	92,251	
16th	10,164,150		196,820
17th	25,783,476	783,329	
18th	49,667,969	1,209,987	
19th	28,791,059	678,493	
20th	13,683,975		103,482
21st	30,597,431	2,078,144	
22nd	19,694,440	737,620	
23rd	9,173,545	354,762	
24th	14,231,702	811,448	
Franchise	\$627,929,811	13,836,834	374,843
Personal	\$649,897,687	16,264,000	
Pension	\$650,042,137	13,820,570	
	741,468		
	\$650,783,605		

Stephen B. Story. The pension rate is \$12.166 a thousand for 1930. Franchise valuations for 1930 are \$21,967,876, which is \$16,264 less than last year. The total valuation for tax purposes is \$650,783,605, which includes real, franchise, personal and property with pension exemptions.

The City Council at its last meeting adopted unanimously a resolution instructing City Manager Story to have put in effect in 1931 the scientific method of assessments. The preliminary work necessary to the installation of this system has been nearly completed and represents two years of survey, under the direction of Comptroller Higgins and Assessor Taylor. There was a force of thirty employed in the undertaking, and this has been reduced to six, as the work has been completed.

Based on Survey Under the scientific method of assessment, which will control valuations for tax purposes beginning next year, there has been an actual survey of each parcel of property in Rochester. Instead of appraising by a glance at the property from the exterior, cognizance has been taken of construction costs, Mr. Taylor explained, interior finish is considered, the number of rooms, area, appointments of the houses, including number of bathrooms, and other factors that enter into valuation. The survey goes to the heating facilities of houses and other elements.

New maps have been prepared under the direction of the engineering department, and the purpose of the survey and the scientific method of appraising is to eliminate inequalities in assessments. Comptroller Higgins and Assessor Taylor believes that this will be accomplished when the new system is put in effect, and will be a number of adjustments under the new plan, both upward and downward, the revisions directed to the proposition of fairness to all property owners.

Following is the list of valuations for 1930 tax purposes announced yesterday afternoon by Assessor Taylor:

Ten City Problems

Whether or not the ten problems set forth by City Manager Stephen B. Story as of major importance are all of that character may become a matter of controversy. There is plenty of room for a diversity of opinion in considering the specific merits of each of the ten, without going into the question of precedence, which is certain to provoke argument.

As stated in the news columns Sunday, the ten major problems that will face the city government in 1930 are renewal of the service at cost contract with the New York State Railways; standardization of salaries in city departments and bureaus; consideration of a city plan, with a possible decision on the civic center; application of scientific assessment; enlarging the city's water supply; promotion of harbor development; construction of Ridge Road bridge; establishment of a service bureau at City Hall; building a new bath house at Ontario Beach Park; paving of more entrance roads into the city, including Lyell Avenue, Scottsville Road and Monroe Avenue.

It must be conceded that the City Manager has arranged a formidable schedule of work for the city government to undertake next year. The city's growth and development seems destined to become increasingly rapid within the next decade, thus crowding on the municipal government an unusual number of important problems for solution at the earliest possible date.

Mr. Story's statement should be of considerable help to the community by arousing thought and provoking discussion of the schedule proposed.

SNOW JOBS NOT YEOMAN'S YET

Chances that the snow cleaning contractors who recently threatened boycott of city work this winter, would still go a slice of the \$150,000 appropriation were bright today.

City Manager Stephen B. Story this morning informed Gus Werner, who represents the revoluting contractors, that Frank Yeoman, who has thirteen of the fifteen contracts for snow cleaning, had not qualified under all of the specifications of the agreements. Until he does, all of the contracts are not his, Story said.

Mr. Werner told Story that the subcontractors he represents would not accept commissions from Mr. Yeoman on the work.

With the possibility that Yeoman may not fulfill terms of the agreement, the revoluting contractors had a ray of hope. If the contract goes to another they will enter bids, they said.

Rundel Fund And Central Library

Good prospect is seen of an early adjustment of all questions regarding the proposed Central Library for Rochester, and construction of the building by use of the money accumulated in the Rundel Memorial fund.

Morton W. Rundel died November 5, 1911, leaving to the city property then valued at about \$400,000, "to be used either alone or in connection with other funds in erecting, equipping and maintaining a structure to be known as the 'Rundel Memorial Building' for the purpose of a library and fine arts building for the use and enjoyment of all the people of Rochester."

Since that date the city has successfully opposed suits brought or threatened by other claimants and has received as residuary legatees the reversion of property in which a sister of Mr. Rundel had a life interest. Meantime the value of the legacies has greatly increased through gain in the value of securities—principally Eastman Kodak stock—and accrued dividends and interest.

During a debate at the last council meeting Councilman Joseph L. Guzzetta estimated the funds at \$1,200,000 and urged immediate construction of the building; both to give employment to workers and to carry out the terms of the will.

Vice-Mayor Isaac Adler pointed out that two questions affecting the library site and endowment now appear to be nearing settlement. The report on the City Plan will include recommendations regarding the proposed Civic Center, and the trustees of the Reynolds Library are expected soon to decide whether they will join their resources with those of the city in maintaining an adequate Central Library for the use of all the people of Rochester.

These matters are important. Rochester needs a Central Library. It should be properly located. If the Reynolds trustees can see their way clear to adding that foundation's funds to those at the city's disposal an endowment will be provided for purchase of books.

It is to be hoped that a decision on all points can be reached quickly and actual construction of a library on the most suitable site begun.

NEW HANGAR TO BE READY DECEMBER FIFTEENTH

With the completion, during the next month, of a new hangar which can house twenty-five ships, Rochester Airport will strengthen its reputation as one of the most modern airports, according to Ira Kuebel, acting manager.

Wide windows on three sides and a door clearance of one hundred feet are features of special interest to the aviator and the mechanic. It is the "monarch of them all," the Ford trimotor plane ever lands at the port, the new hangar will be able to house it.

power. The police have been assisting federal agents in their raids for many years, checking not only on violations of the dry laws, but also other infractions, such as operating of gambling devices, and immoral practices."

Section 1530 of the Penal Code, reads:

"A 'public nuisance' is a crime against the order and economy of the state, and consists in unlawfully doing an act, or omitting to perform a duty, which act or omission:

1. "Annoys, injures or endangers the comfort, repose, health or safety of any considerable number of persons; or,
2. "Offends public decency; or,
4. "In any way renders a considerable number of persons insecure in life, or use of property."

Business Done by City Council

Business before the City Council last evening included the following items:

Immediate employment of the Rundel fund for the construction of a central library proposed by Councilman Joseph L. Guzzetta, with the declaration by Vice-Mayor Isaac Adler that definite progress is being made toward settling status of Reynolds Library and the location of the proposed central library, and that the Rundel project ought to develop in the near future.

Announcement by Councilman Nelson A. Milne that a public hearing on the local improvement ordinance for concrete pavement in Lake Avenue Boulevard between River and Stutsen Streets will be conducted on Friday evening, Nov. 30, in the City Hall at 8 o'clock before the local improvement committee, of which he is chairman.

Received and sent to committee ordinance authorizing the renewal of \$400,000 in overdue tax notes.

AUTHORITY GIVEN CITY TO DEVELOP HONEOYE AFFIRMED

Appellate Court Upholds Decision of Water Body Giving Power to Rochester to Go Ahead

ONTARIO, WHICH LOSES BY RULING, MAY TAKE APPEAL

Another obstacle to the development of Honeoye Lake as a municipal water supply was swept away yesterday when the Appellate Division, third department, upheld the State Water-power and Control Division, in granting the city the right to proceed with the \$22,000,000 project.

Main Street Blaze Attracts Big Crowd

Considerable excitement and little damage were the net results of a fire which broke out in the basement of the Granite Building at East Main and St. Paul Streets last night shortly before 11 o'clock.

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City and Contractor Sued by Esten Fletcher for Loss of Chimney

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Police Demonstrate Ability As Raiders; Two Places Visited

One Building in Front Street, Other in Clarissa Street, Invaded by Authorities—Bar, Equipment Smashed—Alleged Proprietors Are Held in Jail.

Democracy See New Council Lineup in Very Rosy Light

Suggest Some Strictly Nonpartisan Plums For Democratic Warriors More Acceptable Than Thanks for Aid Given to Leaguers

Planning Board Report Expected By December 18

Major Streets Report to Be Followed Closely by Civic Center Recommendations by St. Louis Firm—Extra Meetings Speed Action.

BOARD TO BAN FITZHUGH ST. SHELTER

Announced closing of Rochester's first and, for many years, only municipal comfort station, in South Fitzhugh Street, "for alterations," November 25, today disclosed that the Board of Education plans to abolish the station next year.

Goodwin Public Show Data Exp Council

Compromise Effort of City Planning Board Attacked by Goodwin—If Story Is Not Reappointed, Deal of Some Kind Has Been Put Across, He Says.

Snow Removal Fight Ends; Yeoman Gets 13 Contracts

After prolonged deliberation because of complaints of unfair specifications, Public Works Commissioner Harold W. Baker yesterday ended a controversy over 1929-30 snow clearing by signing fifteen contracts for the work.

WOMEN'S DIVISION

Speakeasies were uneasy today. Indications of what police can do in the way of wrecking places was given in two raids last night, one on an alleged joint in Front Street and another in Clarissa Street.

WOMEN'S DIVISION

Another conference of police officials with Director of Police and Curtis W. Burke on the proposed prosecution of a speakeasy proprietor under the state nuisance laws, to determine whether police can operate successfully against drinkeries, was held today.

WOMEN'S DIVISION

Under the plan as worked out by Allen G. Hazen and Harrison P. Eddy, a dam, 800 feet long and 60 feet high, would be built across Honeoye Creek at Factory Hollow, thereby expanding Honeoye Lake to about three times its present size.

WOMEN'S DIVISION

Among the patrons taken to police headquarters was Frank "Chickie" Murray, who has spent the most of the last 30 years in the penitentiary where he is known as the "official custodian" of the chickens. Others arrested in the Front Street raid were: Alexander Grant of 108 Exchange Street; Michael Kelly of 113 Front Street; Eugene Burns of 135 Front Street; Leo Farlett of State Street; William Jones of 134 Front Street; William Gore of Benton Harbor, Michigan.

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Main Street Blaze Attracts Big Crowd

Considerable excitement and little damage were the net results of a fire which broke out in the basement of the Granite Building at East Main and St. Paul Streets last night shortly before 11 o'clock. A telephone call, placed by a policeman, and an alarm turned in from Box 356, brought to the scene the four hose companies and two trucks of the downtown departments.

SUBWAY BLAST DAMAGE ACTION GOES TO TRIAL

City and Contractor Sued by Esten Fletcher for Loss of Chimney

Another of the several suits which have been brought against the I. M. Ludington Sons, Inc., and the City of Rochester for damages done to property by blasting during construction of the subway, began in Supreme Court yesterday.

ROCHESTER STANDS IS AFFIRMED

Ontario County Loses Water Supply Fight; Project To Cost \$22,000,000.

Decision of the Appellate Division of Supreme Court, affirming the city's right to acquire Honeoye Lake for additional water supply, pointed today to a beginning this Winter of the greatest municipal development project since the subway and subway railroad were undertaken.

Police Demonstrate Ability As Raiders; Two Places Visited

One Building in Front Street, Other in Clarissa Street, Invaded by Authorities—Bar, Equipment Smashed—Alleged Proprietors Are Held in Jail.

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BOARD TO BAN FITZHUGH ST. SHELTER

Announced closing of Rochester's first and only municipal comfort station, in South Fitzhugh Street, for alterations.

The alterations are to be made to permit installation of sanitary facilities for the print shop maintained in the basement of the board's central office building, as required by the State Department of Labor.

LOSS OF BUSINESS

The consequential damages will be for loss of business and loss of employment in stores and farms along the Honeoye Lake watershed. These damages will be separate from those fixed for land.

NO MONEY PLAN

Both Mr. Draper and Mr. Baker said it is expected the project will be fully completed before title is acquired to all the land.

TALKS TO STORY

Councilman William F. Durman was authorized for the statement today that he had spoken to City Manager Stephen B. Story in regard to the station's proposed removal, and the city manager informed him he was investigating the matter to determine what could be done to save it for continued use by an average of more than 2,000 persons a day.

'GENTLEMEN'S PACT'

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LOSS OF BUSINESS

The consequential damages will be for loss of business and loss of employment in stores and farms along the Honeoye Lake watershed. These damages will be separate from those fixed for land.

NO MONEY PLAN

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Democrats See New Council Lineup in Very Rosy Light

Suggest Some Strictly Nonpartisan Plums For Democratic Warriors More Acceptable Than Thanks for Aid Given to Leaguers

By JOSEPH R. MALONE

For the first time in years, the post-municipal election situation in Rochester takes on a rosy glow.

Mr. Stanton, as the Democrats view it, will be a key man in the new legislative body, and they are prepared to see to it with Mr. Stanton's entire acquiescence, that some Democratic Democrats get recognition when the city administration is reorganized after the first of the year.

Believe Bargain Indicated

There was some talk of Mr. Stanton for mayor; but this has been dropped, pretty much in Democratic circles, as the majority under the present Charter is meaningless where other appointments are concerned.

Time To Talk Nonpartisan

So that, when the Republican group moves to put in a new city manager, as they have promised they will do, the Democrats say the League will have to come to Mr. Stanton for his active support.

Compromise Effort of City Planning Board Attacked by Goodwin—If Story Is Not Reappointed, Deal of Some Kind Has Been Put Across, He Says.

Procedure by which the major streets report of the city is being kept from the public until the City Planning Board has reached a "compromise" on it, was criticized by Councilman Harry C. Goodwin.

Mr. Goodwin declared that by keeping the report secret rumors are bound to start and unresponsible speculation to arise. "If any body were to get advance information of what is recommended by some leak in official circles," the councilman added, "the city would be penalized and have to pay excessive prices for the land it might wish to acquire."

Asked his view of the political situation likely to develop after the new council takes office, Mr. Goodwin expressed unqualified support of Mr. Story and said unjustified criticisms of the Story administration are being made merely as political tricks.

Snow Removal Fight Ends; Yeoman Gets 13 Contracts

After prolonged deliberation because of complaints of unfair specifications, Public Works Commissioner Harold W. Baker yesterday ended a controversy over 1923-24 snow cleaning by signing fifteen contracts for the work.

Francis X. Yeoman received thirteen of the contracts and the Rochester Ice and Cold Storage Company and Joseph Abby, one each.

"If there is any indication of his falling down this year, the city will step in. We will have a considerable number of plows of our own, should an emergency develop."

Among girls and women, it is the model of a well known among smokers. Of a straw hat in black, blue, lavender green, black, and white.

AUTHORITY GIVEN CITY TO DEVELOP HONEOYE AFFIRMED

Appellate Court Upholds Decision of Water Body Giving Power to Rochester to Go Ahead

ONTARIO, WHICH LOSES BY RULING, MAY TAKE APPEAL

Another obstacle to the development of Honeoye Lake as a municipal water supply was swept away yesterday when the Appellate Division, third department, upheld the State Water-power and Control Division, in granting the city the right to proceed with the \$22,000,000 project.

Main Street Blaze Attracts Big Crowd

Considerable excitement and little damage were the net results of a fire which broke out in the basement of the Granite Building at East Main and St. Paul Streets last night shortly before 11 o'clock.

SUBWAY BLAST DAMAGE ACTION GOES TO TRIAL

City and Contractor Sued by Esten Fletcher for Loss of Chimney

WOULD FLOOD LARGE AREA

Under the plan as worked out by Allen G. Hazen and Harrison P. Eddy, a dam, 800 feet long and 60 feet high, would be built across Honeoye Creek at Factory Hollow, thereby expanding Honeoye Lake to about three times its present size.

COMMITTEE TO BAN FITZHUGH ST. SHELTER

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ROCHESTER STAND IS AFFIRMED

Ontario County Loses Water Supply Fight; Project To Cost \$22,000,000.

Decision of the Appellate Division of the Supreme Court affirming the city's right to acquire Honeoye Lake for additional water supply, pointed today to a beginning this Winter of the greatest municipal development project since the subway and subway railroad were undertaken.

Where the subway project cost \$12,000,000, the water development will mean an expenditure of \$22,000,000 over a period of at least ten years, to provide water for 1,000,000 people in all Monroe County fifty years hence.

The opinion of the court was unanimous. Justices Van Kirk, Davis, Whysker, Hill and Hasbrouck signing it.

The unanimity of the court, George B. Draper, deputy corporation counsel and Public Works Commissioner Harold W. Baker, pointed out, left little opening for an appeal. They said the way is now clear for the city to proceed with a program for the acquisition of land along Honeoye Lake and Honeoye Creek which are to be combined into a

POLICE DEMONSTRATE ABILITY AS RAIDERS; TWO PLACES VISITED

One Building in Front Street, Other in Clarissa Street, Invaded by Authorities—Bar, Equipment Smashed—Alleged Proprietors Are Held in Jail.

Speakeasies were uneasy today. Indications of what police can do in the way of wrecking places was given in two raids last night, one on an alleged joint in Front Street and another in Clarissa Street.

Both raids were made by police of the Exchange Street Station under Acting Lieutenant Forest Burne.

It was hinted at Police Headquarters today these raids had left nothing to do with the nuisance case to be made.

Another conference of police officials with Director of Police Curtis W. Barker on the proposed prosecution of a speakeasy proprietor under the state nuisance laws, to determine whether police can operate successfully against drinkeries, was held today.

More evidence is needed, it was decided, to prove the ownership of the place, that liquor in it is of an illegal alcoholic content and that the place is disorderly.

While the proprietor was to be arrested today on a City Court warrant, following an extension of the 48-hour period taken by the director yesterday, no statement was forthcoming on when the arrest will take place.

About 7:30 last night a police squad descended on 143 Front Street. In the rear of a cigar store a barroom was found. The bartender, Stephen Mendus, and seven men were arrested on intoxication charges. The place is said to be owned by Joseph Juzwiak. Samples of alleged whiskey were poured down drains and the bar and drinking equipment were smashed.

Among the patrons taken to police headquarters was Frank "Chicken" Murray, who has spent the most of the last 20 years in the penitentiary where he is known as the "official custodian" of the chickens. Others arrested in the Front Street raid were:

Alexander Grant of 108 Exchange Street; Michael Kelly of 113 Front Street; Eugene Burns of 135 Front Street; Leo Farlett of State Street; William Jones of 134 Front Street; William Gore of Benton Harbor, Michigan.

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Removal of the comfort station, according to Joseph P. O'Hern, deputy superintendent of schools, follows an agreement made with city officials when Mayor Clarence D. Van Zant headed the municipal government in 1925.

The board wanted the station removed at that time, but objections were raised and it was agreed to permit the station to remain until a similar station was constructed in the subway at Broad and Exchange streets. This latter station now is in operation.

Demand of the State Department of Labor to have the board live up to its requirements for the print shop was seen as the entering wedge for the station's removal.

TALKS TO STORY

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The station is on land under control of the Board of Education through deed from the old Rochester Free Academy, though it has been maintained by the city during the sixteen years of its existence.

But Board of Education officials, particularly John M. Tracy, superintendent of school buildings, regard it as an eyesore to the remodeled office building of the board. It is in front of one side of the building.

A plot of green grass, one of the few remaining spots in downtown Rochester, fronts the other side of the building.

'GENTLEMEN'S PACT'

Superintendent Tracy was inclined to regard the agreement to remove the station as binding, though admitting it was a "gentlemen's pact."

Both Commissioner of Public Works Harold W. Baker and Superintendent of Buildings John G. Ellend said they were cognizant of the Board of Education's plans to remove the station.

The removal of the station is expected to be brought before the City Council at its next meeting by Councilman Nelson A. Milne. He will point out, it is understood, that the city is far behind other cities of its size in providing such facilities.

Compromise Opposed

"Personally, I voted for the ideas of the experts and not a compromise,"

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On further questioning, aside from the council communication,

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Unless unexpected delay crops section of the city will be studied up, the City Planning Board should next week complete its survey of the first southwestward extension of the city plan on Dec. 18, north and southeast and the

ing Board regular meeting a month on Council and made a matter of public information.

The Planning Board handles the major street plan by Harland Baf week, had its first meeting subject this week, concerning proposed central traffic plan. It appears that little change suggested.

To make its consideration report systematic, the Board has divided the city into five districts, as regards the street plan, and will consider each district each week. The north

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By JOSEPH R. MALONE

For the first time in years, the post-municipal election situation in Rochester takes on a rosy glamour for Rochester Democrats; and all through the fact that one of their number, Charles Stanton, has been elected to the City Council.

Mr. Stanton, as the Democrats view it, will be a key man in the new legislative body, and they are prepared to see to it with Mr. Stanton's entire acquiescence, that some deserving Democrats get recognition when the city administration is reorganized.

Chiefly, their eyes are turned to the Department of Public Works but the faithful followers of the Donkey would not disdain some other important appointment if it became necessary as a matter of compromise.

Believe Bargain Indicated

There was some talk of Mr. Stanton for mayor, but this has been dropped, partly a result of Democratic circles, as the mayorship under the present Charter is meaningless where other appointments are concerned.

Before and since election, the Democrats have argued that there was no nonpartisanship in the City Hall in the past two years; and by this they mean there were no Democratic appointments.

They argue further that Mr. Stanton was not induced by the City Manager League from any desire to fulfill the principle of nonpartisanship but because the City Manager League wanted Democratic votes.

Recent election. They will show the result in various Democratic districts, and in various wards, by way of proving that Democratic votes were responsible for the election of Mr. Stanton and Isaac Adler, and that if it had not been for the League-Democratic alliance, there would have been no League candidate, except Mayor Wilson, elected.

So, say the Democrats, they are entitled to something more than bats on the back, particularly when they add to their arguments that it was the Democratic organization alone that saved the situation for the League in half a dozen wards. As for Mr. Stanton, he is first and foremost an organization democrat. Never would he do anything to upset the City Manager Charter, for he is and has been a compromiser.

But as long as the principle involved is nonpartisanship, and not charter-wrecking, he will ally with his party and put forth his best efforts for any move the Democrats may propose by way of putting "nonpartisanship" into the City Hall.

If anyone were inclined to question Mr. Stanton's devotion to Democracy, he has only to look back to last Fall, when he "took it on the chin" in a virtually hopeless—from a Democrat standpoint—Congressional election, and still farther back to other days when Mr. Stanton consistently and unwaveringly marched under the Democratic standard.

At the Democratic expectations are based on the belief that the Council will be split 50-50 between the Republican organization and the League councilmen, and that the League will have to have Mr. Stanton's support if it is to continue to hold control. That hypothesis presupposes both Mayor Wilson and Councilman Chester A. Peake will continue to vote along with the City Manager group, and no matter how well grounded is this belief, the Democrats are committed to it in that optimism without which no Democrat would be a Democrat.

Time To Talk Nonpartisanship

So that, when the Republican group moves to put in a new city manager, as they have promised they will do, the Democrats say the League will have to come to Mr. Stanton for his active support. And then, as the followers of the Donkey view the situation, there will be some plain speaking, strictly along nonpartisan lines, of course, but with a decidedly nonpartisan slant in the direction of some important Democratic appointments.

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NECESSARY TO STANDARDIZE JOBS, SALARIES

Survey for Police and Firemen Raise in 1930 Shows Real Values Must Be Increased

By J. CODY WALLER. Ninety million dollars must be added to the assessment rolls to provide for a complete standardization of all city jobs and salaries in 1931.

FIRST DEFINITE DATA

Not until yesterday were city assessors certain just what an increase in general assessments must be made to take care of raising the police and firemen, and perhaps standardizing the pay of all other positions.

Mr. Taylor said, to take care of the \$400,000 necessary for the police and firemen alone in 1930, and \$375,000 for their pension funds in 1930, and \$375,000 more for the funds in 1931, part of a program for making the funds sound the next two years, \$90,000,000 must be added to real estate values in 1930.

This sum must be added to \$67,929,811, the total real estate values recently adopted as the basis for the tax collections next January and July.

The Council has authorized raising the police and firemen on October 1, 1929, and standardizing the pay of all city jobs. It also has sanctioned raising assessments to take care of the situation. Just one thing may stop the whole process.

If Corporation Counsel Clarence M. Platt holds City Manager Stanton B. Story, after he submitted the budget to the City Council on November 1, could not legally fix any salary appropriation in the budget, city officials will have a respite for a year.

LOOKED FOR PROTESTS

City officials anticipated some protests over raising assessments to take care of more pay for the police and firemen but nothing like the number which has reached their ears.

They were ready for protests if they ignored the police and firemen and proceeded only to making good a city manager charter promise of standardizing city jobs and pay. This they hoped to do by raising assessments within five per cent.

The latter of itself would not have been a source of general indignation.

Sandwiched in with this program of raising assessments to meet standardization of all jobs, is another program, to apply scientific assessment to all Rochester real estate. The city will know all about this when it is applied. It is advertised as something fair and square, but it means higher taxes, every city official admits.

The city avoided applying the system this year because of the fear of consequences at the polls. Higher assessments appeared certain.

Now the application of the scientific assessment system is to be made a part of the 1930 program of city manager government achievements. It will supplement a general increase of 15 per cent, for all. There will be two sources for pinching the property owner, they believe.

This program of real estate tax tinkering must come after January 1, if standardization of all city jobs and raises of \$400 to each policeman and fireman are to be made before 1931. It is alarming city officials.

WORKING ON SURVEY

Mr. Taylor said his staff was at work on a survey to show just what must be done to assessments to carry out the Council's instructions. He said no report would be possible before next year.

The scientific assessment plan has a number of provisions which may work to the advantage or disadvantage of property owners. It provides that on all buildings five years old there shall be allowed one per cent, for depreciation for the next thirty years. On a house thirty-five years old there must be allowed 20 per cent, reduction in assessment, from its construction cost.

The system arbitrarily fixes this depreciation percentage. It has the earmarks of an advantage, but will not be so advantageous for owners whose buildings have never been assessed up to anything like construction cost.

The hope of hopes in the City Hall is that the whole program of standardizing city jobs and salaries will be given a black eye by Corporation Counsel Platt when he decides whether police and firemen may get more pay this year.

This he will not do before next year, which is taken as an indication that Mr. Platt's decision may be influenced by the result of the assessment survey begun yesterday by the assessment department.

The City's Water Problems

Although the decision of the Appellate Division gives the City of Rochester the right to go ahead with its plans for adding Honeoye Lake to its water supply system, it does not finally dispose of the possibility that Lake Ontario must ultimately be used to eke out the city's supply.

The Ontario County Board of Supervisors, in opposing the acquisition of Honeoye Lake, was insistent in contending that Lake Ontario was a more logical means of replenishing the city's supply than the smaller lakes farther away. The Appellate Division, however, believes "that the proposed project is safer, more reliable and will give a better supply of water to the people of Rochester than will Lake Ontario."

Meanwhile, Lake Ontario water is used by nearby towns and a recent news report announced that the city was negotiating to take over the property of the Lake Ontario Water Company. Whatever other provisions are made, it appears certain that in time the city must turn to Lake Ontario as the one inexhaustible supplement of its water supply.

Experts are talking about a population of 900,000 by 1980, almost thrice the present population. In another year, according to the Appellate Division, the city's present water supply will be down to the margin of safety. The Honeoye Lake supply will restore the balance, when it is made available four or five years hence, but that supply will be by no means limitless.

Rochester's neighbors in adjoining counties must realize from this decision and the facts that it helped bring to light, that the water problem of the city is a real one. Much as they may resent what looks like unreasonable encroachment, they cannot dodge the fact that Rochester is heading towards metropolitan size and importance and that as it grows in prestige the surrounding sections will grow with it.

As yet the street section of the plan, now in the hands of the City Planning Commission, has not been made public, and will not be until the members of the commission are satisfied it meets Rochester's needs and pocketbook.

Historic Scrapbooks Collection

Contracts Claimed Not Let According To Specifications

President of Team Owners' Association Is Expected to Present Arguments Tonight—Corporation Counsel Declares Contracts to Be Legal.

The city's sidewalk snow-cleaning contracts for the winter were signed last week, but disgruntled teamsters, who find fault with several specifications which they say prevented them from bidding, threaten an invasion of City Council tonight.

Harold W. Baker, commissioner of Public Works, in his capacity as acting city manager during the absence of City Manager Stephen B. Story, signed the 15 contracts, 13 of which were with one contractor, Francis X. Yeoman.

The revolt of the teamsters is led by Gus Werner, president of the Team Owners' Association. These men contend that the contracts were illegally awarded, declaring that neither Mr. Yeoman nor the Rochester Ice and Cold Storage Company has the number of snow plows which the specifications called for.

Furthermore, they say the Department of Public Works is building a dozen snowplows now in its shops to make up for the alleged shortage of the successful contractors, in case of a heavy snowstorm.

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Other qualities a city manager should exercise, he declared, include good sportsmanship and "blatantly" the people. In the latter respect, he illustrated his point by reference to a City Hall service bureau, such as is now planned for Rochester's City Hall—a sort of information booth and aid to the public. "Make it easy for them to pay their taxes, for instance," said Mr. Story.

A paper on city planning was submitted to the four-day conference by Harland Bartholomew of St. Louis, Rochester's consultant in the preparation of its city plan.

Mr. Story was elected vice-president of the association at its final meeting.

That section of the city plan relating to major thoroughfares and street extensions which has been prepared by Harland Bartholomew and his associate city planners, should be submitted to the City Council and made public, urged Councilman Harry C. Goodwin in a communication to Vice-Mayor Isaac Adler, read last evening by City Clerk Thomas P. O'Leary.

Councilman Goodwin wrote the communication before leaving for a visit to Los Angeles.

City Manager Stephen B. Story said that he felt the Councilman was laboring under misapprehension, and pointed to the section of the City Charter expressly giving authority for the preparation of the city plan to the City Planning Board, of which J. Foster Warner is chairman.

Mr. Story said that he believed that the recommendations of the specialists engaged by the city properly should go to the City Planning Board, which is charged with responsibility for the preparation of the plan, and that concentrating the suggestions by the specialists and the board, before their presentation to the Council, was reasonable and proper procedure; and that in due course the public will receive the proposals, representing deliberate reflection by the City Planning Board, in conjunction with the planning consultants and councilmen what the original report contained.

But there are personal contests in municipal affairs which may even be worse than the acidity of political groups.

KEEP PEOPLE WELL-POSTED, STORY URGES

City Manager Gives Talk at Convention in Fort Worth—Says That Public Fancy Must Be Hit.

The problem of informing the electorate is, to the mind of City Manager Stephen B. Story, the greatest which faces government.

Rochester's city manager voiced this opinion in an address during the 15th annual convention of the International City Managers' Association at Fort Worth, Tex., from which he returned yesterday afternoon.

His address was called "Minding Your Business," and he urged a maximum of public enlightenment on affairs of city government.

Mr. Story later delivered a paper before the convention on "Ways of Securing Citizen Support of Government," the first and most obvious of which he termed "delivering the goods." Next, he said, a city manager should "size up the people and arrive at a proper estimate of their caliber and temper."

Mr. Story said a manager should hit the public fancy with graphic evidence of changed conditions, such as improved pavements. "They should be able to see progress in the municipal showcase," he said.

Advantage of "Blarney." Other qualities a city manager should exercise, he declared, include good sportsmanship and "blatantly" the people. In the latter respect, he illustrated his point by reference to a City Hall service bureau, such as is now planned for Rochester's City Hall—a sort of information booth and aid to the public. "Make it easy for them to pay their taxes, for instance," said Mr. Story.

A paper on city planning was submitted to the four-day conference by Harland Bartholomew of St. Louis, Rochester's consultant in the preparation of its city plan.

Mr. Story was elected vice-president of the association at its final meeting.

That section of the city plan relating to major thoroughfares and street extensions which has been prepared by Harland Bartholomew and his associate city planners, should be submitted to the City Council and made public, urged Councilman Harry C. Goodwin in a communication to Vice-Mayor Isaac Adler, read last evening by City Clerk Thomas P. O'Leary.

Councilman Goodwin wrote the communication before leaving for a visit to Los Angeles.

City Manager Stephen B. Story said that he felt the Councilman was laboring under misapprehension, and pointed to the section of the City Charter expressly giving authority for the preparation of the city plan to the City Planning Board, of which J. Foster Warner is chairman.

Mr. Story said that he believed that the recommendations of the specialists engaged by the city properly should go to the City Planning Board, which is charged with responsibility for the preparation of the plan, and that concentrating the suggestions by the specialists and the board, before their presentation to the Council, was reasonable and proper procedure; and that in due course the public will receive the proposals, representing deliberate reflection by the City Planning Board, in conjunction with the planning consultants and councilmen what the original report contained.

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COUNCIL SHOULD SEE STREET PLAN, ARGUES GOODWIN

NEW ORDINANCE WOULD LICENSE BARBERS HERE

Public Hearing Ordered for Act; Council Again Hears Snow Contract Talk

Safe-guarding of public health by the licensing of barbers is the purpose of an ordinance introduced last evening in the City Council by Councilman William S. Durman, chairman of the Public Safety Committee.

The ordinance, which is being sponsored by the Master Barbers' Association, whose officers have been in consultation with City Manager Stephen B. Story and George J. Nier, commissioner of public safety, and also with Vice-Mayor Adler and other members of the council, proposes that an examining board for barbers be established.

The board would be empowered to license barbers, but before a license could be granted a physician's certificate would have to be submitted to show that the applicant was physically clean.

Applicants would be \$3 a year for journeymen barbers and \$5 for master barbers.

Would Protect Patrons. The general scope of the measure, as explained by Irving L. Gelsler, deputy corporation counsel, who is studying the legal phases of the proposal, is to provide for the physical welfare of patrons of barber shops and to establish regulatory provisions which will complete sanitation. The measure does not apply to beauty parlors.

Vice-Mayor Adler said that there will be opportunity for complete expression of opinion by all interested persons before final action is taken by the council.

Councilman Durman filed a petition in behalf of a large number of property owners in Clinton Avenue North protesting against the location of the Sunshine Oil Company in that section. The oil company property recently was swept by fire. It was charged in a petition that a hazard is established by the oil plant, and that the location is unsanitary.

Vice-Mayor Adler reported for the Local Improvement Committee, favored the ordinances turned the petition over to City Manager Story for investigation.

Pay Doctor Bills. Under an ordinance sponsored by Councilman Durman authority was given to Commissioner Nier to pay physicians bills for services rendered police and firemen injured while on duty.

Councilman Louis S. Foulkes introduced an ordinance providing for a three-month extension of the lease on the branch library at 644 Monroe Avenue.

The snow cleaning contracts awarded to Francis X. Yeoman were the subject of discussion and the matter was deferred to next Monday evening or until Harold W. Baker, commissioner of public works, who is ill, is able to be present.

William J. Baker, attorney, representing a group of contractors owning teams, charged that Yeoman did not meet the specifications, which provided for one team plow for each \$1,000 of contract value. He also claimed that the contractor is not able to cope with a snow storm, should it come, and would be dependent on the team-owning contractors, whom he represented.

There was a large crowd at the councilman's proceedings, including a number of school children. Among those attending the session were Frederick Sherwood, president of the Sherwood Shoe Company; Charles Winslow Smith, and Mrs. Story. Charles Stanton, councilman-elect, also was present.

West Side Sewer Assessment Bills Now Being Mailed Out

All Amounts of Less Than \$15 Payable at Once; Others in Five Installments with 6 Per Cent. Interest

More than 18,000 assessment bills are being mailed out by City Treasurer James Kane, covering the levy for the West Side relief sewer tunnel, the total cost of which was \$307,773.92.

The improvement, one of the major projects affecting the West Side of the city, was fostered by Mayor Joseph C. Wilson. The ordinance was passed by the Common Council Dec. 23, 1924, and the work was completed and the assessment rolls confirmed by the present City Council Oct. 21 this year.

The assessment was spread under the direction of City Assessor George S. Taylor, and the territory which pays for the improvement includes all of the Eleventh Ward and the Nineteenth Ward, with the exception of territory west of Thurston Road. A portion of the Twentieth Ward is assessed for this sewer, the western boundary of the assessed territory being Hague and Hobart Streets. On the north part of the assessment district there is included a portion of the Fifteenth Ward, the northern boundary of that territory being a short distance north of Lyell and Jones Avenues.

A portion of the Ninth Ward is also included in the assessment area; also that part of the Third Ward embracing all the territory west of Plymouth Avenue, and small portions of the First and Second Wards also are included.

The cost of the improvement is \$120 an acre, and the assessment is levied on an area basis. Each parcel is assessed according to the number of square feet the parcel contains.

Six Per Cent. Interest. City Treasurer Kane pointed out that all assessments under \$15 are payable in one installment, and all over that sum are divided into five installments, but carry interest at the rate of 6 per cent from the date of the first installment to the date of the last installment to the

CITY BORROWS MONEY TO PAY BACK RAILROAD

Comptroller Clarence E. Higgins was authorized by the City Council last night to borrow \$85,000 on overdue tax notes to enable the city to make a refund of \$141,878.61 to the New York Central Railroad on franchise taxes collected from 1912 to 1928 illegally and erroneously. The authorizing ordinance was introduced by Councilman Edward P. Flynn.

The refund was directed by the Supreme Court and Comptroller Higgins pointed out to the Council last night that the earliest settlement was desirable as it was carrying 6 per cent interest. There were certain funds available for the purpose, he said, other than the \$85,000 that it was necessary to borrow.

Upon recommendations of the Finance Committee the Council granted permission to Comptroller Higgins to borrow \$200,000 for the Water Works Improvement Fund. The comptroller was authorized to invest sinking fund resources in Rochester securities.

Approve Monroe Busses. Upon the favorable report of the Public Utilities Committee, read by Councilman Joseph Guzzetta, permission was granted to the New York State Railways to operate a bus line in Monroe Avenue.

Councilman Nelson A. Milne, reporting for the Local Improvement Committee, favored the ordinances turned the petition over to City Manager Story for investigation.

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Mayor Wilson Back At City Hall After Long Convalescence

After four months' enforced absence from his desk in City Hall, Mayor Joseph C. Wilson sat in his office again the first time this morning.

He spent an hour "seeing if the City Hall was still there," as he put it, and receiving the congratulations of officials on his convalescence from a long illness.

Mayor Wilson hopes to appear on the job as often as he can induce his physician to permit him, and whenever the weather is reasonable.

NECESSARY TO STANDARDIZE JOBS, SALARIES

Survey for Police and Firemen Raise in 1930 Shows Real Values Must Be Increased

By J. CODY WALLER. Ninety million dollars must be added to the assessment rolls to provide for a complete standardization of all city jobs and salaries in 1931.

FIRST DEFINITE DATA

Not until yesterday were city assessors certain just what an increase in general assessments must be made to take care of raising the police and firemen, and perhaps standardizing the pay of all other positions.

Mr. Taylor said, to take care of the \$400,000 necessary for the police and firemen alone in 1930, and \$375,000 for their pension funds in 1930, and \$375,000 more for the funds in 1931, part of a program for making the funds sound the next two years, \$84,000,000 must be added to real estate values in 1930.

This sum must be added to \$627,929,811, the total real estate values recently adopted as the basis for the tax collections next January and July.

The Council has authorized raising the police and firemen on October 1, 1929, and standardizing the pay of all city jobs. It also has sanctioned raising assessments to take care of the situation. Just one thing may stop the whole process.

LOOKED FOR PROTESTS

City officials anticipated some protests over raising assessments to take care of more pay for the police and firemen but nothing like the number which has reached their ears.

The latter of itself would not have been a source of general indignation. Sandwiched in with this program of raising assessments to meet standardization of all jobs, is another program, to apply scientific assessment to all Rochester real estate. The city will know all about this when it is applied. It is advertised as something fair and square, but it means higher taxes, every city official admits.

The city avoided applying the system this year because of the fear of consequences at the polls. Higher assessments appeared certain.

Now the application of the scientific assessment system is to be made a part of the 1930 program of city manager government achievements. It will supplement a general increase of 15 per cent. for all. There will be two sources for pinching the property owner, they believe.

This program of real estate tax tinkering must come after January 1, if standardization of all city jobs and raises of \$400 to each policeman and fireman are to be made before 1931. It is alarming city officials.

WORKING ON SURVEY. Mr. Taylor said his staff was at work on a survey to show just what must be done to assessments to carry out the Council's instructions. He said no report would be possible before next year.

The scientific assessment plan has a number of provisions which may work to the advantage or disadvantage of property owners. It provides that on all buildings five years old there shall be allowed one per cent. for depreciation for the next thirty years.

The system arbitrarily fixes this depreciation percentage. It has the earmarks of an advance, but will not be so advantageous for owners whose buildings have never been assessed up to anything like construction cost.

The hope of hopes in the City Hall is that the whole program of standardizing city jobs and salaries will be given a black eye by Corporation Counsel Platt when he decides whether police and firemen may get more pay this year.

The City's Water Problems. Although the decision of the Appellate Division gives the City of Rochester the right to go ahead with its plans for adding Honeoye Lake to its water supply system, it does not finally dispose of the possibility that Lake Ontario must ultimately be used to eke out the city's supply.

The Ontario County Board of Supervisors, in opposing the acquisition of Honeoye Lake, was insistent in contending that Lake Ontario was a more logical means of replenishing the city's supply than the smaller lakes farther away.

Experts are talking about a population of 900,000 by 1980, almost thrice the present population. In another year, according to the Appellate Division, the city's present water supply will be down to the margin of safety.

Rochester's neighbors in adjoining counties must realize from this decision and the facts that it helped bring to light, that the water problem of the city is a real one. Much as they may resent what looks like unreasonable encroachment, they cannot dodge the fact that Rochester is heading towards metropolitan size and importance and that as it grows in prestige the surrounding sections will grow with it.

As yet the street section of the plan, now in the hands of the City Planning Commission, has not been made public, and will not be until the members of the commission are satisfied it meets Rochester's needs and pocketbook.

Historic Scrapbooks Collection Contracts Claimed Not Let According To Specifications

President of Team Owners' Association Is Expected to Present Arguments Tonight—Corporation Counsel Declares Contracts to Be Legal.

The city's sidewalk snow-cleaning contracts for the winter were signed last week, but disgruntled teamsters, who find fault with several specifications which they say prevented them from bidding, threaten an invasion of City Council tonight.

Harold W. Baker, commissioner of Public Works, in his capacity as acting city manager during the absence of City Manager Stephen B. Story, signed the 15 contracts, 13 of which were with one contractor, Francis X. Yeoman.

The revolt of the teamsters, led by Gus Werner, president of the Team Owners' Association. These men contend that the contracts were illegally awarded, declaring that neither Mr. Yeoman nor the Rochester Ice and Cold Storage Company has the number of snow plows which the specifications called for.

Furthermore, they say the Department of Public Works is building a dozen snowplows now in its shops to make up for the alleged shortage of the successful contractors, in case of a heavy snowstorm.

Mr. Story later delivered a paper before the convention on "Ways of Securing Citizen Support of Government," the first and most obvious of which he termed "delivering the goods."

Mr. Story said a manager should hit the public fancy with graphic evidence of changed conditions, such as improved pavements. They should be able to see progress in "the municipal showcase," he said.

Advantage of "Barney." Other qualities a city manager should exercise, he declared, include good sportsmanship and "barneying" the people. In the latter respect, he illustrated his point by reference to a City Hall service bureau, such as is now planned for Rochester's City Hall—a sort of information booth and aid to the public.

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Mr. Story was elected vice-president of the association at its final meeting.

The basic idea of the Civic Center over the river is to have a municipal office building or city hall built between Broad and Main Streets, and a central library and museum between Broad and Court Streets.

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The whole river would be covered between Central Avenue and Court Street, according to the suggestions made to Mr. Bartholomew when he was engaged to prepare a city plan.

Mr. Story said that the convention of city managers brought little in the way of suggestions to aid Rochester's government.

Most of the managers face problems similar to Rochester's, with the most important that of trying to make \$1 go where \$2 should.

In Texas, where there are more manager forms of government than anywhere else, there are no political groups with labels of national parties trying to control the municipal machinery.

But there are personal contests in municipal affairs which may even be worse than the activity of political groups.

COUNCIL SHOULD SEE STREET PLAN, ARGUES GOODWIN

Business Handled By City Council

Business transacted last evening by the City Council included the following items: Received communication from Councilman Goodwin urging that section of city plan relating to street extensions and major thoroughfares be submitted to Council and made public, with response from City Manager Story that proper procedure is to have report studied first by City Planning Board, which is vested with authority under the Charter for preparation of city plan.

Received ordinance from Councilman Duran providing for licensing of barbers, to insure their proper health and to establish general sanitary conditions through a barbers' licensing board.

Heard ability of Francis X. Yeoman to fulfill snow cleaning contracts debated by William J. Baker, attorney for Yeoman, with matter deferred to next Monday evening because of illness of Commissioner Harold W. Baker of Public Works Department.

Gave authority to Comptroller Higgins to borrow \$85,000 to make tax refund of \$141,878.11 to the New York Central Railroad.

Conducted large volume of routine business relating to municipal affairs and financing.

Asks Suggestions by Bartholomew Group Be Made Public

WOULD SEE THEM BEFORE ALTERED

Consideration First by

Wants Ideas, Not Compromise. Councilman Goodwin's letter follows: As a member of the Council some time ago I voted for an appropriation of \$20,000 as a fee paid to experts for the creation of a City Plan.

The first section of the plan has been turned over to the Planning Board by the experts. It is a plan that nothing will be given to the Council until such time as the Planning Board and the experts have arrived at a compromise.

My understanding when I voted was that the original data or recommendations of the experts were to be given publicity, and that the members of the Council would at least be shown the courtesy of having the information submitted to them in its original form.

Personally, I voted for the ideas of the experts, and not a compromise. I am leaving tomorrow for Los Angeles and cannot be present at the meeting of Nov. 25. Therefore, I am asking that you make this matter a matter of record in the Council proceedings.

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The provision making all bills for \$15 or less payable in one installment is included in the new charter. Mr. Kane pointed out that, although the bills being received by the property owners are marked due "December 2d," owing to the large number of bills that are being distributed and because of the limited time, the Finance Department of the city will accept payments during the month of December without interest.

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EMPIRE OPTICAL CO. 35 Clinton Ave. South

NEW ADVERTISEMENTS RUGS Cleaned \$1 ELTER CO. 44 Arthur St. COAL DURHAM & PAYNE

BARTHOLOMEW TO BE IN CITY THEN

MEASURE DRAWN TO RELEASE CITY FROM FREE SCHOOLING OF TOWN DISTRICT CHILDREN

To Be Presented to Council Monday Night; Aims to Correct Costly Consequence of Annexations

WILL HAVE PUBLIC HEARING; SHARP OPPOSITION EXPECTED

By HIRAM MARKS

Legislation that is intended to release the city of Rochester from educating in the public schools without charge for tuition a number of children living outside the city limits, has been drafted by Corporation Counsel Clarence M. Platt, and will be ready for submission next Monday evening to the City Council.

WILL DISCUSS LAKE AVENUE PAVING COST

Councilman Committee To Conduct Hearing Tonight on Final Strip

The ordinance providing for a concrete pavement in the section of Lake Avenue, between River and Stutson Streets, will be the subject of a public hearing this evening by the local improvements committee of the City Council. The hearing will be conducted in the council chambers in the City Hall.

The committee is made up of Councilman Nelson A. Milne, chairman; Mayor Wilson and Councilman Chester A. Peake. It will endeavor to reconcile differences as to the distribution of the cost of the work between abutting property owners and the city at large.

Charles B. Forayth for the city.

WILL FIGHT CHARGE FOR SCHOOLING

Supervisors of Townships Affected by Proposal To Join Battle

COSTS RISING RAPIDLY

Effect on Tax Rate Seen as Suburban Districts Fill With Untaxed People

The plan of the city to revoke the section of the charter that compels the education without charge of school children in districts surrounding Rochester that were divided as the consequence of annexations to the city will be vigorously opposed by the supervisors of towns having such districts, also by individual property owners.

Cost Mounts Rapidly The cost of educating these children for 1930 is estimated at \$100,000, and within eight years it is estimated that the annual cost will be \$500,000. Unless relief is had for the Rochester taxpayers, the cost will continue to mount annually.

The City Council instructed Corporation Counsel Clarence M. Pratt to prepare a resolution that will correct the situation, and he has the measure ready for introduction Monday evening.

When a district was divided by annexation to Rochester, the city agreed to pay for the education of children in the unannexed portions. School structures in the annexed portions were purchased by the city, and the difficulty confronted by the city is due to the rapidly developing communities on the outskirts of Rochester, spreading into the towns and making some of the districts thickly populated, especially in Greece and Brighton.

Opposition Certain Corporation Counsel Platt's measure provides for the revocation of the charter provision that compels the city to give free tuition to the children in these districts, but enables the children to attend the Rochester schools, as at present, under such conditions as may be imposed by the Board of Education.

Free Tuition Given Under New Measure

When the annexations were made a number of years ago, certain school districts were split. The practise at that time was for the city to take care of the instruction of the children in the portion of the district not annexed.

Population was sparse at that time, and it was no doubt supposed that before it became dense enough to involve free tuition of any considerable number of pupils annexation would proceed further.

Annexation, however, has been checked, while the population of the districts affected has grown rapidly. As a consequence, expense for this free tuition has increased until it is now estimated at \$100,000.

Corporation Counsel Clarence M. Pratt has been instructed to draw up for submission to the council at its next meeting legislation intended to release the city of Rochester from this growing obligation. Readjustment seems necessary, as free instruction for thickly populated districts was never intended, nor is it, in any sense, equitable.

city of Rochester, approximately \$100,000 for giving schooling to these children. Is an increase of about \$11,000 over the year 1928, when the total cost was \$89,560.32. It is figured that at this rate, the cost of educating these suburban children, in the city schools will be a half million dollars within the next eight years, with the cost mounting steadily after that. This additional charge, upon the city is reflected in the city tax rate, which, of course, is paid by every property owner and, indirectly, by every person who rents property. Buffalo and Syracuse have a lower tax rate because they have no such burden, it is said.

Inadequate Return It is estimated that in ten years the Board of Education has given to these parts of annexed districts about a million dollars in capital outlay and service. About all that the city ever received from the annexed districts was approximately \$70,000, chiefly in inadequate and insufficient buildings. As an incident of the annexation program, Abner Reynolds School No. 42, formerly School No. 19 in the town of Greece, had to be rebuilt to accommodate children largely from the outlying districts.

There are more than a hundred pupils, according to Joseph P. O'Hern, deputy superintendent of schools, at Charlotte from these outlying districts, who are receiving free tuition because of the arrangements made at the time of annexation.

Not only are children from the unannexed portions of old township districts coming to the city schools tuition free because of this old arrangement, but bus service is being furnished them in order that the city's part of the contract made years ago may be kept. As the population in the outlying districts increases, this and all other expenses connected with educating their children will increase in proportion until the time will come, say those who have made the study, when the burden will be gigantic.

ONLY TWO OBJECTORS TO PAVING

Urge That City Bear Costs, as Boulevard Is Wanted by Whole Community

LAKE AVENUE ARGUMENT

Propose Sewer Excavation This Winter To Make Ready for Concrete

Only two persons appeared to object to the proposed plan of assessment of the pavement costs in Lake Avenue from St. John's Park to Stutson Street when the Local Improvements Committee of the Council held a hearing in the matter last night. Although about 25 taxpayers were present, C. O'Brien of 2059 Lake Avenue and Mrs. F. H. Greer of 4261 Lake Avenue were the only speakers.

Under the proposed ordinance, the pavement would be forty feet wide and of concrete. The ordinance also provides for sanitary storm water sewers and Medina stone curbs. It would connect with the 54-foot concrete pavement north of Stutson Street.

Estimates of Cost. Henry L. Howe, director of design and construction, explained that the ordinance proposes that the cost of a pavement 26 feet in width would be assessed on abutting property owners and that the remainder of the forty feet would be charged against the city at large. This is in compliance with the standard 26-foot rule developed by the city administration for all pavements. Under this plan, the city would pay about 35 per cent of the entire cost.

While finance estimates that the property owners will be expected to pay 35 per cent of the cost of the pavement, and the city will pay the remainder, the ordinance also provides for sanitary storm water sewers and Medina stone curbs. It would connect with the 54-foot concrete pavement north of Stutson Street.

Efficiency of centralized material buying methods, compared with wastefulness when purchases were made by each department head, today had been described by Wendell H. Andrews, Rochester city purchasing agent.

His talk was the twelfth of a series of modern municipal government broadcasts by Station WGY at Schenectady, Saturday night.

BROAD STREET BUS SHELTERS MAY BE BUILT

Manager Story Considering Roofing Over Sidewalk Both Sides of Road

LAKE AVENUE ARGUMENT

Propose Sewer Excavation This Winter To Make Ready for Concrete

Plans for a bus shelter at Broad Street and South Avenue are under consideration at City Hall and are tentatively prepared, call for the roofing-over of the sidewalk on both sides of Broad Street and enclosure of the ends, so that persons waiting for city and interurban buses of the New York State Railways and affiliated lines will not have to remain out in cold and inclement weather.

City Manager Stephen B. Story said the exact nature of the structure, its cost and the date of beginning are still indefinite. All the bus lines have their termini at South and Broad and the bus terminal in Broad Street is no longer able to care for the waiting crowds of passengers.

Buffalo erected a brick and concrete structure at Shelton Square for the convenience of bus passengers and Cleveland also has a shelter. Mr. Story indicated that the lines of the one in Buffalo except that it will enclose the sidewalks instead of a space in the street. This will obviate the necessity of cutting down traffic on Broad Street. It is expected that matter will be brought before the Council at an early date so that the shelter may be erected for the convenience of passengers this winter.

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In general, he said, one third of the money spent by the city in the operation of its services goes for the purchase of materials. Supplies and work.

SNOW CLEANING UP IN COUNCIL

Effects of a combine of snow cleaning contractors to upset contracts let by the city to Francis X. Yeoman and two others are deemed to failure, according to Public Works Commissioner Baker today.

LAKE AVENUE ARGUMENT

Propose Sewer Excavation This Winter To Make Ready for Concrete

The disgruntled contractors invaded the City Council meeting a week ago with William J. Baker as their attorney. They charged Commissioner Baker with conniving with Mr. Yeoman to compel them to work for unfair pay.

They charged so many things that City Manager Story asked them to return to the City Council meeting tonight and submit their questions to Commissioner Baker, who is directly responsible for snow cleaning.

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LEGISLATURE MUST ACT ON APPEAL

That any program the city of Rochester may advance to abolish free tuition for public school children living in certain districts of Brighton, Irondequoit, Greece and Gates, will meet with stiff opposition from a legal aspect, as well as from taxpayers of those towns, was evident today.

LAKE AVENUE ARGUMENT

Propose Sewer Excavation This Winter To Make Ready for Concrete

Whereas it was hoped to accomplish the desired change by means of Home Rule legislation of the City Council, it was discovered today that the city must appeal for relief from its self-imposed burden direct to the Legislature at Albany.

When the city annexed certain portions of the four towns it agreed to furnish free education for children residing there, who had been deprived of district school facilities through the annexations. For the cost has mounted until it aggregates \$100,000 yearly, and financial experts foresee an annual outlay of \$500,000 within five years if the free tuition clause remains.

Approval was given on the basis of recommendations contained in the report of P. M. Lydenberg, assistant director of the New York Public Library; Dr. William S. Leonard, assistant secretary of the Carnegie Foundations; and Dr. Charles C. Williamson, director of libraries at Columbia University.

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BASE ACTION ON VIEWS OF SPECIALISTS

Committee Will Be Named in Near Future To Take Details Up With City

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Approval was given on the basis of recommendations contained in the report of P. M. Lydenberg, assistant director of the New York Public Library; Dr. William S. Leonard, assistant secretary of the Carnegie Foundations; and Dr. Charles C. Williamson, director of libraries at Columbia University.

Report Based on Survey These three library executives were consulted some months ago and have made their report after a thorough investigation of the library situation in Rochester.

Other officers of the library board were re-elected as follows: First vice-president, Dr. Ruth Rhee; second vice-president, Joseph T. Ailing; secretary, John R. Slater; treasurer, Mortimer R. Anstie; Mr. Ailing and Edward G. Miner were the only members of the board not able to be present at yesterday's meeting.

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Plans For Blossom Road Crossing Elimination Order Rescinded On Plea Of City Officials

Further Study of Crossing Made Temporary Abandoning of Project Advisable, Say Authorities—Widening of Blossom Road Is Now Proposed.

Plans for a subway at the Blossom Road crossing of the New York Central Railroad today were abandoned by the Public Service Commission following petitions filed by the city.

The commission on Nov. 7, 1918, directed the elimination of the crossing by depressing the grade of the roadway and carrying it under the existing grade of the railroad.

Recently the city petitioned the commission to set aside the elimination order, alleging no work had been done, that further study of the situation made the temporary abandonment of the project advisable, and that the City Planning Commission contemplated a widening of the roadway.

A serious situation is indicated by Mr. Platt, who points out that this year the cost of providing free tuition to children in districts that were divided by annexations to the Rochester approximately \$125,000, and that in no distant future it will amount to \$500,000.

Mr. Platt suggested that a council committee be given authority to take the steps necessary to determine what just conditions, if any, should be imposed, and to report to the Council.

Toward Central Library

Approval by the Reynolds Library board of trustees of a report recommending association with the Rochester Public Library should mark an important step toward creation of a Central Library worthy of Rochester.

Details of the report, which was made by a committee of library experts, have not yet been made public. It will, in any event, take some time to work out a satisfactory plan.

It is necessary to preserve a memorial to Mortimer F. Reynolds, the founder. Yet it can be assumed that it should be so administered as to continue to render the people of Rochester, whom Mr. Reynolds desired to benefit, the greatest service possible.

There is also the question of avoiding unfavorable political control and assuring that if resources are combined the city will do its part, not only now but in the future. During the Hylan administration the great New York Public Library was nearly starved. Mayor Hylan cut appropriations to the barest minimum.

That was an unusual situation. Here in Rochester the city has developed a successful branch library system under a capable director, Mr. William F. Yust. Recently some progress has been made in developing a central collection, housed in the building at Court Street and the river. To create a Central Library such as Rochester needs is, however, a big task.

The Reynolds Library has many books and files which would prove valuable in the Central Library. It has an income from its property holdings which could furnish resources for buying books as needed. But the Reynolds Library trustees have long realized that their funds are not adequate for the double task of erecting a new building and properly stocking it with books.

With the bequest of Morton Rundel for erecting a building at hand, and this prospect offered of an arrangement whereby the bequest of Mortimer F. Reynolds can be used for acquiring books, the outlook is bright for creation of the much desired Central Library without undue strain on the city's resources.

with the sole aim of making this Central Library an institution of which we can all be proud and which will prove of ever increasing value to the people of Rochester.

Just Settlement of Free Tuition Dispute Difficult, Platt Tells City Council

Law Committee Requested to Find Way Out; Contractors' Attorney Says He Will Ask Courts to Review Snow Cleaning Award

A resolution directing the law committee "to ascertain if possible what provisions should be imposed in a bill to abolish free tuition to pupils living in unannexed portions of former school districts," was presented to the City Council last evening by Vice-Mayor Isaac Adler, and was unanimously adopted.

The resolution followed the suggestion of Corporation Counsel Clarence M. Platt in a communication read to the Council by City Manager Stephen B. Story. Mr. Platt pointed out that he has prepared a bill providing for the abolition of the free tuition, but finds that the specific instructions of the Council to impose such conditions as may be just, is impossible of accomplishment without extended negotiations with persons interested in the matter.

A serious situation is indicated by Mr. Platt, who points out that this year the cost of providing free tuition to children in districts that were divided by annexations to the Rochester approximately \$125,000, and that in no distant future it will amount to \$500,000.

Mr. Platt suggested that a council committee be given authority to take the steps necessary to determine what just conditions, if any, should be imposed, and to report to the Council.

The law committee, to which the matter was assigned, is made up of Vice-Mayor Adler, chairman, and Councilmen Edward P. Flynn and Harry C. Goodwin. The term of Messrs. Goodwin and Flynn as councilmen will expire the last of this month.

A conference of representatives of the interested persons, including the supervisors of Brighton, Greece and Irondequoit, will be conducted soon, and Vice-Mayor Adler will endeavor to expedite the work of the law committee so that an early report may be made.

Mr. Platt's communication on this subject follows:

The Council by resolution adopted unanimously March 4, 1929, instructed me "to take such steps as may be necessary to procure the repeal of Section 381 of the Charter of the City of Rochester upon such conditions as may be just."

Such section relates to more than the exact problem under consideration, and hence I interpret the instruction as requiring a draft of the bill which will relate only to terminating the obligation of the City to furnish free tuition to pupils within the unannexed portions of certain former school districts set forth in the section "upon such conditions as may be just."

I have prepared a bill which abolishes such free tuition, but find the task of inserting "such conditions as may be just" impossible of accomplishment without extended negotiations with those interested.

May I suggest that a Council committee be given authority to take such steps as may be necessary for it to report to the Council the just conditions, if any, that should be imposed.

To Carry Snow Cleaning to Courts

Declaration that he would seek review of the procedure in the award of the new snow cleaning contracts by application to the Supreme Court was made by William J. Baker, attorney for a group of contractors owning teams and plows.

The matter of the award of the snow cleaning contract was carried over from last week. Councilman Joseph Guzzetta asked two questions with reference to them: whether the specifications were complied by the successful bidder, and whether all the contractors had an opportunity to bid.

Changes Gag Rule Vice-Mayor Adler said that there was no benefit in a long discussion, as the contract went to the low bidder, who furnished a satisfactory bond, and the contract reflects the approval of the legal department of the city.

When Mr. Baker said that he would go into court, Mr. Adler retorted that he was welcome to take that action.

Councilman Guzzetta said that he thought Vice-Mayor Adler was unfair to Mr. Baker, as he was told last week that this week he would be heard, and whether the Council agreed with Mr. Baker or not, they should hear him.

"They can't answer the questions, and that is the reason why they don't want to hear me, doctor," Mr. Baker put in, and the matter ended there.

Asks Who's to Pay for Shelter

Councilman Guzzetta asked City Manager Story what provision was to be made for paying for the shelter proposed for bus patrons, and suggested that the railways should do it.

Harold W. Baker, commissioner of public works, pointed out that the contracts were let in accordance with specific instructions from the City Council. He said that the bids were advertised in the regular manner and that Francis J. Yeoman submitted the only bid.

Authority was given to Comptroller Clarence E. Higgins to borrow \$100,000 on overdraft pay notes; Councilman Edward P. Flynn, reporting for the public works and engineering committee, favored the granting of permission to the Sherwood Shoe Company to erect a steel pole in Uhlen Place and the Council indorsed this action.

Higher Curbs for Bridge

Councilman Milne introduced an amendment to the local improvement ordinance for a concrete pavement and sewer in Pearce Street. After Commissioner Baker explained that he is preparing designs for higher curbs on Platt Street bridge, Councilman Durnan announced he would not present his resolution directing such action.

The Council adopted a resolution by Councilman Guzzetta authorizing Comptroller Higgins to pay city employees their salaries on Dec. 16. This is a customary procedure before the Christmas holiday.

Commissioner Baker pointed out that the question of whether the contractor had a plow and a team for each \$1,000 of work was not involved in the specifications, but was incorporated as a guide to bidders. He said that in the event that Yeoman's can't perform, immediate steps would be taken to obtain redress from bondsmen, and then the city would take steps to have the work done.

Councilman William F. Durnan, who introduced the ordinance, asked whether Commissioner Baker intended to do the work himself, in event of non-performance by Yeoman, and Mr. Baker said that there was a provision in the contracts making possible their cancellation; and if such a situation developed, he would endeavor to hire the work done by other contractors and do as much as possible with city forces, the principal objective being to have the citizens protected.

At the opening of the discussion, Mr. Story said that he and Commissioner Baker had a long conference with the snow cleaning contractors, and with Attorney Baker, in the afternoon, and the matter was closed so far as he and Mr. Baker were concerned.

Baker Plans Early Start on New Bridge

In order that contracts for a new Ridge Road bridge may be let early in January, the City Council Monday night will be asked to authorize construction at the earliest possible date. Public Works Commissioner Harold W. Baker, announced today.

Mr. Baker said engineers have completed borings at the proposed Ridge Road crossing and are satisfied the rock formations below the river will support the concrete structure proposed in plans of Frank P. McKibben, engineer in charge.

The bridge plans are more elaborate than were originally considered fifteen years ago when borings were first made. The new bridge also will call for the purchase of more and for its easterly approach, Mr. Baker said.

The bridge will cost \$2,000,000, according to estimates, and will take at least two years to complete. Mr. Baker said actual construction could not be started before Spring even should contracts be let the first week in January, as the contractors would need several months in which to order material.

Foundations for the new Smith Street Bridge may not be completed until late in the Winter. The old piers will not be removed before the end of the month, he said.

NEW GROUP WILL WORK TO AID CIVIC WELFARE IN W. N. Y.

Work of Many Separate Bodies To Be Fused in United Effort HERMAN RUSSELL NAMED PRESIDENT

Comprehensive Plan of Development Object of Association

By STEPHEN L. BRIGGS Formal organization of the Civic Improvement Association, Inc., was effected yesterday with acceptance of a constitution and by-laws and election of officers by the Board of Directors at a luncheon meeting in the Chamber of Commerce.

The objects of the new organization, according to the constitution, are "to promote interest in city, town, county and regional planning; to strive for the development of Rochester and environs in accordance with an adequate and comprehensive plan." This says the founders, is the first time such an association has been attempted here.

Herman Russell is president of the association. Other officers include vice-presidents, Harper Sibley, Edward G. Miner and H. H. Sullivan, and treasurer, James P. B. Duffy. The executive committee includes the officers and Roland B. Woodward, Arthur H. Ingle, Elmer Roblin, Frank W. Lovejoy, Carl S. Hallauer, Raymond N. Ball, Dr. Meyer Jacobstein, Sol Heumann, Mrs. Henry G. Danforth and Kendall B. Castle.

Committees Appointed The following committees were appointed: Executive directors committee, Messrs. Jacobstein, chairman, Woodward and Ball; contact committee, Miner, chairman, Sibley and Sullivan; budget and finance committee, Messrs. Ingle, chairman, Hallauer and Duffy; and incorporators, Henry T. Noyes, Frederick S. Miller and Messrs. Hallauer, Russell and Sullivan.

In addressing the organization meeting yesterday, Mr. Noyes stressed the statement that the new association is in reality a federation of all civic clubs and organizations of Rochester and public spirited citizens interested in the progress of the city and its environs.

For Civic Advancement

The purpose of the Civic Improvement Association, organization of which was completed on Thursday, is "to promote interest in city and regional planning" and, particularly, to further the "development of Rochester and environs in accordance with a comprehensive plan."

There are many cities in the United States with city plans in various stages of operation. But only those city plans that have had the help of some kind of civic organization have been highly successful. These civic organizations have educated the public to the requirements of the plan and obtained public support for the changes contemplated.

In the organization of the Civic Improvement Association of Rochester a potentially powerful instrument has been created. Virtually all of the civic clubs and societies are more or less represented. And because of its wide reach, as well as the distinguished records of its officers, the association will be able to command consideration of its suggestions for altering the plan itself, if necessary, and putting it into operation.

The work the association has undertaken is most difficult. It should be approached only with studied care. Its successful execution will require that the association diligently guard against deviations from its set course. It will be strange if groups with special interests do not try to influence the association's support, but the association should never lose sight of the fact that it was created to promote the interests of the city and region as a whole.

To Co-ordinate Activities

He explained that the association will have relations with the city through the City Planning Board, the Zoning Advisory Board, the Financial Program Board and the City Council, with the county through the Regional Planning Board and the Board of Supervisors; with nearby cities and towns through their own planning boards and such bodies as the Lake Ontario and Genesee Country Association; with the state through the Council of Parks and the Department of Public Works, and with the Federal government through the postoffice.

"We can help the sections outside the city to avoid the mistakes the city has made, while in the city we can in many instances only patch up mistakes already made," he said.

In selecting the original 48 directors of the association, Mr. Noyes said that 30 important civic organizations were given representation through outstanding members. These organizations are listed on affiliated members. Affiliated members approved yesterday are:

Affiliated Members The Chamber of Commerce, the University of Rochester, American Legion Lunch Club, Automobile Club of Rochester, Cornell Club of Rochester, City Club of Rochester, G.V. Club of Rochester, Kivwanis Club, Lions Club, Real Estate Board of Rochester, Rochester Ad Club, Rochester Association of Credit Men, Rochester Engineering Society, Rochester Rotary Club, Shrine Lunch Club, Underwriters Association of Rochester, Women's City Club, Women's Educational and Industrial Union, Business District Improvement Association, First Ward Improvement Association, East Avenue Improvement Association, Rochester Automobile Dealers Association, Rochester Society of Architects, College Women's Club, Rochester Bar Association, Builders Exchange, Central Trades and Labor Council, Zonta Club, Rochester Historical Society and the Garden Club.

Officers and directors of the association stated that it is hoped that any other civic organizations, clubs or associations in Rochester, in the towns of Monroe County or in the Genesee Valley interested in the development of the city and county and not included in the present list will communicate with them as prospective affiliated members.

Plans For Elimination Order Rescinded On Plea Of City Officials

Further Study of Crossing Made Temporary Abandoning of Project Advisable, Say Authorities—Widening of Blossom Road Is Now Proposed.

Plans for a subway at the Blossom Road crossing of the New York Central Railroad today were abandoned by the Public Service Commission following petitions filed by the city.

The commission on Nov. 7, 1918, directed the elimination of the crossing by depressing the grade of the roadway and carrying it under the existing grade of the railroad. Under an agreement between the city and the utility, no work was ever done on the crossing, so Winton Road and other crossings might be given precedence.

Recently the city petitioned the commission to set aside the elimination order, alleging no work had been done, that further study of the situation made the temporary abandonment of the project advisable, and that the City Planning Commission contemplated a widening of the roadway. In an order received from the commission today, the petition of the city is granted, and the commission rescinds its order of the earlier date.

Toward Central Library

Approval by the Reynolds Library board of trustees of a report recommending association with the Rochester Public Library should mark an important step toward creation of a Central Library worthy of Rochester.

Details of the report, which was made by a committee of library experts, have not yet been made public. It will, in any event, take some time to work out a satisfactory plan.

It is necessary to preserve a memorial to Mortimer F. Reynolds, the founder. Yet it can be assumed that it should be so administered as to continue to render the people of Rochester, whom Mr. Reynolds desired to benefit, the greatest service possible.

There is also the question of avoiding unfavorable political control and assuring that if resources are combined the city will do its part, not only now but in the future. During the Hyman administration the great New York Public Library was nearly starved. Mayor Hyman cut appropriations to the barest minimum.

That was an unusual situation. Here in Rochester the city has developed a successful branch library system under a capable director, Mr. William F. Yust. Recently some progress has been made in developing a central collection, housed in the building at Court Street and the river. To create a Central Library such as Rochester needs is, however, a big task.

The Reynolds Library has many books and files which would prove valuable in the Central Library. It has an income from its property holdings which could furnish resources for buying books as needed. But the Reynolds Library trustees have long



The Times-Union hopes and believes that the members of Reynolds board, the board of trustees of the Rochester Public Library, and the city administration will co-operate, with the sole aim of making this Central Library an institution of which we can all be proud and which will prove of ever increasing value to the people of Rochester.

Historic Scrapbooks Collection

Just Settlement of Free Tuition Dispute Difficult, Platt Tells City Council

Law Committee Requested to Find Way Out; Contractors' Attorney Says He Will Ask Courts to Review Snow Cleaning Award

By HIRAM MARKS

A resolution directing the law committee "to ascertain if possible what provisions should be imposed in a bill to abolish free tuition to pupils living in unannexed portions of former school districts," was presented to the City Council last evening by Vice-Mayor Isaac Adler, and was unanimously adopted.

In response to City Manager Story's request that the question of whether opportunity was accorded to all the contractors to bid be answered, Lewis Cartwright, city auditor, speaking for the Finance Department, said that the advertisements were published in the regular way; copies of the specifications were available at the office of the City Purchasing Agent, Wendell T. Andrews, and the usual procedure in the award of contracts was adhered to.

Harold W. Baker, commissioner of public works, pointed out that the contracts were let in accordance with specific instructions from the City Council. He said that the bids were advertised in the regular manner and that Francis T. Yeoman submitted the only bid.

He said that the contractor furnished a bond, which was approved by Comptroller Clarence E. Higgins; that the contract was approved by Corporation Counsel Clarence M. Platt, and all the regulations provided by the charter and the law for the award of local improvement contracts were complied with.

Authority was given to Comptroller Clarence E. Higgins to borrow \$400,000 on overdraft tax notes; Councilman Edward P. Flynn, reporting for the public works and engineering committee, favored the granting of permission to the Sherwood Shoe Company to erect a steel pole in Union Place and the Council endorsed this action.

Asks Why Plows Built

Questioned by Councilman Guzzetta as to whether there was doubt in his mind as to the ability of Yeoman to perform, and whether this was responsible for the building twelve plows and purchasing six others, Mr. Baker said the plows were for use in emergency and to meet a situation if the work could not be done by Yeoman. He said that a number of local improvement contracts went to contractors whose abilities to perform the work satisfactorily he

Higher Curbs for Bridge

Councilman Milne introduced an amendment to the local improvement ordinance for a concrete pavement and sewer in Pearce Street. After Commissioner Baker explained that he is preparing designs for higher curbs on Platt Street bridge, Councilman Durman announced he would not present his resolution directing such action. Both Commissioner Baker and Councilman Durman agreed that the maximum safeguard should be constructed to prevent automobiles from mounting over the curb.

The Council adopted a resolution by Councilman Guzzetta authorizing Comptroller Higgins to pay city employees their salaries on Dec. 16. This is a customary procedure before the Christmas holiday.

Find Task Difficult

Mr. Platt's communication on this subject follows:

The Council by resolution adopted unanimously March 4, 1929, instructed me "to take such steps as may be necessary to procure the repeal of Section 381 of the Charter of the City of Rochester upon such conditions as may be just."

Such section relates to more than the exact problem under consideration, and hence I interpret the instruction as requiring a draft of a bill which will relate only to terminating the obligation of the City to furnish free tuition to pupils living in the unannexed portions of certain former school districts set forth in the section "upon such conditions as may be just."

That this is a serious matter is shown by the information which I have received, indicating that the cost of such tuition this year will amount to approximately \$125,000, and at no distant date in the future may amount to half a million dollars.

I have prepared a bill which abolishes such free tuition, but the task of inserting "such conditions as may be just" impedes accomplishment without extended negotiations with those interested.

May I suggest that a Council committee be given authority to take such steps as may be necessary to report to the Council the just conditions, if any, that should be imposed.

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Platt Tells City Council

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Asks Who's to Pay for Shelter

Councilman Guzzetta asked City Manager Story what provision was to be made for paying for the shelter proposed for bus patrons, and suggested that the railways should do it. He made it clear he believed that the shelter, as suggested by Mr. Story, should be erected in Broad Street at South Avenue, but wanted to know how it was to be financed. Mr. Story said that the plans haven't advanced sufficiently to determine the cost, that the city should control the shelter, and be free to tear it down if it interfered with other plans, and that he would have a contract proposal regarding it to make to the Council later.

City Clerk Thomas P. O'Leary presented his November report. Upon the favorable report by Councilman Nelson A. Milne for the local improvements committee the ordinance for a sewer, walks, and grading in Florack Street was adopted.

Work of Many Separate Bodies To Be Fused in United Effort

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Comprehensive Plan of Development Object of Association

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Baker Plans Early Start on New Bridge

In order that contracts for a new Ridge Road bridge may be let early in January, the City Council Monday night will be asked to authorize construction at the earliest possible date, Public Works Commissioner Harold W. Baker, announced today.

Mr. Baker said engineers have completed borings at the proposed Ridge Road crossing and are satisfied the rock formations below the river will support the concrete structure proposed in plans of Frank P. McKibben, engineer in charge.

The bridge plans are more elaborate than were originally considered fifteen years ago when borings were first made. The new bridge also will call for the purchase of more and for its easterly approach, Mr. Baker said.

The bridge will cost \$2,000,000, according to estimates, and will take at least two years to complete.

Mr. Baker said actual construction could not be started before Spring even should contracts be let the first week in January, as the contractor would need several months in which to order material.

Foundations for the new Smith Street Bridge may not be completed until late in the winter. The old piers will not be removed before the end of the month, he said.

NEW GROUP WILL WORK TO AID CIVIC WELFARE IN W. N. Y.

Work of Many Separate Bodies To Be Fused in United Effort

HERMAN RUSSELL NAMED PRESIDENT

Comprehensive Plan of Development Object of Association

By STEPHEN L. BRIGGS

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For Civic Advancement

The purpose of the Civic Improvement Association, organization of which was completed on Thursday, is "to promote interest in city and regional planning" and, particularly, to further the "development of Rochester and environs in accordance with a comprehensive plan." With the new city plan soon to be made public, and plans for county and regional development in process of formation, the Civic Improvement Association comes upon the scene at an opportune moment.

There are many cities in the United States with city plans in various stages of operation. But only those city plans that have had the help of some kind of civic organization have been highly successful. These civic organizations have educated the public to the requirements of the plan and obtained public support for the changes contemplated.

In the organization of the Civic Improvement Association of Rochester a potentially powerful instrument has been created. Virtually all of the civic clubs and societies are more or less represented. And because of its wide reach, as well as the distinguished records of its officers, the association will be able to command consideration of its suggestions for altering the plan itself, if necessary, and putting it into operation.

The work the association has undertaken is most difficult. It should be approached only with studied care. Its successful execution will require that the association diligently guard against deviations from its set course. It will be strange if groups with special interests do not try to influence the association's support, but the association should never lose sight of the fact that it was created to promote the interests of the city and region as a whole.

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City Planning Board Ready to Present Findings after Check-up CIVIC CENTER IS NEXT Scheme to Be Considered as Whole in Order to Gauge Ability to Finance

Details of the section of the city plan relating to major thoroughfares and extensions will be submitted to an executive session of the City Council Friday afternoon.

The City Planning Board, which is made up of J. Foster Warner, chairman; Edward G. Miner, John H. Fulroader, City Engineer; Henry Howe and Corporation Counsel Clarence M. Platt, has had the street plan under consideration for several weeks.

Mr. Bartholomew, who is one of the best known city planners in the country, including among his many works preparing a city plan for St. Louis, involving an expenditure of approximately \$90,000,000, will be in Rochester Thursday morning to confer with the City Planning Board.

City Manager Story stopped at St. Louis on the way to Fort Worth, where he addressed the national convention of city managers, and Mr. Bartholomew told him that he would try to bring to Rochester on his visit this week the preliminary plan with reference to the civic center for study by the City Planning Board.

Mr. Story has not heard whether Mr. Bartholomew has the civic center section ready for submitting to the City Planning Board this week, but the work is so well advanced that it will be only a matter of a week or two before it will be ready for the preliminary discussion of the board.

The preparation of the city plan, embracing a program for the orderly development of Rochester, in accordance with its ability to finance over a period of years, is well along on schedule, and an immense amount of work remains to be done during the next two years.

Both City Manager Stephen B. Story and Harold W. Baker, commissioner of public works, who represent the Northeast district, and Councilman Milne, who represents the Northwest district, which are joined by the proposed bridge, are preparing to request of the city officials and the council that there be incorporated in the specifications that wherever possible, persons living in Monroe County, and materials produced in Monroe County, be used in the construction of the bridge.

included in the section relating to streets are such studies as the extension of Broad Street eastward; the widening of Main Street West; and other improvements that have been agitated in the community for a number of years and which substantial groups of citizens feel are essential to assure the future and proper development of Rochester.

Under the guidance of Mr. Bartholomew and his associates, and in co-operation with City Manager Story and his subordinates, these various projects that have been suggested have been arranged in an order of importance, and with the view of co-ordinating them with other necessary improvements and the entire plan squared with the city's ability to finance.

The City Planning Board, represented by three citizens, who present the interest of Rochester, and two city officials, who bring the viewpoint of the administration to the problems, has been checking the findings of Mr. Bartholomew, and the purpose is to go over any revisions that may have been determined to be advisable and to prepare the section relating to major thoroughfares in such shape that it will be ready for study by the council members and the councilman's consideration of newspaper preparatory to public airing in about a month.

Ridge Road Bridge Ordinance May Go to City Council This Evening

Three Million Dollar Contract Excites Wide Interest and Is Expected to Result in Lively Bidding; Local Spending of Money Advocated

With the ordinance providing for an appropriation of \$3,000,000 for the Ridge Road bridge being prepared for introduction in the City Council, spirited competition is expected to result among bridge builders all over the United States for the contract, which according to present plans, will be ready for advertising some time in January.

The ordinance providing for the appropriation, which followed a resolution by Councilmen Nelson A. Milne and William F. Durman, directing that the plans for a concrete bridge be advanced, will be submitted by Councilman Edward P. Flynn, member of the Finance Committee and chairman of the Public Works and Engineering Committee. Vice-Mayor Isaac Adler will refer the ordinance to the Finance Committee, and it is possible that it will be ready for introduction at this evening's session of the Council.

Both Councilman Durman, who represents the Northeast district, and Councilman Milne, who represents the Northwest district, which are joined by the proposed bridge, are preparing to request of the city officials and the council that there be incorporated in the specifications that wherever possible, persons living in Monroe County, and materials produced in Monroe County, be used in the construction of the bridge.

The bridge, which has been designed by Frank McKibben, bridge expert of Pittsburgh, represents one of the major structures of its kind in the United States. When the Smith Street bridge was designed for steel construction, there was sharp protest in the city among many residents because it would mean that the steel would be fabricated outside of Rochester and the major part of the expenditure of \$1,000,000 would go outside of Monroe County.

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Co-operation to City Planning

Through the affiliation of influential civic associations, clubs and organizations with the Rochester Civic Improvement Association, it will be possible to secure valuable support for a city plan. The adoption of a plan, on paper, is comparatively easy. Insuring adherence to the plan, particularly in the case of projects extending over a series of years for their completion, is another and much more difficult matter.

Many cities have adopted city plans. Only a few have carried them through. And in every case where this has been done it is because public sentiment in their favor has been strong enough to overcome indifference or conflicting interests.

Whatever the Rochester Civic Improvement Association is able to accomplish will depend in great measure on the response to its invitation to other bodies to become affiliated members. It can perform its best service as a rallying point for other bodies, the united efforts of which will prevent the plan from becoming a dead letter.

There are many groups, with a total membership running into thousands, which have presented to them an opportunity for public service exceeding in importance anything that has been presented in many years.

missioner of public works, who directed the maze of work that was necessary to bring the bridge construction to an actuality, expressed themselves in sympathy with the argument advanced by those advocating the expenditure of as much money as possible in Rochester, but foundation difficulties at Smith Street, together with the general aspect of the neighborhood, in the opinion of Mr. McKibben, lent the site more advantageously to a steel structure, and not only Mr. Story and Commissioner Baker, but Edwin A. Fisher, former city engineer of Rochester, concurred in these findings.

The Ridge Road bridge being of concrete, as expressly provided in the resolution submitted to the Council by Councilman Milne and Durman, it means that virtually all the work will be done on the site, and it means the employment of scores of Rochester building craftsmen and the purchase of large quantities of steel, stone, sand, lumber and other building materials. Both Councilman Durman and Councilman Milne, who number among their constituents, many members of the Rochester building trades, feel that since the taxpayers here, must pay for the structure, every reasonable precaution should be taken to see that as much of the cost of the bridge as possible be distributed here in Rochester, in labor and material expenditures.

The construction of a Ridge Road bridge has been advocated in Rochester for many years. During the last two years the work has been advanced so that the next two years is expected to see the bridge about completed. With construction started in the Spring, it is possible that the work may be completed before the close of 1931, although two years is allotted for construction, when completed, Mr. Story feels that it will be of immense benefit to the development of the entire northern section of the city and will be of great convenience to thousands of residents in the Northeast and Northwest districts, enabling them to cross the river without going through the congestion of Driving Park Avenue bridge, and will enable hundreds of Kodak Park workers to reach their place of employment more directly.

Manager Government Favored By Realtors

Confidence in the city manager administration, and a desire for its continuance after Jan. 1, are expressed by the Real Estate Board of Rochester.

In a communication filed with City Council last night, the board endorsed the present conduct of city manager government, declared itself convinced of the earnestness of the principle of that government, and renewed a pledge for its support.

Over signature of Joseph E. Enckle, president, the board recounted that, at the end of 1928, the first year of city manager government here, it gave a similar expression of approval.

FINANCE GROUP DEBATES PLANS FOR HUGE SPAN

Steps toward construction of Rochester's most pretentious Genesee River span, the proposed \$2,250,000 Ridge Road bridge, have progressed to consideration of the ordinance by the finance committee of City Council.

The ordinance, introduced in Council meeting last night by Councilman Edward P. Flynn as one of the most important acts of his term before he retires from office on Dec. 31, was referred to the law committee for later report.

Unless unforeseen delay develops, a public hearing may be held upon the ordinance at the council meeting of Dec. 23 and final action taken immediately thereafter, so the bridge project could be under way before the city starts a new year, either with or without the present administration.

Provides Stone Facing

The ordinance in its present form makes provision for granite facing to cover the concrete, which, while it will cost some \$400,000 more than would the bare concrete, is considered by engineers to be the most desirable sort of structure from the viewpoint of permanency and beauty.

This bridge, city officials feel, could be made the crowning architectural beauty of the city and one of the beauty spots of the East.

Included in the plan is provision for traffic relief in St. Paul Street. Originally, an underpass was suggested, but now engineers have settled upon the idea of constructing a circular plaza where the bridge approach would intersect St. Paul Street, into which would empty the traffic of Ridge Road and Keeler Street from the east. In the center of the plaza would be a circular park, and traffic would move about this in a counter-clockwise direction.

More Lake Ave. Paving

Completion of another link of new paving in upper Lake Avenue was approved by Council in adoption of a local improvement ordinance authorizing concrete pavement, sanitary and storm water sewers, between St. John's Park and Statton Street.

A new subway stop, at Glenwood Avenue, will be provided under a resolution adopted last night, requesting Commissioner of Railways Charles R. Barnes to provide such a stop.

City Expected To Spend \$100,000,000 On Improvements In 25 Years

Civic Improvement Association Plans Listed By Russell Group Will Assist City in Properly Carrying Out New Municipal Plan, President Says -Executive Director to Be Chosen -Club Backing Project.

Details of how the Civic Improvement Association Inc. proposes to help in the spending of some \$100,000,000 for public improvements in the next 25 years in the carrying out of an effective city plan were revealed today by Herman Russell, newly elected president of Rochester Gas & Electric Corporation, who is president of the association.

This group, organized last week, of organization will be worked out as rapidly as possible.

The new association will have relations with the city through the City Planning Board, the Zoning Advisory Board, the Financial Program Board and the City Council; with the county through the Regional Planning Board and the Board of Supervisors; with nearby cities and towns through their own planning boards and such bodies as the Genesee Country and Finger Lakes Association; with the state through the Council of Parks and the Department of Public Works; and with the Federal government through the postoffice.

Director To Be Chosen

An executive director is to be chosen, Mr. Russell said, who will devote his full energies to this task. Whether it will be a Rochester man or one from out of town will depend on a decision of a committee appointed to choose the executive director.

Of some 400 communities where city plans have been drawn up in the past, I am informed that a score or so have carried them out effectively. After a consultation with Harland Bartholomew, Rochester's city plan consultant, I was made more than ever convinced of the need of a civic organization to help the administration in carrying out the city plan here.

\$100,000,000 To Be Spent

"One of our greatest problems is to find a man well qualified and willing to undertake the directing of this important work, which may involve some \$100,000,000 in the next 25 years. This and other details

Goodman St. Corner Announced As Site; Cost Near Million

Petition of Joseph Joroslow, Contractor, Asking Exception to Zoning Law, in the Hands of Council Committee-New York Loan Cited For Project.

A fresh attempt to inject an apartment building into East Avenue's exclusive residential district is being investigated by Councilman Chester A. Peake, as chairman of City Council's planning and zoning committee.

The petitioner, Joseph Joroslow, of 176 Meigs Street, wishes to erect a 10-story apartment structure at East Avenue and Goodman Street, and declares he has only a week in which to take advantage of a proffered loan for the purpose from New York banks.

Despite the new zoning ordinance, which specifically rules out multi-family dwellings from that section of the city, Mr. Joroslow appealed to City Council last night for an exception, arguing that the building would cost close to \$1,000,000, all of which would be spent in the city this winter, and would help to relieve the unemployment situation.

Mr. Joroslow was asked to confer with Council members following the meeting, and the upshot was that his case was left in the hands of Dr. Peake and his committee.

The building contractor said he purchased land at the northeast corner of East Avenue and Goodman Street.

CITY MANAGER POSSIBILITIES SEEN AS THREE

An unusual situation is likely to be presented in City Hall when the next council meets to organize Jan. 2 and elect a city manager, mayor, vice-mayor and city clerk.

Two candidates for city manager each will be armed with a list of appointees, one of which will find its way into the wastebasket. The situation will be avoided if City Manager Stephen B. Story is retained. If he is not, the effect is bound to be anything but pleasant to certain heads of departments.

It all depends, of course, on who is chosen city manager and also whether to the City Manager League continue to hold the reins of government. In order to wrest control of the government from the City Manager group the Republican organization must procure the vote of another councilman. The organization has four of the nine, R. Guzzetta, William F. Durman and Nelson A. Milne.

Assuming that Mayor Joseph C. Wilson will vote with the City Manager councilmen and assuming also that other members of the council will have all along sided with the City Manager forces will have five which assures them of continued control of the city government. But this control is dependent upon the success of the City Manager forces in obtaining the solid vote of the five councilmen who are expected to array themselves against the Republican organization.

SEEK RIGID RESTRICTION OF BARBERS

Barbers of Rochester who champion a new city ordinance placing more rigid restrictions on the persons who engage in that trade, have undertaken to bring before City Council next week a petition bearing the signatures of 75 per cent of the barbers in the city, asking enactment of the law.

Dangerously ins sanitary conditions, jeopardizing the health of barber shop patrons, were declared to exist in the city, at a hearing on the ordinance conducted by the council law committee last night.

Among them were alleged instances of barbers purring their trade who are victims of communicable diseases.

Though an obvious large majority of master and journeyman barbers who attended the hearing expressed themselves in favor of the ordinance by raising their hands, organized opposition was headed, the leader of which was Thomas H. Remington, acting as attorney for certain of the protesting barbers.

The objections included an argument that the present state and city sanitary codes are wholly adequate to cope with the situation, if they were enforced, and that 95 per cent of the shops are above reproach and their operators should not be penalized, by the payment of annual license fees for the laxness of the other 5 per cent.

The proposed ordinance would establish an examining board, before which every new barber would be subjected first to a thorough physical examination. Barbers would be required to pay annual fees, ranging from \$1 a year for apprentices to \$5 for master barbers.

The "teeth" of the ordinance, however, as explained by Daniel F. Fitzgerald, attorney for the proponents of the measure, would be its clause of license revocation. Offenders could be arrested, after one or two arrests, their licenses to practice could be revoked.

Mr. Fitzgerald declared similar statutes exist in 38 states of the Union, and that they are even more stringent in some states. He declared that 75 per cent of Rochester barbers favor such restriction, and that, in a single day, the favoring signatures of 2219 patrons of barber shops were obtained in the city.

Sanitary Inspector Talks

Frank Willis, sanitary inspector for the police department, declared the present laws are not adequate for him to bring careless barbers permanently to book. Those who are arrested, he said, may be fined \$5 and released, and continue elsewhere with their practice.

He said that in the last year he has inspected 400 shops in Rochester and found 27 violations of the sanitary code. A shop once apprehended, he said, can rarely be caught again, because its operators are on the lookout for inspectors.

Patrick Reagan, agent for the journeyman barbers, averred that, not only is the public health endangered by some of these barbers, but in some, bootlegging and dope peddling are carried on in connection with the lookouts. He pointed out that the new law is particularly desirable because more women and children than ever before are becoming patrons of barber shops.

It was brought out there are an 42 master barber shops in the city. The total number of barbers is about 1,000, and of journeyman, law 400.

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There are many groups, with a total membership running into thousands, which have presented to them an opportunity for public service exceeding in importance anything that has been presented in many years.

The need for a city plan is generally recognized. Whether it is ever carried out depends on whether it receives effective public support. The public cannot get behind it to better purpose than through close co-operation of societies and organizations with the Rochester Civic Improvement Association.

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The ordinance in its present form makes provision for granite facing to cover the concrete, which, while it will cost some \$400,000 more than would the bare concrete, is considered by engineers to be the most desirable sort of structure from the viewpoint of permanency and beauty.

This bridge, city officials feel, could be made the crowning architectural beauty of the city and one of the beauty spots of the East.

Included in the plan is provision for traffic relief in St. Paul Street. Originally, an underpass was suggested, but now engineers have settled upon the idea of constructing a circular plaza where the bridge approach would intersect St. Paul Street, into which would empty the traffic of Ridge Road and Keeler Street from the east. In the center of the plaza would be a circular park, and traffic would move about this in a counter-clockwise direction.

Completion of another link of new paving in upper Lake Avenue was approved by Council in adoption of a local improvement ordinance authorizing concrete pavement, sanitary and storm water sewers, between St. John's Park and Sluison Street.

A new subway stop at Glenwood Avenue, will be provided under a resolution adopted last night, requesting Commissioner of Railways Charles R. Barnes to provide such a stop.

Two technical provisions for facilitating city business were adopted—one requiring all owners of real estate to register their names and addresses with the city assessor and the other giving the Council power to settle equitable claims for damage without the formality of unanimous consent.

City Expected To Spend \$100,000,000 On Improvements In 25 Years

Civic Improvement Association Plans Listed By Russell

Group Will Assist City in Properly Carrying Out New Municipal Plan, President Says --Executive Director to Be Chosen --Club Backing Project.

Details of how the Civic Improvement Association Inc. proposes to help in the spending of some \$100,000,000 for public improvements in the next 25 years in the carrying out of an effective city plan were revealed today by Herman Russell, newly elected president of Rochester Gas & Electric Corporation, who is president of the association.

This group, organized last week as a federation of civic clubs, business organization, and public-spirited citizens. It recognizes the importance of a detailed city plan as well as the necessity for having it properly carried out once it is drawn up.

An executive director is to be chosen, Mr. Russell said, who will devote his full energies to this task. Whether it will be a Rochester man or one from one of the cities and towns of the county will depend on a decision of a committee appointed to choose the executive director. On this committee are Dr. Meyer Jacobstein, Roland B. Woodward and Raymond N. Bail. Presumably he will be engaged for at least three years.

"It is not enough to have a city plan prepared," Mr. Russell explained. "It must be carried out without regard to politics or individual interests. Those parts of it must be effected first, that will contribute to the greatest good of the community.

"Of some 400 communities where city plans have been drawn up in the past, I am informed that a score or so have carried them out effectively. After a consultation with Harland Bartholomew, Rochester's city plan consultant, it was more than ever convinced of the need of a civic organization to help the administration in carrying out the city plan here.

The Civic Improvement Association was organized to meet this need. Affiliated with it are representatives of practically every important civic unit within the county boundaries.

"One of our greatest problems is to find a man well qualified and willing to undertake the directing of this important work, which may involve some \$100,000,000 in the next 25 years. This and other details

On Improvements In 25 Years Goodman St. Corner Announced As Site; Cost Near Million

Petition of Joseph Joroslow, Contractor, Asking Exception to Zoning Law, in the Hands of Council Committee--New York Loan Cited For Project.

A fresh attempt to inject an apartment building into East Avenue's exclusive residential district is being investigated by Councilman Chester A. Peake, as chairman of City Council's planning and zoning committee.

The petitioner, Joseph Joroslow, of 176 Melges Street, wishes to erect a 10-story apartment structure at East Avenue and Goodman Street, and desires he has only a week in which to take advantage of a proffered loan for the purpose from New York banks.

Despite his new zoning ordinance, which specifically rules out multi-family dwellings from that section of the city, Mr. Joroslow appealed to City Council last night for an exception, arguing that the building would cost close to \$1,000,000, all of which would be spent in the city this winter, and would help to relieve the unemployment situation.

Mr. Joroslow was asked to confer with Council members following the meeting, and the upshot was that his case was left in the hands of Dr. Peake and his committee.

The building contractor said he purchased land at the northeast corner of East Avenue and Goodman Street last year.

Mr. Russell emphasized that all of the work of the association will be advisory, both in dealing with administrative officials and in relations with the public.

SEEK RIGID RESTRICTION OF BARBERS

Barbers of Rochester who champion a new city ordinance placing more rigid restrictions on the persons who engage in that trade, have undertaken to bring before City Council next week a petition bearing the signatures of 75 per cent of the barbers in the city, asking passage of the law.

Dangerously insanitary conditions, jeopardizing the health of barber shop patrons, were declared to exist in the city, at a hearing on the ordinance conducted by the council law committee last night. Among them were alleged instances of barbers retaining their trade who are victims of communicable diseases.

Though an obvious large majority of master and journeyman barbers who attended the hearing expressed themselves in favor of the ordinance requiring the health of organized opposition was heard, the leader of which was Thomas H. Remington, acting as attorney for certain of the protesting barbers.

The objections included an argument that the present state and city sanitary codes are wholly adequate to cope with the situation, if they were enforced, and that 95 per cent of the shops are above reproach and their operators should not be penalized by the payment of annual license fees for the laxness of the other 5 per cent.

The proposed ordinance would establish an examining board, before which every new barber would be subjected first to a thorough physical examination. Barbers would be required to pay annual fees, ranging from \$1 a year for apprentices to \$5 for master barbers.

The "teeth" of the ordinance, however, as explained by Daniel F. Fitzgerald, attorney for the proponents of the measure, would be its clause of license revocation. Offenders could be arrested, and, after one or two arrests, their licenses to practice could be revoked.

Mr. Fitzgerald declared similar statutes exist in 35 states of the Union, and that they are even more stringent in some states. He declared that fully 75 per cent of Rochester barbers favor such restriction, and that, in a single day, the following signatures of 229

CITY MANAGER POSSIBILITIES SEEN AS THREE

By Charles E. Welch An unusual situation is likely to be presented in City Hall when the next council meets to organize Jan. 2 and elect a city manager, mayor, vice-mayor and city clerk.

Two candidates for city manager each will be armed with a list of appointees, one of which will find its way into the wastebasket. The Manager Stephen E. Story is retained. If he is not, the effect is bound to be anything but pleasant to certain heads of departments.

It all depends, of course, on who is chosen city manager and also whether the councilmen who are friendly to the City Manager League continue to hold the reins of government. In order to wrest control of the government from the City Manager group the Republican organization must procure the vote of another councilman. The organization has four of the nine, R. Andrew Hamilton, Dr. Joseph L. Guszetta, William F. Durman and Nelson A. Milne.

Assuming that Mayor Joseph G. Wilson will vote with the City Manager councilmen and assuming also that the other members of the council who have all along sided with the City Manager forces will "stay put," the latter group will have five which assures them of continued control of the city government. But this control is dependent upon the success of the City Manager forces in obtaining the solid vote of the five councilmen who are expected to array themselves against the Republican organization.

Up to the present Councilman Isaac Adler is the only member of the council who has publicly announced himself in favor of the retention of Mr. Story. It is assumed that Mr. Wilson and Councilman Louis Foulkes also will be favorable to a proposal to retain Mr. Story. Charles Stanton, Democratic organization man, has not intimated whether or not he will favor continuing Mr. Story in office, nor has Councilman Chester A. Peake.

Should Mayor Wilson's illness keep him away from the council organization meetings—and it is not expected that it will—the council would be deadlocked, unless there were a flop on the part of one of the councilmen. In the event of the deadlock Mr. Story would continue in office, under the public officers' law. In fact, Mr. Story continues in office until removed, according to the terms of the city manager charter.

Under the old charter the terms of all city officials, with the exception of assessors, expired at the end of two years from the date on which they assumed office. Under the new charter the city manager serves at the pleasure of the council and the members of his cabinet serve at his pleasure. This means that Mr. Story will continue as city manager until he resigns or is displaced.

It is a certainty that two candidates for city manager will be presented to the new council, one by the City Manager group and one by the Republican organization. While many names have been mentioned as Republican possibilities, Harry J. Braham, county leader, said today that no candidate has been decided upon definitely. But he did say that it is a certainty that the organization will submit a candidate to the council.

"And we will live up to the promise we made before the election," he said, "by presenting the name of a high class business man."



Add the color note to your cobalt or light blue, amber, or crystal; doubly welcome in the kitchen.

Councilman William F. Durman suggested, at the close of the hearing, that each faction appoint a committee to confer with the law committee, to see if some compromise ordinance could not be drafted. Vice-Mayor Isaac Adler, chairman of the law committee, expressed the readiness of his committee to receive such overtures.

BILL FOR RIDGE ROAD BRIDGE PUT BEFORE COUNCIL

Provides for 300-foot Span, 80 Feet Wide, of Stone-faced Concrete, at Estimated Cost of \$3,250,000

PERMIT ASKED FOR \$1,000,000 APARTMENT IN EAST AVENUE

By HIRAM MARKS

Construction of the Ridge Road bridge, carrying an engineer's estimate of \$3,250,000, is provided for in an ordinance introduced last evening in the City Council by Councilman Edward P. Flynn, chairman of the public works and engineering committee.

It was referred by Vice-Mayor Isaac Adler to the finance committee for consideration, and a hearing on the measure will be conducted in conjunction with the session next Monday evening. Under a resolution presented to the Council several weeks ago by Councilmen Nelson A. Milne and William F. Durman, whose districts are connected by the bridge, the structure will be of concrete, faced with a durable stone.

Resume of Business of Common Council

Business transacted by the City Council last evening included the following items: Received ordinance from Councilman Edward P. Flynn providing for an appropriation of \$3,250,000 for Ridge Road bridge.

Heard an appeal from Joseph Jorolow for permission to erect a \$1,000,000 apartment at the northeast corner of East Avenue and Culver Road. Mr. Jorolow declared that a New York bank has agreed to finance the construction provided permission is granted by the city immediately.

Ordinance for a forty-foot concrete pavement in Lake Avenue from St. John's Park to Stutson Street, passed unanimously following favorable report by the local improvement committee read by Councilman Nelson A. Milne, chairman.

Extended hearing before the Law Committee on the bill providing for the licensing of barbers, with Thomas H. Remington, appearing as attorney for the opposition, and Daniel F. Fitzgerald as attorney for the proponents.

Received communication from the Real Estate Board of Rochester giving its approval to the city manager form of government and expressing satisfaction with the administration during 1929.

Provided for a subway station at Glenwood Avenue and transacted a large volume of business with relation to purchase of real estate for municipal requirements; settlement of claims and other routine matters.

Hope To Begin Work in March

The bridge was designed by Frank McKibben, bridge expert, in conjunction with Harold W. Baker, commissioner of public works, and the city's engineering staff. It will be eighty feet wide and three hundred feet long and will be 175 feet above the river. City Manager Stephen E. Story said last evening that if the proceedings are not delayed, the contract may be awarded and some time in February and work began in March. Spirited competition is expected for the contract, and the low bid is expected to be substantially below the engineer's estimate. Councilmen Milne and Durman will request that the specifications be drawn so that the maximum amount of money will be expended in Rochester for labor and materials.

Asks Apartment in East Avenue

Joseph Jorolow, who has erected a number of apartment buildings in Rochester appeared before the Council and asked permission to erect a ten-story apartment on the northeast corner of East Avenue and Culver Road. He said that he purchased the lot from Arthur B. Headley, contingent on the granting of permission by the city to erect an apartment, and had preliminary sketches drawn for an apartment to cost \$1,000,000, which would cover 54 per cent of the area of the lot.

He said that he has been notified by his New York bank that it is willing to finance the construction. Previously the bank declined to make the loan, but has reconsidered and has given Mr. Jorolow a week to obtain permission. He said that the \$1,000,000 structure would be an asset to the city, furnish employment this winter to many workmen, and would add much to the assessable valuation of the city for taxation purposes.

Vice-Mayor Adler said that the city officials would take the matter under consideration and confer with Mr. Jorolow. The Council previously committed itself as opposed to the construction of apartment buildings in East Avenue.

Boulevard Paving Approved

After the favorable report of the local improvements committee, read by Councilman Milne, chairman, the Council by unanimous action adopted an ordinance for a concrete pavement, with sanitary and storm water sewers in Lake Avenue Boulevard, between St. John's Park and Stutson Street. The pavement will be forty feet in width and the abutting property owners will pay for 26 feet, which is the standard for all streets in the city, and the city at large will pay for fourteen feet or about nearly one-third. Construction of the sewer will be started in March and that the pavement can be laid early in the Spring, it was announced.

By unanimous action, the Council adopted an ordinance reported favorably by the public utilities committee through Councilman Joseph L. Guzzetta, calling on Charles R. Barnes, commissioner of railroads, to provide and maintain a subway station at Glenwood Avenue. The ordinance was introduced by Councilman Milne at the request of a number of residents in that section of the city.

The Council granted permission to the E. Forman Company to erect a decorative tower at 46 Clinton Avenue South. Councilman Durman introduced an amendment to the Woodman Park asphalt pavement and walks improvement ordinance. Councilman Milne introduced an amendment to the ordinance for a macadam pavement in Pullman Avenue.

Proposes Charter Change

Vice-Mayor Adler introduced a local law which does away with the provision of the Charter that compels an appointive officer to reside five months in Rochester. Vice-Mayor Adler said that there was "absolutely no significance to the local law," and it follows out a thought he had for some months that the particular provision of the Charter was in error, and that Rochester should not be restricted. If it wanted an appointive official, from reaching out and obtaining him anywhere. The measure went to the law committee.

City Clerk Thomas P. O'Leary read a communication from the Real Estate Board of Rochester, reaffirming by resolution its satisfaction with the city manager form of government and its administration in 1929. The letter was signed by Joseph F. Engel, president.

Would Repeal Crossing Law

Vice-Mayor Adler introduced an ordinance repealing an old measure which compels a steam railroad entering Rochester to reduce its speed to eight miles an hour at all grade crossings. The ordinance is not obeyed, for at all of the grade crossings a speed of eight miles an hour is scarcely ever used. In the case of grade crossing accidents, the plaintiffs usually introduce the ordinance as presumptive evidence of negligence, and the railroads seek to relieve themselves of the requirement. The matter was referred to the Public Utilities Committee.

Only Four Children Evolved

"We should take every step in our power," said Mr. Babcock, "to hold the city to its contract, and we should insist, in conjunction with Greece and Gates, that the city live up to its promises." The matter came before the Board at its weekly meeting last night, when Mr. Keating as attorney to the board, turned over a communication notifying him that the law committee would have a conference in the matter of free education of school children in unannexed portions of school districts. This conference will be conducted in City Manager Story's office Thursday afternoon at 2 o'clock. Representatives of Greece and Gates also will be present.

Mr. Babcock said after the meeting that Brighton is not greatly affected by the city's move, as there are only four children educated at city expense, but he said it was a question of whether the city was to be compelled to keep its contractual promise.

Small Opposition to Gas Station

Although final decision was withheld, Mr. Babcock and other members of the board indicated that a permit soon will be issued to Harold Michaels, part owner of the Chateau, to erect a gasoline station on the site of the erstwhile road house. Unexpectedly, there was only minor opposition to the granting of the permit and the score of more of persons present in the little office of the town clerk appeared to take little interest in the matter. The Chateau is recently was one of the necklaces of swank houses girding the city, but its luster was dimmed by a enthusiastic raid participated in state, county, and Federal men.

Jacob Rubenstein, attorney for Michaels, said the proposed gasoline station would comply with the law in every respect. There is sufficient land in the Chateau property, he said, so that the pumps all will comply with the Brighton Planning Board's regulations concerning distances between structures from the street line.

Answering a question, Michaels said he had offers of purchase and the offers included the plan the tearing down of a gas station and the erection of a gas station. Mr. Babcock said he had told Mr. John Rauber, who owns the Monroe Avenue property, and for Rauber favorable to grant a permit. Someone expressed a desire for a gasoline station, but Mr. Babcock said he did not think a precedent would be established.

THIRD TOWN JOINS FIGHT AGAINST CITY

Brighton Insists Its Four Children Affected Shall Have Free Schooling

WANTS CHEAPER PHONES

Little Opposition at Board Meeting to Chateau Gas Station Permit

By JOSEPH R. MALONE

Brighton Township stands ready to fight the city and to join hands with Greece and Gates, if the Council persists in its effort to abrogate the contract calling for free education in city schools of certain township children. This was made plain last night when Supervisor A. Emerson Babcock of Brighton instructed Kenneth B. Keating, attorney, to appear at a meeting of the law committee of the Council and state Brighton's position. Furthermore, Mr. Babcock added, he would go to the meeting himself, so that the law committee, of which Isaac Adler is chairman, will have no doubt of where Brighton stands.

Believes Rates Too High

"It seems the rates are too high," observed Mr. Babcock. "If we can get any reductions, it will be a good thing." The Board decided to lay over to a future meeting the matter of renewing its contract with the Humane Society for the enforcement of the dog law. This was after Mr. Babcock had pointed out that a new law had been enacted giving full power over dog control. It developed that the Monroe supervisors have taken no action in this respect yet, but there is an early possibility of something forthcoming.

Another postponement was taken in his opinion of the New York State Railways for a bus permit through Brighton. Justice of the Peace Fred Lee was absent and Mr. Babcock said it was desirable that the full board be present when action was taken. It will come up again next Monday night. Oscar Guelich, representing the railway company, took note of a request that a straight ten-cent fare be put in effect for Brighton on the Rowland line, and he said that was purely a matter for the

Public Service Commission to consider. In his opinion, he said, it would be discriminatory against Irondequoit. Of a request for additional service on the Rowland line, Mr. Guelich said a check is being made with a view to increasing service if it is found necessary.

Another Gas Station Asked

William E. Lynn as attorney for Henry Peck, owner, and Leonard Struck, sales agent, of the twelve Corners near the new schoolhouse, argued at some length for the granting of a building permit for a gasoline station on a triangle. Mr. Lynn went into the past to show that a permit for a station was refused in 1925, before the present school house was built, and before the Planning Board came into existence with its rule that there must be no gas station within 200 feet of a school. But the old Town Board of 1925 did grant a permit to another station on an opposite corner, and on the application of a member of that Town Board.

Mr. Peck renewed his application last Spring but it was turned down under the 200-foot rule. He argued that the Town Board has full power to grant the building permit, and said the three applications that have been made and turned down, were unlawfully refused.

"We want to carry out the desires of the people," said Mr. Babcock. "We know nothing of what the former Town Board may have done. The matter will be considered."

Harold Dublin, member of the School Board, protested the granting of the permit on the ground that the proposed gasoline station would make another hazard for children. It would have three driveways from the street, whereas the one across the road has only two, he said.

It was brought out the school is more than three hundred feet from a school house and therefore, the Planning Board regulations that no gasoline station shall be erected within that distance of a school would not prevent granting the permit.

"We will give the matter our careful consideration," said Mr. Babcock to Michaels, "and let you know our decision shortly."

Besides launching defiance at the city in the school children matter, the Board took action against reportedly unfair telephone rates imposed in Brighton by the Rochester Telephone Corporation. At the instruction of the Board, Mr. Keating took up the matter of the big differential in rates existing near the Pittsford border, as compared with other sections of the town, and in reply, received a letter explaining the zone system for rates, as it is used by the telephone company.

After Mr. Babcock had read this letter and passed around the accompanying colored map, the board adopted his suggestion that Frank T. Byrne, commercial supervisor for the company, be asked to attend the next meeting of the board on Monday night and tell what it is all about.

Elimination of the Provision of the City Charter

Elimination of the provision of the City Charter which requires that an appointive city officer shall have resided at least five months in Rochester is now under consideration by the law committee of the City Council. This is a foolish provision which might at any time prevent the city from obtaining a man having special qualifications for a particular task. Public opinion can be relied upon to prevent filling of any considerable number of city offices with non-residents, without maintaining a rule which smacks of the provincialism of the Southern mountaineer, who calls persons from outside his particular bailiwick "foreigners."

CITY PLAN WILL EMBRACE NEEDS OF FIFTY YEARS

Bartholomew Coming Today To Confer on Street Division MODIFICATIONS TO BE TALKED OVER

With Original Design, Will Be Published in January

By HIRAM MARKS

The city plan that is being prepared by Harland Bartholomew, consultant, in conjunction with the City Planning Board, City Manager Stephen E. Story, Harold W. Baker, commissioner of public works, and members of the engineering staff, will comprehend the requirements of Rochester over a period of fifty years.

Mr. Bartholomew, who has acted in an advisory capacity regarding city and regional plans for a number of municipalities in the United States and is in direct charge of the St. Louis plan, involving an expenditure of \$90,000,000, will reach Rochester today to confer with the City Planning Board, Mr. Story, and Commissioner Baker with reference to the section of the plan relating to street extensions and planings.

Original Plan to Be Published Modifications that may be deemed advisable in the original suggestions made by Mr. Bartholomew will be discussed with the City Planning Board, consisting of J. Peter Warner, chairman; Edward Minor, John W. Faircler, Corporation Counsel Clarence M. Platt, and City Engineer Howe. Tomorrow Mr. Bartholomew will meet in a private session with members of the City Council and also meet a group of newspaper representatives and discuss plans for the publication of the plan.

When the matter is made public, only Mr. Bartholomew's original suggestions will be announced also the modifications that may be agreed upon at subsequent conferences with the City Planning Board. City Manager Story believes that of the greatest needs of a municipality is a well-developed plan, covering a period of years and embracing the required improvements in accordance with their importance and the ability of the city to finance. He believes Mr. Bartholomew's plan will require more than a year to complete, will make the orderly and efficient development of Rochester.

Cost May Exceed \$100,000,000 Mr. Bartholomew is endeavoring to look 50 years ahead and the improvements he will outline will be designed to cover that period, yet there will be flexibility in the plan to take care of changing conditions. There is no estimating what the cost of the improvements advised by Mr. Bartholomew will aggregate, it is said, and they may exceed \$100,000,000.

This may be regarded by the citizens as a stupendous sum, the planners say; but they point out that if the citizens of Rochester in 1879 had looked forward to a plan for 20 years, covering the improvements that have been made in the last half century, they would have been astounded, and never believed it possible achievement.

Mr. Bartholomew has delved into statistical records of Rochester, to arrive at a logical basis for development for the next half century, and believes that with the steady growth of Rochester industries, the Rochester of 50 years hence may occupy the same relative position to the city of today as the present city does to the Rochester of 1879.

The American City, a publication devoted to the interests of municipalities in the United States and Canada, has devoted its feature article in the current issue to a suggestion for mayors and city fathers to read.

The article is titled "The Future of the City" and is written by a prominent city planner. It discusses the challenges of urban growth and the need for long-term planning. The author suggests that city leaders should look beyond immediate needs and consider the needs of future generations.

The article also touches upon the importance of public opinion in the planning process. It suggests that city leaders should be open to suggestions from the community and work together to create a plan that reflects the needs and desires of all citizens.

The article concludes by emphasizing the need for a comprehensive and forward-looking plan. It suggests that such a plan will not only improve the quality of life for current residents but also ensure the city's long-term prosperity and growth.

Planning Specialist Gives Verbal Report On Civic Center Too

St. Louis Man Explains Work That Already Has Been Done—Final Details Delayed as Task Proves More Difficult Than Was Anticipated.

The plan of major thoroughfares for Rochester's future was pretty well settled this afternoon when Harland Bartholomew met with the City Planning Board.

The St. Louis city plan expert, who arrived here shortly before noon today, will not be able to submit the civic center phase of the city plan at this visit, but he gave a verbal report of it to the planning board.

After a conference with City Manager Stephen E. Story, Mr. Bartholomew reported that he and the City Planning Board are in good accord on the revised major streets plan and that the plan will be ready for City Council and the public in a short time.

The civic center report, originally scheduled for early in December, was another of those things that prove to be harder work than anticipated, according to Mr. Bartholomew, and so he and his staff were unable to round it into shape right on schedule.

He told the planning board this afternoon what has been accomplished with the civic center scheme to date, discussed with them possible modifications and promised to deliver his complete tentative draft of it probably about the first of the year.

Mr. Bartholomew faced a busy two days in Rochester, with his visit this afternoon with the planning board, an informal meeting with city councilmen to explain the major streets plan to them tomorrow and a dinner and conference with newspaper men tomorrow evening. In the interim, his

TOWNS, CITY COUNSEL ON SCHOOL FEE

Greece, With 700 Children Getting Free Tuition, Main Problem WILL NAME COMMITTEE

Dobson Stresses Increased Valuation Municipality Received in Annexation

Various suggestions for distributing on a proper and equitable basis the cost of educating children in the unannexed portions of school districts that were divided by the expansion of the municipal boundaries, were discussed at a conference yesterday afternoon in the City Hall, conducted by the law committee of the City Council, with Vice-Mayor Isaac Adler, chairman, presiding.

One result of the meeting is that Frank Dobson, former assemblyman and former supervisor of the Town of Greece, will arrange for a meeting of a citizens' committee of that town with the law committee to attempt to work out ideas expressed at yesterday's consultation.

Principal Problem in Greece The city agreed to educate without charge children in school districts that were divided as a consequence of annexations to Rochester. The principal problem is in Greece, where the city is paying for the education of approximately seven hundred children, without charge to the town, and the number is increasing. City Manager Stephen E. Story pointed out that the cost in 1930 will be \$100,000, and within a few years it will cost the city \$200,000 to maintain its part of the bargain it made with the towns.

Three towns, Brighton, Gates, and Greece, are involved. There are only four or five children in Brighton being schooled under the agreement, and Supervisor A. Emerson Babcock, said at the hearing that he did not see any reason for a compromise at this time, because of the small cost to the city.

Gates Noncommittal The Town of Gates was represented by its attorney, Charles E. Bechtold, who expressed the sentiment that the town might be inclined to go along with the city on some modification that should be reasonable and just, but no definite conclusions were drawn, and Mr. Bechtold pointed out that he was informally airing the sentiments of the town officials, and that commitment in behalf of Gates could be made only with the deliberation and sanction of the Town Board.

The real problem to the city is in Greece, and Mr. Dobson, speaking as a public spirited citizen now, yet as a former official who was instrumental in the annexation proceedings as supervisor and assemblyman, discussed the situation

at some length. He said that the citizens of Greece recognized that a problem existed and take cognizance of the viewpoint of the city, and feel that the time may come when an adjustment would be equitable. Whether this time is a matter to be determined, Mr. Dobson said.

Stresses Land Value He laid much stress on the immense increase in valuation that the city received through its annexations of portions of Greece, including Kodak Park.

Councilman Louis S. Foulkes suggested that perhaps a plan might be worked out for a small tuition charge to be made at the start, and this be increased annually until a proper basis was reached, and Vice-Mayor Adler said that there might be much in the idea.

Also attending the conference were Councilmen Nelson A. Milne, Joseph L. Guzzetta and Chester A. Peake and Councilman-elect E. Andrew Hamilton and Charles Stanton.

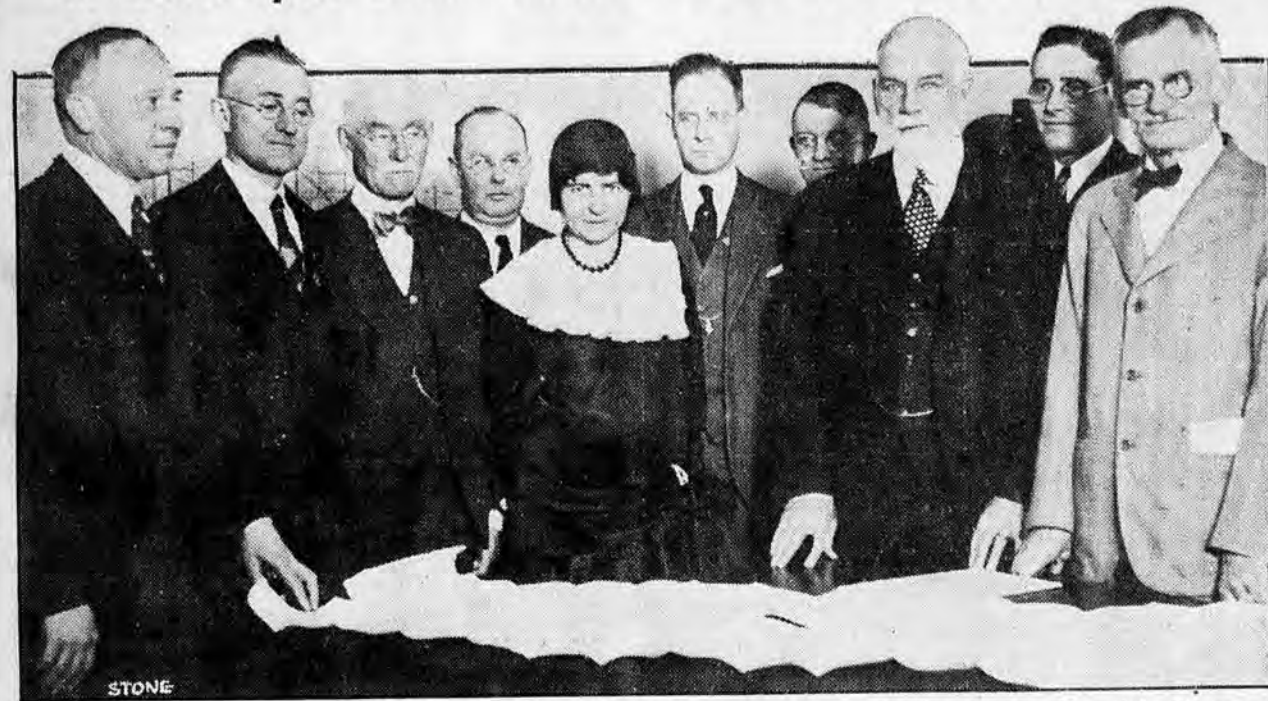
The Board of Education was represented by Mrs. Henry G. Danforth, president; Mrs. Clara Forsyth, Charles E. Wray, James P. E. Duffy, James Gray, member of the board-elect; Joseph O'Hearn, deputy superintendent of schools and Harold Ackley.

Others who attended, besides City Manager Stephen E. Story, included Irving L. Felsler, deputy corporation counsel, and W. Earl Webster, director of the Bureau of Municipal Research.

The committee that Mr. Dobson will organize will meet soon with the law committee.

Continued on Page Thirty-eight

Street Improvement Plan for City Discussed by Heads of Municipal Government and Modifications Approved



City Planning Board discussing future city with Harland Bartholomew, St. Louis planning expert: From left, Clarence M. Platt, corporation counsel; Mr. Bartholomew; Edwin A. Fisher, former city engineer; Harold W. Baker, commissioner of public works; Miss Honora Miller, assistant corporation counsel; Henry Howe, city engineer; Arthur L. Vedder, secretary of the City Planning Board; J. Foster Warner, chairman; Carl Taubert, assistant to Mr. Bartholomew; John W. Fulreader, member of the Board.

Results of Study Put in Form for Closed Council Session

By HIRAM MARKS
The program for the extension and widening of streets that was prepared by Harland W. Bartholomew, city planner, in conjunction with city officials, was discussed at a conference held yesterday afternoon with the City Planning Board, and various modifications were approved.

SNOW CLEANING MEN ACCUSE BAKER

AND YEOMAN IN SUIT

CHARGE TWO CONNIVED IN CONTRACTS

Other City Officials Named in Action by One of Group.

Charging connivance between Public Works Commissioner Harold W. Baker and Francis X. Yeoman, contractor, a Supreme Court action was begun today in an effort to break the city's sidewalk snow cleaning contracts for the winter.

CITY PROPOSES SPAN OF GRACE AND LONG LIFE

New Ridge Road Bridge Would Be of Outstanding Architectural Beauty and Last 150 Years.

A distinctive bridge, calculated to last for at least the next 150 years, is the city's aim in plans for the Ridge Road span.

Stone For Durability, Beauty
Why do you recommend granite facing, rather than bare concrete? Mr. McKibben was asked.

There is no reason why such a bridge should not endure at least 150 years, continued Mr. McKibben.

Whole City To Pay for It
The ordinance, which it will be possible for City Council to pass at its meeting of Dec. 23, is a public improvement ordinance, which means the cost will be paid by the city at large.

Keeler Street and Ridge Road will be the principal routes involved on the east. Westward from the river the artery will run into Lake Avenue at Lewiston Avenue intersection, feeding traffic thence to both Lewiston and Ridgeway avenues.

CITY SUED TO NULLIFY CONTRACTS

Action Begun To Set Aside Present Arrangements for Snow Cleaning

VIOLATES CHARTER, SAID Team Owners Backing Suit Say Work Has Resulted in Many Complaints

Petition to have all sidewalk snowplowing contracts set aside and new bids authorized, is made in an equity action against the city brought by the Team Owners' Association papers for which were filed by William J. Baker, attorney.

Charges Connivance
The complaint asks to have contracts between Yeoman and the city declared void, asserting they were awarded contrary to law and the City Charter. It charges connivance between Commissioner Baker and Mr. Yeoman, and alleges the Corporation Counsel certified the proper form of the contracts before they were awarded, and that the Commissioner of Public Works failed to certify estimates to the City Council and other designated officials before the award.

"By reason of the failure to file the proposed contract, no lawful bids could be received by the purchasing agent, and no valid contract based upon said alleged bids could be entered into by the City of Rochester."

In spite of a recent statement by Commissioner Baker in which he asserted the city had no fault to find with the manner in which Mr. Yeoman had conducted snow removal after the recent storm, Attorney Baker said yesterday, protests were received from several districts claimed to have been neglected.

Says Work Brought Protests
One protest sent to the commissioner, he said, signed by twenty-four taxpayers who charge "gross negligence of the contractor who has the snow cleaning contract for Lake View Terrace."

It is expected that the suit will be tried at the January term of Supreme Court, equity branch.

All complaints received were immediately investigated and the conditions remedied where necessary, says Edward E. Miller, superintendent of maintenance, and Commissioner Baker. Complaints were noticeably fewer than they have been for several years, Mr. Miller said. He pointed out that some such oversights as those complained of are unavoidable, especially on the first day of snowplowing.

HUNT REVEALS FIGHT AGAINST STORY

DEMOCRATS OPPOSE HIS STAFF

County Chairman Says Personnel Change Needed in City Hall.

A Democratic program to arouse every possible influence against the retention of City Manager Stephen B. Story and his City Hall staff of department heads, was divulged today in a statement by William J. Hunt, county chairman.

Mr. Stanton, the one Democrat among the councilmen-elect declined to comment on Mr. Hunt's statement. There has been no binding bargain of Mr. Stanton with the City Manager League representatives for the 1930 Council. Mr. Stanton made this clear. He ran on the City Manager League ticket last November, but at no time disavowed his place in the Democratic ranks.

NO AGREEMENT

Mr. Stanton has participated in conferences with Mayor Joseph C. Wilson at his home, and insisted there was no agreement on a Council organization program as yet.

Mr. Hunt said he did not pretend to speak for Mr. Stanton, but at the same time he believed Mr. Stanton was a Democrat who believed the party should have a voice in the present situation.

POSITION MADE CLEAR

"The position of the Democratic organization was made clear the Friday before election when it said that it approved of the charter generally, but it did not approve of the present administration and that it reserved the right to take such action with reference to it as to the party might seem best.

as an organization, the Democratic party has taken no part in the discussion as to who the new city manager should be. Nevertheless it is convinced, as we believe the mass of our people are convinced, that there must be radical changes made in the personnel of the present administration if the city manager charter is to survive the coming two years. It expects these changes will be made."

LIBRARY BOARD VACANCY TO BE FILLED JAN. 1

Retirement of Dr. Barbour Starts Conjecture as to New Appointment

With a vacancy to be filled on the Rochester Public Library board of trustees Jan. 1, conjecture is already being made in and out of library circles as to the possible appointee.

Dr. Barbour Retiring

Dr. Clarence A. Barbour, new president of Brown University, is the member of the board whose term expires this year. Since Dr. Barbour has now established his home in Providence, the customary reappointment will not be possible.

CITIZEN VIEWS ON NEW BRIDGE WILL BE HEARD

Finance Committee Plans To Gather Opinions on Proposed Ridge Road Span Monday Night.

Views of citizens on the Ridge Road bridge project will be sought by the finance committee of City Council after the Council meeting next Monday night, it was announced today.

The committee has under consideration an ordinance for a concrete span over the lower Genesee River gorge as a solution to the traffic problem of the north section of the city, and is expected to report on it by Dec. 23, when the ordinance may be passed.

The hearing Monday is not required under city procedure, but is offered by the finance committee to give the people who must pay for the bridge a chance to have their say about it.

Public hearings are required only on local improvement ordinances, such as proposals for street, sidewalk, or sewer improvement. The Ridge Road bridge ordinance is classified as a public improvement, to be paid for by the city at large, rather than by local assessment.

The engineers' maximum estimate for the bridge cost is \$3,250,000. The total cost for the traffic development which the bridge will make possible, including purchase of land for approaches and the accompanying street paving, will be about \$3,700,000, it is estimated.

PLAN TO DELAY PASSAGE OF ORDINANCE

By J. CODY WALLER

Plans of the present city administration to rush the new Ridge Road bridge ordinance to adoption before the 1930 City Council takes office, were threatened with disaster today.

Students of bridge construction were planning to invade the council hearing on the bridge ordinance, tonight to demand an explanation of the specifications calling for an expenditure of \$400,000 on granite facing for the new structure.

They also may raise a rumpus over spending \$100,000 on a granite roadway in the Smith Street bridge, now under construction, despite the fact that granite is specified in the contract awarded to Scott Brothers.

It was charged that while granite may last forever in a pavement, it forms the most slippery surface known to road construction.

Public Works Commissioner Baker said today that the Ridge Road bridge specifications did not necessarily provide for granite facing any more than some other durable stone. Nevertheless, the opponents of granite claimed the "cards were stacked," even to the brand of granite to be used, although they withheld naming the particular brand.

The granite opposition promised to have some support from Council members, with every indication sufficient strength would materialize to postpone action on the bridge ordinance until after the new Council takes office.

All members of the Council are keenly in favor of the new bridge, but they cannot see where ordinance for it must be passed by the present Council, to make certain contracts will be let next month and work get under way in the spring.

WOULD RUSH RIDGE ROAD BRIDGE JOB

Friends of Project to Have Chance This Evening to Urge Start of Work PLANNED MANY YEARS To Separate Street Grades at St. Paul Crossing as Aid to Traffic

Proponents of the Ridge Road bridge are expected to appear in substantial numbers before the City Council this evening to advocate the earliest start on construction of the bridge which has been agitated in Rochester for the last fifteen years.

The bridge connects the northeast district, represented by Councilman William F. Durman, and the northwest district, represented by Councilman Nelson A. Milne, both of whom introduced a resolution directing that Frank B. McKibben proceed with the contract drawings for a concrete structure.

Will Require Two Years President Hoover has urged that as much public work be started as possible and the authorization for the Ridge Road bridge will be a substantial contribution by Rochester to the President's program.

for the Ridge Road bridge will be a substantial contribution by Rochester to the President's program. If a favorable report is presented by the City Council next Monday evening, it will be possible for the ordinance to be passed and the contract awarded early next year.

Connecting the northeast wards directly with Kodak Park, the bridge will prove an immense benefit to the development of the northern part of the city, and it is expected that its benefits will be felt throughout the towns of Greece and Irondequoit across the provide direct passage across the northern part of the city, avoiding the traffic congestion at Driving Park Avenue bridge.

Concrete Specified

Both Councilman Milne and Durman are strongly in favor of the bridge, and in informal conference the Council directed that the matter be pushed, after inspecting a number of designs that had been submitted. The design was selected after a public hearing on the measure and, by resolution of Councilmen Durman and Milne, who have a large number of building craftsmen living in their districts, the city was formally committed to a concrete structure.

There was strong agitation in the community against the use of steel at the Smith Street bridge, but Mr. McKibben maintained that foundation difficulties made steel fabrication more desirable. This view was confirmed by Edwin A. Fisher, former city engineer. A large part of the cost of the Smith Street bridge, City Manager Story points out, is in the piers and abutments, and this means that part of the labor expenditures remain in Rochester. This was the principal reason advanced favoring the concrete construction at Smith Street bridge together with the assertion that concrete was durable and in more general use.

To Model for Beauty

The Ridge Road bridge being of concrete will enable emphasis to be placed on the aesthetic features, City Manager Story points out. Plans are arranged for flood lighting the structure. It is proposed to face the bridge with granite or some other durable stone, and Mr. McKibben asserts it will add 75 years to its existence. At the informal conference when the Councilmen decided to authorize City Manager Story to proceed with the construction of the bridge, it was the unanimous sentiment that a creditable job should be done for the city and that the structure be complete. This led to a committee favoring the stone facing, which Mr. McKibben declared would be much more economical in the long run, and the provision for an adequate elimination for the St. Paul Street crossing of the eastern bridge approach.

The plan now provides for an elimination at St. Paul Street without the street being depressed and there will be an attractive parkway, all on ground levels with easy curves leading into St. Paul Street, the new bridge on the adjoining streets. This elimination is expected to provide easy traffic flow on and off the bridge into St. Paul Street and to the east.

Has 63-foot Roadway

The bridge is designed with view to Rochester's needs many years ahead. It will be 175 feet above the river, visible from long distances along the river gorge and will 80 feet wide, with a 6-foot roadway.

Councilmen Milne and Durman with Vice-Mayor Adler in line that all persons having an opinion or views with reference to the structure appear at the hearing. At the last hearing, when the design was formally selected there was unanimous sentiment for the Ridge Road bridge.

Public hearings were conducted on the local improvement ordinance for Norfolk Street extension; amending Pearce Street concrete pavement and combined sewer ordinance and the closing of Woodrow Street.

Councilman Peake introduced an ordinance changing the name of Wolcott to River Boulevard, also an ordinance approving the sale of lands in Wolcott Road to the University of Rochester.

Councilman Louis S. Foulkes introduced two local laws one changing the name of the Bureau of Public Welfare in accordance with the provisions of a state statute, and another in relation to the powers of the Commissioner of Public Safety and the Bureau of Public Welfare, to comply with the state provisions.

BUILD RIDGE ROAD BRIDGE WITHOUT DELAY, SAY MANY; SCHOOL FUND NOTES VOTED

Borrowing \$1,700,000 for Expansion O. K.'d by City Council

UPHOLDS ZONING IN EAST AVENUE

Receives Request of Norton Street for Gas Bus Service

To finance the expansion program of the Board of Education, authority was given last evening by the City Council to Comptroller Clarence E. Higgins to borrow \$1,700,000 on municipal notes.

The efforts of apartment house builders to invade that section of East Avenue, beyond Alexander Street, failed when the Council by unanimous action adopted an adverse report by Councilman Chester A. Peake, chairman of the city planning and zoning committee, rejecting the application for a change of zone at the southeast corner of East Avenue and Arnold Park and at the corner of East Avenue and Goodman Street.

City Manager Stephen B. Story read a communication from Comptroller Higgins requesting authority to borrow \$1,000,000 in overdue tax notes, and a resolution authorizing the action was introduced by Councilman Flynn, and referred to the finance committee.

Mr. Story read a communication, recommending the transfer of an appropriation to the Bureau of Charities to meet requirements, and it was referred to the finance committee.

Asks Bus Line in Norton Street Councilman Durman presented a petition with several hundred names asking that a gasoline bus line be established in Norton Street from Waring Road to St. Paul Street.

Councilman Durman said that there is urgent need for this transportation across the city, a grade crossing at eight miles an hour.

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Business Done by City Council

Business transacted last evening by the City Council included the following main items:

Public hearing conducted by finance committee on proposed \$3,250,000 Ridge Road bridge, with unanimous sentiment favoring construction at earliest date.

Rejected applications for zoning exemptions to permit construction of apartment houses in East Avenue, at Arnold Park and Goodman Street.

Provided for borrowing of \$1,700,000 to finance expansion program of Board of Education, and received resolution authorizing Comptroller Clarence E. Higgins to borrow \$1,000,000 for overdue taxes.

Received petition from Councilman William F. Durman for a gasoline bus line in Norton Street from Waring Road to St. Paul; also amendment to animal and fowl ordinance from Councilman Joseph L. Guzzetta permitting the exercising of homing pigeons as a means of cooperating with the War Department in the raising of the birds for military uses.

A report recommending this action was read by Vice-Mayor Isaac Adler, representing the finance committee, and the resolution was adopted by unanimous action. The Board of Education has laid out a program of \$3,400,000, which embraces the equipment of the Benjamin Franklin High School; a new high school in the Twenty-third Ward, and other expansion of educational facilities and the Council appropriated one-half of this sum to finance the activities this year.

Apartment Ban Upheld The efforts of apartment house builders to invade that section of East Avenue, beyond Alexander Street, failed when the Council by unanimous action adopted an adverse report by Councilman Chester A. Peake, chairman of the city planning and zoning committee, rejecting the application for a change of zone at the southeast corner of East Avenue and Arnold Park and at the corner of East Avenue and Goodman Street.

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Beauty Held To Be an Essential of Structure

MANY POINTS OF VIEW EXPRESSED

Edifice as Monument To Soldier Dead, One Suggestion

By HIRAM MARKS

Virtually unanimous sentiment favoring the immediate construction of the Ridge Road bridge and the erection of a structure that represents the best that can be built was expressed last evening at a hearing on the ordinance authorizing the bridge which was conducted by Vice-Mayor Isaac Adler and Councilman Edward P. Flynn, members of the finance committee, in conjunction with the session of the City Council.

No opposition was expressed. On the contrary, citizens urged the bridge at the earliest possible moment as a means of achieving a dream that people in the northern section of Rochester have entertained for years.

Stone Facing Discussed While there was no opposition to the bridge itself there was some difference of opinion as to the desirability of facing it with stone. Frank McKibben, bridge expert, explained the advantages as a means of preventing the disintegration of concrete and estimated that it would prolong the life of the structure 75 years.

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It was suggested that with the construction of the bridge a means might be furnished for reaching the river banks, permitting the use of canoes, motor boats, and for general park and recreational purposes.

It was pointed out that the bridge, beautifully lighted, and set in the midst of the scenic effect of the lower gorge, might be inducement to tourists to pass through Rochester. There were the practical arguments about the development of real estate, the possibility of moving without delay across the northern part of the city and elimination of traffic congestion on Driving Park Avenue bridge.

Mr. McKibben displayed a model of the bridge and answered questions. At the conclusion of the hearing, Councilman Nelson A. Milne, representing the Northwest District, and one of the proponents of the major improvement, pointed out that he was unqualifiedly in favor of the very best bridge that could be erected.

He urged that the specifications be passed upon by the council, that there be genuine competition for the materials and that no one stone be used that will prevent others from competing. He also urged that the plaza in the St. Paul Street end be laid out by the engineers of the city as a memorial to the group of citizens. Councilman Milne said that he was fully aware of the deplorable traffic conditions in the lower Tenth Ward.

Urge Local Labor

Councilman William F. Durman, of the Northeast District, urged that materials of Monroe County and labor from the county and city be used in every possible way. He was joined in this by Central Trades representatives and by Julius Hoerster, Jr., representing the Steuben Society and a large group of citizens in the northwest district of the city.

James P. B. Duffy favored the erection of a splendid bridge that would be a credit to the city and a means of attracting people here and said that much consideration should be given to the fostering of the recreational advantages of the lower river gorge. He said that since the bridge was to be monumental in beauty and construction it should be dedicated as a memorial to the soldiers who have passed away.

Edward Leary, a resident of the Tenth Ward, spoke from the viewpoint of a citizen in that section of the city, pointing to the immense benefits from the bridge and laid emphasis on the desirability of using the lower river gorge as a recreational area in the city's park system.

Commissioner Baker, who with City Manager Story, has been consulting the various essential technical factors to the actual start on the bridge, gave a graphic resume of the bridge situation in Rochester as he has found it during the last six years. He told of the conditions of Smith Street, Driving Park Avenue and Platt Street bridges, also Elmwood Avenue and said that Rochester sorely needed the Ridge Road bridge.

While the question of facing the bridge with durable stone was raised by Mr. Carruth there were other speakers who urged that the finest and most complete structure be erected that would be a credit to the city and in keeping with the beauty of the lower river gorge. It was pointed out that for natural

Continued on Page Twenty-six

GIVE HOMING PIGEONS PLAY, COUNCIL ASKED

Letter from Expert in Army Recites Value of These Birds in Warfare

An amendment to the animal and fowl ordinance of the city which will enable the owners of homing pigeons to exercise them one hour a day was introduced into the city council last evening by Councilman Joseph L. Guzzetta.

It was referred to committee and a report will be made soon. The amendment is to enable the breeders of these pigeons to be exempt from the ordinance, which controls the liberty of animal and fowl in Rochester and Dr. Guzzetta, who is a World War veteran said that it has a military significance. To sustain this he submitted to the council a letter from Thomas Ross, pigeon expert of the United States Army, written on stationery of the Pigeon Section, from Fort Monmouth, Oceanport, New Jersey.

Urge Passage of Ordinance

The pigeon expert writes in part: "I have just received a communication from William H. Knack, East Side Homing Pigeon Club, Rochester, N. Y., in which he states two of their club members are having quite a time with their neighbors in regard to keeping the homing pigeons."

The police department of your city has notified them to keep pigeons on side of their pigeon houses, that they can not be allowed to exercise their birds. He states the club is endeavoring to secure the passage of an ordinance by the Common Council permitting the keeping of homing pigeons and allowing them to have the privilege of giving their pigeons exercise flights every day.

"He also states that they have appealed to you to introduce your new ordinance. I hope that you with your influence will be able to interest the other members of the council and secure the passage of this ordinance."

"I take this opportunity of presenting to you and the Rochester pigeons to our country. Allow me to point out the great work the homing pigeons did during the last war. The first extensive use of our pigeons by the American Expeditionary forces in battle was made during the Aisne-Marne offensive. Because of the rapid advance of the American forces, and constantly changing front lines, the signal work performed by our pigeons was very marvelous."

Saved 191 Men

"In many cases the wonderful work of our pigeons was very remarkable. Time after time when all other signal work had failed the pigeons came through and saved many lives. Do you know it was a pigeon named 'Cherry' that brought in a message from the lost battalion? That little pigeon saved the lives of 191 men, all that was left out of that whole body of men."

"The members of the Homing Pigeon Clubs of Rochester have some very high class homing pigeons. Their sole purpose is developing homing pigeons which will possess speed, endurance and stamina. We in the United States army look to the organized homing pigeon clubs to develop and improve the pigeon."

Vice-Mayor Adler thanked the large assemblage for attending the hearing and said that an early report would be made by the finance committee.

Monday Big Borrowing Day For Rochester City Council

Story Administration Makes Demand for \$2,700,000 Note Loan

OVERDUE TAXES

School Program Finance On a Borrowing Basis

Monday was another borrowing day for the Rochester City Management. At the meeting Monday evening the council authorized at the demand of the Story administration the borrowing of the sum of \$1,000,000 to cover over due taxes. The loans will be in the form of city notes. In addition the council authorized the issuance of \$1,700,000 in municipal notes for school purposes. This is to meet part of the three and a half million dollar equipment and improvement program requested by the education department and which it was generally supposed by the public would be met out of regular city revenue. This note issue amounting to \$1,700,000 as part of the school finance arrangements undertaken by the Story administration aroused considerable comment among the visitors to the council meeting.

Aesthetics at Any Cost

The matter of the Ridge Road bridge was given a hearing by the council Monday night, and of course was approved by present sentiment as it has been approved by sentiment generally for the past few months. The closure of the Smith Street bridge before the construction of an additional bridge has made the Rochester traffic situation so acute that the construction of all possible additional crossings, at any cost, is demanded as a relief from the present intolerable situation. Bielering over the matter of construction details arose, it having been suggested by the city's import expert, Frank McKibben, operating on a percentage fee system, that it would be desirable to face the concrete proposed for the bridge arches with granite. There was opposition from Charles Carruth and others to the stone veneer suggestion on the point of expense. The Story administration, very friendly to McKibben's ideas, champions the stone on the score of beauty.

There appeared to be another school of civic thought that believed that the aesthetic sense of the Story administration might be slightly less delicate in view of the size of the city debt which is being constantly added to by the Story regime.

houses in East avenue at Arnold Park and Goodman street.

The council received a communication urging that the owners of homing pigeons be permitted to exercise the birds for certain periods of time during the day, as a contribution to American military preparedness. An ordinance is urged that would exempt pigeons from the operation of Rochester's domestic fowl and animal ordinance. The fact that there are hundreds of non-domestic homing pigeons carried on domestic and other affairs on the cornices and coping stones of practically all of the older downtown buildings leads the owners of "domestic" pigeons to want some measure of freedom for their birds.

Court Appealed To In Action Against

H. W. Baker and City

Complaint Alleges That the Deal Was Dishonest—Papers Served

SNOW CONTRACT

Frank Kimmel Sues City, Comptroller and Contractor

What promises to be the most bitterly fought legislation ever conducted in this county over a public contract award has started in the action by Frank Kimmel, as taxpayer, against the City of Rochester, Comptroller Higgins, Commissioner of Public Works Baker, Purchasing Agent Andrews and F. X. Yeoman, successful bidder on the city's snow contract. The action is a demand for a permanent injunction forbidding the payment of any money to Yeoman and the allegations contain charges of fraud, collusion and violation of statutory regulations governing the award of public contracts.

The complaint as verified and served upon the city charges that the snow contract award as granted Yeoman by Commissioner Baker was irregular and fraudulent, and in the eleventh paragraph of the complaint the following allegation is made:

Collusion Charged The plaintiff, upon information and belief, realleges the facts hereinbefore stated and alleges that the said alleged contracts and all alleged official action constitute and are illegal, wrongful and dishonest official action on the part of the said defendants, and the result of collusion between the said officials and the said defendant, Francis X. Yeoman, and result in waste and injury to the plaintiff and to the City of Rochester."

Schedule A of the papers as filed contain a copy of what purports to be the specifications under which Harold W. Baker, public works head, proceeded in his bidding, and it is claimed by the plaintiff that these specifications were illegal and improper.

Instead of clearly requiring the possession of certain equipment by bidders as a prerequisite to a proper bid, which is usual in such cases, the Department of Public Works, it appears by the specifications, reserved a number of rights and privileges in connection with the bid to the commissioner of public works, and left with him the sole determination of certain vital points connected with equipment and performance.

Peculiar Specifications The more interesting portions of the specifications as scheduled by the plaintiff issued by Baker were as follows:

1. To regulate the style of all plows used and to direct such changes to be made in them at the expense of the Contractor as may in his opinion seem necessary for the proper performance of his work.

2. To require as many plows as necessary to keep the walks well plowed.

3. To require the Contractor to furnish and provide such labor, materials and equipment as he may deem necessary for the Contractor to properly perform the work and to order such additional work at proper compensation as he may deem necessary.

4. To withhold from the Contractor such an amount as he shall deem just and equitable in case the work is not done to his satisfaction of all sums payable under this contract.

5. The Commissioner of Public Works reserves the right to cancel this contract at any time for non-performance of the work or if work is not performed to the satisfaction of the Commissioner of Public Works. In the event of such cancellation, the Contractor agrees to accept the bid price per trip times the number of trips made on order of the Commissioner of Public Works and the base price of 10c per foot shall be deemed to be cancelled.

6. Additional Plowing. The Commissioner of Public Works may add to or subtract from the list of streets to be plowed or may discontinue plowing any portion of any street specified, and for any such additions or deductions, the price to be paid per trip shall be the bid price per trip divided by the number of trips made on order of the Commissioner of Public Works.

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By HIRAM MARKS

Virtually unanimous sentiment favoring the immediate construction of the Ridge Road bridge and the erection of a structure that represents the best that can be built was expressed last evening at a hearing on the ordinance authorizing the bridge which was conducted by Vice-Mayor Isaac Adler.

No opposition was expressed. On the contrary, citizens urged the bridge at the earliest possible moment as a means of achieving a dream that people in the northern section of Rochester have entertained for years.

Stone Facing Discussed While there was no opposition to the bridge itself there was some difference of opinion as to the desirability of facing it with stone.

That Kind of Talk

Gas Could Not Be Put Off Map, Says

On favorable report of the city by the Bureau of Construction and the city accepted the dedication and Keeler Street into the circle of East Avenue and Brighton Park.

Public hearings were conducted on the local improvement ordinance for Norfolk Street extension; amending Pearce Street concrete pavement and combined sewer drainage and the closing of Woodrow Street.

Councilman Louis S. Foulkes introduced two local laws one changing the name of the Bureau of Public Welfare in accordance with the provisions of a state statute.

beauty no place could surpass the lower Genesee gorge. It was suggested that with the construction of the bridge a means might be furnished for reaching the river banks, permitting the use of canoe, motor boat and for general park and recreational purposes.

It was pointed out that the bridge, beautifully lighted, and set in the midst of the scenic effect of the lower gorge, might be inducement to tourists to pass through Rochester.

Mr. McKibben displayed a model of the bridge and answered questions. At the conclusion of the hearing, Councilman Nelson A. Milne, representing the Northwest District, and one of the opponents of the major improvement, pointed out that he was unqualifiedly in favor of the very best bridge that can be erected.

Received petition from Councilman William F. Durman for a gasoline bus line on Norton Street from Waring Road to St. Paul.

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GIVE HOMING PIGEONS PLAY, COUNCIL ASKED

Letter from Expert in Army Recites Value of These Birds in Warfare

OVERDUE TAXES

SCHOOL PROGRAM FINANCE BASIS

URGES PASSAGE OF ORDINANCE

By HIRAM MARKS

The pigeon expert writes in part: "I have just received a communication from William H. Knack, East Side Homing Pigeon Club, Rochester, N. Y., in which he states two of their club members are visiting quite a time with their neighbors in regard to keeping their homing pigeons."

James P. Duffy favored the erection of a splendid bridge that would be a credit to the city and a means of attracting people here and said that much consideration should be given to the fostering of the recreational advantages of the lower river gorge.

Edward Leary, a resident of the Tenth Ward, spoke from the viewpoint of a citizen in that section of the city, pointing to the immense benefits from the bridge and laid emphasis on the desirability of using the lower river gorge as a recreational area in the city's park system.

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Monday Big Borrowing Day For Rochester City Council

Story Administration Makes Demand for \$2,700,000 Note Loan

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Court Appealed To In Action Against H. W. Baker and City

Complaint Alleges That the Deal Was Dishonest—Papers Served

SNOW CONTRACT

FRANK KIMMEL SUES CITY, COMPTROLLER AND CONTRACTOR

By HIRAM MARKS

The more interesting portions of the specifications as scheduled by the plaintiff issued by Baker were as follows: 1. To regulate the style of all plows used and to direct such changes to be made in them at the expense of the Contractor as may in his opinion seem necessary for the proper performance of his work.

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CONVENTION OF PA

Blocks Building

The council voted against application for zoning exemptions permitting the erection of apartment houses in East Avenue at Arnold Park and Goodman Street.

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Collusion Charged

The plaintiff, upon information and belief, recites the facts hereinafter stated and alleges that the said alleged contracts and all alleged official action constitute and are illegal, wrongful and dishonest official action on the part of the said defendants, and the result of collusion between the said officials and the said defendant, Francis X. Yeoman, and result in waste and injury to the plaintiff and to the City of Rochester.

Schedule A of the papers as filed contain a copy of what purports to be the specifications under which Harold W. Baker, public works head, proceeded in his bidding, and it is claimed by the plaintiff that these specifications were illegal and improper.

Instead of clearly requiring the possession of certain equipment by bidders as a prerequisite to a proper bid, which is usual in such cases, the Department of Public Works, it appears by the specifications, reserved a number of rights and privileges in connection with the bid to the commissioner of public works, and left with him the sole determination of certain vital points connected with equipment and performance.

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108 IRON DEQUOIT OWES CITY BIG SEWAGE BILL

Irondequoit, storm center of improvement investigations and political warfare, faced more trouble today in the form of a demand from the city of Rochester for payment of a sewage disposal obligation.

Irondequoit's eleven sewer districts along St. Paul Boulevard and others streets of the town owe the city approximately \$13,000 for sewage concessions into the city's trunk line, running along the boulevard to the city disposal plant in Durand-Eastman Park.

Public Works Commissioner Harold W. Baker said the immediate task was to collect \$4,827 from two of the eleven districts. He said for months the city has been unsuccessfully endeavoring to enforce payment from the districts.

Mr. Baker said some of the Irondequoit districts have owed the city for more than a year. Irondequoit is indebted to the county for upwards of \$300,000 for taxes unpaid for five years or since the beginning of the town's development, which eventually led to a grand investigation involving former officials and contractors.

When the city built its sewer mains through Irondequoit to the city owned disposal plant on the lake shore, it contracted with town districts to dispose of their sewage at certain rates.

"But even the bargain rates appear to have no attraction for some of the sewer districts," said Mr. Baker. "But the city will collect these sewage bills or know the reason why."

Outstanding Features of 'Glaze' Storm in Rochester Area

A summary of the outstanding features of the "glaze" storm, as tabulated last night, were: Damage to the telephone company, at least \$200,000. This included 1,000 poles down between Rochester and Nunda on the south, Geneva on the east and Stafford on the west; 2,200 telephones out of 80,000 in the Rochester district are out of commission, and on account of taking care of present trouble, no new installations or removals will be attempted for some days.

The Rochester Gas and Electric Corporation reports service interrupted on all outside points, many poles down, every available hand repairing damage.

The New York State Railways reports eleven trucks at work helping to clear away broken branches, twelve snow sweepers and six plows at work. Schedules are unavoidably interrupted. Telephone companies report trouble to the west and southwest. Airport reports airmail service not maintaining schedule.

Stores say fewer people are trading, especially those of the rural districts.

Postoffice reports are that trains are late, that mail is necessarily bunched, that outlying branch postoffices are swamped because people won't come to the main office, to the annex or to the Gibbs Street station, where the facilities for handling mail are better. People are falling to get out their Christmas cards.

Gertrude M. Hartnett, deputy director of parks, is working a big force night and day, and is being assisted by Public Works Commissioner Harold W. Baker.

Railroads report trains yesterday were from one to four hours late.

The Weather Man forecasts wind, snow, colder. No fatalities due to the storm were reported.

CITY MANAGER TO BE CHOSEN IN TWO WEEKS

Political Interest Now Centers On Factors in Selection — Bareham Still Mum On Candidate.

With the organization meeting of the new City Council only two weeks away, political interest is centered on the possible selection of a new city manager.

In this connection several names are mentioned in Republican organization circles, but, County Chairman Harry J. Bareham has not intimated who the organization's choice will be.

On the other hand if the city can demonstrate that the burden has become intolerable or prejudicial to the best interests of the city, there should be no difficulty in readjusting the contract, if the consent of all the parties to it is secured.

Corporation Counsel Platt intimates that the burden will become intolerable, if it has not already reached that point.

Owing to unexpected increase in population in surrounding territory, it is estimated that within eight years the cost of providing free tuition in the specified areas will be half a million dollars annually, a prohibitive sum which the taxpayers ought not to be asked to assume.

Conditions have changed since the agreement was made. No one could have predicted that change. While the districts are literally within their rights in insisting on the terms of the original contract, a broad view of the interests of all concerned may be expected to lead to a modification of the agreement. It is to be hoped that a thorough study of the situation will bring about a solution.

Control of the new city government will depend upon the individual attitude of the councilmen. On the surface, the City Manager forces have live of the name to give them a majority. But in view of the statement of Chairman Hunt, reflecting the stand of the Democrats as a party, the fate of Mr. Story, if he should be named again, appears uncertain.

2D COUNCILMAN FOR RETENTION OF STORY IN JOB

The second city councilman to favor retention of City Manager Stephen B. Story in office after Jan. 1 was on public record to that effect today.

He was Louis S. Foulkes, district councilman whose term continues until 1932. Vice-Mayor Isaac Adler had previously announced that he will stand for Mr. Story's continuance.

Three more councilmen of the same mind are necessary before Mr. Story will be assured of his job for two more years.

The three councilmen who were elected under City Manager League endorsement, Mayor Joseph C. Wilson, Charles E. Stanton and Dr. Chester A. Peake, have persistently declined to commit themselves publicly on the city manager question, and it may be that their opinion will not be known until the council's organization meeting on Jan. 2.

Mr. Foulkes declared today his confidence in City Manager Story's ability, and his satisfaction with Mr. Story's conduct of office. Upon the record Mr. Story has made, he said, he sees no good reason for making a change now.

"The experience he has had in the last two years in setting up the new form of government and his knowledge of city affairs, together with his integrity and honesty of purpose," Mr. Foulkes declared, "entitle him to a continuance in his position."

Speculation is rife as to what the other three so-called City Manager councilmen will do. Both Mayor Wilson and Dr. Peake have supported all the major projects sponsored by the City Manager group of councilmen in their terms to date.

Mr. Stanton, a Democrat, is an unknown factor. A recent statement of the Democratic County Committee, opposing retention of Mr. Story in office, was not intended necessarily to indicate Mr. Stanton's attitude, it specifically stated. Furthermore, Mr. Stanton has admitted he did not see the statement before it was published.

CITY COUNCIL SOLONS TO AG ON POOR LAW

Changes in Names of Charity Groups To Be Made — Work to Continue Same As At Present.

Both the city and county legislative bodies are considering what to do in applying the state's new public welfare law locally.

The new law, which wipes the word "poor" from the names of charity organizations and offers but does not necessarily mean any sweeping changes in their operation, takes effect Jan. 1.

The principal effect is on the county, where the superintendent of the poor becomes the commissioner of public welfare and town overseers of the poor cease to be elective officials. The poor committee of the Monroe Board of Supervisors will meet next week to consider the matter and make recommendations to the board.

The finance committee of City Council meanwhile is considering two laws—one changing the title of the Bureau of Charities to the Bureau of Public Welfare, and one formally transferring the powers of the commissioner of public safety from the old board to the new.

A resolution will go to the council tonight to advertise a public hearing on the change for the meeting of Dec. 30, at which time the laws may be passed.

The city's bureau will go on functioning essentially the same as now, according to Commissioner Frank J. Koch, who will become commissioner of public welfare. The G. A. R. Relief and the World War Relief organizations will also go on in their present manner, not becoming centralized under the Bureau of Public Welfare, Mr. Koch said.

The state law is more or less optional, its principal effect being in relation to the town overseers of poor. Even in this, the board of supervisors has two channels open. By taking no action whatever, it can leave appointment of future overseers in the hands of the county commissioner, making the county a public welfare unit. It may adopt a resolution by which town boards would appoint their individual overseers.

It will also automatically affect use of the county hospitals, so the county, and not towns, will pay for treatments. In general, the new law merely recognizes the broadening scope of charity work in the opinion of Clarence M. Platt, Rochester corporation counsel.

COUNCIL VOICES \$3,250,000 FOR BRIDGE AT RIDGE ROAD; GREET'S HORTICULTURISTS

Vote Stands at Five to Three in Favor of Structure

TAKES BAR FROM CITY APPOINTEES

Provision of Charter Favoring Rochester Men Changed

By HIRAM MARKS

By a vote of five to three the City Council last evening adopted the ordinance providing for the borrowing of \$3,250,000 on municipal notes for the construction of the Ridge Road bridge.

The councilmen voting against the bridge were Nelson A. Milne, Joseph L. Guzzetta and William F. Durnan. They based their objection on several reasons. Councilman Milne urged that the council have before it the specifications upon which the contract is to be awarded so that it can be "assured of genuine competition," also he urged that the plaza at the eastern end of the bridge be laid out by members of the city engineering department, rather than the engineers retained by the city, thus saving, he said, \$15,000 in fees.

Wants Rochester Men Used

Councilman Durnan wanted assurance that the maximum amount of Rochester labor be employed and made inquiries about the stone facing, stating there should be delay for two or three weeks, enabling it to be determined that the item of \$400,000 for the granite covering of the concrete was advantageous. Councilman Guzzetta contended there was no harm done by a delay of two weeks, so that the specifications could be prepared by Frank McKibben, bridge engineer, and the council have the matter before it.

Councilman Edward P. Flynn, who introduced the ordinance, reported favorably for the finance committee and in the voting Vice-Mayor Adler, Councilman Harry C. Goodwin, Chester A. Peake, Louis Foulkes and Councilman Flynn voted for the resolution, carrying it.

Story Questions McKibben

Various objections were cleared up by City Manager Stephen B. Story who put a number of questions directly to Mr. McKibben, the bridge engineer. Mr. McKibben said that there were several queries that would come up for the granite; that the contract would be advertised widely and that general contractors all over the country would have the specifications brought to their attention. He was asked directly by Mr. Story if there was any foundation for a rumor that he is affiliated with a stone company that is interested in the granite facing; and Mr. McKibben said that he was not. He pointed out that his fee was the established engineering fee of 6 per cent.

The specifications for the bridge will be prepared within ten days and the contract advertised in January. It is expected that the

of the bridge started early in the spring. Councilman Milne said that he was for the bridge, as were all persons, but felt there was no harm in a delay to have the specifications before it. Harold W. Baker, commissioner of public works, was present and with the authorization of the council will take immediate steps toward bringing about the earliest award of the contract.

Purpose of Law

The council divided five to three on the local law introduced by Vice-Mayor Isaac Adler which eliminated from the city charter the provision that appointive officers should be residents of Rochester for five months. Before the vote was taken Vice-Mayor Adler explained that the purpose of the local law was to free the city from the restriction of selecting for appointive officers residents of Rochester for that period and he felt that the city should be at liberty at all times to reach out and obtain the services of anybody, whether they resided in Rochester or not. In the voting the negative votes were cast by Councilmen Milne, Durnan and Guzzetta. There was no debate.

Councilman Harry C. Goodwin introduced a resolution, which was referred to Law Committee, calling upon the Monroe County delegation in the Legislature to take the necessary steps in bringing about the annexation to Rochester of the towns of Greece, Brighton and Irondequoit. It was Councilman Goodwin's last session of the council. Speaking in his resolution he pointed out that the city is preparing a plan, the immediate object of which is to bring about the annexation rather than the property owner, and that the towns will receive the benefit and should be incorporated into the plan. He pointed to the freedom from expense of educating the children and the advantages which result in working in the city and residing in the towns, and felt that the best interests of all would be furthered by extending the territorial limits. Before the resolution was introduced Mr. Goodwin asked Irving L. Gelsler, deputy corporation counsel, what steps were necessary to bring about an annexation to Rochester and was told that it could be done only by act of Legislature, and that by constitutional amendment the Legislature can take no action except when a majority of the people of the territory to be annexed favored such action.

COUNCIL VOICES \$3,250,000 FOR BRIDGE AT RIDGE ROAD; GREET'S HORTICULTURISTS

Business Handled by City Council

Business transacted last evening by the City Council included the following major items:

Passed by vote of five to three ordinance providing for borrowing \$3,250,000 for Ridge Road bridge.

Received resolution from Councilman Harry C. Goodwin calling upon Monroe County legislators to take steps to bring about annexation of the towns of Brighton, Irondequoit, and Greece. Resolution was referred to law committee.

Passed by vote of five to three local law providing for elimination of five months residence provision for appointive officers.

Received petition from four hundred employees of Neisner Brothers, Inc., asking for daylight saving in Rochester in Summer months.

Adopted unanimously ordinance extending best wishes to Rochester to seventy-fifth anniversary of the New York State Horticultural Society, which will convene here next month.

Oath of office was administered to new councilmen by City Clerk Thomas P. O'Leary, time for organization session set at 10 o'clock on Thursday morning, Jan. 2, and Councilman Goodwin made farewell speech to City Clerk and received tribute for his services from Vice-Mayor Isaac Adler.

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Directs Attention to Diamond Jubilee of State Society

ASKS CITIZENS TO AID IN GREETING

Reviews Active Part of Rochesterians in History of Body

By unanimous vote, the City Council last night adopted a resolution welcoming the New York State Horticultural Society to Rochester on Jan. 15, 16, and 17, the occasion being its seventy-fifth anniversary meeting. The resolution was introduced by Vice-Mayor Isaac Adler, chairman of the law committee.

The resolution recites the fact that the diamond jubilee of the horticultural society is of significance to Rochester because the society was organized in this city. It also calls attention to the fact that Rochester men were pioneers in the society and held office for many years. Patrick Barry was president for nineteen years and his son William C. Barry followed him in that office for twenty-seven years. John Hall of Rochester was secretary for twenty-five years.

'Friends and Neighbors'

Mr. Adler's resolution calls attention to the fact that the society brings thousands of growers, scientists, and public officials here annually; that its meetings and publications have advertised Rochester throughout the world; that Rochester is interested in the society because its members are "our friends and neighbors;" and because their industry has "materially contributed not only to the fame, but to the wealth and prosperity of this city." The resolution asks the people of Rochester to take note of the diamond jubilee "by displaying, during the time of the meeting and exhibition, the national and city colors, and by such other means as seem proper."

The existence of this great agricultural and horticultural industry in Western New York has materially contributed, not only to the fame of Rochester, but to the wealth and prosperity of this city. Therefore, Rochester has specific interest in the welfare of this industry and in its members, who are our friends and neighbors. Therefore, be it

Resolved, That the Council of the City of Rochester, on behalf of the people of the city extend its good wishes to the New York State Horticultural Society on the occasion of its seventy-fifth, or diamond jubilee, meeting; and be it

Asks Flag Display

Resolved, That the Council of the City of Rochester assure the New York State Horticultural Society of the great interest and appreciation of the people of Rochester in the growth, development, and prosperity of the industry in which its members are engaged; and be it.

Resolved, That this Council requests the people of Rochester to make recognition of the society's diamond jubilee by displaying, during the time of the meeting and exhibition, the national and city colors and by such other means as seem proper.

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Wonders Where \$65,000 of City Taxpayers' Money Is

Editor Democrat and Chronicle: In Holy Writ we are told that the first shall be last and the last shall be first and in the building of two new city bridges over the Genesee River; namely, the Smith Street bridge and the new \$3,000,000 arch bridge at Ridge Road, and which should have been built years ago, it seems that the words in the good book are true.

What, may the writer suggest, has become of the bridge over the Genesee River from Alexander Street to the foot of Glasgow Street? The ordinance was passed by the Common Council, Alderman Henry C. Cook and backed by the residents of the Third Ward, formerly known as the Ruffin Shirt Ward. An appropriation of \$65,000 was made to build the bridge in the days when James Johnston was city comptroller.

The writer was told the other day that the ordinance has never been repealed or rescinded by action of the Council. The appropriation of \$65,000 of the city's money still stands and exists. It was the first before Smith and Ridge Road bridges, but it looks as if it shall be last, if ever. One man said yesterday, "I guess it is a forgotten incident of fifty-five thousand dollars is quite a sum to forget. It is something like the wish of the late Morton Buntel, who left a half million dollars to build a building for the city, and it was forgotten—so it is with the Alexander Street bridge."

THIRD WARDER. Rochester, Dec. 22, 1929.

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When the city built its sewer mains through Irondequoit to the city owned disposal plant on the lake shore, it contracted with town districts to dispose of their sewage at bargain rates.

"But even the bargain rates appear to have no attraction for some of the sewer districts," said Mr. Baker. "But the city will collect these sewage bills or know the reason why."

The letter of the contract So long as the people of surrounding districts insist on the letter of the contract, it is difficult to see how the city can legally revoke its agreement to provide free tuition for children in outlying school districts which have been divided through the annexation of territory to the city.

On the other hand if the city can demonstrate that the burden has become intolerable or prejudicial to the best interests of the city, there should be no difficulty in readjusting the contract. If the consent of all the parties to it is secured, Corporation Counsel Platt intimates that the burden will become intolerable, if it has not already reached that point.

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The New York State Railways reports eleven trucks at work helping to clear away broken branches; twelve snow sweepers and six plows at work. Schedules are being unavoidably interrupted.

Telegraph companies report trouble to the west and southwest. Airport reports airmail service not maintaining schedule.

Stores say fewer people are trading, especially those of the rural districts.

Postoffice reports are that trains are late, that mail is necessarily bunched, that outlying branch postoffices are swamped because people won't come to the main office, to the annex or to the Gibbs Street station, where the facilities for handling mail are better.

Gertrude M. Hartnett, deputy director of parks, is working; a big force night and day, and is being assisted by Public Works Commissioner Harold W. Baker.

Railroads report trains yesterday were from one to four hours late.

The Weather Man forecasts wind, snow, colder. No fatalities due to the storm were reported.

CITY MANAGER TO BE CHOSEN IN TWO WEEKS

Political Interest Now Centers On Factors in Selection - Bareham Still Mum On Candidate.

With the organization meeting of the new City Council only two weeks away, political interest is centered on the possible selection of a new city manager.

In his connection several names are mentioned in Republican organization circles, but, County Chairman Harry J. Bareham has not intimated who the organization's choice will be. On the city manager side of the political fence or in the nonpartisan political fence, as some would have it—no names have been heard other than that of the present city manager, Councilman Isaac Adler has declared for Mr. Story but no other councilman aligned with the City Manager League has announced his stand in the matter.

The Democratic county organization, through Chairman William J. Hunt, has recorded itself in favor of a change in the city manager-ship. This declaration does not bind Charles E. Stanton, the only Democrat on the new Council, but he is believed to share Mr. Hunt's views.

Two names are prominently mentioned as likely Republican choices for city manager, George F. Argersinger, former state senator, appears to be in the lead. His opponent is Charles S. Owen, former commissioner of public safety.

Charles T. Chapin has been mentioned as has Carl S. Hallauer, Charles L. Cadie, Martin E. O'Sell, former mayor; Houston Barnard and William F. Love, all of whom have been eliminated mostly at their own requests.

Clarence M. Platt, corporation counsel, also has been mentioned. Public reaction to the suggestion of Mr. Argersinger for city manager is said to be favorable. For many years he has been identified with civic and industrial interests here, and for a year in Chicago. He served eight years as state senator, was actively identified with the Red Cross during the World War and has taken a leading part in many civic projects.

Control of the new city government will depend upon the individual attitude of the councilmen. On the surface, the City Manager forces have five of the nine to give them a majority. But in view of the statement of Chairman Hunt, reflecting the stand of the Democrats as a party, the fate of Mr. Story, if he should be named again, appears uncertain.

Only by securing the vote of one of the City Manager councilmen can the Republicans hope to elect their candidate, and thus obtain control of the municipal machinery.

2D COUNCILMAN FOR RETENTION OF STORY IN JOB

The second city councilman to favor retention of City Manager Stephen B. Story in office after Jan. 1 was on public record to that effect today.

He was Louis S. Foulkes, district councilman whose term continues until 1932. Vice-Mayor Isaac Adler had previously announced that he will stand for Mr. Story's continuance.

Three more councilmen of the same mind are necessary before Mr. Story will be assured of his job for two more years.

The three councilmen who were elected under City Manager League endorsement, Mayor Joseph C. Wilson, Charles E. Stanton and Dr. Chester A. Peake, have persistently declined to commit themselves publicly on the city manager question, and it may be that their opinion will not be known until the council's organization meeting on Jan. 2.

Mr. Foulkes declared today his confidence in City Manager Story's ability, and his satisfaction with Mr. Story's conduct of office. Upon the record Mr. Story has made, he said, he sees no good reason for making a change now.

"The experience he has had in the last two years in setting up the new form of government and his knowledge of city affairs, together with his integrity and honesty of purpose," Mr. Foulkes declared, "entire him to a continuance in his position."

Speculation is rife as to what the other three so-called City Manager councilmen will do. Both Mayor Wilson and Dr. Peake have supported all the major projects sponsored by the City Manager group of councilmen in their terms to date.

Mr. Stanton, a Democrat, is an unknown factor. A recent statement of the Democratic County Committee, opposing retention of Mr. Story in office, was not intended necessarily to indicate Mr. Stanton's attitude, it specifically stated. Furthermore, Mr. Stanton has admitted he did not see the statement before it was published.

CITY COUNCIL SOLONS TO AGREE ON POOR LAW

Changes in Names of Charity Groups To Be Made - Work to Continue Same As At Present.

Both the city and county legislative bodies are considering what to do in applying the state's new public welfare law locally.

The new law, which wipes the word "poor" from the names of charity organizations and officers, but does not necessarily mean any sweeping changes in their operation, takes effect Jan. 1.

The principal effect is on the county, where the superintendent of the poor becomes the commissioner of public welfare and town overseers of the poor cease to be elective officials. The poor committee of the Monroe Board of Supervisors will meet next week to consider the matter and make recommendations to the board.

The finance committee of City Council meanwhile is considering two laws—one changing the title of the Bureau of Charities to the Bureau of Public Welfare, and one formally transferring the powers of the commissioner of public safety from the old board to the new. A resolution will go to the council tonight to advertise a public hearing on the change for the meeting of Dec. 30, at which time the laws may be passed.

The city's bureau will go on functioning essentially the same as now, according to Commissioner Frank J. Koch, who will become commissioner of public welfare. The C. A. R. Relief and the World War Relief organizations will also go on in their present manner, not becoming centralized under the Bureau of Public Welfare, Mr. Koch said.

The state law is more or less optional, its principal effect being in relation to the town overseers of poor. Even in this, the board of supervisors has two channels open. By taking no action whatever, it can leave the appointment of future overseers in the hands of the county commissioner, making the county a public welfare unit. It may adopt a resolution by which town boards would appoint their individual overseers.

It will also automatically affect use of the county hospitals, so the county, and not towns, will pay for treatments.

In general, the new law merely recognizes the broadening scope of charity work in the opinion of Clarence M. Platt, Rochester corporation counsel.

COUNCIL VOICES \$3,250,000 FOR BRIDGE AT RIDGE ROAD; GREET'S HORTICULTURISTS

Vote Stands at Five to Three in Favor of Structure of Bridge - TAKES BAR FROM CITY APPOINTEES

Provision of Charter Favoring Rochester Men Changed

By HIRAM MARKS By a vote of five to three the City Council last evening adopted the ordinance providing for the borrowing of \$3,250,000 on municipal notes for the construction of the Ridge Road bridge.

The councilmen voting against the bridge were Nelson A. Milne, Joseph L. Guzzetta and William F. Duran. They based their objection on several reasons. Councilman Milne urged that the council have before it the specifications upon which the contract is to be awarded so that it can be "assured of genuine competition," also he urged that the plaza at the eastern end of the bridge be laid out by members of the city engineering department, rather than the engineers retained by the city, thus saving, he said, \$15,000 in fees.

Wants Rochester Men Used Councilman Duran wanted assurance that the maximum amount of Rochester labor be employed and made inquiries about the stone facing, stating there should be delay for two or three weeks, enabling it to be determined that the item of \$400,000 for the granite covering of the concrete was advantageous. Councilman Guzzetta contended there was no harm done by a delay of two weeks, so the specifications could be prepared by Frank McKibben, bridge engineer, and the council have the matter before it.

Councilman Edward P. Flynn, who introduced the ordinance, reported favorably for the finance committee and in the voting Vice-Mayor Adler, Councilman Harry C. Goodwin, Chester A. Peake, Louis Foulkes and Councilman Flynn voted for the resolution, carrying it.

Story Questions McKibben Various objections were cleared up by City Manager Stephen B. Story who put a number of questions directly to Mr. McKibben, the bridge engineer. Mr. McKibben said that there were several queries that would compete for the granite; that the contract would be advertised widely and that general contractors all over the country would have the specifications brought to their attention. He was asked directly by Mr. Story if there was any foundation for a rumor that he is affiliated with a stone company that is interested in the granite facing.

Mr. McKibben said that he was not. He pointed out that his fee was the established engineering fee of 8 per cent. The specifications for the bridge will be prepared within ten days and the contract advertised in January. It is expected that the

Purpose of Law The council divided five to three on the local law introduced by Vice-Mayor Isaac Adler which eliminated from the city charter the provision that appointive officers should be residents of Rochester for five months. Before the vote was taken Vice-Mayor Adler explained that the purpose of the local law was to free the city from the restriction of selecting for appointive officers residents of Rochester for that period and he felt that the city should be at liberty at all times to reach out and obtain the services of the best talent whether they resided in Rochester or not. In the voting the negative votes were cast by Councilmen Milne, Duran and Guzzetta. There was no debate.

Councilman Harry C. Goodwin introduced a resolution, which was referred to Law Committee, calling upon the Monroe County delegation in the Legislature to take the necessary steps to bring about the annexation to Rochester of the towns of Greece, Brighton and Irondequoit. It was Councilman Goodwin's last session of the council. Speaking to his resolution he pointed out that the city is preparing a plan, the immediate benefit of which reflects to the motorists rather than the property owner, and that the towns will receive the benefit and should be incorporated into the plan. He pointed to the fact that the city is preparing a plan, the immediate benefit of which reflects to the motorists rather than the property owner, and that the towns will receive the benefit and should be incorporated into the plan.

Councilman Goodwin attended the final session of the present Council last evening, extending his best wishes to the Council and thanking the members for their courteous consideration and tolerance of him and also for the cooperation given him by city Manager Story and his department heads. Vice-Mayor Adler, responding said that Mr. Goodwin had done a constructive service for the city; that debates were enlivened and made more complete because of him and that members of the city administration and the people of Rochester would miss his presence in the Council, as he had done "real service to the city."

Nurse Position Abolished City Manager Story read a communication from the City Planning Board approving the extension of Norfolk Street. He also provided for the position of assistant serologist in the Bureau of Health and abolished positions of four temporary nurses. The local improvement ordinance on Norfolk Street extension was passed after favorable report by Councilman Milne, chairman of the local improvement committee. Amendment to the Pearce Street concrete pavement ordinance was also passed.

Action for return of daylight saving to Rochester was started when Vice-Mayor Isaac Adler presented a petition signed by four hundred employees of Neisner Brothers, Inc., asking that advanced time be provided this Summer.

Land Prices Approved Councilmen Duran and Milne introduced an ordinance amending the measure for the Smith Street bridge widening and approaches, which was passed, as was Councilman Flynn's ordinance approving the purchase price asked by St. Mary's Church for a parcel of land required for Monroe Avenue extension. Councilman Flynn's ordinance authorizing to invest in city of Rochester securities was passed, and Councilman Foulkes' resolution approving the purchase price for lands from the Stroms-Carlson Telephone Manufacturing Company, required for Blossom Road widening, also was passed.

By unanimous action the council passed a resolution by Councilman Peake authorizing the removal of a lease on a building in Main Street West, for library purposes.

Directs Attention to Diamond Jubilee of State Society ASKS CITIZENS TO AID IN GREETING

Reviews Active Part of Rochesterians in History of Body

By unanimous vote, the City Council last night adopted a resolution welcoming the New York State Horticultural Society to Rochester on Jan. 15, 16 and 17, the occasion being its seventy-fifth anniversary meeting. The resolution was introduced by Vice-Mayor Isaac Adler, chairman of the law committee.

The resolution recites the fact that the diamond jubilee of the horticultural society is of significance to Rochester because the society was organized in this city. It also calls attention to the fact that Rochester men were pioneers in the society and held office for many years. Patrick Barry was president.

The writer was told the other day that the ordinance has never been repealed or rescinded by action of the Council. The appropriation of \$65,000 of the city's money still stands and exists. It was the first before Smith and Ridge Road bridges, but it looks as if it shall be left, if ever. One man said yesterday, "I wonder if it is a forgotten burden?" Sixty-five thousand dollars is quite a sum to forget. It is something like the wish of the late Marjorie Rindel, who left a half million dollars to build a building for the city, and it was forgotten—so it is with the Alexander Street bridge.

THIRD WARDER. Rochester, Dec. 22, 1926.

FOUR ELECTED AS COUNCILMEN ARE SWORN IN

Guzzetta, Stanton, Hamilton, Adler Take Oaths; New Council Meets Jan. 2

The oath of office was administered at their Council meeting in City Hall last evening to Dr. Joseph L. Guzzetta, Charles E. Stanton, R. Andrew Hamilton and Isaac Adler as councilmen-at-large, by City Clerk Thomas P. O'Leary, acting as a commissioner of deeds.

Vice-Mayor Adler and Dr. Guzzetta were elected to succeed themselves and Mr. Stanton and Mr. Hamilton are new members. On Dec. 19, Mr. O'Leary administered the oath of office to Mayor Joseph C. Wilson who also was elected to succeed himself.

The organization meeting of the Council will take place at 10 o'clock Thursday morning, Jan. 2, in the City Hall. At this session the Council will organize for the year and set up its procedure.

Councilman Goodwin attended the final session of the present Council last evening, extending his best wishes to the Council and thanking the members for their courteous consideration and tolerance of him and also for the cooperation given him by city Manager Story and his department heads.

Vice-Mayor Adler, responding said that Mr. Goodwin had done a constructive service for the city; that debates were enlivened and made more complete because of him and that members of the city administration and the people of Rochester would miss his presence in the Council, as he had done "real service to the city."

Resolved, That the Council of the City of Rochester, on behalf of the people of the city extend its good wishes to the New York State Horticultural Society on the occasion of its seventy-fifth, or diamond jubilee, meeting; and be it

Resolved, That the Council of the City of Rochester assures the New York State Horticultural Society of the great interest and appreciation of the people of Rochester in the growth, development, and prosperity of the industry in which its members are engaged; and be it

Resolved, That this Council requests the people of Rochester to make recognition of the society's diamond jubilee by displaying, during the time of the meeting and exhibition, the national and city emblems and by such other means as seem proper.

Wonders Where \$65,000 of City Taxpayers' Money Is

Editor Democrat and Chronicle: In Holy Writ we are told that the first shall be last and the last shall be first and in the building of two new city bridges over the Genesee River; namely, the Smith Street bridge and the new \$3,000,000 arch bridge at Ridge Road, and which should have been built years ago, it seems that the words in the good book are true.

What, may the writer suggest, has become of the bridge over the Genesee River from Alexander Street to the foot of Glasgow Street? The ordinance was passed by the Common Council, Alderman Henry C. Cook and backed by the residents of the Third Ward, formerly known as the Ruffie Shirt Ward. An appropriation of \$65,000 was made to build the bridge in the days when James Johnston was city comptroller.

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THIRD WARDER. Rochester, Dec. 22, 1926.

City Manager Post Still Subject Of Much Story's Successor, If There Is To Be One, Is Not Known Speculation For Politicians

Bareham, Republican County Leader, Says Organization Has Candidate, But Will Not Name Him—Stanton Has Balance of Power Now.

By Charles E. Welch

With the reorganization meeting of the new City Council five days away, there appeared to be no certainty today of an agreement on a Republican organization candidate for city manager before next week.

Harry J. Bareham, Republican county leader, is in New York City for a special meeting of the executive committee of the Republican State Committee to discuss Republican majority policies in the next Legislature. He is expected to return tomorrow morning and until then it is not likely definite announcement as to a candidate for city manager will be made. Nor is it sure any such announcement will be made before the new council meets to organize. Should Mayor Joseph C. Wilson's illness prevent his attendance at this meeting, selection of a city manager would be impossible unless the Republican organization should obtain the vote of one of the councilmen known to be favorable to the City Manager forces. These are Councilmen Isaac Adler, Louis S. Foulkes and Dr. Chester A. Peake. Charles E. Stanton, Democrat, elected to the council on the City Manager League ticket, appears to hold the balance of power in the situation. Should he propose a candidate of his own or of the Democratic county organization, which has one on record as opposed to the

present personnel of the city administration, he could make it possible, in the event of Mayor Wilson's absence, for the Republican organization to elect its candidate.

Organization United

Should Mayor Wilson be able to attend the meeting Mr. Stanton's vote for an independent candidate would cause a tie, unless the Republicans succeeded in rallying one of the other councilmen. Councilmen-elect R. Andrew Hamilton, Joseph L. Guzzetta, Nelson A. Milne and William F. Durran will stand as a unit for the organization and manager would be that whatever one of the other councilmen "breaks" occur are bound to favor the organization. This, however, is only speculation.

It is not betraying any political secret to say that Republican leaders have been hopeful of alienating the consensus among Republican Councilmen Peake from the City Manager League forces, but Dr. Peake's action in the last council meeting in voting against the Republican councilmen on the Ridge Road bridge proposal has discouraged them somewhat.

In the event of a tie vote in the new council for city manager, Stephen B. Story will hold over, as under the terms of the City Manager Charter his incumbency does not expire Dec. 31, as was the case with municipal officers under the old charter. The city manager serves at the pleasure of the council; thus his services can be continued indefinitely or dispensed with at any council meeting.

In this connection there has been some quiet speculation among Republicans on the chances that the organization will not propose a candidate at the organization meeting Jan. 2. Some hold this might be good politics; others are agreed that if the organization is to advance the name of a man for city manager such action should be taken at the first meeting of the new council.

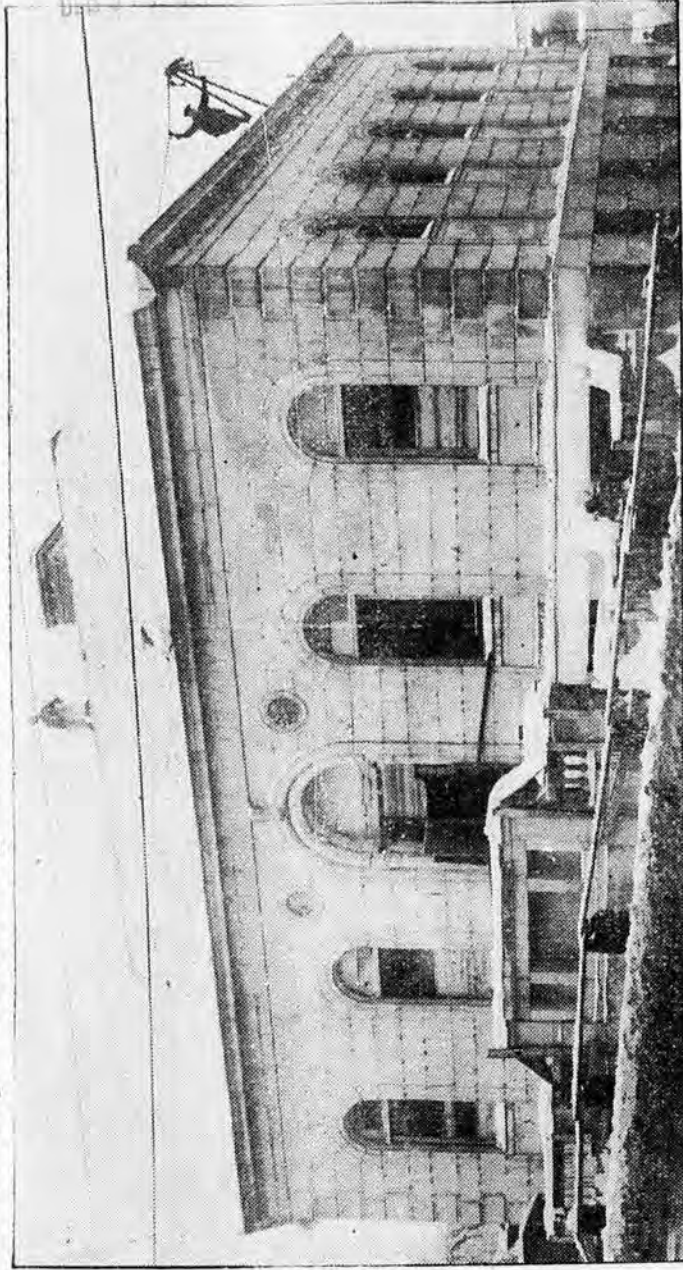
Leader Not Speculating

To all of this speculation Mr. Bareham appears to have turned a deaf ear. He has stated the organization will have a candidate and has all along asserted that "he will be a high-class business man." It is known that several outstanding citizens whom the Republican organization has had under consideration for the position have declined to become candidates. One of these was George F. Argentsinger, former state senator, and another was Carl S. Halbauer.

To all inquiries as to who will be the organization's candidate Mr. Bareham has replied briefly: "I don't know as yet," and when asked, "When will you know?" he has replied: "It's all set," all of which is very consistent.

One of the councilmen who is regarded generally as favoring Mr. Story is said to have suggested that "Mr. Bareham should select a candidate for city manager who is favorable to both sides." Whether this is possible remains to be seen.

Library Building in Monroe Avenue Biggest Unit



New Monroe Branch of the Rochester Public Library nearing completion in Monroe Avenue, nearly opposite Canterbury Road. Bohack & Brew are the architects.

MONROE BRANCH LIBRARY READY TO OPEN MAY 1

New Structure Being Rushed to Completion; to Have Mahogany Finish

It is expected that walnut or mahogany furnishings will be used, instead of the oak which has been selected for other units. The library will occupy three floors and will have a total of 7,100 square feet of floor space. The juvenile department will be in the basement and will have an alcove reading room where the better editions will be kept for perusal by honor borrowers.

The main reading room will be on the main floor. It is expected that a cozy corner will be fitted out in one end of the reading room with lamps and comfortable chairs. A stock of books will occupy the mezzanine floor.

Miss Marcella Flynn, head of the Monroe branch, will be in charge of opening the new branch. Miss Mildred Stearns will continue in charge of the children's department.

The new building of the Monroe branch of the Rochester Public Library is expected to be in readiness for opening May 1. William F. Yust, city librarian, announced yesterday.

Although the date is a tentative one, every effort is being made to complete the new structure for occupancy by that date, he said. The library will be the largest of the branch units and is the first permanent building erected for library purposes. Because of the beauty and permanence of the new Monroe headquarters, plans are being made for distinctive features.

RAILWAYS HEAD SEES FARE ISSUE

Service - at - Cost Contract Expiration Might Leave Five-Cent Rate

PREDICTS HUGE DEFICIT Chairman Pardee of Board Writes Statement of Conditions Here

By HIRAM MARKS

That the expiration of the service-at-cost contract July 31 will return the Rochester lines of the New York State Railways to a 5-cent fare, and that if it had been applicable to the year ending Oct. 31, last, it would have shown a deficit of \$1,145,059.78 before making provision for any payment of bond interest, is the statement of J. H. Pardee, chairman of the board of directors of the railways, in a letter received yesterday by the holders of the Rochester Railway Company 5 per cent bonds.

Interest on these securities is in default, and Mr. Pardee, in his letter, undertakes to picture the serious situation confronting the railways, and to clear up some erroneous impressions which he declares are prevailing as to the equity behind the Rochester Railway first and second mortgage bonds.

Says Security is Small

Holders have been given an opportunity to convert the bonds into securities of the Associated Gas and Electric Company on a basis of 25 per cent of the face value of the railway bond. Mr. Pardee points out that despite the opinion that the intrinsic value of the securities, upon which interest is in default, is greater than the offer of conversion, in fact the real estate that secures these obligations is valued at less than one-quarter of the aggregate par of the bond, the valuation of the equity approximating the offer made by the Associated Gas and Electric Company.

Any value beyond that which may come from the sale of the real estate securing the bonds must be had from continuity of adequate earnings of the Rochester lines so as to meet the interest on the securities. Mr. Pardee points out, and in this connection he sketches some of the problems that confront the railways, laying special emphasis on the expiration of the service-at-cost contract, which returns Rochester to the five-cent fare here.

The figures contained in the letter show what deficit will accrue if the five-cent fare is put into effect, and he also declares that, if it will be necessary, as a result of a survey of the Rochester property which has just been completed, to spend not less than \$1,250,000 in each of the next five years for maintenance, reconstruction, minor improvements, additions and betterments of lines and new equipment.

"The impression seems to prevail," writes Mr. Pardee, that the Rochester bonds are secured by all the lines in the city of Rochester. This is not the fact. Neither of the mortgages is a lien upon the Sumnerville, the Sea Breeze, or the Glen Haven lines. These lines directly secure our consolidated mortgage.

"Another erroneous impression prevailing is that the real estate securing the First and Second Mortgages is very valuable and that it could be disposed of for sufficient to pay off a large portion of the bonds. We have had counsel furnish

us with a list of the parcels of real estate under both mortgages. It has had the parcels appraised, making the appraisals, consideration was given to the assessed values, to the value heretofore placed on the estate in the proceedings, to the opinion of appraisers most competent in the opinion of the board of directors, and to the opinion of real estate experts. Each parcel was appraised separately, and an estimate was made of the value of the land and of other than real estate and land for other than railway purposes.

"We have been advised that the value of the real estate securing the Rochester bonds, of which \$2,100,000 are issued and outstanding, aggregated \$365,000, which \$400,000 is the value of the land and \$75,000 is the value of the buildings.

"We have also been advised that the real estate securing the Rochester Railway Company first and second mortgage bonds, of which \$1,500,000 are issued and outstanding, aggregated \$370,000, of which \$200,000 is the value of the land and \$170,000 is the value of the buildings.

"The other real estate situated in the city of Rochester does not, we are advised, come under either of the Rochester Railway mortgages but it does secure our consolidated mortgage.

"It is apparent from the foregoing that the intrinsic value of the first mortgage bonds secured by the real estate of the city of Rochester is equivalent to only 22 per cent of the dollar and mortgage bonds depend upon the value of the real estate securing them. Any value in excess of these amounts must depend almost entirely upon the extent of adequate earnings of the Rochester line to meet interest on such bonds.

"The erroneous impression as to the value of the real estate securing the Rochester Railway Company first and second mortgages, based upon the value of the real estate securing the Rochester Railway Company first and second mortgages, and operated independently of the New York State Railways, is not to be done since substantial amounts of the securities are held as other property necessary to the operation of the Rochester lines, and subject to the first lien of our consolidated mortgage.

"We have just had a survey completed of the expenditures necessary for maintenance, additions and minor improvements of lines and new equipment during the next five years, and that it will be necessary to spend not less than \$1,250,000 each of the ensuing five years."

City Manager League Retains Its Control of Council

Wilson To Be Re-elected; Backed by Foulkes, Peake, Adler, Stanton, Democrat

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Buffalo Road Open Between West Ave. And Glide Street

Traffic to Be Allowed on Plymouth Avenue Saturday. Consulting Engineer Says—Wolcott Road and Mount Hope Avenue Near Completion.

Traffic relief was seen today in the rushing to completion of construction work on four of Rochester's principal highways.

With the city taking over these improved streets from the contractors and opening the routes closed all Summer to vehicular travel, transportation will be speeded up considerably, it was said at City Hall.

The major jobs now nearing completion are: Buffalo Road between the Barge Canal and West Avenue; Plymouth Avenue between Clarissa Street and the entrance to the Erie Railroad to Elmwood Avenue; and Mount Hope Avenue between the cemetery entrance and Clarissa Street.

Buffalo Road today was open to traffic between West Avenue and Glide Street. At City Hall it was said the highway would be open either tomorrow or the next day as the construction of storm and sanitary sewers in the stretch between the Buffalo, Rochester and Pittsburgh crossings and the Barge Canal has held up the laying of the concrete pavement, but this concrete will be laid this fall.

To Open Plymouth Saturday Traffic will be admitted to Plymouth Avenue Saturday, C. Arthur Poole, city consulting engineer said today, but the traffic will be limited because of special work being done at the entrance to the park south of the Pennsylvania Railroad crossing, and sewer construction between Columbia Avenue and Clarissa Street. Curb on the new and easy curves are being readjusted and the elimination of the one time dangerous "S" curve at the Pennsylvania Railroad grade approaches.

Frank W. Crouch, contractor, who has the Plymouth Avenue improvement, has already set virtually all the six-foot sidewalks from Columbia Avenue southward. His crews are now laying the big sewer in six feet of rock between Columbia Avenue and Clarissa Street, and as soon as this work is done the traffic will be admitted to the stretch, thus affording through travel on the avenue which has a roadway of concrete 50 feet wide. Buses will be among the first to use the highway, as the trolley tracks, wires and other equipment have been removed to provide accommodation for six lanes of traffic.

Thomas Holahan Company which has the Wolcott Road contract has begun the asphalt surfacing and, it is expected, will be completed by the end of the month.

Harry J. Bareham, Monroe County Republican leader, declined to comment on the situation, beyond that his plans do not necessarily have to be disclosed on January 2. An appointment heads under Mr. Story for the first time since the November 5 election developed the possibility of bringing a new chief of personal equation. The problems must be solved.

"To that end, my suggestion is that we take off our coats and go to work harder than ever,"

Readers, they have been guaranteed one-eighth of one per cent, per lineal foot in their district when it doesn't snow. The specifications demand that contractors must have their plows ready for immediate service throughout the Winter, but are not to plow unless ordered by the Department of Public Works.

HORSES TO EAT THOUGH SNOWS BE INFREQUENT

New Contractors Win Their Old Plaints No Longer Will Be Heard.

Snow plow contractors will be able to feed their horses regularly this Winter.

The City Engineers' office, where the contractors complained last year that they didn't make enough to feed their horses every day, has made new concessions, it was announced today, and the estimated cost of snow removal by plow this Winter is set at \$138,500, which is \$48,500 greater than last year.

Instead of receiving pay for snow removal by the lineal foot, the new snowplow contracts provide that contractors will be paid for each snowplow trip.

Readers, they have been guaranteed one-eighth of one per cent, per lineal foot in their district when it doesn't snow. The specifications demand that contractors must have their plows ready for immediate service throughout the Winter, but are not to plow unless ordered by the Department of Public Works.

CITY MANAGER STEPHEN B. STORY



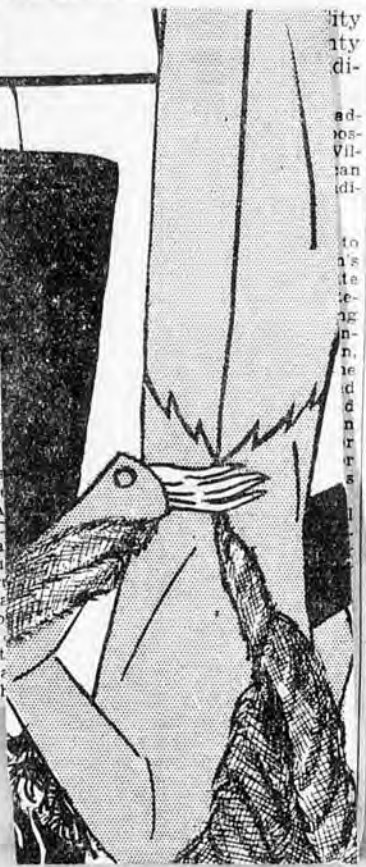
Stephen B. Story could get busy with the tasks before them. A happy frame of mind is essential.

City Manager Post Still Subject Of Much Story's Successor, If There Is To Be One, Is Not Known

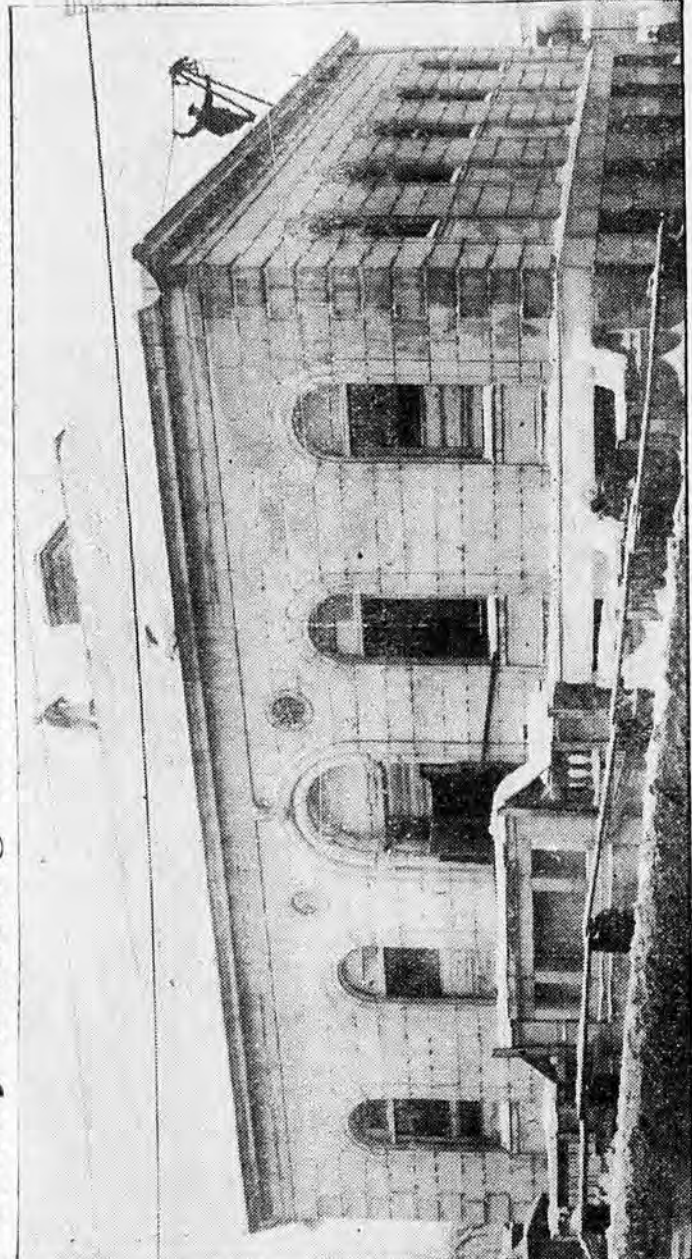
Bareham, Republican County Leader, Says Organization Has Candidate, But Will Not Name Him—Stanton Has Balance of Power Now.

By Charles E. Welch

With the reorganization Council five days away, today of an agreement or date for city manager be Harry J. Bareham, Republican county leader in New City, for a special meeting of executive committee of the public State Committee to cuss Republican majority poll in the next Legislature. He is expected to return tomorrow and until then it is not definite announcement as to a candidate for city manager will be made. Nor is it sure any such announcement will be made before the new council meets to organize. Should Mayor Joseph C. Wilson prevent his attendance at this meeting, selection of a city manager would be impossible unless the Republican organization should obtain the vote of one of the councilmen known to be favorable to the City Manager force. These are Councilmen Isaac A. Peck, Louis S. Foulkes and Chester A. Peake. Charles E. Stanton, Democrat, elected to the council on the City Manager League ticket, appears to hold the balance of power in the situation. He should propose a candidate of his own or of the Democratic county organization, which has one on record as opposed to the



Library Building in Monroe Avenue Biggest Unit



New Monroe Branch of the Rochester Public Library nearing completion in Monroe Avenue, nearly opposite Canterbury Road. Bollacker & Brew are the architects.

MONROE BRANCH LIBRARY READY TO OPEN MAY 1

New Structure Being Rushed to Completion; to Have Mahogany Finish

The new building of the Monroe branch of the Rochester Public Library is expected to be in readiness for opening May 1, William F. Yust, city librarian, announced yesterday.

Although the date is a tentative one, every effort is being made to complete the new structure for occupancy by that date, he said. The library will be the largest of the branch units and is the first permanent building erected for library purposes. Because of the beauty and permanence of the new Monroe headquarters, plans are being made for certain distinctive features.

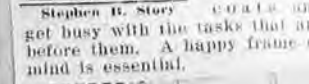
It is expected that walnut or mahogany furnishing will be used, instead of the oak which has been selected for other units. The library will occupy three floors and will have a total of 7,100 square feet of floor space. The juvenile department will be in the basement and will have an alcove reading room where the better editions will be kept for perusal by honor borrowers.

The main reading room will be on the main floor. It is expected that a cozy corner will be fitted out in one end of the reading room with lamps and comfortable chairs. A stock of books will occupy the mezzanine floor.

Miss Marcella Flynn, head of the Monroe branch, will be in charge of opening the new branch. Miss Mildred Stearns will continue in charge of the children's department.

CITY MANAGER STEPHEN B. STORY

If I were to make a resolution on New Year's Day it would be to enable more than ever to eliminate dirty work from my life. I let myself feel roughly. The short time we have to live our lives in, then not waste one minute to waste in growing at the rest of the folks. The coming year is one in which young and old alike must take off their coats and get busy with the tasks that are before them. A happy frame of mind is essential.



Stephen B. Story

RAILWAYS HEAD SEES FARE ISSUE

Service - at - Cost Contract Expiration Might Leave Five-Cent Rate

PREDICTS HUGE DEFICIT Chairman Pardee of Board Writes Statement of Conditions Here

By HIRAM MARKS

That the expiration of the service-at-cost contract July 31 will return the Rochester lines of the New York State Railways to a 5-cent fare, and that if it had been applicable to the year ending Oct. 31, but it would have shown a deficit of \$1,145,059.78 before making provision for any payment of bond interest, is the statement of J. H. Pardee, chairman of the board of directors of the railways, in a letter received yesterday by the holders of the Rochester Railway Company 3 per cent bonds.

Interest on these securities is in default, and Mr. Pardee, in his letter, undertakes to picture the serious situation confronting the railways, and to clear up several erroneous impressions which he declares are prevailing as to the equity being the Rochester Railway's first and second mortgage bonds.

Says Security is Small

Holders have been given an opportunity to convert the bonds into securities of the Associated Gas and Electric Company on a basis of 25 per cent of the face value of the railway bond. Mr. Pardee points out that despite the opinion of the intrinsic value of the securities, upon which interest is in default, is greater than the offer in default, in fact the real estate that secures these obligations is valued at less than one-quarter of the aggregate par of the bond, the valuation of the equity approximating the offer made by the Associated Gas and Electric Company.

Any value beyond that which may come from the sale of the real estate securing the bonds must be had from continuity of adequate earnings of the Rochester lines so as to meet the interest on the securities. Mr. Pardee points out, and in this connection he sketches some of the problems that confront the railways, laying special emphasis on the expiration of the service-at-cost contract, which returns Rochester to the five-cent fare here.

The figures contained in the letter show what deficit will accrue if the five-cent fare is put into effect, and he also declares that it will be necessary, as a result of a survey of the Rochester property which has just been completed, to spend not less than \$1,250,000 in each of the next five years for maintenance reconstruction, minor improvement, additions and betterments of lines and new equipment.

"The impression seems to prevail," writes Mr. Pardee, "that the Rochester Railway Company's first and second mortgage bonds are secured by all the lines in the city of Rochester. This is not the fact. Neither of such mortgages is a lien upon the Summerville, the Sea Breeze, or the Glen Haven lines. These lines directly secure our consolidated mortgage."

"Another erroneous impression prevailing is that the real estate securing the First and Second Mortgage bonds is very valuable and that it could be disposed of for sufficient to pay off a large portion of the bonds. We have had counsel furnished

us with a list of the parcels of real estate under both mortgages, and have had the parcels appraised, making the appraisals, consideration being given to the assessed values as given in the proceedings, to the value heretofore testified to by the appraisers. Employees most conversant with real estate values in the vicinity, and to the opinion of real estate experts. Each parcel of property was considered separately as to the availability of both buildings and land for other than railway purposes.

We have been advised that the value of the real estate securing the first mortgage bonds, of which \$2,124,000 are issued and outstanding, aggregates \$265,000, and which \$50,000 is the value of the land and \$215,000 is the value of the buildings.

We have also been advised that the real estate securing the Rochester Railway Company's second mortgage bonds, of which \$1,500,000 are issued and outstanding, aggregates \$220,000, of which \$50,000 is the value of the land and \$170,000 is the value of the buildings.

The other real estate owned by the company does not, we are advised, come under either of the mortgages mentioned above, but it is subject to the first lien of our consolidated mortgage.

It is apparent from the foregoing that the intrinsic value of the first mortgage bonds, based upon the value of the real estate securing them, is equivalent to only 22 cents on the dollar and that the intrinsic value of the second mortgage bonds based upon the value of the real estate securing them, is less than 15 cents on the dollar.

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City Manager League

STORY AND ALL HIS AIDES WILL STAY IN OFFICE

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Retains Its Council

Buffalo Road Open Between West Ave. And Glide Street

Traffic to Be Allowed on Plymouth Avenue Saturday, Consulting Engineer Says—Wolcott Road and Mount Hope Avenue Near Completion.

Traffic relief was seen today in the rushing to completion of construction work on four of Rochester's principal highways.

With the city taking over these improved streets from the contractors and opening the routes closed all Summer to vehicular travel, transportation will be speeded up considerably, it was said at City Hall.

The major jobs now nearing completion are: Buffalo Road between the Barge Canal and West Avenue; Plymouth Avenue between Clarissa Street and the entrance to Genesee Valley Park; Wolcott Road from the Erie Railroad to Elmwood Avenue; and Mt. Hope Avenue between the cemetery entrance and Clarissa Street.

Buffalo Road today was open to traffic between West Avenue and Glide Street. At City Hall it was said the highway would be open either tomorrow or the next day as far as Mt. Road Boulevard. Construction of storm and sanitary sewers in the stretch between the Buffalo, Rochester and Pittsburgh crossing and the Barge Canal has held up the laying of the concrete pavement, but this concrete will be laid this fall.

To Open Plymouth Saturday

Traffic will be admitted to Plymouth Avenue Saturday, Arthur F. Poole, city consulting engineer said, but the traffic will be limited because of special work being done at the entrance to the park south of the Pennsylvania Railroad crossing, and sewer construction between Clarissa Street, Curbin and between the Buffalo, Rochester and Pittsburgh crossing and the Barge Canal. This means the elimination of the one time dangerous "S" curve at the Pennsylvania Railroad grade approaches.

Frank W. Crouch, contractor, who has the Plymouth Avenue improvement, has already set virtually all the six-foot sidewalks from Columbia Avenue southward. His crews are now laying the big sewer in six feet of rock between Columbia Avenue and Clarissa Street, and as soon as this work is done limited traffic will be admitted to the stretch, thus affording through travel on the avenue which has a roadway of concrete 50 feet wide. Buses will be among the first to use the highway, as the traffic tracks, wires and other equipment along with several hundred shade trees have been removed to provide accommodation for six lanes of traffic.

Thomas Holahan Company which has the Wolcott Road contract has begun the asphalt resurfacing and

Ready in Week

Mt. Hope Avenue between the cemetery entrance and Clarissa Street will be available to the public in about one week.

The improvements on Plymouth and Mt. Hope avenues and the Wolcott Road will give the city three important thoroughfares to the south as well as urban destinations. Opening of the Buffalo Road will eliminate the present detour of all Avenue.

HORSES TO EAT THOUGH SNOWS BE INFREQUENT

Plow Contractors Win New Concessions and Their Old Plaints No Longer Will Be Heard.

Snow plow contractors will be able to feed their horses regularly this Winter.

The City Engineers' office, where the contractors complained last year that they didn't make enough to feed their horses every day, has made new concessions, it was announced today, and the estimated cost of snow removal by plow this Winter is set at \$138,500, which is \$48,500 greater than last year.

Instead of receiving pay for snow removal by the linear foot, the new snowplow contracts provide that contractors will be paid for each snowplow trip.

Besides, they have been guaranteed one-eighth of one per cent, per linear foot in their district when it doesn't snow. The specifications demand that contractors must have their plows ready for immediate service throughout the Winter, but also not to plow unless ordered by the Department of Public Works.

Club Will Hold New Year's Party

The meeting will be public

STORY SAYS LITTLE

Mr. Story said he had no comment to make on the plans of the council, that at no time had he or his assistants let down in their program to advance as many major projects as the city can finance, and they did not intend to do so.

"The question personally affecting me is comparatively unimportant," he said. "Whether or somebody else is here, will not change the problems which confront Rochester today."

"The interests of this community outweigh and dominate the personal equation. The problems must be solved."

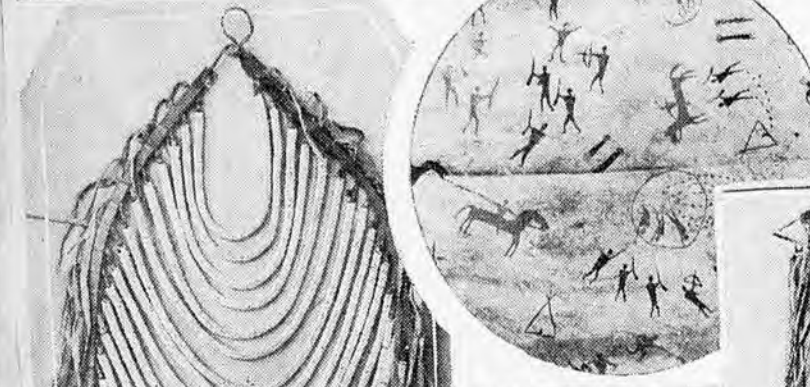
"To that end, my suggestion is that we take off our coats and go to work harder than ever."

FIVE WIN BROKE PAPER

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Rochester Museum Gets Almost Priceless Collection of Relics of Fast Vanishing Tribe of Sarsi Indians



Upper left: Skin of a young fox carried in the Indian's mystery bag as a charm protecting him from harm. Upper right: Woman's yoke beautifully wrought in beaded designs. Middle left: Necklace. In circle: Part of reverse side of Buffalo robe bearing pictorial history of the tribe; lower center, another view of the same. Lower right: Mystery bag or war bundle.

Director Parker Wins Where Cambridge Man Failed

By AUGUSTA E. ANDERSON
Sometime in January the Hall of the American Indian at the Municipal Museum, Edgerton Park, will have ready an exhibit of handiwork of the Sarsi people, exceedingly rare.

Arthur C. Parker, museum director and specialist in Indian history, says that there is nothing like it in his country, unless, possibly, at the Bureau of Ethnology in Washington. It cannot be duplicated in New York, either at the Museum of Natural History or the Museum of the American Indian. And, back of this collection a tale unfolds:

Museum Wins Where College Loses
The University of Cambridge, England, sent a man across the water to gather material from the Sarsi Tribe, now fast waning, in Alberta, Canada. The man visited the Sarsi, but he couldn't find much, and supposed this was because the people had no culture worth recording.

After the Cambridge man left, a member of the tribe who is in business in Calgary, and speaks and writes English, began to think, "If these things of my tribe are so valuable, I had better collect them before the tribe has disappeared."

When his collection was made, he sent it not to Cambridge, but to Mr. Parker, of the Municipal Museum. The university has tried to get it; but, knowing its great value, Mr. Parker will not part with it. He says if it were for sale, it would bring a large sum of money.

Perhaps the most notable thing in all this rare exhibit is a Buffalo robe, on the reverse side of which is written a history of the Sarsi Indians in pictorial language. It has all been translated for the Rochester Museum, and, owing to his acquaintance with such inscriptions, Mr. Parker is able to verify the translation. This is the last Buffalo robe inscribed with its history the Sarsi tribe had, and it is said, "There never will be any more."

Fascinating Collection
Other fascinating things are in this assortment. There are "mystery" or "medicine" bags. When a warrior of the old Sarsi went out to battle, he sometimes carried one of these bags, as they held charms that he believed pro-

Continued on Page Twenty-two

Continued from Page Fifteen

ected him. One of the bags, also called "war bundles," at the Museum contains an owl's head, with little bells where the eyes were, to protect the brave in his journey through the night. Then, the whip for the warrior's horse is the most ornate affair of its kind one would imagine. Not King George in all his coronation splendor had the like. Feathers and other decorations make it look like a wand for a dramatic production. When going to battle, the Indian could touch his horse with just one of the fancy pendants hanging from this whip, if he were to have good fortune.

The clothing for the knight of the real man's forest almost defies description in its durability and richness. Made of skins treated until they have a creamy shade, the garments are ornamented with strips of embroidery done in porcupine quills. There are long pieces of bead embroidery that a white woman would call a "towel," but which Indians say are "blanket strips." In keeping with such trappings are stirrups so ornamented with beads, etc., that they look almost too elaborate for use. There are four or five complete costumes and three complete war bundles. These, also, are the last of their kind to be found among the Sarsi.

Fear Mothers-in-Law

The Sarsi are related to the tribe in Central Alaska, Mr. Parker says. Unlike these relatives, they have the habits of the plainsmen. The Sarsi are very successful in Alberta as raisers of cattle and horses. In Calgary there are many woodcutters and in the adjoining country farmers of this tribe. They are famed for work on the skins of animals. They have a queer superstition that a man must not meet his mother-in-law in the open, and that if he does, he must immediately buy her a present. Little is known of the Sarsi, of whom there are now only about 150 left, Mr. Parker says.

EXPECT STORY TO REMAIN AS CITY MANAGER

Mayor Wilson and Councilman Peake Believed To Favor Incumbent—G. O. P. Action Awaited

By Charles E. Welch
Unless the Republican organization brings forth a candidate for city manager at the first meeting of the new council Thursday morning, it appeared today to be improbable that there will be any change in the present city administration headed by Stephen B. Story.

Even though the Republicans advance a candidate there does not appear to be any dead certainty that there will be a change, as indications today were that both Mayor Joseph C. Wilson, although designated by the Republican organization in the last election, and Councilman Chester A. Peake would "stay put" and vote against the Republican city manager candidate, if one is nominated. This leaves only Charles Stanton, Democrat, as the uncertain factor in the situation. But Mr. Stanton said today, in answer to an inquiry as to whether he would oppose the Story administration in the council organization meeting:

May Indicate Stand
"I was elected on the City Manager League ticket," and that may be regarded as indicating the position he will take if an effort is put forth by the Republican members of the new council to install someone in Mr. Story's position.

Assuming that Mayor Joseph C. Wilson attends the council meeting on Thursday and that he and Dr. Peake and Mr. Stanton are agreed on the league's choice for city manager—and this choice is known to be Mr. Story—there will be no possible chance for the Republican organization to seat its candidate. Councilman Peake has not intimated, however, where he will stand if the matter comes to a vote. Republicans argue that the vote cast for councilman in the southeast district in the last election showed beyond any question of doubt where the voters stood and for this reason, they say, Peake should vote with the Republican organization, councilmen, but the City Manager League members are confident that the result in Mr. Peake's district will not sway him and they expect he will continue to support the league's councilmen.

Barham Silent
Harry J. Barham, Republican county chairman, declined to say today whether the name of a candidate for city manager will be presented at Thursday's meeting by the organization councilmen. It might be said, in this connection, that a candidate may be advanced by either group at any council meeting. If now is nominated by the Republicans on Thursday, Mr. Story will continue to hold office. It will not even be necessary to nominate him, for the city manager charter provides that he and other officers elected by the last council hold over at the pleasure of the council until their successors are elected. This means that the Republican organization group does not precipitate a vote on city manager by nominating a candidate of its own. Mr. Story will continue as city manager and in the event of a tie vote, due to the absence of some member of the council, he will hold over under the public officers law. Also, under this law Mayor Wilson holds over as presiding officer of the council.

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MOVE DIES WITH OLD COUNCIL

Goodwin's Annexation Schemes Also Unreported, As Is Proposed Barber License

The controversy over a proposal to abolish free school tuition in Rochester for children in unannexed portions of town school districts must be settled by the new City Council.

Proponents of the measure to end free tuition were members of the City Manager League group of the old Council, which terminated its labors last night. The Republican organization members of the old Council were of the opinion that the city had made a bargain with the towns for furnishing free tuition and should stand by it.

With all indications pointing to a deadlock to meet Council members the next two years, no immediate attempt to abolish free tuition for children from unannexed school districts is expected.

The resolution to abolish free tuition died as unannexed business in the law committee, as did a number of other measures. Councilman Harry C. Goodwin's measures to the annexation of Greece, Brighton and Irondequoit, also died in committee. So did the resolution to establishing a licensing board for barbers.

The Council authorized the levying of \$1,000,000 for uncollected taxes, and passed Councilman Joseph L. Guzzetta's amendment to the animal and fowl ordinance, to permit carrier pigeons the freedom of the city for at least two hours a day, that their owners may hold considerable property.

The Council authorized changing the name of Volcott Road to River Boulevard. This is the improved road at the foot of Oak Hill along the Barge Canal harbor. The Council approved a number of land purchases for street widening. Among them were the purchase from the University of Rochester for River Boulevard, from Stromberg-Carlson Telephone Manufacturing Company for Blossom Road, and from St. Mary's Church for Monroe Avenue extension.

STORY FROWNS ON SPAN TOLL

A suggestion that the city pay for the construction of the new Ridge Road bridge by collecting toll for all foot and vehicular traffic over it, was frowned upon by City Manager Story today.

"If toll were charged for use of the Ridge Road bridge, comparatively few people would use it, and the congestion at Driving Park Avenue bridge would increase and further aggravate Rochester's traffic problem," Mr. Story said.

"The bridge will be used by citizens of Rochester and a toll would be an imposition on them. Just how much traffic will contribute to the bridge's traffic note can tell."

City attorneys said that in their opinion the new structure could be made a toll bridge without conflict with state laws, although toll is rarely collected for bridges and highway support in the state.

"The only statute on toll bridges or highways is one giving supervisors permission to abolish them," said Corporation Counsel Platt.

CITY FACES STREET CAR FARE ISSUE

Manager Story Doesn't Think Service-at-Cost Contract Renewal Probable

COUNCIL NOT FAVORABLE

Five-cent Rate Upheld, but Waived by City in Favor of Sliding Scale

With the New York State Railways thrown into receivership, the city yesterday was faced with the option either of declaring the service-at-cost contract immediately at an end, or of entering into negotiations with the receivers for the continuance of the contract to July 31. A provision of the contract says:

"In case a receiver shall be appointed herein, this contract shall forthwith terminate, unless the city and the receiver shall elect and agree to continue."

In the event the city refuses to continue the contract longer, the receivers will be required to operate the Rochester Street Railways lines under terms of the old five-cent fare franchise, city spokesmen said yesterday. The validity of the five-cent fare was tested time and again in the courts and was upheld by the Court of Appeals, but it was waived by the city nine years ago when the service-at-cost contract was entered into.

Corporation Counsel Clarence M. Platt, directed to examine into the situation, said last night that it would take a few days for the receivers to qualify, file bonds and perform other preliminary duties, so that nothing could be done immediately. The matter will be for consideration of the new Council which meets to organize tomorrow, and Mr. Platt said the Council itself or its committee would enter into conference with the receivers.

But City Manager Stephen B. Story said it was hardly likely the Council would see the propriety of continuing the contract for the next seven months, in view of the fact that it refused to renew the contract last July. The Council has changed as to personnel since July, but the line-up is unchanged as to contract-renewal, so far as could be learned yesterday, with the Republican organization councilmen, four in number, still in opposition.

vision for the seven months, or an indefinite period, in view of the admitted financial straits of the street railway company. The city itself is a creditor of the New York State Railways in the sum of \$150,756.79, this sum representing the amounts owed to the city by the company on June 30, 1929, under local improvement ordinances. Details of the total are:

Main Street East	\$31,060.58
Clinton Avenue North	19,689.45
Mt Hope Avenue	17,486.13
State Street	9,121.01
University Avenue	32,707.62
Clifford Avenue	16,285.40
North Street	20,216.60

For Paying Work
Claims for these sums are liens against New York State Railways special franchises and represent the railway company's paving costs in the streets mentioned. First mortgage bonds issued by the Rochester Railway Company also are secured in part by the franchises, and the bondholders would have prior claims over the city, it was said yesterday.

Although no copy of the receivership order was available in Rochester yesterday, it undoubtedly is in part an injunction restraining all creditors from bringing any action against the company during the period of receivership designed to enforce payment of claims. It was to head off such actions and protect the interests of all creditors that the receivership was granted. The injunction would include holders of mortgages against the New York State Railways properties.

But John P. Bowman attorney for the Rochester Bondholders' Protective Committee, was positive last night that the courts, on application of lien-holders against the company property, would be entitled in every right to collect the money due them, it was held in legal circles, regardless of the injunction provisions of the receivership order.

Receivers in Charge
The receivers will continue operation of the street railway lines, with full authority over service and contracts. To get necessary cash to carry on and make improvements where they think it will benefit the business, they will be empowered to issue and sell receivers certificates, which constitute prior liens on all company properties and take precedence over all existing obligations of the company.

Mr. Bowman said the receivership application arose from the fact that the New York State Railways has a large number of general creditors, including the city, outside of mortgage and bondholders. They were animated in their application for a receivership by a desire to protect their interests, in view of the serious doubt of the company's ultimate solvency aroused by the attempt to persuade bondholders to convert their securities into Associated Gas and Electric Company issues at one-fourth of their face value.

Members of the Bondholders' Committee, led by Robert C. Watson, president of the Rochester Trust and Safe Deposit Company, and John H. Gregory, president of Central Trust Company, could not see that the receivership affected their efforts to protect the bondholders, in any way.

Bonds Due in April
"The Bondholders' Committee, which I represent," Mr. Bowman explained, "holds first mortgage bonds of a total face value of \$2,135,000. They are forty-year bonds issued on April 1, 1890, and the principal therefore is due on April 1, next. The company has not been in default as to these bonds either as to principal or interest."

These bonds are a first lien against all the physical properties of the Rochester lines of the New York State Railways and, under the circumstances, the Bondholders' Committee showed no desire to unload their bonds on the basis of the 25 per cent. offer of Associated Gas and Electric, as they believe they are fully protected, 100 cents on the dollar of face value, regardless of the final outcome of the receivership.

James F. Hamilton, who retires today as president of New York State Railways, had no comment to make yesterday on the receivership application. His successor, Benjamin H. Tilton, is expected in Rochester tomorrow to take over the general offices of the company in State Street. Mr. Tilton has been superintendent of the Syracuse lines, New York State Railways. He was named one of the receivers, Wallace Pierce of Plattsburgh being the other.

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Continued from Page Fifteen

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Even though the Republicans advance a candidate there does not appear to be any dead certainty that there will be a change, as indications today were that both Mayor Joseph C. Wilson, although designated by the Republican organization in the last election, and Councilman Chester A. Peake would "stay put" and vote against the Republican city manager candidate, if one is nominated.

May Indicate Stand
"I was elected on the City Manager League ticket," and that may be regarded as indicating the position he will take if an effort is put forth by the Republican members of the new council to install someone in Mr. Story's position.

Assuming that Mayor Joseph C. Wilson attends the council meeting on Thursday and that he and Dr. Peake and Mr. Stanton are agreed on the league's choice for city manager—and this choice is known to be Mr. Story—there will be no possible chance for the Republican organization to seat its candidate.

Barclay Silent
Harry J. Barclay, Republican county chairman, declined to say today whether the name of a candidate for city manager can be expected to be announced.

Mayor may be chosen from outside the membership of the council but the vice-mayor must be a member of the council. If a mayor should be chosen from outside the membership of the council he would exercise all the power of a presiding officer but would not have a vote in the council.

Corporation Counsel Clarence M. Platt, in commenting on the situation today, said that in the event of a tie vote in the council on a candidate for city manager he will be prepared to hold that Mr. Story and the other officers elected by the council hold over until their successors are elected.

MOVE DIES WITH OLD COUNCIL

Goodwin's Annexation Scheme Also Unreported, As Is Proposed Barber License

The controversy over a proposal to abolish free school tuition in Rochester for children in annexed portions of town school districts must be settled by the new City Council.

Proponents of the scheme to end free tuition were members of the City Manager League group of the old Council, which terminated its labors last night. The Republican organization members of the old Council were of the opinion that the city had made a bargain with the towns for furnishing free tuition, and should stand by it.

With all indications pointing to a deadlock on most Council items, the next two years, no immediate attempt to abolish free tuition for children from annexed school districts is expected.

The resolution to abolish free tuition died as unfinished business in the law committee, as did a number of other measures. Councilman Harry C. Goodwin's measure on the annexation of Greece, Brighton and Irondequoit, also died in committee. So did the resolution establishing a Barber Board.

The Council authorized the borrowing of \$1,000,000 for uncollected taxes and passed Councilman Joseph L. Guzzetta's amendment to the animal and fowl ordinance, to permit carrier pigeons the freedom of the city for at least two hours a day, that their owners may hold trial flights.

The Council authorized changing the name of Wolcott Road to River Boulevard. This is the improved road at the foot of Oak Hill above the Barge Canal harbor.

The Council approved a number of land purchases for street widening. Among them were the purchase from the University of Rochester for River Boulevard, from Stromberg-Carlson Telephone Manufacturing Company for Blossom Road, and from St. Mary's Church for Monroe Avenue extension.

Even though operations were to be continued by the receivers under the old franchise, the Council might waive the five-cent fare provision for the seven months, or an indefinite period, in view of the admitted financial straits of the street railway company.

The city itself is a creditor of the New York State Railways in the sum of \$150,736.70, this sum representing the amounts owed to the city by the company under local improvement ordinances. Details of the total are:

Table with 2 columns: Street Name, Amount. Includes Main Street East (\$31,660.58), Clinton Avenue North (19,669.45), Mt. Hope Avenue (17,486.13), State Street (9,121.01), University Avenue (32,797.62), Clifford Avenue (16,335.40), North Street (20,316.60).

For Paying Work
Claims for these sums are liens against New York State Railways special franchise and represent the railway company's paying costs in the streets mentioned. First mortgage bonds issued by the Rochester Railway Company also are secured in part by the franchise, and the bondholders would have prior claims over the city, it was said yesterday.

Although no copy of the receivership order was available in Rochester yesterday, it undoubtedly is in part an injunction restraining all creditors from bringing any action against the company during the period of receivership designed to enforce payment of claims. It was to head off such actions and protect the interests of all creditors that the receivership was granted. The injunction would include holders of mortgages against the New York State Railways properties.

CITY FACES STREET CAR FARE ISSUE

Manager Story Doesn't Think Service-at-Cost Contract Renewal Probable

COUNCIL NOT FAVORABLE

Five-cent Rate Upheld, but Waived by City in Favor of Sliding Scale

With the New York State Railways thrown into receivership, the city yesterday was faced with the option either of declaring the service-at-cost contract immediately at an end, or of entering into negotiations with the receivers for the continuance of the contract to July 31. A provision of the contract says:

"In case a receiver shall be appointed herein, this contract shall forthwith terminate, unless the city and the receiver shall elect and agree to continue."

In the event the city refuses to continue the contract longer, the receivers will be required to operate the Rochester Street Railways lines under terms of the old five-cent fare franchise, city spokesmen said yesterday. The validity of the five-cent fare was tested time and again in the courts and was upheld by the Court of Appeals, but it was waived by the city nine years ago when the service-at-cost contract was entered into.

Corporation Counsel Clarence M. Platt, directed to examine into the situation, said last night that it would take a few days for the receivers to qualify, file bonds and make a report.

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Free Back advertisement with logo.

HENRY SIEBERT'S advertisement with address 162 Andrews St.

STORY FROWNS ON SPAN TOLL

Mayor Story frowns on the proposed toll for use of the Ridge Road bridge, comparatively few people would use it, and the congestion at Driving Park Avenue bridge would increase and further aggravate Rochester's traffic problem, Mr. Story said.

The bridge will be used by citizens of Rochester and a toll would be an imposition on them. Just how much tolls will contribute to the bridge's traffic home can tell.

City attorneys said that in their opinion the new structure could be made a toll bridge without conflict with state laws, although toll is rarely collected for bridges and highways support in this state.

"The only state toll bridges or highways I am giving supervisors permission to abolish them," said Corporation Counsel Platt.

Stay on City Payroll



STEPHEN B. STORY They keep their jobs as a result of the vote in the first City Council meeting today—Story as city manager, Adler as vice



ISAAC ADLER They keep their jobs as a result of the vote in the first City Council meeting today—Story as city manager, Adler as vice

12 DISTINCT PROJECTS TO COME UP

Work Will Begin Early Next Summer, Says Story, for Unemployment Relief

Rochester's major street plan, consisting of twelve separate widening and extension projects, is to be submitted to the City Council on February 3, City Manager Stephen B. Story announced today.

If it is necessary to go into lengthy condemnation proceedings to get clear titles to the pieces of property needed for extension and widening, it will delay the beginning of work by several months.

"I suggest that the property owners concerned follow the example of the abutting property owners in the Cumberland Street extension. They co-operated with the city and materially facilitated the work."

The twelve projects are to be explained in detail by Mr. Bartholomew at the first public discussion of the city plan at the Rochester Chamber of Commerce Thursday evening, January 9.

The meeting, sponsored by the Civic Improvement Association will follow a dinner in the Chamber dining hall, to be served at 6-15 p. m.

Due to the great public interest, Mr. S. Hallauer, chairman of the dinner committee, urged early reservations for the dinner. He said the dining hall has seats for only some hundred persons, and applications are expected to exceed that number.

WILSON GIVEN UNANIMOUS RE-ELECTION

Council Splits, 4 to 4, Killing Resolutions Against City Manager Incumbent

By J. CODY WALLER With lines sharply and evenly drawn between two political combinations seeking control of the new City Council, both City Manager Stephen B. Story and Vice Mayor Isaac Adler continue in their respective offices, the result of the vote in the council organization meeting today.

MOVE TO NAME OWEN

The Republican organization councilmen—R. Andrew Hamilton, William F. Duran, Dr. Joseph L. Guzzetta and Nelson A. Milne—sponsored a resolution which would have vacated the office of city manager and paved the way for the selection of a Republican, Charles S. Owen, former safety commissioner and sheriff, to fill it.

Mr. Hamilton ran second to Mayor Wilson last November. This was the first opportunity for the tie vote between the Republican organization and the City Manager League groups.

Councilman Duran, Guzzetta and Milne voted for Mr. Hamilton. Neither Mr. Adler nor Mr. Hamilton voted.

Councilman Peake nominated Mayor Wilson for re-election and Councilman Duran seconded the nomination. The vote was unanimous.

The Council also voted unanimously for the re-election of City Clerk Thomas O'Leary, as it did to raise Mr. O'Leary's salary from \$4,500 to \$4,000.

Mayor Wilson's salary is continued at \$4,500, besides the \$1,500 he receives as councilman.

Councilman Peake submitted Mr. O'Leary's name for re-election and said he doubted whether, in the city's history, there was anybody who had lided the office so well, because of Mr. O'Leary's knowledge of it, and the fine service he rendered to the councilmen.

The Council voted unanimously to continue the Rochester Journal as the official newspaper for publishing Council proceedings.

The Council unanimously adopted the rules of order of the 1929 Council for this year.

Mr. Story's Job He Must Show Skill as Leader

STEPHEN B. STORY remains city manager. He had opponents. He still has them. But the average citizen, prompted by a spirit of fair play, is glad to see him in office for two more years—ample time to prove either that he is the man for the job or, emphatically, that he is not.

Mr. Story is not to be envied. He is responsible to a council which is half for him and half against him. The line is clearly drawn. That means the city manager must appeal to the public for support of his pet projects.

Capable as an expert in municipal affairs, Mr. Story must demonstrate now that he is a political leader.

Must Carry On

The city government must function without interruption, regardless of differences among factions in the City Council. While Mayor Wilson remains incapacitated and the number of active council members is reduced to eight, they owe it to their constituents to find a basis of compromise that will prevent a deadlock or any development likely to throw municipal affairs into confusion.

Important issues are demanding attention, particularly the relations of the city and the New York State Railways. The eight members of the City Council are all responsible citizens, and presumably fully aware of the fact that they hold their commission from the voters.

Company Goes Into Bankruptcy When Bondholders Organize for Protection

TURNING TO BUSES Valuable Bus Franchise to Be Object of Company in Near Future

Rochester's traction muss, a situation the bad features of which have accumulated over a period of years and which were aggravated by a total lack of policy on the part of the municipal government under Stephen B. Story since his employment as city manager, broke into the open with a "bang" this week when the astute owners of the New York State Railways found themselves in receivers' hands and their company at the disposition of federal courts.

Half of City Taxes Are Again Due in January

Relief Desired by Public Not Given by Manager League Council

One-half of the Rochester city taxes again become due in January and are payable without interest before the end of the month. Citizens of the city are again experiencing one of the beauties of City Manager League government, forcing them to additional expenditures early in the year.

Trolley Muss of Rochester Comes in Open

Among the interesting features of the case is that of the demand made by the Democratic Public Service Commission for information on the ownership of the New York State Railways, a rather belated demand in view of the recent receivership developments.

Street Car Contract

Passing of the New York State Railways into receivership a few days ago is understood to have made void the service-at-cost contract. A proposal to renew it temporarily, until the normal expiration date on July 31, 1930, was blocked by a tie vote in the council.

The Street Car Contract

It is probably just as well to continue under the receivership the service-at-cost contract until the time when it nominally would have expired. It will be possible to negotiate a different contract during the interval, or to leave regulation to the Public Service Commission.

Reorganization under the receivership will become necessary also.

This should not be permitted to drag. The receivership should not be continued beyond the point where a sound financial structure can be arranged. This should not be difficult, however, for the Rochester lines have been the best paying unit of the New York State Railways.

Tie Vote Beats Resolution For New Trolley Contract

Whereas, To date the City Manager has failed to present any recommendations to the Council concerning the matter, and has failed to furnish any data pertaining to the operation of the street railway system and has failed to give his ideas of proper contract provisions, and

Whereas, The interests of the City of Rochester demand immediate consideration of the city's traction problem and the diligence in the matter of safeguarding the public's rights.

Therefore, be it Resolved, That the City legal department be instructed, together with such committees of this Council as may be involved, to proceed with negotiations with the receivers of the New York State Railways looking to the perfection of a contract which will contain the appropriate provision of the present contract and which will expire July 31, 1930, and also will provide for:

(a) A five-cent fare for all school children.

(b) The immediate establishment of a system permitting the purchase of fare tickets upon street cars and buses operated by the New York State Railways.

Whereas, The City of Rochester and this Council is confronted with the problem of street car service, due to the fact that receivers have been appointed for the New York State Railways, the party to the existing service-at-cost contract with the city, which will terminate on July 31 next, when the original agreement was to expire. It was referred by Vice-Mayor Adler to the public utilities committee.

Guzzetta Asks New Contract Councilman Guzzetta then introduced a resolution, which under the rules of order can be pressed to immediate vote, while an ordinance requires unanimous consent to be passed on the date of its introduction; and the purport

Wilson Given Unanimous Re-election

By a vote of four to four, with Mayor Wilson absent, the City Council was deadlocked and the proposal of the Republican organization forces to name Charles S. Owen city manager was blocked.

This leaves city affairs in a most unsatisfactory situation. As between Mr. Story and Mr. Owen it can probably be assumed that the four to four line-up will remain unchanged, so long as all the four members of the council who opposed the organization candidate are present.

But a deadlock is not a vote of confidence, and Mr. Story is placed in an uncomfortable position. It is even possible, if not probable, that if one of the four councilmen who opposed Mr. Owen were absent, the four organization supporters might place their man in office.

Then the deadlock would remain, but with the shoe on the other foot. It will be noted that by the same division a proposal was also rejected to effect an agreement with the receivers for the New York State Railways to continue the service-at-cost contract until it would normally expire on July 31, 1930.

This may be ominous of an even division and failure to act on other important matters which will soon come before the council.

The City Plan assuredly ought not to be a partisan issue, but it will be recalled that Chairman Harry Bareham, of the Republican County Committee, has favored setting up a Monroe County Port Authority. A bill to that effect was passed at the last session of the Legislature, failing to become law only because it was vetoed by Governor Roosevelt at the request of the city administration, backed by a majority of the City Council.

Thus unless Mayor Wilson is able soon to resume his seat at the council meetings, or public opinion forces positive action, transaction of city business may be seriously hampered.

Serene Despite Stormy Weather

City Manager Stephen B. Story (left) and Vice-Mayor Isaac Adler seated on platform at first session of new Council yesterday morning.



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The county taxes have been payable in January for many years. With interest on mortgages to pay, with Christmas bills to meet and other expenses of the winter season, most property owners were able to get by, but last year they discovered that the city had saddled another burden on them.

Republican members of the City Council tried in 1929 to amend the charter so that the city taxes would be due at a more favorable time of the year, but the City Manager League councilmen held tight against the public.

The city tax may be paid in two installments, according to a statement by City Treasurer James E. Kane.

"The first installment, which includes all delinquent assessments for improvements, water rents, and the like, is due and payable any time during the month of January, without interest," he said.

"The second installment is due and payable in July, 1930, but may be paid any time after the first day of January and before the first day of August, without interest."

"Taxpayers may obtain their bills by sending requisition to the City Treasurer's office, giving the necessary description of property and to whom assessed, and the bills will be mailed them as soon as possible after January 1."

Threat to Bondholders

The threat to the company's bondholders led recently to the formation of a bondholders' protective committee, and as a member of that group one Rochester banker declared that the receivership was a move on the part of the company's controllers to force certain bond conversion terms upon the company's bondholders.

The policy pursued by the New York State Railways has been under fire locally for a number of years, and widespread public criticism has been made of the company's operating methods. With the concern in the hands of receivers the New York State Railways appeared under its late management to be unable to conduct its affairs to the satisfaction of the public or its bondholders even though it was highly privileged in the matter of fare schedules.

Rochester has one of the highest traction fares in this section of America, but at the same time the company has permitted much of its physical property to deteriorate and has repeatedly attempted to "beg off" and bulldoze the city in connection with its street repair obligations.

What the inside story of the New York State Railways may be is only conjecture at the present time. As long as the company was "riding high" at the public's expense there was little likelihood of trouble but now that the bondholders are organized there is some possibility of violent procedure against the group in control of the company's arrangements.

It is a good maneuvering posture from the standpoint of the public. That the company may try to salvage its

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JAN 5 1930

COUNCIL DEADLOCKED OVER CITY MANAGER

New Council as It Went Into Action for 1930



City Council with two new faces as it went into session for the first time yesterday morning in the Council Chamber in the City Hall: Front row, from left, Vice-Mayor Isaac Adler, William F. Durnan, Louis S. Foulkes, Dr. Chester A. Peake, and Charles E. Stanton; back row, from left, Nelson A. Milne, R. Andrew Hamilton, and Dr. Joseph L. Guzzetta.

FORMER RULES RETAINED BY NEW COUNCIL

All Department Heads Will Continue for Present; One Resignation Rumored

The Council concluded the business of its organization session by unanimously adopting a resolution by Councilman Foulkes, seconded by Councilman Milne, providing that the rules of order for the Council for the years 1928 and 1929, as in effect on Dec. 31, 1929, shall be the rules of order of the present Council.

A communication was received from William E. Boothby, secretary of the Rochester Exposition Association, calling attention to the privilege of the Council to appoint five members of the association, and requesting that this action be taken.

One Resignation Foreshadowed

With City Manager Story's continuance in office, all of his department heads will continue, although the resignation of one of the department heads, for personal reasons, is expected at an early date. After the public session of the Council, there was an executive session, called by Vice-Mayor Adler, and means of furthering the work of the Council were discussed. The next meeting will be Monday evening, regular sessions to be conducted on that evening each week hereafter. Many leading citizens were in the audience at the public session, which was delayed fifteen minutes at the opening because of the caucus of the Council members. There were a number of floral tributes for councilmen.

Highlights of First Meeting of 1930 City Council

Major items before the organization meeting of the new City Council yesterday included the following: Resolution by Councilman William F. Durnan vacating the office of city manager failed of passage because of the vote, and as a consequence City Manager Stephen B. Story continues. Speaking for his resolution, Councilman Durnan proposed Charles S. Owen for city manager.

Resolution by Councilman Durnan reducing the salary of city manager from \$20,000 to \$15,000 referred by Vice-Mayor Adler to finance committee, after Councilman Nelson A. Milne endeavored to force vote, and Councilman Louis S. Foulkes objected, compelling reference to committee.

Mayor Joseph C. Wilson re-elected unanimously; also City Clerk Thomas P. O'Leary, whose salary was increased \$500 a year. Vice-Mayor Adler opposed by Councilman R. Andrew Hamilton for re-election as vice-mayor. Council divided equally, and Mr. Adler continues until a candidate is elected by majority vote. Mr. Adler continued until a candidate is elected by majority vote. Mr. Adler continued until a candidate is elected by majority vote.

Wants Earlier Conferences

City Manager Story called attention, through Vice-Mayor Adler, to the conference conducted each Monday afternoon at 2:45 o'clock to arrange the program for the meetings in the evenings and invited all councilmen to attend. Councilman Guzzetta expressed the opinion that the meetings should be conducted earlier, to give more than a few hours between the conference and the Council session, so that matters might be investigated, if desired. Vice-Mayor Adler said the suggestion of Councilman Guzzetta would be given consideration.

STORY HOLDS OVER ON TIE VOTE, 4 TO 4

Same Situation When Adler Is Opposed by Hamilton for Vice-Mayor

MAYOR WILSON RENAMED

First Absence of Any One of Eight Councilmen Will Break Deadlock

By HIRAM MARKS

A resolution declaring the office of city manager vacant failed of passage at the organization meeting of the new City Council yesterday morning because of a tie vote, and as a consequence City Manager Stephen B. Story continues in office.

Voices of the four councilmen affiliated with the Monroe County Republican organization were recorded in favor of the resolution, which was introduced by Councilman William F. Durnan, who, in speaking for the measure, said that he was proposing it so that he could nominate Charles S. Owen, former sheriff and former commissioner of public safety, as a candidate for city manager at a salary of \$15,000 a year.

Mayor Wilson absent, re-elected. Previously the Council, by unanimous action, re-elected Mayor Joseph C. Wilson for a term of two years.

Mayor Wilson was not present at the meeting. At the last meeting his family and physician prevailed upon him to remain at home because of the inclement weather and the excitement attending the organization session.

Mr. Adler continued until a candidate is elected by majority vote. Mr. Adler continued until a candidate is elected by majority vote. Mr. Adler continued until a candidate is elected by majority vote.

By having this office declared vacant, it gives me the highly desired opportunity later of nominating for that office a distinguished living Rochesterian, who has not only been successful in business, but who possesses to a high degree, through actual experience of years, intimate knowledge of Rochester's needs and the best methods of promoting its desires.

I refer to Charles S. Owen, former commissioner of public safety of the City of Rochester and sheriff of the County of Monroe. He was supervisor of the Third Ward for five years and chairman of the Board of Supervisors in 1915, 1916 and 1917. For fourteen years he was president of the Champion-Owen Company, Inc., manufacturer of automobile equipment, sporting goods and radios.

The business growing from the time of its organization by Mr. C. J. Chapin and Mr. Owen to a volume of over a million a year. The fact that the annual compensation of the city manager is \$15,000 instead of \$20,000, which latter figure prevails at the present time.

Continued on Page Twenty-two

Major Street Plan To Be Explained to Civic Group



HARLAND BARTHOLOMEW To Speak at Chamber of Commerce Thursday

Harland Bartholomew Speaks Thursday at Chamber

Details of a major street plan for Rochester as the initial phase of a city planning program will be announced Thursday evening at the Chamber of Commerce by Harland Bartholomew of St. Louis, consultant in Rochester planning, in an address at a dinner sponsored by the Civic Improvement Association.

Mr. Bartholomew will arrive here Tuesday morning to meet with members of the board of directors of the Civic Improvement Association for a conference on the street plan. That afternoon he will submit the tentative report on a civic center plan to the City Planning Board.

On Wednesday he will meet with the Regional Planning Board. Thursday noon he will address the Automobile Club of Rochester. He will address the City Club at its luncheon Saturday.

The major plan now in an accepted form as far as the City Planning Board is concerned and the next step will be its official presentation to the City Council. Included in this plan are proposals for street widening and extensions, for laying out main travel arteries to facilitate future traffic movement, for a central traffic district in the main business section and for elimination of many jogs and dead end streets.

Some of the projects that embody such projects that the eastward extension of Broad Street, the widening of Main Street, West and Andrews Streets, and the use of as much similar proposals which have been agitated here for several years.

The dinner at the Chamber of Commerce will begin at 6:30 o'clock. Herman Russell, president of the Civic Improvement Association will preside.

To Outline Street Plan

Information of deep interest to residents of Rochester will be offered at a dinner sponsored by the new Civic Improvement Association, to be held at the Chamber of Commerce Thursday evening. This is a public dinner, which all are invited to attend, up to the capacity of the hall.

Harland Bartholomew, one of the leading city planning experts of the country, will explain at this dinner the street plan which he and his staff have worked out, with the co-operation of present and former members of the city's engineering force. It is the first section of the City Plan to be completed and made public.

This plan is intended to provide a guide for major street improvements during the next 50 years. It assumes that Rochester will continue to grow and seeks to make provision for that expansion. It also seeks, gradually and at minimum expense, to correct the oversights of earlier years. Presumably certain immediate projects will be indicated.

Everyone is interested in the use of the streets. We all realize that our present street layout could be improved. Mr. Bartholomew knows his subject and how to present it clearly. There should be a large attendance at the dinner, for which reservations are now being received at the Chamber of Commerce.

NEW BRIDGE PLANS ARE IN BIG DEMAND

Contractors in All Parts of Country Interested in Ridge Road Structure

EXPECT LIVELY BIDDING

Strong Effort To Be Made To Have Rochester Labor and Materials Used

A large number of contractors from all parts of the country are expected to apply for the plans and specifications for the new Ridge Road bridge, which will be available to them this week, according to announcement by City Manager Stephen B. Story.

The proposed contract has been advertised in engineering journals, and numerous inquiries have been received. Mr. Story expects spirited competition for the contract, which necessitates an expenditure approximating \$3,250,000.

Seek Use of Rochester Labor The bridge is one of the largest to be erected by a municipality comparable with Rochester, and in the preparing of the specifications under the direction of Harold W. Baker, commissioner of public works, and Frank McKibben, the engineer in charge, Mr. Story said that provision is being taken to assure the employment of the maximum amount of Rochester labor and the use of as much material purchased in this community as possible.

This is in keeping with the program of President Hoover to promote public work in the interest of prosperity, and all members of the City Council are unanimously in accord with this action. While the specifications will be as strict as possible on this subject, without interfering with the free and complete competition that the city seeks as a means of lowering the construction costs, Mr. Story feels that there is a moral obligation on the part of the contractor to use Rochester labor and materials to the utmost extent and he will seek the co-operation of the successful bidder to bring this about.

Councilman Nelson A. Milne, of the North-west District, and Councilman William F. Durnan, of the Northeast District, which are to be connected by the proposed structure, are ardently sponsoring this action, and will support Mr. Story and the other city officials in their efforts to see that the largest possible amount of the money expended for the bridge is left here in Rochester, for labor and materials.

Under the present administration to use as much Rochester local labor as possible. Scott Brothers will enter the competition for the Ridge Road bridge.

Bids will be received by Wendell T. Andrews, city purchasing agent, on Feb. 5, giving the competing firms nearly a month to prepare on the work. The contract will be awarded soon after that date, possibly in two days, and it is expected that it will require ten days for Comptroller Clarence E. Higgins to check the financial responsibility of the contractor and to approve the bonds, and for Corporation Counsel Clarence M. Platt to approve the contract. Immediately after the compliance with these legal formalities, the actual construction can be started, and it is expected that by Spring the work will be well under way.

Keen Competition Expected The bridge, it is expected, will cost substantially less than the engineering estimate, because of the keen competition that is expected to develop for a contract of that magnitude. Approximately two years will be necessary to complete the work and City Manager Story believes that the completed structure will be one in which the city can take great pride.

Street Railway Inquiry

The Public Service Commission has instituted an inquiry looking to establishing where stock control of the lines of the New York State Railways rests, as well as responsibility for the bonded debt. Bondholders' committees have been formed to protect the interests of holders of underlying obligations of the system and of the Rochester lines.

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Despite the present confusion with regard to the status of the New York State Railways, two things can be confidently affirmed:

Rochester needs and must have continued operation of its traction system on regular schedules.

Rochester lines of the New York State Railways, on the basis of receipts in recent years under the rates set through the service-at-cost contract, have been meeting all obligations and maintenance expenses and returning a balance in the neighborhood of \$1,000,000 annually for payment to bondholders and stockholders.

It has been alleged that with the lapse of the service-at-cost contract through the receivership the old five-cent fare contract comes into force again. But while the validity of that contract was established by litigation about 10 years ago, the Public Service Commission refused at that time to compel the street railway company to furnish at the five-cent rate the type of service Rochester required.

Thus while the five-cent fare contract may still hold good, it is not likely that proper service can be obtained under it. It will probably be necessary again to waive the five-cent fare provision.

Where no specific contract exists, rates and service for street railways come under the jurisdiction of the Public Service Commission. That body will be in a position to deal with the matter as soon as it has completed its inquiry. Its approval will, in fact, be required for any temporary agreement the city may enter into with the receivers.

In view of the earning power of the Rochester lines it may be assumed that the receivers will undertake to keep the service in operation on a rate basis no higher than the present, and possibly with some minor concessions such as have been suggested in the council.

Rochester 50 Years Hence

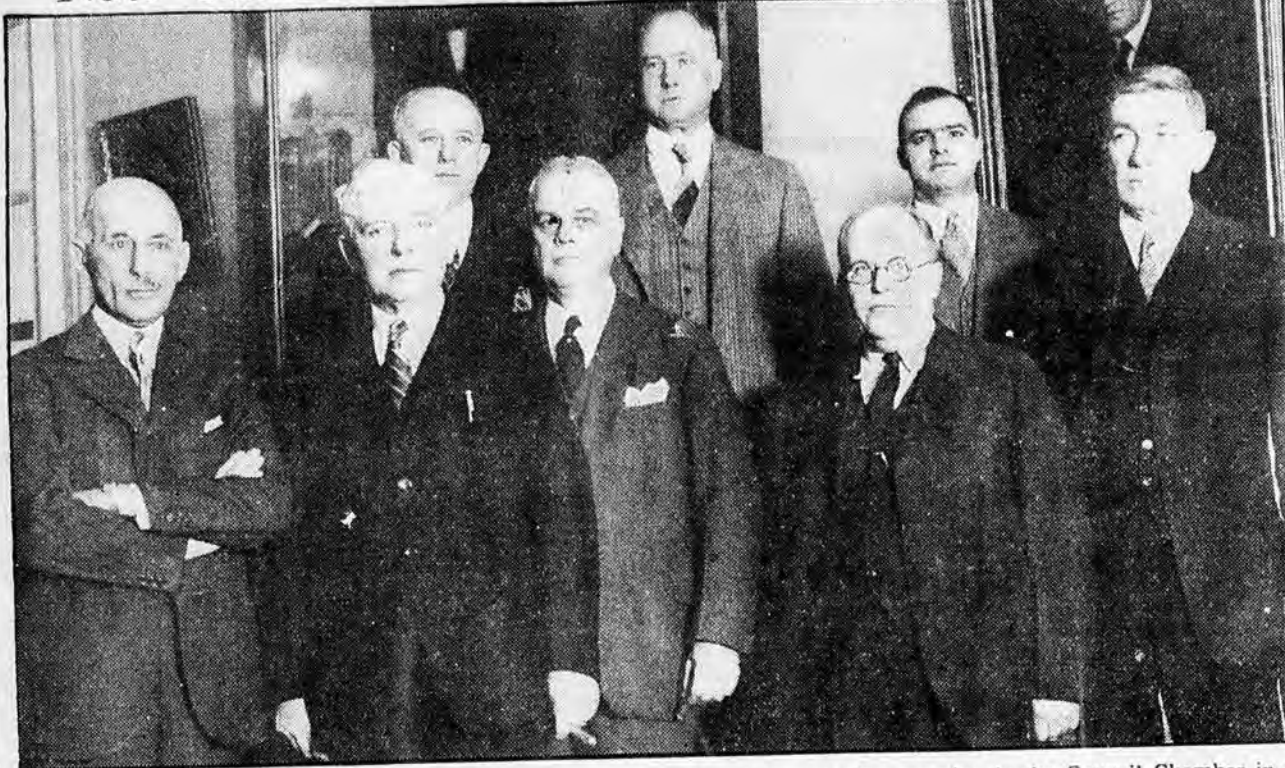
As the creator of a city plan that looks fifty years ahead to Rochester's future, Harland Bartholomew will be heard with special interest at the first public dinner of the new Civic Improvement Association at the Chamber of Commerce Thursday evening. Business and professional interests have an important stake in any changes contemplated in the map of Rochester; these interests doubtless will be well represented at the dinner.

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The city plan is a thing of tremendous importance to every resident. Immediately ahead are projects that will have a permanent effect on the city—the extension of Broad Street, the widening of Andrews Street, the opening of new routes to care for the traffic of the future. Mr. Bartholomew and the other city planners are not concerned merely with visions; they have practical plans for things that must be begun now. The Chamber dining room should be taxed to hold the audience Thursday night.

COUNCIL DEADLOCKED OVER CITY MANAGER

New Council as It Went Into Action for 1930



City Council with two new faces as it went into session for the first time yesterday morning in the Council Chamber in the City Hall: Front row, from left, Vice-Mayor Isaac Adler, William F. Durnan, Louis S. Foulkes, Dr. Chester A. Peake, and Charles E. Stanton; back row, from left, Nelson A. Milne, R. Andrew Hamilton, and Dr. Joseph L. Guzzetta.

FORMER RULES RETAINED BY NEW COUNCIL

Ail Department Heads Will Continue for Present; One Resignation Rumored

The Council concluded the business of its organization session by unanimously adopting a resolution by Councilman Foulkes, seconded by Councilman Milne, providing that the rules of order for the Council for the years 1928 and 1929, as in effect on Dec. 31, 1929, shall be the rules of order of the present Council.

One Resignation Foreshadowed

With City Manager Story's continuance in office, all of his department heads will continue, although the resignation of one of the department heads, for personal reasons, is expected at an early date.

Highlights of First Meeting of 1930 City Council

Major items before the organization meeting of the new City Council yesterday included the following: Resolution by Councilman William F. Durnan vacating the office of city manager failed of passage because of the vote, and as a consequence City Manager Stephen E. Story continues.

Wants Earlier Conferences

City Manager Story called attention, through Vice-Mayor Adler, to the conference conducted each Monday afternoon at 2:45 o'clock to arrange the program for the meetings in the evenings and invited all councilmen to attend.

STORY HOLDS OVER ON TIE VOTE, 4 TO 4

Same Situation When Adler Is Opposed by Hamilton for Vice-Mayor

MAYOR WILSON RENAMED

First Absence of Any One of Eight Councilmen Will Break Deadlock

By HIRAM MARKS

A resolution declaring the office of city manager vacant failed of passage at the organization meeting of the new City Council yesterday morning because of a tie vote, and as a consequence City Manager Stephen E. Story continues in office.

Votes of the four councilmen affiliated with the Monroe County Republican organization were recaptured in favor of the resolution, which was introduced by Councilman William F. Durnan, who, in speaking for the measure, said that he was proposing it so that he could nominate Charles S. Owen, former sheriff and former commissioner of public safety, as a candidate for city manager at a salary of \$15,000 a year.

Mayor Wilson Absent, Re-elected

Previously the Council, by unanimous action, re-elected Mayor Joseph C. Wilson for a term of two years.

DURNAN TRIES TO OPEN WAY TO NAME OWEN

Moves To Declare Office of City Manager Vacant, Cut Salary to \$15,000

In support of his resolution declaring the office of city manager vacant, Councilman William F. Durnan made the following statement to the Council yesterday:

I move the adoption of this resolution for the following reasons: The Republican party in the last municipal campaign promised to nominate a candidate for city manager that through business and political experience was competent to manage the city's affairs upon a higher plane of efficiency and progress than has been noted in the immediate past, and also to reduce the annual compensation covering that position.

Cites Mr. Owen's Record

By having this office declared vacant, it gives me the highly desired opportunity later of nominating for Rochesterian, who has not only been successful in business, but who possesses to a high degree, through actual experience of years, intimate knowledge of Rochester's needs and the best methods of promoting its desires.

I refer to Charles S. Owen, former commissioner of public safety of the City of Rochester and sheriff of the County of Monroe. He was supervisor of the Third Ward for five years and chairman of the Board of Supervisors for two years; he was commissioner of public safety from 1908 to 1914, inclusive, and sheriff of Monroe County in 1915, 1916 and 1917. For fourteen years he was president of Chapin-Owen Company, Inc., manufacturers of automotive equipment, sporting goods and radios.

The business growing from the time of its organization by Mr. C. F. Chubb and Mr. Owen to a volume of over a million a year. The favorable consideration of this resolution will also present the opportunity at the proper time of fixing the annual compensation of the city manager at \$15,000 instead of \$20,000, which latter figure prevails at the present time.

Would Cut Manager Salary

A resolution reducing the salary of the city manager from \$20,000 to \$15,000 a year was proposed by Councilman Durnan. Unanimous consent would have been necessary for the passage at yesterday's session, and when Councilman Milne attempted to force a vote, Councilman Louis S. Foulkes, of the opposition, moved for its rejection. The measure was referred by Vice-Mayor Adler to the finance committee, "if and when appointed." Appointment of the committee is made by Mayor Wilson, who has sole authority in selections not being subject to ratification by the Council.

Continued on Page Twenty-two

Major Street Plan To Be Explained to Civic Group



HARLAND BARTHOLOMEW To Speak at Chamber of Commerce Thursday

Harland Bartholomew Speaks Thursday at Chamber

Details of a major street plan for Rochester as the initial phase of a city planning program will be announced Thursday evening at the Chamber of Commerce by Harland Bartholomew, of St. Louis, consultant in Rochester planning.

Mr. Bartholomew will arrive here Tuesday morning to meet with members of the board of directors of the Civic Improvement Association. That afternoon he will submit the tentative report on a civic center plan to the City Planning Board.

To Go To Council

On Wednesday he will meet with the Regional Planning Board. Thursday noon he will address the Automobile Club of Rochester. He will address the City Club at its luncheon Saturday.

The major plan now in an accepted form as far as the City Planning Board is concerned and the next step will be its official presentation to the City Council.

Included in this plan are proposals for street widening and travel arteries to facilitate future traffic movement, for a central traffic district in the main business section and for elimination of many jogs and dead end streets.

This will embody such projects as the eastward extension of Broad Street, the widening of Main Street West and Andrews Streets and the use of as much similar proposals which have been tentatively purchased in this community as possible.

The dinner at the Chamber of Commerce will begin at 6:30 o'clock. Herman Russell, president of the Civic Improvement Association will preside.

To Outline Street Plan

Information of deep interest to residents of Rochester will be offered at a dinner sponsored by the new Civic Improvement Association, to be held at the Chamber of Commerce Thursday evening. This is a public dinner, which all are invited to attend, up to the capacity of the hall.

Harland Bartholomew, one of the leading city planning experts of the country, will explain at this dinner the street plan which he and his staff have worked out, with the co-operation of present and former members of the city's engineering force. It is the first section of the City Plan to be completed and made public.

This plan is intended to provide a guide for major street improvements during the next 50 years. It assumes that Rochester will continue to grow and seeks to make provision for that expansion. It also seeks, gradually and at minimum expense, to correct the oversights of earlier years. Presumably certain immediate projects will be indicated.

Everyone is interested in the use of the streets. We all realize that our present street layout could be improved. Mr. Bartholomew knows his subject and how to present it clearly. There should be a large attendance at the dinner, for which reservations are now being received at the Chamber of Commerce.

NEW BRIDGE PLANS ARE IN BIG DEMAND

Contractors in All Parts of Country Interested in Ridge Road Structure

EXPECT LIVELY BIDDING

Strong Effort To Be Made To Have Rochester Labor and Materials Used

A large number of contractors from all parts of the country are expected to apply for the plans and specifications for the new Ridge Road bridge, which will be available in a few days according to announcement by City Manager Stephen E. Story.

The proposed contract has been advertised in engineering journals, and numerous inquiries have been received. Mr. Story expects spirited competition for the contract, which necessitates an expenditure approximating \$3,250,000.

Seek Use of Rochester Labor

The bridge is one of the largest to be erected by a municipality comparable with Rochester, and in the preparing of the specifications under the direction of Harold W. Baker, commissioner of public works, and Frank McKibben, the engineer in charge, Mr. Story said.

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This is in keeping with the program of the Civic Improvement Association to have as much of the work done in Rochester as possible. The bridge is one of the largest to be erected by a municipality comparable with Rochester, and in the preparing of the specifications under the direction of Harold W. Baker, commissioner of public works, and Frank McKibben, the engineer in charge, Mr. Story said.

The bridge, being of concrete construction, makes possible the larger use of Rochester labor and materials. It is pointed out, as a steel structure would necessitate fabrication elsewhere. Even in the Smith Street bridge, a substantial part of the cost goes into the piers, and Scott Brothers, Inc., the contractor, have pledged themselves to the program of the administration to use as much Rochester local labor as possible. Scott Brothers will enter the competition for the Ridge Road bridge.

Bids will be received by Wendell V. Andrews, city purchasing agent, on Feb. 6, giving the competing firms nearly a month to figure on the work. The contract will be awarded soon after that date, possibly in two days, and it is expected that it will require ten days for Comptroller Clarence E. Higgins to check the financial responsibility of the contractor and to approve the bonds, and for Corporation Counsel Clarence M. Platt to approve the contract. Immediately after the compliance with these legal formalities, the actual construction can be started, and it is expected that by Spring the work will be well under way.

Keen Competition Expected

The bridge, it is expected, will cost substantially less than the engineering estimate, because of the keen competition that is expected to develop for a contract of that magnitude. Approximately two years will be necessary to complete the work and City Manager Story believes that the completed structure will be one in which the city can take great pride.

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It has been alleged that with the lapse of the service-at-cost contract through the receivership the old five-cent fare contract comes into force again. But while the validity of that contract was established by litigation about 10 years ago, the Public Service Commission refused at that time to compel the street railway company to furnish at the five-cent rate the type of service Rochester required.

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Rochester 50 Years Hence

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Historic Scrapbooks Collection

TROLLEY RECEIVERSHIP PRECIPITATES NUMBER OF SERIOUS PROBLEMS

Five-cent Fares, Possibility of Additional Receivers for Rochester Lines, and Other Legal Ramifications Demand Close Study COUNCIL MAY REGARD SITUATION AS EMERGENCY AND ACT TONIGHT

By HIRAM MARKS

Should there be a five-cent fare on the Rochester trolleys? Must additional receivers be appointed for the Rochester lines of the New York State Railways? These are two of the legal questions, with numerous ramifications, that exist as a consequence of the receivership of the New York State Railways directed last week.

Question of Jurisdiction

The question of the five-cent fare exists because of the clause terminating the service-at-cost contract in the event of the appointment of a receiver. The question of additional receivers for the Rochester lines arises because there is doubt whether the receivership declared in the northern district of the Federal Court extends to the western district, where the Rochester property is located; and if it does not, additional receivers will have to be appointed by Federal Judge Simon L. Adler.

Cognizance of the serious situation existing with reference to the railways has been taken by the City Council, and it is expected steps will be taken immediately to iron it out, and that interested counsel will be called into conference to adjudicate the legal questions.

The questions relating to the five-cent fare and the qualification of the receivership are intertwined with other legal propositions, and must be decided whether Benjamin E. Tilton and Wallace Pierce, co-receivers for the New York State Railways, have actually qualified and are in technical control of the property; what effect this receivership has on the provision of the service-at-cost contract which provides for termination of the document forthwith, unless the city and the receivers elect to continue it; what period of grace, if any, prevails under the termination clause of the contract; whether its termination returns the situation that prevailed before its execution, with a five-cent fare, and whether the receivership under jurisdiction of the Federal courts invokes any Federal statutes; what change, if any, has arisen in the Public Service Commission's authority over the Rochester property in the last ten years.

Other questions are involved in the complicated legal situation. The City Council will endeavor to meet the immediate emergency by reaching some basis for extending the contract to July 31, the date of expiration of the original contract. It will be the subject of discussion at the caucus today, it is expected.

Would Add Guzzetta's Requests

Pending before the Council is an ordinance introduced by Councilman Louis S. Foulkes extending the agreement with the expiration date. Councilman Joseph L. Guzzetta introduced a resolution, which did not pass, because of the vote that extended the contract incorporating provision for a five-cent fare for all school children and the sale of tickets on buses and trolley cars.

Approval by the Public Service Commission; but the changes were intended to effect benefits desired by many people, to which he was certain the railways would consent, and which being of minor character, could be incorporated in the existing agreement.

Contract Relief Measure

Ten years ago when the railways were said to be facing bankruptcy by reason of the five-cent fare and the increasing cost of materials, labor, and other commodities, the city, through the Common Council, elected to furnish relief to the transportation system as a means of providing adequate service, and the service-at-cost contract was executed. It was drawn by Corporation Counsel Charles L. Pierce. Sponsored in the Common Council by Harry J. Bareham, who arranged for several public hearings at which widespread approval was expressed by the public, it was approved for the railways by Harris, Beach, Harris & Matson, and executed before the late Mayor Hiram H. Edgerton and James F. Hamilton, president of the railways. It was regarded as a model instrument of its kind, and was copied by many other municipalities.

Previously, in the Quimby case, Supreme Court Justice Benjamin B. Cunningham, then corporation counsel, carried litigation to the Court of Appeals that sustained the five-cent fare provision of the Rochester franchise. It was conceded by the public that the five-cent fare was inadequate, and the contract granting relief to the railways met widespread public approval. To maintain its franchise requirements, the railways on some lines was compelled to run a car only every fifteen minutes, on others it was said that it was necessary to run one car a day. The contract, administered by Charles R. Barnes, commissioner of railways, was intended to provide adequate service as a cost that conformed to operating expenses, plus a fair return to the railways.

Says Grace Period Contemplated

The termination of this contract returns Rochester to the situation that prevailed before its existence, unless it should develop that the receivership under Federal control brings some Federal law to bear on the subject. The phase of the contract providing for its termination forthwith contemplates some reasonable period of grace, by reason of the clause qualifying it, namely, unless the receivers and

the city elect to continue it. Mr. Bareham, who was the author of the contract, declared in a statement that it was intended to prevent a situation resulting in confusion in the transportation system, by the giving of service at a confiscatory price, which would inevitably mean ruin to the trolley system, and wholly inadequate service to thousands of persons depending on the railways. The present situation developing from the receivership involving the operation of the subway, the transfer of freight cars, agreements with railroads entering Rochester to use the industrial subway railroad, and creates a situation that councilmen feel requires the most careful thought. The subject road agreement. The subject road agreement. The subject road agreement.

Mr. Tilton, who is a former Rochesterian, having served six years as engineer of the Rochester Railway Company, said that he would cooperate to the fullest degree to effect an agreement. A similar attitude toward effecting a settlement is taken by Vice-Mayor Isaac Adler and Councilman Foulkes.

For Council to Decide, Story's View

Whitman & Day are attorneys for the Associated Gas & Electric Company, which controls the railways, and the city's interests will be looked after by Corporation Counsel Clarence M. Platt, who already has given much study to the question. Mr. Platt has not been notified of the technical qualification of the receivers, by the posting of the bond or other formalities, but he feels that the service-at-cost contract contemplates a reasonable period of grace for preparation of legal steps necessary for extension of the contract because of the receivership. City Manager Stephen B. Story is looking into the subject, as are the individual members of the City Council, and the matter will be canvassed in the session tonight. Mr. Story believes that the relationship of the city toward the railways is largely a matter of policy for the City Council, and he is prepared to follow out immediately the specific instructions of the Council.

Only last week the Cleveland Railway System raised its fare from seven to eight cents, with an additional charge for certain zones. The Cleveland Railway System has long been operated as a model system and its operation is municipally controlled. In view of the necessity for increasing fare there, it is agreed by all interested persons that a chaotic condition would exist with reference to the Rochester system if the situation were returned to that which existed here before the service-at-cost contract was executed. The fare in Cleveland, a much larger city than Rochester, is lower because of greater mass travel. It is pointed out.

Regardless of the attitude of city officials toward the five-cent fare and adequate operating revenue which it is said it would give to the railways, the question presented is wholly one of law, and there are so many ramifications that the City Council this evening may regard the situation as an emergency and direct steps toward its immediate determination. While the period of grace provided in the contract, under its legal interpretation may last a week or two, Corporation Counsel Platt believes that the matter is of such importance that he is prepared to confer at once with the interested parties.

Another problem to which city officials are turning their attention is that of personnel in municipal service, which stands urgently in need of a standardized system, according to Mr. Story.

Enlargement of the City's Water Supply

Enlargement of the city's water supply at an ultimate cost of \$25,000,000; harbor development in the Genesee River at Charlotte, adjustment of the street railways problem, addition of the sewage and waste disposal plants and new bath house facilities at Ontario Beach Park are some of the projects which the city fathers are engaged in actually working out or laying plans for, Mr. Story told his audience.

Civic Center Nears Reality; Officials, Consultant Confer

Harland Bartholomew, City Planning Expert, and Administration Heads, Improvement Associations Discuss Proposed Group of Buildings.

By Cecil R. Los Jeffy

A dream of an imposing group of municipal buildings, Rochester's civic center to come, is shaping itself towards reality today in the hands of Harland Bartholomew, city planning consultant, and city officials.

Studies of some half dozen possible locations for this architectural "heart" of the city are involved in Mr. Bartholomew's preliminary civic center report, second in the series of seven or eight reports that will make up Rochester's city plan. The report was given to the City Planning Board yesterday afternoon, to be mulled over and put into final form. The St. Louis city planning expert talked its points over with the board members and as a result of suggestions already made and those to come probably will make alterations in the plan before it is final.

The civic center plan has given rise to many serious complications and they have accounted for delay in its submission. They also account for the long conference Mr. Bartholomew is holding with officials this week. Today he was closeted with City Manager Stephen B. Story, Public Works Commissioner Harold W. Baker, City Engineer Henry L. Howe Jr. and Edwin A. Fisher, consulting city engineer.

Requires More Study

Not so voluminous a report as the preceding major street plan, the document is only about half as thick—the civic center report is an entangling more concentrated study. Involved in it is the question of magnitude of the civic center and the number of buildings.

The report will give reasons for and against each of the possible sites and then will give Mr. Bartholomew's conclusion as to which is preferable. The Genesee River supra-structure scheme, between Broad and Andrews Street, which has been a principal suggestion in the past, probably will receive ample consideration in the report.

As far as the public is concerned, chief interest in Mr. Bartholomew's present visit centers on tomorrow night, for then the details of the major thoroughfares plan first will be revealed. Mr. Bartholomew will be the principal speaker at a public dinner under the auspices of the Civic Improvement Association.

Henry T. Noyes, member of the Regional Planning Board, also will address the meeting and Herman E. Bush, president of the association, will preside. The dinner will start at 6:15 o'clock. Reservations are coming in apace, but there is plenty of room for more, the Chamber of Commerce advises.

Confers With Board

This afternoon, Mr. Bartholomew was engaged to confer with the Regional Planning Board on the dove-tailing of its activities with the Rochester city plan. About two years ago, the Auto Club laid before Manager Story a program which it suggested for street widening and improvement, from the viewpoint of the motorist. In recognition of the club's natural interest in the major street proposals, the city planner will meet tomorrow afternoon with the Auto Club's executive and public relations committees, to discuss the traffic plans involved.

Friday, Mr. Bartholomew's schedule calls for a trip to Binghamton, where he will speak to city officials, the City Planning Commission and a public gathering on the subject of city planning. Binghamton is following in Rochester's footsteps by taking this problem up.

The final activity of Mr. Bartholomew's visit will be an address Saturday noon to the City Club.

Planning Pays

The first section of the City Plan is to be explained by the expert consultant engaged upon it, at a public dinner given by the Civic Improvement Association at the Chamber of Commerce on Thursday evening. This is one portion of a program to win for the plan public support based on knowledge of what it offers.

Perhaps question will be raised regarding the benefits derived from city plans where they have been in operation for some time. It seems to be generally conceded that L'Enfant's plan for the city of Washington, although drawn up considerably more than a century ago, was so well conceived that most departures from it have proved mistakes.

Coming down to more recent times, the Chicago city plan, outlined by Daniel Burnham and his associates a generation ago, has worked wonders for that city. That plan was launched with the backing of the Commercial Club, an organization including most of the business leaders of Chicago in its membership, and has never been a strictly official project. In view of the type of city government Chicago has so frequently endured, it is perhaps just as well that the plan had its main support outside official circles.

Any city plan, however, requires the backing of public opinion if it is to prove permanently effective. One authority in this field remarks that cities have not lacked planning, but it has been of the type dictated by persons desiring to sell real estate. This seems aimed particularly at the checkerboard plan of street development, but the number of stub end streets and jogs in the older portion of Rochester suggests platting lots without considering whether streets got anywhere.

A plan which looks forward to meeting the needs of the next 50 years must take a far wider scope and bespeak support from the city as a whole. That is what may be hoped for from the Bartholomew plan now being prepared for Rochester.

Advocates Sprinklers

It is worth noting that Battalion Fire Chief Gallagher, who has charge of the Fire Prevention Bureau, recommends that an ordinance be passed by the City Council which would require installation of automatic sprinklers in apartment and tenement houses. He thinks such an ordinance would be a safeguard against disastrous fires like that at the Stanwood Apartments on Main Street East.

Battalion Chief Gallagher blames storage of paper and other inflammables in the basement of the Stanwood building for the fire which cost two lives, more than \$100,000 and caused injuries to half a dozen firemen. Had automatic sprinklers been in use in the tanwood, the blaze would have been checked, at least in time to save all occupants, he says.

Decreases Value of Location Over River

After six or eight years of planning and speculation, city officials learned today that a bridge, the Genesee River, between Court and Central Avenue, may not provide the ideal site for a Civic Center, after all.

Harland Bartholomew, St. Louis expert, has submitted three alternative sites for a Civic Center to the City Planning Commission. Any one of the three would save the city upwards of \$25,000,000 as compared with the plan to build above the river, Public Works Commissioner Harold W. Baker said today.

Mr. Bartholomew included in his civic center plan, a river development scheme, calling for parallel boulevards connecting municipal buildings, with a union station on approximately the present site of the New York Central station, but he did not advocate this site as the best.

Good Omens

The dove of peace, as the late revered Colonel Henry Waterson would have said, has settled, momentarily at least, both on the Capitol at Albany and on the City Hall.

The Legislature passed in record time the emergency legislation requested by Governor Roosevelt to relieve the prison situation; the City Council on Monday evening transacted a large volume of important business without a discordant note.

The Legislature sensibly postponed controversy over the prison problem because of the obvious importance of immediate action to relieve overcrowding in the prisons, provide adequate food and increase the number of guards. Matters like reform of the penal system and the construction of new prisons can be discussed another day.

It was recognized on all sides that a deadlock in the City Council would demoralize public business and would benefit nobody. Members of the Council were elected to perform specific duties. Failure to perform those duties would be a confession of impotence that would arouse public criticism.

Political control of the council has not been settled and will, of course, be a live issue while the present line-up continues. But it has not been permitted to take precedence over everything else, to the detriment of city business.

This is a victory for common sense which deserves as much commendation as the truce declared at Albany.

Apartment House Fires

Fatal results of the Stanwood Apartments fire direct attention to dangers that must be guarded against in the multiplication of such communal types of dwellings. The Stanwood had been erected before present city inspection laws went into effect. It had been protected to a certain extent against fire hazards. But the protective features broke down when a fire attacked the vulnerable spots and raced through the open air shafts.

"I believe there should be a thorough inspection of every apartment house in the city, whether constructed under the present modern building code or not," Battalion Chief Frank V. Gallagher, head of the Fire Prevention Bureau, is quoted as saying. There will be many who will applaud Chief Gallagher, and possibly others who may ask why no inspection has yet been made.

Fire Menace Parley Called

In a conference scheduled for within a day or two, between officials of the Bureau of Buildings and Battalion Chief Frank V. Gallagher, head of the Bureau of Fire Prevention, steps to prevent a repetition of the Stanwood Apartment fire will be taken.

Chief Gallagher said today: "We plan no spectacular action, but we do intend that conditions such as existed in the Stanwood Apartments, No. 655 Main Street East, shall not obtain elsewhere.

"Yesterday, when debris had been cleared away and water drained from the basement, I made an inspection. The exact cause of the fire could not be determined, but we did establish that the fire started under the east side stairway leading into the court.

"A short distance away there were fifty gas meters and, very soon after the fire started, these were fifty feeder pipes belching flaming gas to feed the flames. There were fifty lockers and storage rooms for the meters, and these were of burned wood, and these probably burned like tinder.

"There were six shafts leading to inside bathrooms in the building and six air ducts leading to the shafts from outside. These were metal encased, but the shafts, doors and windows, but the shafts were of wood. The ability, even if it was open. "Of course, the fire escape facilities were sufficient, otherwise the loss of life would probably have been greater."

TROLLEY ISSUES CONSIDERED BY PLATT, TILTON

Present Status of Service-at-Cost Contract Big Question, Declares Corporation Counsel.

By Robert D. Burns

Corporation Counsel Clarence M. Platt and Benjamin E. Tilton, the latter president of and receiver for the New York State Railways, got together today in City Hall in an effort to determine the present status of the service-at-cost contract, which permits the trolley company to collect a 10-cent fare on the subway cars, trolleys and bus lines of Rochester.

Mr. Platt said before going into the conference the really important question is whether the service-at-cost contract is now in effect.

On conclusion of the conference Mr. Platt issued this statement: "Mr. Benjamin Tilton, one of the receivers for the New York State Railways, City Manager Story and I have conferred this morning. Mr. Tilton has been requested to furnish a copy of the order appointing the receivers together with a copy of the bond and its approval by the District Court. Mr. Tilton has agreed to have these papers here within the next few days.

"As soon as these papers arrive the city will have official information on which to proceed. Mr. Tilton stated that as to any action with Wallace E. Pierce, co-receiver, and expects to be able to give definite information some time this week.

"It seems to me that the intent of the contract is that a reasonable time may be taken to perfect the technical details which open the way for formal negotiations between the receivers and the city service-at-cost contract is terminated."

THREE OTHER SITES

"There are three alternative sites," said Mr. Baker, after a conference today with Mr. Bartholomew, Edwin A. Fisher, consulting engineer, and other city officials.

"Any one has as much merit, if not more, than the proposal for having a Civic Center over the river.

"All of them have been submitted to the City Planning Commission and, after meeting with this board's approval, will be announced to the public."

The city already has spent thousands of dollars on a plan for a Civic Center over the river, John N. Freeman, noted hydrographic engineer and municipal consultant, has been at work for a number of years formulating a scheme for construction which will fit in with flood prevention.

Only recently he announced that flood prevention would be possible with the river waters at record height. Just what would be the cost of deepening the river and otherwise safeguarding its channels against high water, he has yet to approximate.

He said that it would be at least \$25,000,000.

ANY PLAN CAN BE CHOSEN

It is within the province of the City Planning Commission to choose any of the four Civic Center plans advanced by Mr. Bartholomew, Mr. Baker said today.

Mr. Bartholomew was to spend most of his time with city officials tomorrow. He had no speaking engagements, he said. He will address the Monroe County Regional Planning Commission tomorrow noon, and the Automobile Club of Rochester in the early evening, before attending the meeting of the Civic Improvement Association, at the Chamber of Commerce.

The last is to bring formal announcement of all details of the street section of the city plan.

The Civic Center section may be revealed for three weeks, city officials said.

Mr. Platt pointed out several difficulties today, saying the procedure will need some study. He said there is some doubt as to whether the Public Service Commission has jurisdiction over a company in a Federal receivership. This is regarded as highly important, and doubly so since it is jurisdiction in the Rochester end of the trolley crisis because of the city charter's statute's limitation of street car fares in this city to five cents.

This charter limitation was waived in 1920 to give the Public Service Commission jurisdiction to approve the service-at-cost contract. It is believed now the City Council under the new charter has no power to waive the limitation section, and that the question must be submitted to the electorate of Rochester for decision.

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ROCHESTER JOURNAL
TUESDAY *The Post Express* JANUARY 7

SECOND NEWS SECTION

INSPECTION OF APARTMENTS URGED

Story Bl

CITY TO HAVE NEW RULE IN TWO WEEKS

Had Rochester a building code in keeping with modern construction, there would have been no Stanwood apartment house fire. City Manager Stephen B. Story told the Rochester Engineering Society and the American Institute of Electrical Engineers at their joint luncheon at the Sagamore Hotel today.

"The building was wrong in construction and in apartment facilities, and existed strictly because of a building code which belonged to a quarter of a century ago," Mr. Story said.

He also revealed that within two weeks, Rochester would have a code that may mean reequipping most of the city's apartments, if it does not demand much reconstruction.

"The old belief that because a building was built before a code was established may be shattered by the one Rochester is to have," continued Mr. Story. "We certainly hope that we shall have absolute control over fire traps."

"It only remains to have some of the high toned provisions applicable only to New York City removed. These are now being eliminated, with the expectation that the code will be ready for the City Council on January 29."

Mr. Story presented a summary of city manager government in Rochester the past two years and outlined the major projects to be accomplished this year.

He listed the latter as renewal of the service at cost contract; construction of Ridge Road bridge; enlargement of Ontario Beach Park and construction of a new bath house at this resort; application of scientific assessment to real estate; extension of sewage disposal system; improvement of more traffic arteries entering the city; standardization of city jobs and salaries.

Proposals For Civic Center To Come Up Before City Board

Harland Bartholomew Arrives For Week's Stay—Will Present Report on Major Thoroughfares at Public Meeting at Chamber Thursday.

Harland Bartholomew, city planning consultant, arrived in the city this morning and went into immediate conference with City Manager Stephen B. Story and Commissioner of Public Works Harold W. Baker.

During his stay here the rest of the week, he will divulge to the public the plans for significant alterations in the city's street system drawn up in the report on major thoroughfares. He will also make his first appearance here at a large public gathering.

This announcement will be made at a public meeting sponsored by the Civic Improvement Association, with dinner at 6:15 p. m. Thursday at the Chamber of Commerce. Those in charge of reservations report increasing interest from the public.

Among the maps to be exhibited in connection with Mr. Bartholomew's address is one showing the street plan of Rochester in 1820, when city planners have found, a more conscientious plan was in view than has ever prevailed since that time.

Mr. Bartholomew was to confer today with the directors of the Civic Improvement Association on details of the major streets plan. This afternoon, he was expected to deliver his tentative recommendations on a civic center to the City Planning Board.

SUPERVISORS FROM MONROE VISIT ALBANY

Attend Conferences County Highway Superintendents' Assoc.—Improvements

Albany—Monroe supervisors were here today and tomorrow for Highway Superintendents' Association. Supervisors of New York and Albany counties will attend a conference at Albany today and tomorrow.

TUESDAY, JANUARY 7, 1930

Fire Protection

The cause of the fire which destroyed the Stanwood Apartment building, 699 Main Street East, early yesterday has not been determined. The extent of the damage also remains in doubt. But we know that two persons lost their lives; 73 other tenants were hurried into the cold morning with only night clothes to protect them, and one detective and four firemen were injured in rescuing the tenants and fighting the fire. Street car and other traffic was disrupted for several hours and thousands were late to work. Both firemen and police deserve credit for their work.

It was reported the blaze originated in the basement, and from the region of the furnace worked up through an air-shaft and the elevator shafts to the roof. The walls, which were of brick, and the roof which was of tile, seem to have been the only fire-proof features of the building.

It is when we witness a spectacular fire like this that we realize the need of all provisions of codes and inspections designed to protect lives, and the difficulty of making them fully effective.

City Manager Story To Address Engineers

Stephen B. Story, city manager, will speak at a joint luncheon meeting of Rochester section, American Institute of Electrical Engineers, and the Rochester Engineering Society this noon at The Sagamore. "Two Years of City Manager Administration in Rochester," will be his subject.

The City Manager will point out the outstanding results of city manager government during his first two years in Rochester.

All luncheons of the Rochester Engineering Society this month will be conducted jointly with Rochester section, American Institute of Electrical Engineers, and Walter S. Burch, a member of both organizations, will preside.

Dr. Bisch's Daily Health Hint

A CHILD is very imitative. If allowed to associate with other children who have some other mannerism of speech or action the child is very likely to copy and in a short while may develop a similar habit.



Magazine Page



MISS PAT

THE MOTHER GIRL



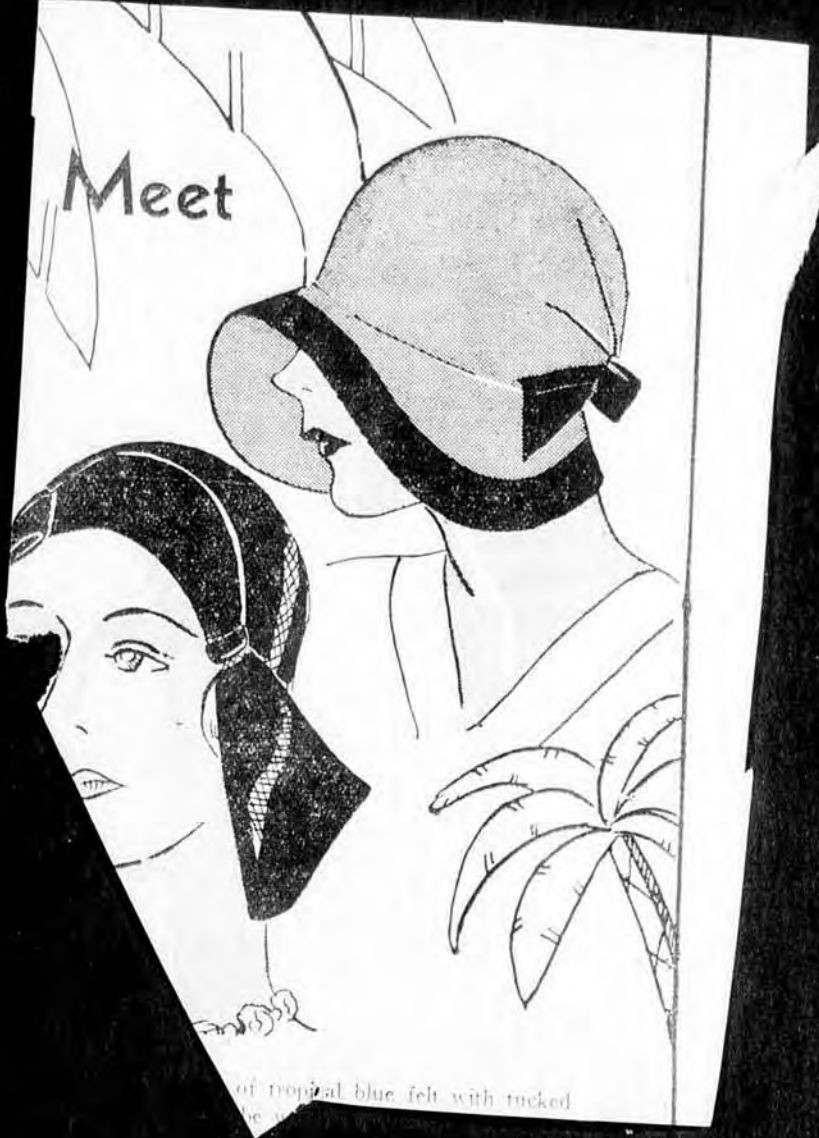
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Farley's Conewago in the trials to pick Rochester's defender of the Canada's Cup. "Rooney's record last season in Class R would seem to give him the edge over the rest of the possibilities, but it is likely that several others from among the R Class skippers are likely to seek a chance at the stick of the club nominee, Walter Farley, owner and skipper of the Mouette, will, of course, pilot the Conewago, being manager of the syndicate building her.

There is a possibility that the Freeman Cup races next season will be split into two divisions, one for cruisers and one for purely racing craft. The suggestion for a change comes from Commodore George H. Goodenham of the Royal Canadian Yacht Club, who has offered to put up a new cup for the cruising division provided his suggestion is accepted by the L. Y. R. A.

William P. Barrows, who is acting as supervisor of the construction

WIVES IN CRASH
WOODBRINE, Ga., Jan. 9.—(AP)—The young woman filler had taken off from Columbia, S. C., this morning to continue her flight from Great Neck to Miami, Fla., where she intended to participate in an airplane race. Mrs. Paris, appar- ently was experienced, and was to land when the plane suddenly tilted over and plunged into the marsh land adjoining the South River.

IDAHO MAN NOMINATED
TO FILL U. S. C. PLACE
WASHINGTON, Jan. 9.—(AP)—William E. Lee of Idaho was nomi- nated today to be an interstate commerce commissioner for the term expiring December 31, 1931. She was one of the winners last year of the women's air derby.

EDITOR, DIES
LAKE WALES, Fla., Jan. 9.—(AP)—Edward W. Bok, editor and publisher of the "Ladies Home Journal," died at his winter home near here today. He was sixty-two years old.

ROOSEVELT To Submit Budget
ALBANY, Jan. 9.—(NS)—Gov. Arthur Roosevelt will transmit the executive budget to the Legislature next Wednesday, he announced today.

AT SING SING
OSSINING, Jan. 9.—(NS)—Frank Plala and Michael Scalfonia have had each other in life.

Taft Will Leave Hospital Soon
WASHINGTON, Jan. 9.—(NS)—William Howard Taft, chief of the United States, may be able to leave Garfield Hospital by the end of the week.

Becker May Be Tried in Syracuse
AUBURN, Jan. 9.—(AP)—Syracuse may be the scene of the trial of Max Becker, Auburn prison convict, indicted for the murder of Principal Keeper George A. Dunn, of New York, his counsel, has his sights set for a chance of venue.

AIR MAIL PILOT SETS RECORD
MONCTON, N. B., Jan. 9.—(AP)—Pilot Walter F. B. Johnson, of the Interprovincial Airways, Ltd., set a new record in the air mail service here today when he flew a biplane from St. John, made what is claimed to be the world's record in a few seconds on a twenty minute flight over the biplane test route.

Blizzards as Snow Drifts East
MIAMI, Fla., Jan. 9.—(AP)—Twenty-seven navy planes en route for maneuvers at Guantanamo, Cuba, were taking off from here at 9:15 a. m. for Cuba. The last plane left shortly after 10:30 a. m.

27 NAVY PLANES HOP FOR CUBA MANEUVERS
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Autos Offered Through City in New Plan
INSTEAD of one of two classes for crossing the city as at present, motorists will have a choice of many convenient routes, if the proposed city plan is carried out in Rochester. Harland Bartholomew, St. Louis planning expert, told the Automobile Club executive committee at the Sagamore here today.

Autos Offered Through City in New Plan
Expert Outlines Ways by Which Traffic Congestion Will Be Avoided

Highlights of City's Major Street Plan
Condensed for easy reference, here are the highlights of Rochester's Major Street Plan at a glance:

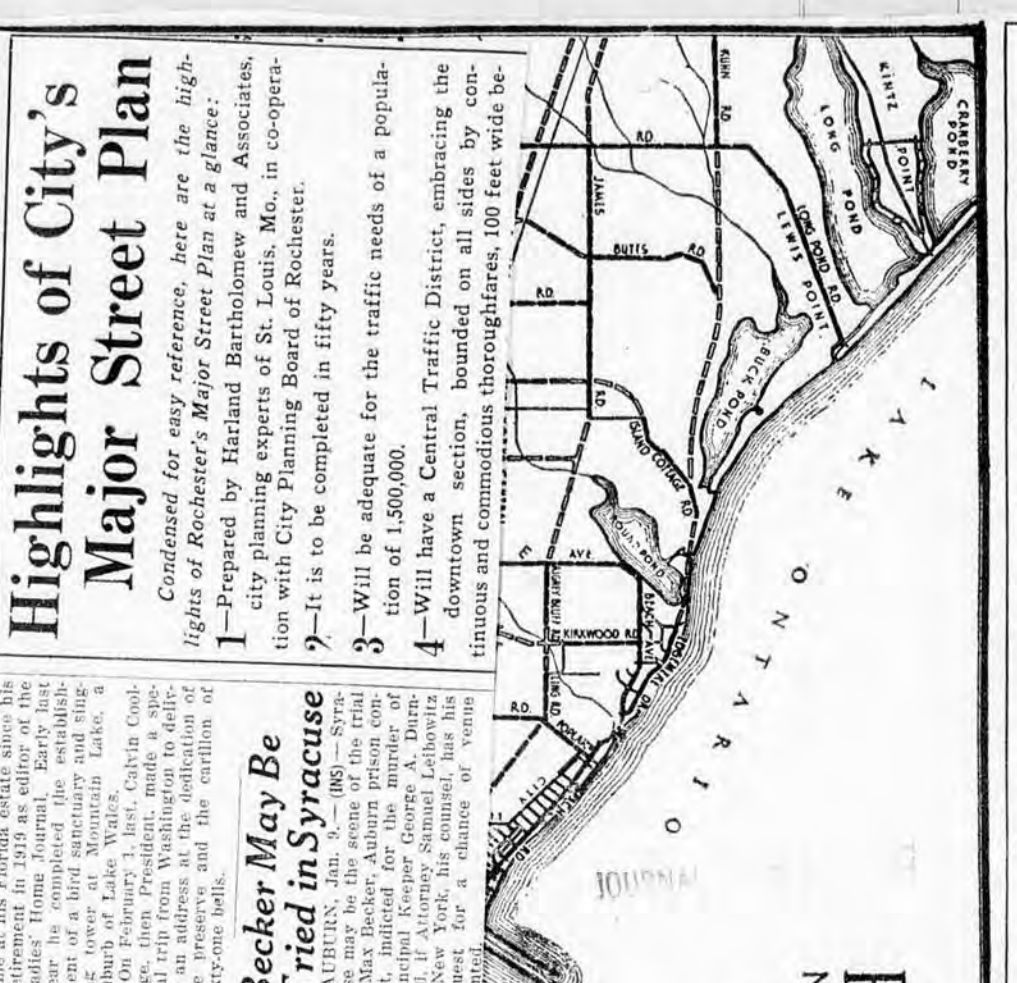
1—Prepared by Harland Bartholomew and Associates, city planning experts of St. Louis, Mo., in co-operation with City Planning Board of Rochester.

2—It is to be completed in fifty years.

3—Will be adequate for the traffic needs of a population of 1,500,000.

4—Will have a Central Traffic District, embracing the downtown section, bounded on all sides by continuous and commodious thoroughfares, 100 feet wide be-

Long Awaited City Plan, Showing a More Metropolitan Rochester



ROCHESTER CITY PLANNING BOARD
BARTHOLOMEW & ASSOCIATES
CIVIL ENGINEERS
SAINT LOUIS, MISSOURI

LAKE AVENUE PAVING FIRST
The first major street improvement contract to be let by the city this year will be for new sewers and pavement in Lake Avenue between Stutson Street and St. John's Park. Charlotte, Henry Howe, city engineer, announced today.

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UP TO COUNCIL TO DECIDE ON CONTINUATION

Receivers of Trolley Company Willing To Renew Old Contract Until Aug. 1 if City Wishes.

Continuation of the service at cost contract between the New York State Railways and the city through the receivership or until August 1, was urged today, in a communication, accompanying the formal notice of receivership served on city officials by Benjamin E. Tilton, president of the railways, one of the receivers. The notice consisted of proof of bonds and other court proofs. In his communication to City Manager Stephen B. Story and Corporation Counsel Clarence M. Platt, Mr. Tilton said the contract has proved of benefit for both the city and the railways and for this reason should be continued. August 1 is the date fixed for its expiration, had the railways not gone into a receivership. Mr. Platt was out of the city and could not be reached for comment. Under its terms, the contract itself is suspended with the appointment of receivers. Mr. Platt held that a reasonable time should prevail for the receivers to negotiate with the city for a continuance of the contract during the receivership. Meanwhile, there reposes in a City Council committee, an ordinance calling for a continuance of the contract during the receivership. Ordinarily, an ordinance may be reported after it has been in committee fourteen days. As yet, no committees have been named for the new Council. They are to be ready next Monday night, Mayor Wilson said today. This will mean another fourteen days before introduction of the ordinance.

Will Address City Club
At noon Saturday, Mr. Bartholomew will address the City Club in connection with his city plan. He is conferring with the City Planning Commission, City Manager Stephen B. Story and Harold W. Baker, commissioner of public works, regarding the Civic Center study. That section of the plan will follow soon after that relating to major streets. Mr. O'Hea says that executives of the automobile club are taking a keen interest in the forthcoming plans in that two years ago the club made 31 recommendations for street improvements to City Manager Story. Nearly half of the recommendations were acted upon, he said, and some have been completed, including the paving of Mount Hope Avenue, Leavitt Avenue, State Street, and Buffalo Road, and the widening and paving of Lake Avenue.

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TILTON ASKS CONTINUANCE OF CONTRACT

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STORY DEMANDS NOTE RENEWALS IN BIG AMOUNT

Total of \$474,000 Must Be Reissued by City Hall

COUNCIL IS DULL
Milne Works To Prevent Story's Control of Clerk Salaries

The Rochester City Council met Monday afternoon and transacted routine business in a colorless session. The usual annual contract between the city and various local hospitals for the care of indigent sick was approved unanimously by the council, and the annual agreements for lighting fire alarm boxes and for the services of the Rochester Protective, Inc., were approved. Councilman Milne laid a measure before the council which called for the acquisition by the city of Terry Park as an addition to Ontario Beach Park and the matter was referred to the finance committee. On behalf of the city executive Councilman Adler recommended the council to renew \$25,000 bridge design and construction notes, \$25,000 municipal land purchase notes, \$400,000 school construction notes, and \$24,000 worth of notes for the purchase of voting machines. No vote was had on these proposals and the ordinances involved were sent to the finance committee. The total close to half a million dollars, was one of the several series of note blocks that the city has been forced to renew during the past two months. Councilman Milne placed before the council a proposal in the form of a local law to make the council the salary regulating authority for the city clerk's office, instead of the city manager. This went to committee.

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STREET PLAN GREETED BY ENTHUSIASM

Representative Gathering of Citizens Listens to Bartholomew Survey

MANY QUESTIONS ASKED

Henry T. Noyes Stresses Big Responsibility Resting on Civic Association

By HIRAM MARKS

The large responsibility falling on the Civic Improvement Association in obtaining the adoption and the orderly and efficient promulgation of the city plan, was stressed last evening by Henry T. Noyes, member of the Regional Planning Board, at a dinner at the Chamber of Commerce at which Harland Bartholomew, city planner, announced formally the section of the comprehensive city plan relating to major thoroughfares and extensions.

Mr. Noyes, who for years has been foremost in Rochester as an advocate of city planning, prefaced the presentation by Mr. Bartholomew with graphical summaries of the various agencies, factors and influences that enter into beneficial planning, and he placed special emphasis on the work confronted by the Civic Improvement Association in furthering the movement for a plan for Rochester.

Lauds Mr. Noyes' Public Spirit

Herman Russell, president of the association, presided; and in presenting Mr. Noyes characterized him as a man who has probably given more time and thought to the study of city and regional planning over a long period of years than any other non-official citizen of Rochester.

It was a representative gathering of citizens that heard the discussion by Mr. Bartholomew and Mr. Noyes. Most of the presentation was broadcast by Station WHAM. Included in the assemblage were bankers, business men, industrial executives and professional men and women, many of whom expressed their admiration of the thoroughness of Mr. Bartholomew's survey into planning for Rochester.

Approximately five hundred persons were at the dinner. At the speakers' table were Edward G. Miner, Mrs. Henry G. Danforth, Carl S. Hallauer, Harry J. Barenham, county treasurer; H. H. Sullivan, Gilbert J. C. McCurdy, president of the Chamber of Commerce; City Manager Stephen B. Story; Roland B. Woodward, general secretary of the Chamber of Commerce; Edwin A. Fisher, Vice-Mayor Isaac Adler, James P. B. Duffy, Councilmen Chester A. Peake, Charles Stanton, Joseph L. Guzzetta, and Nelson A. Milne; Harold W. Baker, commissioner of public works; and in the audience were numerous other officials, among them Councilman Louis S. Foulkes.

Mr. Noyes said that the Civic Improvement Association is to be a federation of all the civic clubs, the business organizations, and the public spirited citizens, interested in the proper development of this city and region; and that the objects of the association were, first, to promote city, town, county, and regional planning to the end of obtaining plans which really constitute one harmonious and complete plan for the city and region; and, second, to strive for the development of the city and the region in accordance with that plan.

Mr. Noyes asserted that the cost of a city plan or a regional plan is relatively small, when made and completed that exists merely on paper, and that the task is to make the plan a reality.

"The task is to see that public improvements for which we issue city and county bonds, are, during 10 or 20 years of time, made in accordance with the plan or the co-ordinated plans and in the right order of sequence," said Mr. Noyes, and he added that the association in the furtherance of its objects, will strive for results through harmonious co-operation with the city and county, including the towns, the state, and nation.

Introduces City Planner

Mr. Russell, in introducing Mr. Bartholomew, said: "We are all interested in the future of the city in which we live. Tonight there will be presented to us a part of the picture of Rochester of the future as conceived by a man who has made his life work that of city planning. That part of the picture which we are to see tonight is known as the major street plan. Later on, the civic center plan will be presented.

"When there is anything wrong with our business, our homes, or our health, we call in an expert to advise us. Likewise, it seems like good common sense, when our cities need making over, when we must look far ahead to provide for future growth and expansion, to call to our side those who by experience and training are qualified to pass as experts on these matters.

"Mr. Bartholomew is such a man. He has prepared comprehensive city plans for St. Louis, Minneapolis, Memphis, New Orleans, Pittsburgh, Toledo, and Schenectady; major street plans for Los Angeles; zoning ordinance for Washington, D. C. and consulted for the National Park and Planning Commission. His staff has prepared comprehensive city plans for about fifty other American cities. He will present to you the Rochester major street plan, as he, his staff, and our own city officials have worked it out."

Answers Many Questions

Mr. Bartholomew illustrated his talk, and was prepared to answer any questions put to him. Mr. Noyes brought out the fact that he regarded the extension of Broad Street was first in the list of improvements that should be undertaken by the city.

Although few questions were asked of Mr. Bartholomew while the meeting was in formal session, after the adjournment he was surrounded by a number of persons who asked him to elaborate various phases of his discussion.

In the banquet hall were a number of maps and illustrations prepared by Mr. Bartholomew and his associates. Carl A. Taubert, who represents Mr. Bartholomew in Rochester, co-operated in the explanation of them.

Lauds Robinson as Pioneer

Mr. Bartholomew in his address paid tribute to Edwin A. Fisher, and thanked City Manager Story and the other city officials for their co-operation in the preparation of the major street plan. He also brought out in his talk that one of the first city planners in the nation was a resident of Rochester, the late Charles Mulford Robinson.

FORFEITURE ON STREET CAR LINES ADVISED

Watson, Chairman of Bondholders' Committee, Says System Would Pay for Self in 4 Years.

By Robert D. Burns
Serious consideration of municipal ownership of trolley and bus lines, now being operated by receivers for New York State Railways in Rochester, was suggested today by Robert C. Watson, president of the Rochester Trust and Safe Deposit Company.

The banker said the Rochester system, which is mortgaged to secure a bond issue of \$2,130,000, payable next April 1, if bid in by the city at \$4,000,000, would pay for itself within four years, and also would sweeten the city's subway obligations.

Mr. Watson is chairman of the protective committee organized to safeguard the rights of holders of Rochester Railway Company 5 per cent first mortgage bonds. He said that to date upwards of \$800,000 of this bond issue has been located in Rochester. He will preside at the first meeting of this committee next Tuesday when members will confer applying to the United States District Court for an order vacating that part of an injunction order which they believe prevents trolley bondholders from enforcing their rights.

The order, signed by U. S. Judge Frederick H. Bryant, appointing receivers for New York State Railways, apparently enjoins all persons, including creditors and bondholders, from levying on the mortgaged properties or interfering in any way with the receivers in their operation of the lines.

(Please Turn To Page 8)

New York State Railways, has offered to accept the first mortgage Rochester Railway bonds at \$40 in exchange as part payment for securities of the associated group. Mr. Watson, John H. Gregory, president of Central Trust Company, and John P. Bowman, of counsel to the Rochester committee, say these bonds are worth \$100 and that 100 cents on the dollar can be collected since the issue is secured by a mortgage on the Rochester trolleys which have earned a net profit of more than \$1,000,000 annually in the last nine years.

To Prepare For Court

The meeting Tuesday is to prepare for court in the event the Associated Gas & Electric Company defaults on the payment of the bonds when due April 1. The receivership order at present bars the bondholders from foreclosing the mortgage. Counsel for the bondholders' committee appear confident that on a proper showing of the Federal Court would vacate that part of the injunction which seems to prevent the bondholders from enforcing their rights. Under terms of the mortgage the bondholders have the right to seize, operate and sell the properties if semi-annual interest is defaulted for more than three months.

City Ownership Urged

"This proceeding of the receivership injunction is a blow at the credit structure of the country," said Mr. Watson. "It strikes at the worth of a first mortgage. What good is first mortgage security if it fails to protect an investment such as the Rochester Railway Company first mortgage bonds?"

"It seems to me that it would be good business for the city to buy the Rochester lines when put up at foreclosure sale. The earnings of the company here show that the road would pay for itself within four years. City business demands this transportation system, and the city already has built and leased the subway lines. Acquisition of the surface and bus lines would complement the subway service and sweeten the heavy obligations assumed in building and paying for a subway."

1929 Construction in City Under 1928, Report Shows

Included in the building permits issued last year, according to the report for 1929 filed yesterday afternoon with Harold W. Baker, commissioner of public works, by John G. Ellendt, superintendent of buildings, were 434 permits for single houses, with an aggregate estimated valuation of \$2,576,498.

The report was prepared by Norbert A. Kolb, chief clerk of the Bureau of Buildings, and shows that accommodations were provided for 353 families in the construction authorized last year, while in 1928 there were accommodations provided for 1,936 families.

There were 3,482 permits issued last year for buildings estimated to cost \$13,303,261, while in 1928 there were 4,578 permits issued for building estimated to cost \$17,620,798.

Following is Mr. Kolb's detailed report for 1929, with comparison of its summary with that of 1928:

Table with columns: RESIDENTIAL, PUBLIC, INDUSTRIAL, REMODELING, FOR COMPARISON. Rows include Single dwellings, Double dwellings, Multiple dwellings, Hospitals and sanitariums, Hotels and clubs, etc.

Facing The Facts

Presentation of an important section of the City Plan has aroused much interest. The report contains ample evidence of being based on a careful factual study. The plan is to be no pretty scheme, no impracticable precept of perfection, but a definite and concrete outline of methods of solution of problems confronting a growing city. Mr. Bartholomew says:

In considering the proposed street system, it must be borne in mind that it is not the intention that all improvements shall be consummated immediately or within a relatively short space of time. Rather, it is anticipating growth and traffic requirements many years hence and its accomplishment must necessarily be gradual, as conditions warrant and funds permit.

After describing conditions in the Central Traffic District the report states:

Consequently, there are several major operations necessary which at first may seem to be of great magnitude, but when the cost of the land and improvements necessary for these projects are compared with the betterment in traffic movement and the resultant increase in land values, all of these projects should prove entirely feasible and in no way extravagant.

Use was made of data accumulated by Edwin A. Fisher, former consulting city engineer, Arthur L. Vedder, secretary of the City Planning Commission, and the city's engineering force.

The normal relation of the number of feet of frontage on major streets of the business district to population was taken into consideration in planning the Central assessments was considered, widening Court and Andrews Streets was set down as an aim to be reached slowly by fixing setback lines, as immediate widening would be too costly.

Thus, while no one can fully anticipate the future, both careful local study and the experience of other cities have been utilized in fixing a framework gradually to be filled out.

The Bartholomew Plan

The major street plan unfolded by Mr. Bartholomew, anticipating Rochester's development until 1975, is by all odds the most interesting and far seeing that has been devised. It answers many questions and provides for many contingencies. It aims to correct by method defects that have grown up through lack of method.

Especially sound is the plan for providing radial arteries through which traffic may be deflected away from the congested centers. Other cities are making similar provision. In this age of tourist traffic with thousands of automobiles passing through cities, adequate streets are needed to carry traffic around the outskirts, rather than through the center. Rochester at present has no such facilities.

The Bartholomew plan, furthermore, sets down in specific detail improvements which should be begun now. This is important because it is an expert opinion on a subject that has provoked controversy without producing an agreement. Mr. Bartholomew puts the extension of Broad Street among the major improvements to be begun at once. In this connection, it is to be noted that he has a radical plan to offer. He would extend Broad Street to Barrington Street, cutting a new street virtually all the way from South Avenue through territory that is now built up, rather than to utilize either Park Avenue or East Avenue. The result would be a new arterial street midway between those streets.

The changes wrought by the plan in the topography of the city north of Main Street are of interesting variety. Four streets parallel to Main Street, and one new bridge, are noted. Down towards the lake a new bridge is provided, in addition to the Ridge Road bridge now under construction, with approach from the St. Paul Boulevard. Six bridges between Central Avenue and the lake are shown on the plan.

On the west side Genesee Street is hooked up into a continuous link with Dewey Avenue; Broad Street is continued to Driving Park Avenue. On the east side Culver Road is made the basis of a highway that would continue north and eventually merge with Thomas Avenue to cross the river near the lake.

The question of cost, as the plan says, need be considered only from year to year. Only as much can be undertaken at one time as finances warrant. But the plan by its size and anticipation of future growth is one that offers an ideal which the city can steadily approach. Other sections of the complete city plan will be awaited with interest.

STREET PLAN GREETED BY ENTHUSIASM

Representative Gathering of Citizens Listens to Bartholomew Survey

MANY QUESTIONS ASKED

Henry T. Noyes Stresses Big Responsibility Resting on Civic Association

By IRAM MARKS

The large responsibility falling on the Civic Improvement Association in obtaining the adoption and the orderly and efficient promulgation of the city plan, was stressed last evening by Henry T. Noyes, member of the Regional Planning Board, at a dinner at the Chamber of Commerce at which Harland Bartholomew, city planner, announced formally the section of the comprehensive city plan relating to major thoroughfares and extensions.

Mr. Noyes, who for years has been foremost in Rochester as an advocate of city planning, prefaced the presentation by Mr. Bartholomew with graphical summaries of the various agencies, factors and influences that enter into beneficial planning and he placed special emphasis on the work contemplated by the Civic Improvement Association in furthering the movement for a plan for Rochester.

Lauds Mr. Noyes' Public Spirit

Herbert Russell, president of the association, presided; and in presenting Mr. Noyes characterized him as a man who has probably given more time and thought to the study of city and regional planning over a long period of years than any other non-official citizen of Rochester.

It was a representative gathering of citizens that heard the discussion by Mr. Bartholomew and Mr. Noyes. Most of the presentation was broadcast by Station WHAM. Included in the assemblage were bankers, business men, industrial executives and professional men and women, many of whom expressed their admiration of the thoroughness of Mr. Bartholomew's survey into planning for Rochester.

Approximately five hundred persons were at the dinner. At the speakers' table were Edward G. Miner, Mrs. Henry G. Danforth, Carl S. Hallauer, Harry J. Barrham, county treasurer; H. H. Sullivan, Gilbert J. C. McCurdy, president of the Chamber of Commerce; City Manager Stephen B. Story; Roland B. Woodward, general secretary of the Chamber of Commerce; Edwin A. Fisher, Vice-Mayor Isaac Adler, James P. B. Duffy, Councilmen Chester A. Peake, Charles Stanton, Joseph L. Guzzetta, and Nelson A. Milne; Harold W. Baker, commissioner of public works; and in the audience were numerous other officials, among them Councilman Louis S. Foulkes.

Mr. Noyes said that the Civic Improvement Association is to be a federation of all the civic clubs, the business organizations, and the public spirited citizens, interested in the proper development of this city and region; and that the objects of the association were, first, to promote city, town, county, and regional planning to the end of obtaining plans which really constitute one harmonious and complete plan for the city and region; and, second, to strive for the development of the city and the region in accordance with that plan. Mr. Noyes asserted that the cost of a city plan or a regional plan is relatively small, when made and completed that exists merely on

paper, and that the task is to make the plan a reality.

"The task is to see that public improvements for which we issue city and county bonds, are, during 10 or 20 years of time, made in accordance with the plan or the co-ordinated plans and in the right order of sequence," said Mr. Noyes, and he added that the association in the furtherance of its objects, will strive for results through harmonious co-operation with the city and county, including the towns, the state, and nation.

Introduces City Planner

Mr. Russell, in introducing Mr. Bartholomew, said: "We are all interested in the future of the city in which we live. Tonight there will be presented to us a part of the picture of Rochester of the future as conceived by a man who has made his life work that of city planning. That part of the picture which we are to see tonight is known as the major street plan. Later on, the civic center plan will be presented.

"When there is anything wrong with our business, our homes, or our health, we call in an expert to advise us. Likewise, it seems

like good common sense, when our cities need making over, when we must look far ahead to provide for future growth and expansion, to call to our side those who by experience and training are qualified to pass as experts on these matters.

"Mr. Bartholomew is such a man. He has prepared comprehensive city plans for St. Louis, Minneapolis, Memphis, New Orleans, Pittsburgh, Toledo, and Schenectady; major street plans for Los Angeles; zoning ordinance for Washington, D. C., and consulted for the National Park and Planning Commission. His staff has prepared comprehensive city plans for about fifty other American cities. He will present to you the Rochester major street plan, as he, his staff, and our own city officials have worked it out."

Answers Many Questions

Mr. Bartholomew illustrated his talk and was prepared to answer any questions put to him. Mr. Noyes brought out the fact that he regarded the extension of Broad Street was first in the list of improvements that should be undertaken by the city. Although few questions were

asked of Mr. Bartholomew while the meeting was in formal session, after the adjournment he was surrounded by a number of persons who asked him to elaborate various phases of his discussion.

In the banquet hall were a number of maps and illustrations prepared by Mr. Bartholomew and his associates. Carl A. Taubert, who represents Mr. Bartholomew in Rochester, co-operated in the explanation of them.

Lauds Robinson as Pioneer

Mr. Bartholomew in his address paid tribute to Edwin A. Fisher, and thanked City Manager Story and the other city officials for their co-operation in the preparation of the major street plan. He also brought out in his talk that one of the first city planners in the nation was a resident of Rochester, the late Charles Mulford Robinson.

SECURITY ON STREET CAR LINES ADVISED

Watson, Chairman of Bondholders' Committee, Says System Would Pay for Self in 4 Years.

By IRAM MARKS

That the Rochester committee will be backed up in this move by another protective committee formed in Philadelphia by holders of \$1,500,000 bonds secured by a second mortgage on the Rochester system is taken for granted. The Philadelphia committee seems to be in a position to take decisive action sooner than the Rochester committee, which is concerned only with the first mortgage bonds on which interest has been paid regularly. Interest on the second mortgage bonds was defaulted Dec. 1, and the order for the receivership of New York State Railways sets forth that the company is unable to meet demands on notes or pay interest on bonds.

The Associated Gas & Electric Company, latest reputed owner of New York State Railways, has offered to accept the first mortgage on Rochester Railway bonds at \$40 in exchange as part payment for securities of the associated group. Mr. Watson, John H. Gregory, president of Central Trust Company, and John P. Bowman, of counsel to the Rochester committee, say these bonds are worth \$100 and that 100 cents on the dollar can be collected since the issue is secured by a mortgage on the Rochester trolleys which have earned a net profit of more than \$1,000,000 annually in the last nine years.

To Prepare For Court

The meeting Tuesday is to prepare for court in the event the Associated Gas & Electric Company defaults on the payment of the bonds when due April 1. The receivership order at present bars the bondholders from foreclosing the mortgage. Counsel for the bondholders' committee appear confident that on a proper showing of facts that part of the injunction which seems to prevent the bondholders from enforcing their rights. Under terms of the mortgage the bondholders have the right to seize, operate and sell the properties if semi-annual interest is defaulted for more than three months.

City Ownership Urged

"This proceeding of the receivership injunction is a blow at the credit structure of the country," said Mr. Watson. "It strikes at the worth of a first mortgage. What good is first mortgage security if it fails to protect an investment such as the Rochester Railway Company first mortgage bonds?"

"It seems to me that it would be good business for the city to buy the Rochester lines when put up at foreclosure sale. The earnings of the company here show that the road would pay for itself within four years. City business demands this transportation system, and the city already has built and leased the subway lines. Acquisition of the surface and bus lines would complement the subway service and sweeten the heavy obligations assumed in building and paying for subway."

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1929 Construction in City Under 1928, Report Shows

Included in the building permits issued last year, according to the report for 1929 filed yesterday afternoon with Harold W. Baker, commissioner of public works, by John G. Ellendt, superintendent of buildings, were 434 permits for single houses, with an aggregate estimated valuation of \$2,576,498.

The report was prepared by Norbert A. Kolb, chief clerk of the Bureau of Buildings, and shows that accommodations were provided for 533 families in the construction authorized last year, while in 1928 there were accommodations provided for 1,956 families.

There were 3,162 permits issued last year for buildings estimated to cost \$13,303,261, while in 1928 there were 4,578 permits issued for building estimated to cost \$17,620,798.

Following is Mr. Kolb's detailed report for 1929, with comparison of its summary with that of 1928:

Table with columns: RESIDENTIAL, PUBLIC, INDUSTRIAL, REMODELING. Rows include Single dwellings, Double dwellings, Multiple dwellings, etc. with columns for No., Cost, and Fam.

Table with columns: 1928, 1929. Rows include No., Cost, Fam. for Residential, Public, Industrial, and Grand total.

Facing The Facts

Presentation of an important section of the City Plan has aroused much interest. The report contains ample evidence of being based on a careful factual study. The plan is to be no pretty scheme, no impracticable precept of perfection, but a definite and concrete outline of methods of solution of problems confronting a growing city. Mr. Bartholomew says:

In considering the proposed changes in the Central Traffic District, careful counts of the number of automobiles passing through the present business district daily served as a check on plans for improved traffic accommodations. Full utilization of the Central Traffic District for business purposes through the new or improved thoroughfares, with consequent increase in land values and assessments was considered. Widening Court and Andrews Streets was set down as an aim to be reached slowly by fixing setback lines, as immediate widening would be too costly.

Thus, while no one can fully anticipate the future, both careful local study and the experience of other cities have been utilized in fixing a framework gradually to be filled out.

The Bartholomew Plan

The major street plan unfolded by Mr. Bartholomew, anticipating Rochester's development until 1975, is by all odds the most interesting and far seeing that has been devised. It answers many questions and provides for many contingencies. It aims to correct by method defects that have grown up through lack of method.

Especially sound is the plan for providing radial arteries through which traffic may be deflected away from the congested centers. Other cities are making similar provision. In this age of tourist traffic with thousands of automobiles passing through cities, adequate streets are needed to carry traffic around the outskirts, rather than through the center. Rochester at present has no such facilities.

The Bartholomew plan, furthermore, sets down in specific detail improvements which should be begun now. This is important because it is an expert opinion on a subject that has provoked controversy without producing an agreement. Mr. Bartholomew puts the extension of Broad Street among the major improvements to be begun at once. In this connection, it is to be noted that he has a radical plan to offer. He would extend Broad Street to Barrington Street, cutting a new street virtually all the way from South Avenue through territory that is now built up, rather than to utilize either Park Avenue or East Avenue. The result would be a new arterial street midway between those streets.

The changes wrought by the plan in the topography of the city north of Main Street are of interesting variety. Four streets parallel to Main Street, and one new bridge, are noted. Down towards the lake a new bridge is provided, in addition to the Ridge Road bridge now under construction, with approach from the St. Paul Boulevard. Six bridges between Central Avenue and the lake are shown on the plan.

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Reconstruction of Central Traffic District Considered Necessary

PLAN URGED FOR TRAFFIC RELIEF HERE

Detail of Proposed Extension of Broad Street Eastward

Continued from Page One

In the development of his study of the central traffic district, Mr. Bartholomew points out the desirability of by-passing through traffic around the district as a means of eliminating congestion in the thoroughfares in the heart of the district. By establishing the district of sufficient area provision is made for growth for business purposes, yet the through east and west travel is by-passed to the south, around the central traffic area, through the Howell-Troup connection, and to the north by the Central-Lynchburg connection. North and south traffic to the west is by-passed by the Ford-Oak connection, and to the east by Union Street.

Mr. Bartholomew points out that Rochester is particularly unfortunate in having an inadequacy of streets to handle traffic in the central business district. Two outstanding defects of the district, he points out, are the lack of continuous thoroughfares east and west, and the large number of dead-end streets.

One East-West Street

Rochester has only one east and west main thoroughfare, Main Street, and Mr. Bartholomew points out that this condition has resulted in a great concentration of property values along Main Street. He declares that the construction of more through thoroughfares to the north and south of Main Street will increase values in the business section, and that on the whole the improvements suggested are feasible and are not extravagant.

When the plan suggested by Mr. Bartholomew is worked out the number of dead-end streets will be reduced from 76 to 47, and this will make for the easier movement of traffic. Mr. Bartholomew feels that as a route for the first parallel street north of Main Street Pleasant Street is more advantageous than Mortimer Street, which has been discussed in previous plans for north side relief.

In the central business district plan the Andrews and Court Street routes are planned for street car lines, leaving the Broad and Pleasant Street routes free for vehicular traffic.

Plan Not Extravagant

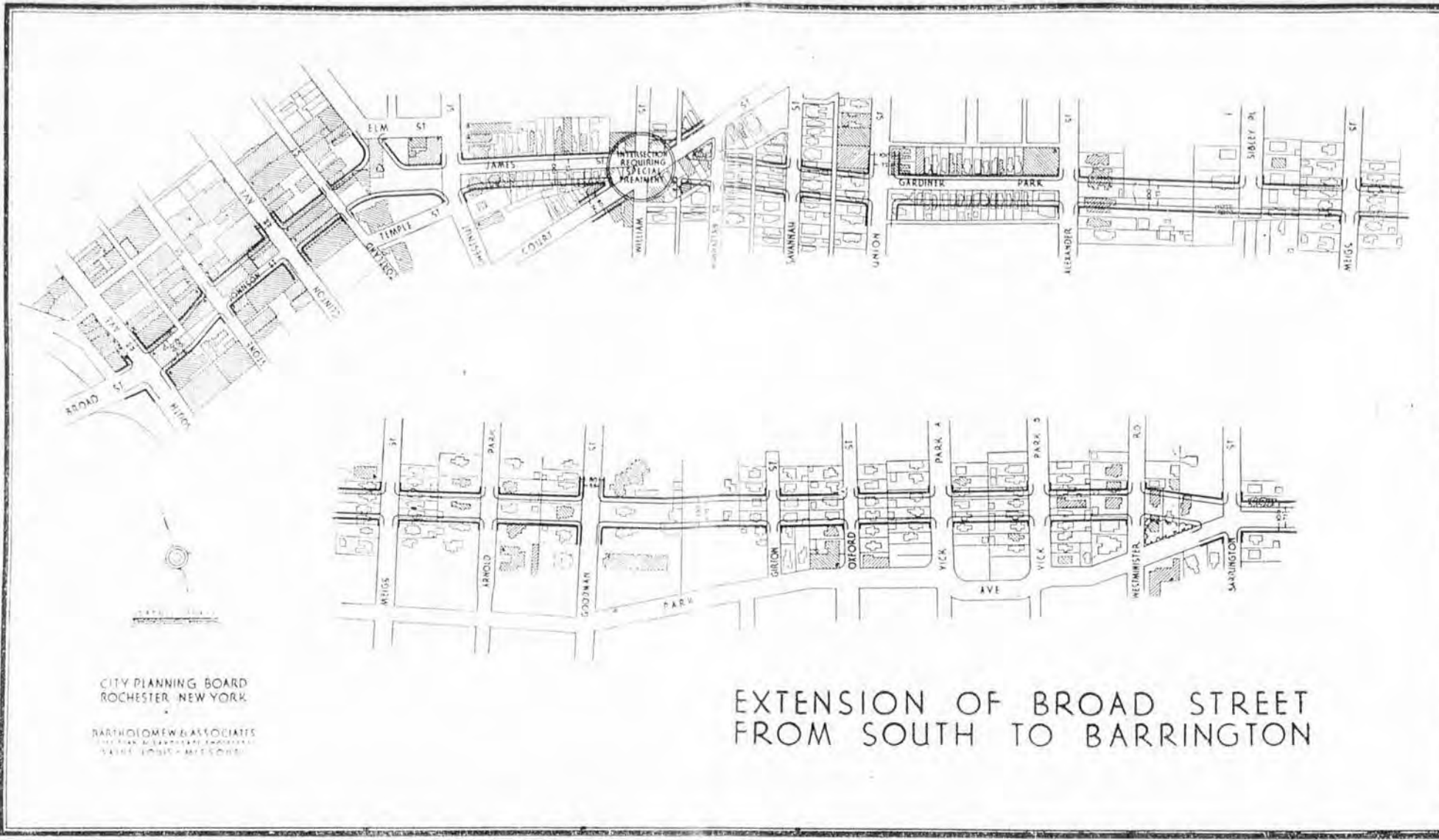
Discussing these suggestions, Mr. Bartholomew says in his report: "In considering the street openings and widenings recommended in the Central Traffic District, it must be realized that the present street arrangement is completely disorganized and more difficult of solution than the business districts of most other cities. Consequently, there are several major operations necessary which at first may seem to be of great magnitude. In the cost of the land and improvements necessary for these projects are compared with the betterment in traffic movement and the resultant increment in land values, all of these projects should prove entirely feasible and in no way extravagant.

The widening and connection of these various streets would afford numerous possibilities for additional circulation in and around the central traffic district and would provide direct communication to the New York Central station, both from the east and west over the broad by-pass route on the north. Once a definite plan for improvement is agreed upon, the next important step should be to consider and agree upon a definite program setting forth the sequence in which these improvements should be made. Some of them are doubtfully could be acquired through the establishment of building lines. A tentative outline of such a program is included later in this report of the Board's consideration."

Discussing the most official general plan for a central traffic district of a city, Mr. Bartholomew says: "Generally speaking, the most efficient plan in the central district of a community is to have blocks approximately 200 feet square, served by 60- and occasionally 100-foot thoroughfares. Numerous cities have been fortunate in inheriting square or rectangular plans from the early pioneers, but few of them possess many thoroughfares that are 60 feet or more in width.

Many Complications

It is generally recognized that one of the most acute planning problems in Rochester is that of finding a satisfactory and economic solution of the street plan in the central district. Practically all of the distances that serve to connect the traffic movements are present in the business district of Rochester. Streets are irregular in direction, and vary in width from 33 feet to 57 feet. Blocks are irregular in shape and many of them are excessively large while others are too small, resulting in the most intricate and difficult traffic flow to be met in the heart of a community.



Here is shown in two sections details of the method by which Mr. Bartholomew proposes to extend Broad Street eastward. The upper diagram shows it extended east from South Avenue through Stone Street, Clinton Avenue South, Cortland and Chestnut Streets to meet James; the proposed traffic circle at James, William and Court Streets; Broad Street extended directly eastward from the circle to meet Gardiner Park. The lower diagram shows the street following a direct line east from Alexander Street, through all the intersecting streets to Barrington. East of Barrington it will be carried into East Avenue near Winton Road.

district, namely Plymouth Avenue, State-Exchange Street, South Avenue, St. Paul Street, Clinton Avenue and Union Street. All other thoroughfares are either dead-end streets or have an effect in the central district. As will be seen on the plan, there are 76 dead-end streets.

"A comparison of the present and proposed plans shows the addition of a number of through streets and a substantial reduction in the number of dead-ends. For example, in lieu of one continuous east and west street and five continuous north and south streets, there would be, under the proposed plan, seven east and west streets and seven north and south streets. Note the three parallel relief streets on each side of Main Street and also that there are but 47 dead-end streets in this plan as against 76 in the existing layout. The effect of these changes would have upon traffic circulation is obvious, not to mention the fact that they would have upon stabilizing and increasing property values."

Traffic Flow Vital

The present parking and traffic flow is discussed by Mr. Bartholomew, and he declares that the importance of regulating traffic movement and parking in the business section can not be overestimated. On this subject he writes: "Since the primary function of a street is to provide for communication and traffic movement, the importance of regulating parking and traffic flow in the central traffic district cannot be overestimated."

"By prohibiting parking during the evening rush hour two additional moving lanes of vehicles are provided for on Main Street. Parking is also prohibited on several streets during the rush hour and this regulation should be applied and rigidly enforced on all busy thoroughfares in the central district during rush hours.

"Certain main streets, less than 33 feet in width are designated as one-way streets, which is the only satisfactory solution for moving traffic through these narrow streets. It is highly important that on these narrow streets parking be limited to one side only.

"During the business hours left-hand turns are prohibited at the following intersections: Main and State, Main and South, Main and Court, and Court and South, while during the evening rush-hour period both left and right hand turns are prohibited at the three corners of Main Street above referred to. Because of the great volume of traffic passing through these intersections, this is a very satisfactory arrangement, not only facilitating vehicular traffic, but also creating a very desirable condition for pedestrian traffic.

"Copies of the existing traffic conditions are now available for distribution. Rather than publish the existing conditions, it is recommended that the city adopt and publish a new ordinance along the lines of the model ordinance prepared by the Howell-Troup connection on State and Highway Route 10.

Extension of Broad Street Obvious

Regarding the extension of Broad Street eastward, Mr. Bartholomew writes:

"The necessity of extending Broad Street eastward as a relief to Main Street is too obvious and too well appreciated to require a lengthy discussion setting forth the merits of this project. For some time the city has contemplated this extension and in fact numerous plans have been proposed by organizations and individuals as well as by the city authorities. It is extremely important, however, that the extension be related to other principal thoroughfares and made an integral part of a comprehensive thoroughfare plan.

Values Affected

Probably nowhere better reflected than in land values. This is evidenced, he writes, by the great concentration of values along Main Street, from Union on the east to Clarissa Street on the west, the highest values occurring between St. Paul and Franklin Streets, with gradation in assessed values ranging from \$250 to \$10,000 or more per front foot, and this could all be accommodated within the Central Traffic District.

The location of future by-pass routes is of importance in the development of the central traffic district. Mr. Bartholomew points out, and he declares that in the initial study consideration was given to Andrew Street to the North and Court Street to the south, but a study determined that these streets were too close to high values to be properly serve such a purpose. William and Soho Streets were studied as alternate routes for Union Street, but the latter street was the logical route. Mr. Bartholomew writes, and after consideration Ford-Oak Street was accepted rather than Clarissa Street because of the traffic complications at the intersection of Main, Broad and Clarissa Streets.

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traffic, two in each direction. The necessity of relieving congestion on the street is as important as the extension of Broad Street itself. The extension of Broad Street would relieve the situation on East Avenue and would obviate the necessity of widening this thoroughfare at least for some time.

"(2) The alignment of the proposed new street is practically straight and at right angles to present land platting, leaving few small parcels of unusable size.

"(3) The opening of a new street from Alexander to Barrington is more desirable than widening Park Avenue widened, for several reasons:

"(a) The new street is more direct.

"(b) The cost of the project favors the new street in that, rather than pay for corner properties on Park Avenue for widening, the new street will create many additional valuable corners.

"(c) The new route is approximately equidistant between University Avenue and Monroe Avenue, both being important major thoroughfares.

"(4) Under this arrangement the park-like character of East Avenue can be preserved indefinitely. It is contemplated that eventually East Avenue should be widened by the establishment of building lines and the creation of additional roadways, one on either side of the existing trees, to serve the abutting property, and that the existing roadway be retained for fast-moving passenger traffic in order to preserve East Avenue as a parkway, commercial vehicles should be prohibited."

Church-Grove Route Advantages

Discussing his suggestion for a new North Side business street on the Church, Pleasant, Grove Street line, Mr. Bartholomew writes:

"The purpose of this project is twofold: to relieve traffic congestion on Main Street and to encourage the natural expansion of the business district. As previously cited, there is no continuous east and west thoroughfare on either side of Main Street. The first street of any length to the north is Andrews, which is more than 1,000 feet distant from Main and terminates abruptly at State Street on the west.

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"The necessity for an intermediate street between Main and Andrews is admittedly not a new idea since the city has been considering such a project for more than a decade. As early as 1916, a plan was prepared for a new thoroughfare, using Mortimer Street extended east as far as Franklin Street and west to Plymouth Avenue via Church Street. This would undoubtedly afford an immediate relief in the present business section but does not anticipate the future expansion of the central district. A relief street, to function efficiently, should extend the full length of the central district.

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CONNECTION OF

ed, there appears to be very little difference in cost.

"In addition to the more direct alignment that would be obtained by the use of Pleasant Street, there is also a distinct advantage in the crossing of the river. On Pleasant Street the bridge could take off just west of St. Paul Street and pass over Water Street, thus avoiding the grade that occurs between Water and St. Paul streets, which would have to be negotiated if the Mortimer Street route were used.

"The detail plan accompanying this discussion shows the new thoroughfare to be 50 feet wide throughout, with a 6-lane roadway. It is contemplated that this new route would be free of car tracks and given over exclusively to vehicular traffic movement.

Traffic Circles Urged

In discussing the handling of traffic at the intersections of Broad, Main and Clarissa streets, Mr. Bartholomew writes that experience has proved that major street intersections, other than direct right-angle crossings, call for some special treatment in order to avoid both confusion and congestion. This intersection he finds, the most difficult in point of handling traffic in Rochester.

He feels that under the present street arrangement, traffic is regulated about as well as can be expected, but owing to the great open space and lack of well defined movements of traffic, a certain amount of confusion is inevitable. When Broad Street is extended eastward, there will be additional confusion and congestion unless some improvement is made and as a tentative suggestion he proposes a circle for the gyratory traffic movement. In addition to stabilizing vehicular circulation, he declares, this feature could be made an unusually attractive focal point on the axis of Broad and Main street.

This plan provides for the rounding off of the corners of the streets to furnish a circle for easy travel movement, and it is possible to erect a monument in the center. Mr. Bartholomew points out the success of this plan, contemplates the removal of the car tracks from Clarissa Street, and he adds that additional studies will be given to the subject in conjunction with the transit report, which will follow later.

A similar application of the circle for gyratory movement is suggested by Mr. Bartholomew for the corner of Monroe Avenue, Highland Avenue and Southern Parkway, which he points out is a five-point intersection of main thoroughfares. He said that the circle would involve very little property damage because the corner section of Cobb's Hill Park on the north and this would not only be quite an asset to the park, but would create a focal point for the various major projects.

Richard-Canterbury Offers Relief

The connection of Richard Street and Canterbury Road is proposed by Mr. Bartholomew, who declares that the regular platting of streets in the southern section of Rochester becomes quite expensive in attempting to find a suitable location for a continuous east and west cross-town street, south of the central traffic district. This is further complicated, he says, by the presence of railroads, parks and recreations, and he declares that the first opportunity for a cross-town route to the south is the use of Canterbury Road and its connection with other short streets to the east and west.

Plan Should Be Official

Methods and means of carrying out the street plan are discussed by Mr. Bartholomew. He declares that the major street plan, amended in such manner as the City Planning Commission may desire, should become an official plan. If not so adopted it will soon be ignored and forgotten or at best modified and distorted at the whim of local and selfish interests. He says there can be no effective comprehensive plan unless that plan be given official status and is consistently followed in all of the many municipal matters pertaining to it.

He then discussed the status of existing city planning and the authority of municipalities. He points out that city planning legislation in other states usually permits control of subdivisions for a distance of from three to five miles beyond the city limits, and urges that a future amendment of this character in the New York law should be considered.

He discusses the establishment of official maps, the fixation of lines on them and the restriction of buildings within these lines, and he goes into the subject of condemnation proceedings, weaknesses that may develop, and asserts that it is quite wrong to establish arbitrary percentages of coal in the home by the city. Neither is it possible, he feels, to establish a fixed rule the percentage of coal which might be borne by the property fronting on a given street, or by controlling the amount of property. Mr. Bartholomew feels that such case produces a special set of conditions and has to be judged entirely upon its own merits. He points out that no estimate of the cost of individual projects comprising the action of the city plan have been made, and these should be undertaken immediately after official adoption of the plan at least in those projects.

ROCHESTER NEWS

Continued from Page One

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Rochester has only one east and west main thoroughfare, Main Street, and Mr. Bartholomew points out that this condition has resulted in a great concentration of property values along Main Street. He declares that the construction of more through thoroughfares to the north and south of Main Street will increase values in the business section, and that on the whole the improvements suggested are feasible and are not extravagant.

When the plan suggested by Mr. Bartholomew is worked out the number of dead-end streets will be reduced from 76 to 47, and this will make for the easier movement of traffic. Mr. Bartholomew feels that as a route for the first parallel street north of Main Street, Pleasant Street is more advantageous than Mortimer Street, which has been discussed in previous plans for north side relief.

In the central business district plan the Andrews and Court Street routes are planned for street car lines, leaving the Broad and Pleasant Street routes free for vehicular traffic.

Plan Not Extravagant

Discussing these suggestions, Mr. Bartholomew says in his report: "In considering the street opening and widening recommended in the Central Traffic District, it is completely disorganized and most difficult of solution than the business districts of most other cities. Consequently, there are several major operations necessary which at first may seem to be of great magnitude, but when the cost of the land and improvements necessary for these projects are compared with the betterment in traffic movement and the resultant increase in land values, all of these projects should prove entirely feasible and in no way extravagant.

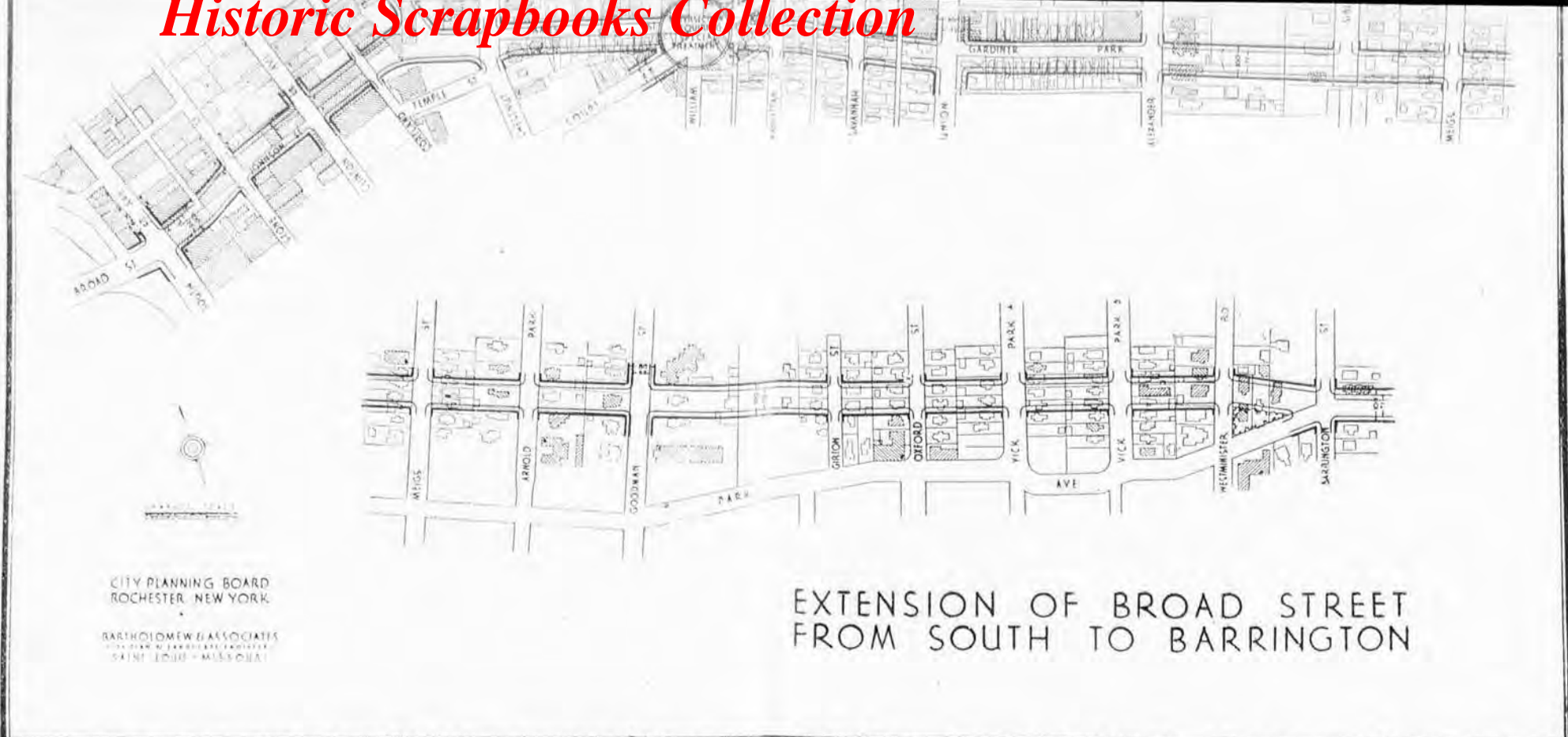
"The widening and connection of these various streets would afford numerous possibilities for additional circulation in and around the central traffic district and would provide direct communication to the New York Central station, both from the east and west over the broad by-pass route on the north. Once a definite plan for improvement is agreed upon, the next important step should be to consider and carry upon a definite program setting forth the sequence in which these improvements should be made. Some of them undoubtedly could be handled through the establishment of building lines. A tentative outline of such a program is included in this report of the Board's consideration."

Discussing the most efficient general plan for a central traffic district of a city, Mr. Bartholomew says: "Generally speaking, the most efficient plan in the central district of a community is to have blocks approximately 300 feet square, served by 50- and occasionally 100-foot thoroughfares. Numerous cities have been fortunate in inheriting square or rectangular plans from the early pioneers, but few of them possess many thoroughfares that are 50 feet or more in width.

Many Complications

"It is generally conceded that one of the most acute planning problems in Rochester is that of finding a satisfactory and economic solution of the street plan in the central district. Practically all of the deficiencies that serve to complicate traffic movements are present in the business district of Rochester. Streets are irregular in direction and vary in width from 33 feet to 97 feet. Blocks are irregular in shape and many of them are excessively large, while others are too small, resulting in frequent interruption of traffic flow. In addition to these, and unquestionably the most outstanding defect, is the lack of continuous thoroughfares and the prevalence of an unusually large number of dead-end streets.

"The only continuous east and west thoroughfare in the entire district is Main Street, East Avenue which enters the central district from an easterly direction connects with Franklin Street, extending to the northwest, which may in effect be considered as a continuous thoroughfare. To the north and south there are five continuous streets through the business



Here is shown in two sections details of the method by which Mr. Bartholomew proposes to extend Broad Street eastward. The upper diagram shows it extended east from South Avenue through Stone Street, Clinton Avenue South, Cortland and Chestnut Streets to meet James; the proposed traffic circle at James, William and Court Streets; Broad Street extended directly eastward from the circle to meet Gardner Park. The lower diagram shows the street following a direct line east from Alexander Street, through all the intersecting streets to Barrington. East of Barrington it will be carried into East Avenue near Winton Road.

district, namely Plymouth Avenue; State-Exchange Street; South Avenue; St. Paul Street; Clinton Avenue and Union Street. All other thoroughfares are either dead-end streets or have an offset in the central district. As will be seen on the plan, there are 76 dead-end streets.

"A comparison of the present and proposed plans shows the addition of a number of through streets and a substantial reduction in the number of dead-ends. For example, in lieu of one continuous east and west street and five continuous north and south streets, there would be, under the proposed plan, seven east and west streets and seven north and south streets. Note the three parallel relief streets on each side of Main Street and also that there are but 47 dead-end streets in this plan as against 76 in the existing layout. The effect that these changes would have upon traffic circulation is obvious, not to mention the influence they would have upon stabilizing and increasing property values.

Traffic Flow Vital

"The present parking and traffic flow is discussed by Mr. Bartholomew, and he declares that the importance of regulating traffic movement and parking in the business section can not be overestimated. On this subject he writes: "Since the primary function of a street is to provide for communication and traffic movement, the importance of regulating parking and traffic flow in the central traffic district cannot be overestimated.

"By prohibiting parking during the evening and two additional moving lanes of vehicles are provided for on Main Street. Parking is also prohibited on several other streets during the rush hour and this regulation should be applied and rigidly enforced on all busy thoroughfares in the central district during rush hours.

"Certain minor streets, less than 33 feet in width, are designated as one-way streets, which is the only satisfactory solution for moving traffic through these narrow streets. It is highly important that on these narrow streets parking be limited to one side only.

"During the business hours, left-hand turns are prohibited at the following intersections: Main and State, Main and South, Main and Clinton, and Court and South, while during the evening rush-hour period both left and right hand turns are prohibited at the three corners on Main Street above referred to. Because of the great volume of traffic passing these intersections, this is a very satisfactory arrangement, not only facilitating vehicular traffic, but also creating a very desirable condition for pedestrian traffic.

Values Affected

"Of great importance to the city is the maintenance of real estate values in the downtown district, as a large part of the assessable wealth of the community is embodied in this district. Any thing that tends to impair values in the business section is of serious consequence to the municipality and Mr. Bartholomew canvasses this subject in his report. He says that the lack of continuous east and west thoroughfares through the Central Traffic District is

probably nowhere better reflected than in land values. This is evidenced, he writes, by the great concentration of values along Main Street, from Union on the east to Clarissa Street on the west, the highest values occurring between St. Paul and Franklin Streets, with gradation in assessed values ranging from \$250 to \$10,000 a front foot.

The street arrangement in the Central Traffic District, including such factors as principal arterial entries, proximity to present business centers and provision for future business expansion, are all important elements influencing the present and probable future land values, he writes. While he admits it is difficult to predict where the increase in values will come first, as this depends largely upon the sequence in which street improvements are made, he points out that there is a certain amount of property in the central district that

should increase to a value of \$1,000 or more per front foot, and this could all be accommodated within the Central Traffic District.

The location of future by-pass routes is of importance in the development of the central area, Mr. Bartholomew points out, and he declares that in the initial study consideration was given to Anderson Street to the North and Court Street to the south, but a study determined that these streets were too close to high values to adequately serve such a purpose. William and Scio Streets were studied as alternate routes for Union Street, but the latter street was the logical route, Mr. Bartholomew writes, and after consideration Ford-Oak Street was accepted rather than Clarissa Street for the by-pass route to the west because of the traffic complications at the intersection of Main, Broad and Clarissa Streets.

Extension of Broad Street Obvious

Regarding the extension of Broad Street eastward, Mr. Bartholomew writes: "The necessity of extending Broad Street eastward as a relief to Main Street is too obvious and too well appreciated to require a lengthy discussion setting forth the merits of this project. For some time the city has contemplated this extension and in fact numerous plans have been proposed by organizations and individuals as well as by the city authorities. It is extremely important, however, that the extension be related to other principal thoroughfares and made an integral part of a comprehensive thoroughfare plan.

"Several possibilities for the Broad Street extension were given careful consideration, such for example, as its connection with East

Avenue and also with Park Avenue, but after an analysis of the various schemes, the plan shown was rejected. Briefly, this consists of extending practically the same alignment proposed by the city between South Avenue and Alexander, using Johnson and James Streets and Gardner Park. From Alexander Street it should be extended directly east, as a new street north of Park Avenue as far as Barrington Street, where it would connect with Park Avenue. From this point eastward, Park Avenue would be widened and utilized, and connected by means of a new street into East Avenue just west of Winton Road.

"The advantages of this route may be summarized as follows:

"(1) The bulk of the traffic from the east now uses East Avenue, which for the greater part of its length is a beautiful residential thoroughfare, line with stately trees, and has a roadway sufficient only to accommodate four lines of

traffic, two in each direction. The necessity of relieving congestion on this street is as important as the extension of Broad Street itself. The extension of Broad Street would relieve the situation on East Avenue and would obviate the necessity of widening this thoroughfare at least for some time.

"(2) The alignment of the proposed new street is practically straight and at right angles to present land platting, leaving few small parcels of unusable size.

"(3) The opening of a new street from Alexander to Barrington is more desirable than using Park Avenue widened, for several reasons:

"(a) The new street is more direct.

"(b) The cost of the project favors the new street in that, rather than pay for corner properties on Park Avenue for widening, the new street will create many additional valuable corners.

"(c) The new route is approximately equidistant between University Avenue and Monroe Avenue, both being important major thoroughfares.

"(d) Under this arrangement the park-like character of East Avenue can be preserved indefinitely.

"(e) It is contemplated that eventually East Avenue should be widened by the establishment of building lines and the creation of additional roadways, one on either side of the existing trees, to serve the abutting property, and that the existing roadway be retained for fast-moving passenger traffic. In order to preserve East Avenue as a parkway, commercial vehicles should be prohibited."

Church-Grove Route Advantages

Discussing his suggestion for a new North Side business street on the Church, Pleasant, Grove Street line, Mr. Bartholomew writes:

"The purpose of this project is twofold: to relieve traffic congestion on Main Street and to encourage the natural expansion of the business district. As previously stated, there is no continuous east and west thoroughfare on either side of Main Street. The first street of any length to the north is Andrews, which is more than 1,000 feet distant from Main and terminates abruptly at State Street on the west.

"The necessity for an intermediate street between Main and Andrews is admittedly not a new idea since the city has been considering such a project for more than a decade. As early as 1916, a plan was prepared for a new thoroughfare, using Mortimer Street extended east as far as Franklin Street and west to Plymouth Avenue via Church Street. This would undoubtedly afford some immediate relief in the present business section but does not anticipate the future expansion of the central district. A relief street, to function efficiently, should extend the full length of the central district.

"Consideration was given to the use of both Mortimer and Pleasant Streets, but the latter proved to have the greater advantages. The detailed drawing which is intended as a tentative suggestion and which may be modified slightly as a result of more careful survey and analysis of cost, shows that Pleasant Street could be connected with Church and Grove Streets and made a continuous route paralleling Main Street from Clarissa Street on the west to Scio Street on the east.

"No attempt has been made to prepare accurate estimates of the cost for the two projects, but judging from a careful field observation of the properties affected,

the cost of the Church-Grove project would be approximately 50 per cent less than that of the Mortimer-Pleasant project.

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Richard-Canterbury Offers Relief

The connection of Richard Street and Canterbury Road is proposed by Mr. Bartholomew, who declares that the regular platting of streets in the southern section of Rochester becomes a serious impediment in attempting to find a suitable location for a continuous east and west cross-town street, south of the central traffic district. This is further complicated, he says, by the presence of railroads, parks and cemeteries, and he declares that the best opportunity for a cross-town route to the south is the use of Canterbury Road and its connection with other short streets to the east and west.

Plan Should Be Official

Methods and means of carrying out the street plan are discussed by Mr. Bartholomew. He declares that the major street plan, amended in such manner as the City Planning Commission may desire, should become an official plan, if not so adopted it will soon be ignored and forgotten or at best modified and distorted at the whim of local and selfish interests. He says there can be no effective comprehensive plan unless that plan be given official status and is consistently followed in all of the many municipal matters pertaining to it.

He then discusses the statutes relating to city planning and the authority of municipalities. He points out that city planning legislation in other states usually permits control of subdivisions for a distance of from three to five miles beyond the city limits, and urges that a future amendment of this character in the New York law should be considered.

He discusses the establishment of official maps; the fixation of lines on them and the restriction of buildings within these lines, and he goes into the subject of condemnation proceedings, warning that they may develop, and asserts that it is quite wrong to establish arbitrary percentages of cost to be borne by the city. Neither is it possible, he feels, to establish fixed rules the percentage of cost which might be borne by the property fronting on a given project, or by contiguous or adjoining property. Mr. Bartholomew feels that each case produces a special set of conditions and has to be judged entirely upon its own merits. He points out that no estimates of the cost of individual projects comprising the section of the city plan have been made, and these should be undertaken immediately after official adoption of the plan, at least for those projects which might be undertaken in the near future. He points out that estimates of costs of projects planned for several years in the future would be little value at this time.

Cost Not Immediate

"If the practicability of the plan from the standpoint of cost is

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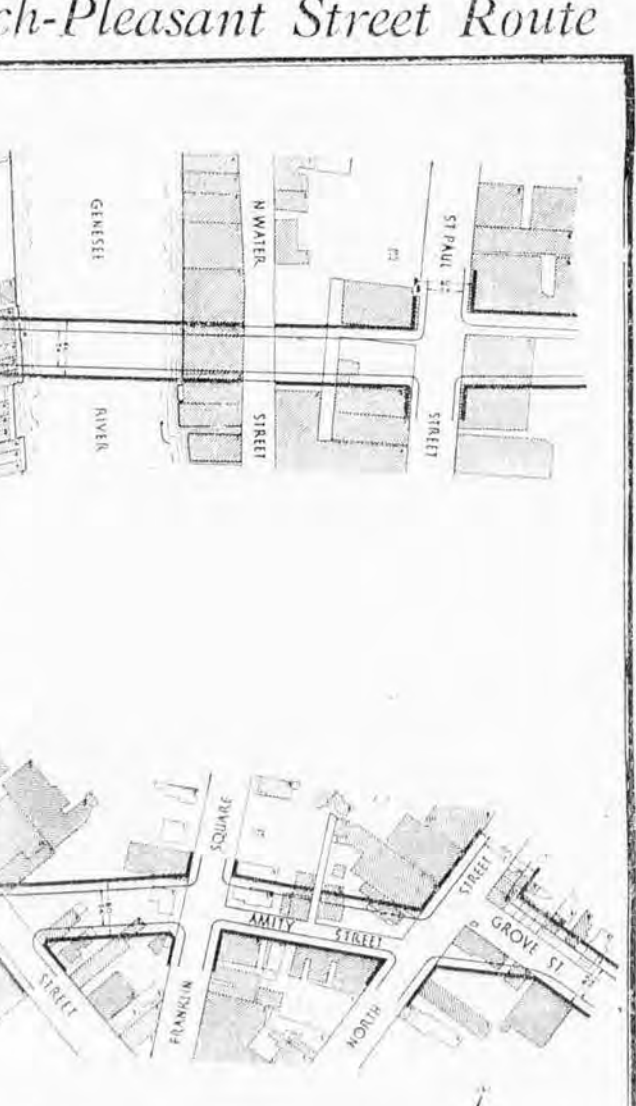
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Detail of Proposed Church-Pleasant Street Route



The upper diagram shows Church Street extended through Mill and Front Streets, across the river, through Water and St. Paul Streets to meet Pleasant Street. The lower diagram shows Pleasant Street widened on the south, and extended through Franklin Street, along the line of Amity Street widened on the north, and into Grove Street.

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CORN ALCOHOL PRODUCT VAST, DORAN ADMITS

Reveals Illegal Distilling
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The alcohol manufactured by the plants, the commissioner said, was just as good a product as that manufactured by legally licensed distilleries and the plants seized frequently were found to have cost as much as \$10,000 or \$20,000. The other 460 plants captured in the Northeastern states, he said, were "cooking" plants operating on alcohol products from which the other ingredients are eliminated. Most of the latter stills, he said, were operated in the metropolitan districts and within 50 miles of New York City.

Doran expressed concern a week ago over the immense increase in the production of corn sugar, which he said had jumped from 352,000,000 pounds in 1922 to approximately 950,000,000 pounds in 1929.

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North of the Mason-Dixon line, the Ohio river and east of the Missouri river, the commissioner said the chief ingredient now used by illicit stills was chipped corn sugar, which not only was cheaper than cane sugar, but produced alcohol quicker.

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Widow of Croker May Seek Palm Beach Post

Palm Beach, Fla., Jan. 9.—(AP)—Mrs. Ella Croker, widow of Rich and Croker, Democratic U. S. senator, may be the first woman candidate for political office in Palm Beach. If nominated for membership on the city council at a caucus to be held Friday night she said she would vote every thing I can in favor of Palm Beach.



THE TOWER CLOCK

BUSINESS to me is a great adventure in friendship. A recent survey of Department Store advertising shows that only 15% of its gross business comes through selling that merchandise told about in the daily papers. The other 85% is impelled by *good-will*—which is the science of winning friends by honesty in business, by courtesy in service, by truth in advertising, by superior quality of merchandise, by an understanding of style and by a knowledge of the art of selling.

In the early days it was easy for all customers to understand how keenly we wanted to effect these principles of friendship, for the "Boston Store" was so small that each proprietor could personally meet the individual patron. Today, the store's size renders this impossible.

However, every member of the store family is an ambassador to extend the personal touch of friendship . . . to act as host. The first principle in store friendship is *Courtesy*—not from duty, but from a heart full of love to be kind. The rules of hospitality require every host or hostess to accord to guests a feeling of "rightness" at all times. With these little thoughts of hospitality, there grows a great friendship and a desire *not merely to sell you but rather to serve you.*

*Tonight WHEC Broadcasts
Our Store Chorus
7:30 to 8:00
You'll enjoy tuning in*

Light, Plain Woolens

\$1.50 yd.

*The Flat, Smooth Weave
as Stressed in Paris*

Regular \$2.50 yard woolens, of the newest style trend, which we obtained at an unusual price just at the time when they are being developed in new suits and one-piece frocks for Southern and Spring wear. This flat, smooth woven is called *L'ignouray*. The colors include the crayon pastels just coming to the fore. 24 inches wide.

ADLER & B



Regular Price

\$6 and \$6.50

\$7.50 and \$8

\$10

\$11

... and two "extra specials" —

Formerly \$12.50

Boys' Oxfords

Oxfords of domestic black and brown calfskin, and imported Scotch grain. Broken sizes.

Black and brown oxfords, including a large assortment of imported Holland grain leather. Broken sizes.

Arnold Glove-Grip oxfords, of black and brown calfskin. Broken sizes.

Arnold Glove-Grip oxfords of highest-grade Kangaroo leather. Broken sizes.

Oxfords of Martin's— the highest grade— imported Scotch grain. Full leather lined. Broken sizes.

Formerly \$6. Broken sizes

Special

\$4.85

\$5.85

\$7.85

\$8.85

\$9.85

\$4.85



What Big Sale Begins Monday? Annual Linen Sale!

First of Year Sales

Lingerie Now in progress
Housewares Now in progress
Household Linens January 13
Baby Linens January 20
Corsets February 3
Notions February 10



*... you don't have to go south
to wear a straw-and-felt hat*

Gage Hats

for Wear Here and Now

\$5

Their straw brims, straw trimmings, and vivid spring colors are a great lesson on these dark winter days. Flattering off-bow and big side lines, pecker bows of straw lying at the base of the neck, "half-and-half" straw and felt crowns, and covered hats after Rebus. Plenty of large head-dresses for those who are letting their hair grow.

POPULAR DEPT. SECTION, SECOND FLOOR

Convenient Pieces

for more complete
and attractive homes

Mahogany Tea Wagon
\$24.75



Small mahogany tea wagon with drop handle, mahogany floor and removable tray.

Martha Washington Sewing Cabinet
\$13.75



All mahogany of walnut, its handsome lines make it an attractive piece of furniture in any room.

A Man's Chair—Coxwell
\$39.50

A wonderful, comfy, comfortable chair in mahogany and real velvet.

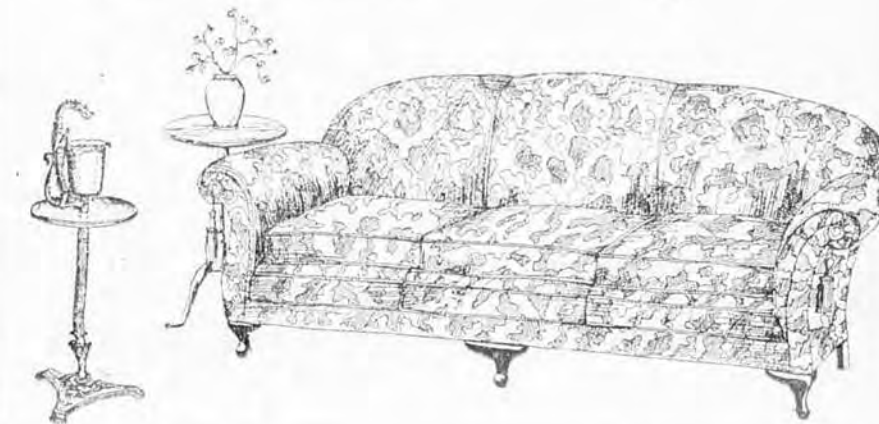


Odd Sofa, \$69.50

This one illustrated in tapestry design (and will prove a versatile piece, increasing with period furniture. All important types of odd sofas are displayed.

Green Dragon Smoker
\$12.50

All all metal smoker in artistic finish. PLANTERS SECTION, FIFTH FLOOR



January Special

Men's Oxfords—Repriced

Hundreds of pairs from our regular stocks, repriced in this annual economy promotion. Quality that's known to every patron of the store for Men—values that speak for themselves!

January Clearance Coats Dresses Ensembles

All garments taken from regular stock, and repriced at considerable savings to you. At these clearance prices they will not be here long. A sure buy for best clothing.

Coats—Press, travel and sports styles, fur trimmed and plain.
\$25.00 to \$39.50 Coats \$19
\$39.50 to \$89.50 Coats \$48
\$79.50 to \$98.50 Coats \$69.50
\$125.00 to \$175.00 Coats \$98.50

Winter Ensembles—Copies of imports—all luxuriously fur-trimmed. With long, short and finger-tip coats. Dress and blouse styles. Suitable to wear right now and through the spring.
\$89.50 to \$125.00 Ensembles \$65
\$98.50 to \$135.00 Ensembles \$75
\$155.00 to \$195.00 Ensembles \$89.50

Dresses and Jacket Suits—Street, sports, afternoon and evening dresses. Plus crepe, wool, jersey, satin, and prints.

Were \$15.00 to \$16.50 \$9
Were \$16.50 to \$19.50 \$11
Were \$25.00 to \$39.50 \$18

All our best tracks, Park, Scotch, tweeds, \$49.50 to \$115, are now marked
\$28 \$38 \$48 \$59.50

Market Items

Specially Priced

Reg. Pr. Spec. Pr. Per lb. Per lb.

Freshly dressed
broasting
chickens ... 40c 37c
Black roast
prime heavy
steer beef ... 35c 31c
Boneless club
steaks, heavy
steer beef ... 50c 43c
Small pork
loins, whole
or half ... 31c 27c
Plates, heavy
steer beef ... 18c 12c
Legs of year-
ling lamb ... 35c 29c
Breast of year-
ling lamb ... 15c 10c
Fresh hams,
whole or half 31c 25c
Fresh lamb
pousses 22c 17c
Boneless brisket
corned beef 35c 27c
Black roast,
choice steer
beef ... 33c 29c
Pine pork and
sage meat 29c 25c
Lumpy Island
hubs ... 31c 27c
Pork steak 31c 25c
Freshly dressed
pig's liver 15c 11c
Sugar corned
beef, sliced 13c 11c

608 FEB

Reveals Illegal Distilling Has Department Worried by Steady Growth

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The shooting took place in the street. A small boy, Olin McCullough, told police he saw two automobiles speed up the street. The front car suddenly stopped, and Barnett leaped out, holding in his shoulder a sub-machine gun. This he emptied into the rear automobile, in which Mr. and Mrs. Mason rode. After firing into the coupe, he pulled a revolver from a shoulder strap and fired a bullet through his head. He died immediately.

Widow of Croker May Seek Palm Beach Post

Palm Beach, Fla., Jan. 9. (AP)—Mrs. Bula Croker, widow of Richard Croker, Tammany Hall leader, may be the first woman candidate for political office in Palm Beach. If nominated for membership on the city council at a caucus to be held Friday night she said she would "do everything I can to give Palm Beach."

Three places on the city council and the office of mayor, made vacant by the resignation of Barclay H. Washington, Philadelphia sportsman, are to be filled shortly. Friends of John Shepard, Jr., of Lenox, Mass., plan to enter him in the race for mayor.

You can't stick to hoe methods in this day of gang plows and row blades, not and get anywhere. Farm and Fireside.

CLOCK

BUSINESS to me is a great adventure in friendship. A recent survey of Department Store advertising shows that only 15% of its gross business comes through selling that merchandise sold about in the daily papers. The other 85% is impelled by good will—which is the science of winning friends by honesty in business, by courtesy in service, by truth in advertising, by superior quality of merchandise, by an understanding of style and by a knowledge of the art of selling.

In the early days it was easy for all customers to understand how keenly we wanted to effect these principles of friendship, for the "Boston Store" was so small that each proprietor could personally meet the individual patrons. Today, the store's size renders this impossible.

However, every member of the store family is an ambassador to extend the personal touch of friendship . . . to act as host. The first principle in store friendship is Courtesy—not from duty, but from a heart full of love to be kind. The rules of hospitality require every host or hostess to accord to guests a feeling of "rightness" at all times. With these little thoughts of hospitality, there grows a great friendship and a desire *not mere to sell you but rather to serve you.*

Tonight WHEC Broadcasts
Our Store Chorus
7:30 to 8:00
You'll enjoy tuning in

Light, Plain Woolens

\$1.50 yd.

The Flat, Smooth Weave as Stressed in Paris

Regular \$2.50 yard woolens, of the newest style trend, which we obtained at an unusual price just at the time when they are being developed in new suits and one-piece frocks for Southern and spring wear. This flat, smooth woolen is called *L'interieur*. The colors include the crayon pastels just coming to the fore. 54 inches wide.

ATLANTA 6 AND 11



Regular Price

\$6 and \$6.50

\$7.50 and \$8

\$10

\$11

... and two "extra specials"—

Formerly \$12.50—Oxfords of Martin's—the highest grade—imported Scotch grain. Full leather lined. Broken sizes. **\$9.85**

Boys' Oxfords—Formerly \$6. Broken sizes. **\$4.85**

STORE FOR MEN, SECOND FLOOR



January Special

Men's Oxfords—Repriced

Hundreds of pairs from our regular stocks, repriced in this annual economy promotion. Quality that's known to every patron of the store for Men—values that speak for themselves!

Special

Oxfords of domestic black and brown calfskin, and imported Scotch grain. Broken sizes. **\$4.85**

Black and brown oxfords, including a large assortment of imported Holland grain leather. Broken sizes. **\$5.85**

Arnold Glove-Grip oxfords, of black and brown calfskin. Broken sizes. **\$7.85**

Arnold Glove-Grip oxfords of highest-grade Kangaroo leather. Broken sizes. **\$8.85**

Oxfords of Martin's—the highest grade—imported Scotch grain. Full leather lined. Broken sizes. **\$9.85**

Boys' Oxfords—Formerly \$6. Broken sizes. **\$4.85**

First of Year Sales

- Lingerie Now in progress
- Housewares Now in progress
- Household Linens January 14
- Fancy Linens January 20
- Corsets February 3
- Nations February 10



... you don't have to go south to wear a straw-and-felt hat

Gage Hats

for Wear Here and Now

\$5

These straw-hat, straw-imitations, and wild spring colors are a great impetus on these dark winter days. Flattering off-brow and long side lines, perky bows of straw rising at the base of the neck, "half-and-half" straw and felt crowns, and covered hats after Rebus. Plenty of large head sizes for those who are letting their hair grow.

POPULAR PRICE, REPRICED, SECOND FLOOR

Convenient Pieces

for more complete and attractive homes

Mahogany Tea Wagon \$24.75



Gold mahogany tea wagon with drop-leaf, 40" x 20" drawer and removable tray

Martha Washington Sewing Cabinet \$13.75



Off-mahogany no cabinet, its handsome finish makes it an attractive piece of furniture in any room.

A Man's Chair—Coxwell \$39.50

A handsome, room-comfortable, 600-800 mahogany and oak values

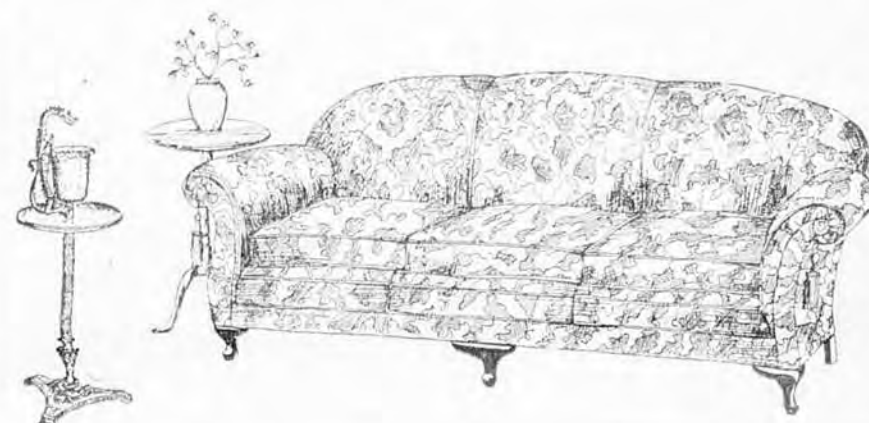


Odd Sofa, \$69.50

The one illustrated in tapestry velvet cover will prove a versatile piece, harmonizing with period furniture. All important types of odd sofas are displayed

Green Dragon Smoker \$12.50

An all metal smoker in attractive finish. HANDLE BY SECTION, HIGH TOPS



January Clearance Coats Dresses Ensembles

All garments taken from regular stocks and repriced at considerable savings to you. At these clearance prices they will not be here long. Come early for best choosing.

Coats—Dress, travel and sport styles, for trimmed and plain.

- \$25.00 to \$39.50 Coats \$19
- \$39.50 to \$89.50 Coats \$48
- \$79.50 to \$98.50 Coats \$69.50
- \$125.00 to \$175.00 Coats \$98.50

Winter Ensembles—Capes of imports—all luxuriously fur-trimmed. With long, short and finger-tip coats. Dress and blouse styles, suitable to wear right now and through the spring.

- \$29.50 to \$125.00 Ensembles \$65
- \$95.50 to \$145.00 Ensemble \$75
- \$155.00 to \$195.00 Ensembles \$89.50

Dresses and Jacket Suits—Street, sport, after-noon and evening dresses. All styles, wools, jerseys, satins, and prints.

- Were \$15.00 to \$16.50 \$9
- Were \$16.50 to \$19.50 \$11
- Were \$23.00 to \$39.50 \$18

All our best frocks, Paris styles, formerly \$49.50 to \$115, are now marked \$28 \$38 \$48 \$59.50

DRESS, COAT AND SUITING SALE, SECOND FLOOR

Market Items

Specially Priced

Reg. Price, Special Price

- Roast dressed chickens 49c 37c
- Roast prime heavy steer beef 35c 31c
- Roast heavy steer beef 33c 43c
- Small pork loins, whole or half 31c 27c
- Plates, heavy steer beef 18c 12c
- Legs of yearling lamb 35c 29c
- Broast of yearling lamb 15c 10c
- French hams, whole or half 31c 25c
- Fresh lamb loins 22c 17c
- Boneless brisket corned beef 35c 27c
- Chuck roast, choice steer beef 35c 29c
- Pure pork sausage meat 29c 25c
- Chines Island pork 31c 27c
- Pork steak 31c 25c
- Freshly sliced pig's liver 15c 11c
- Sugar cured ham, sliced 43c 37c

GROCERY

SIBLEY, LINDSAY & CURR CO.

30 INJURED BY BLAST SERIES AT RUSH HOUR

Philadelphia Center Scene of Four Explosions in Debris of Fire

Philadelphia, Jan. 9.—More than 30 persons were injured, four seriously, tonight by four explosions in the partly demolished Globe Theater building at Market and Juniper streets across from City Hall. Some blasts which followed a small fire in the ruins of the building, are believed to have been caused by a spark dropping into an acetylene tank.

Crowds of homebound office and store workers scattered in all directions at the first blast, but many were knocked to the ground by debris which was hurled high into the air. Many windows in City Hall and other buildings were shattered.

Mayor Harry A. Mackey had just left his office in City Hall and his chauffeur who was waiting for him outside the building was slightly cut by flying glass. The Mayor had not reached the street when the first explosion occurred. A number of automobiles parked in City Hall plaza were badly damaged by flying timbers and brick.

Windows Shattered

Paul M. Gottlieb, secretary to Mayor Mackey, was one of several attaches of the mayor's personal staff at work in an office directly opposite the point where the fire started. Windows in the office were broken, but Mr. Gottlieb escaped injury. Daniel Baxter, the Mayor's messenger, who also was in the room, was cut on the face and hands by flying glass.

Market and Juniper streets is one of the busiest corners in the city and the explosions occurred at 3:20 P. M. when thousands of workers were streaming from office buildings, department stores and city hall.

Men, women and children joined in a scramble for safety. Trolley cars, buses and automobiles stopped. Several chauffeurs sitting in cars parked on City Hall plaza had narrow escapes, leaping out a few seconds before the machines were demolished by heavy timbers. Subway guards at the 13th Street station, which was jammed by the rush hour traffic, had difficulty in restraining the crowds. Some sought to regain the surface to discover what had caused the explosion as others tried to rush down the steps to avoid the rain of debris.

Workmen Escape

The building is being razed to make room for a skyscraper bank and office building. The fire started in the edge of the wreckage and traveled along the high protecting fence surrounding the property. Most of the 50 workmen fled when the fire started, but there were a number of firemen and policemen inside the fence when the first blast occurred. Most of them were injured. As rescuers picked them up the second explosion occurred. The third and fourth went off several minutes later.

The most seriously injured were George Philpott, a pedestrian; Charles E. Rainey, a traffic policeman; Charles Hollowell, Collingwood, N. J., a workman in the wrecking crew, and John McBrearty, a fireman. The condition of all four was said to be critical.

Hollowell, who was operating a compressed air machine, was badly turned.

"The machine ran out of gas," he said, "and I went down stairs to get more gas. I took the nozzle off the tank but couldn't get it back on again. The gas kept on flowing and it got all over my clothing and dripped under the workwood of the ground floor. Then sparks from a wood fire nearby lit it. That's the last I remember."

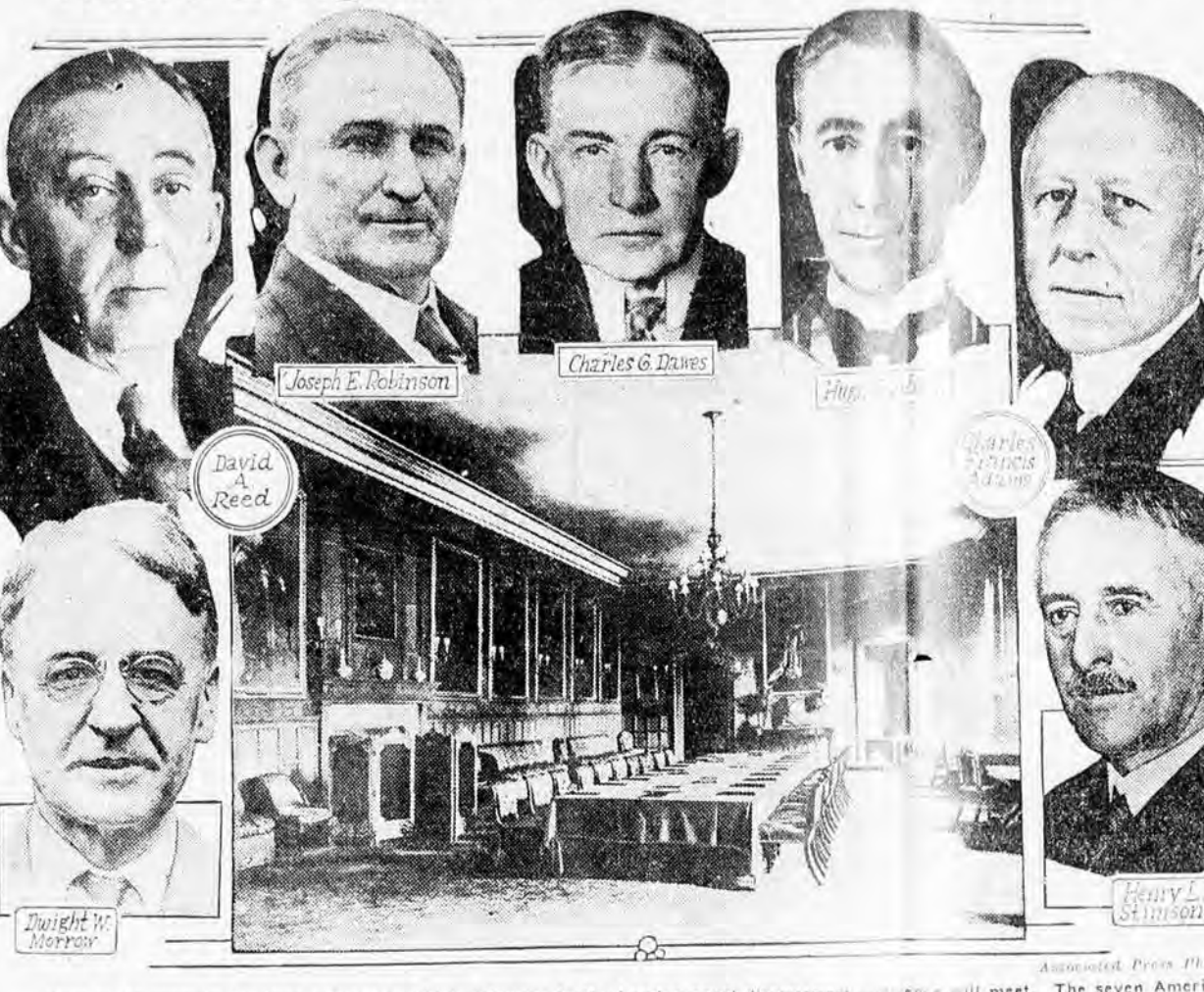
LEAVES HARVARD \$5,000,000

Philadelphia, Jan. 9.—Harvard University will be the recipient of more than \$5,000,000 under the terms of the will of Stuart Wyeth, president of John Wyeth & Son Corporation, manufacturing chemists, which was filed for probate here. The will set forth that the president and fellows of Harvard might use the money as they see fit.

HIS LUCKY DAY

New York, Jan. 9.—Although a taxicab in which he was a passenger was overturned and the body was torn completely from the chassis, H. Owens, 43, escaped with only a slight laceration of one finger. The accident occurred when two cars collided. Neither driver was hurt.

Where Delegates Will Sit at Naval Conference



Here is the room in St. James' palace in which delegates to the London naval disarmament conference will meet. The seven American delegates are shown above.

DESCRIPTION OF MAJOR CITY TRAFFIC NEEDS

Continued From Page Thirteen

It likewise has an adjoining right-of-way. With but slight adjustment this important route may be made an 8-line thoroughfare throughout.

ROUTE 16. BEACH AVENUE.

Beach Avenue is the first east and west thoroughfare south of Lake Ontario. It is a direct and continuous highway to Hamilton and Toronto, Canada. When the new bridge is completed, it will give cross-town traffic the best and shortest route around the north end of Longwood Bay.

ROUTE 17. LAKELAND AVENUE.

By continuing this street beyond the city limits to connect with Jones Road, Lake Road and Rigney Bluff Road, a through east and west thoroughfare will be created. This route will provide a direct connection between St. Paul Street and the lake front east of the city. It is a continuous highway with parkways and boulevards on the west. To the east, Bridge Street should be connected with Lake Shore Boulevard, which in turn should be extended through Durand-Eastman Park to connect with Nine Mile Hill. This route will provide a direct connection between St. Paul Street and the lake front east of the city. It is a continuous highway with parkways and boulevards on the west. To the east, Bridge Street should be connected with Lake Shore Boulevard, which in turn should be extended through Durand-Eastman Park to connect with Nine Mile Hill.

ROUTE 18. LATTI-STUTSON.

The importance of this route as a cross-town thoroughfare is already established by the fact that it is a desirable to connect all parts of the city with parkways and boulevards on the west. To the east, Bridge Street should be connected with Lake Shore Boulevard, which in turn should be extended through Durand-Eastman Park to connect with Nine Mile Hill.

ROUTE 21. RIDGEWAY AVENUE.

The importance of Ridgeway Avenue as an east and west route is obvious. It is a continuous highway with parkways and boulevards on the west. To the east, Bridge Street should be connected with Lake Shore Boulevard, which in turn should be extended through Durand-Eastman Park to connect with Nine Mile Hill.

ROUTE 22. BRITTON-TIERMAN.

At present, those streets are unimproved. Britton Street has a width of 66 feet and Tierman Street 50 feet. A continuous study was given to the possibility of locating another bridge between Stutson Street and the proposed Ridge Road bridge. On account of the layout of the existing street structure, the location of the center line, and the B. R. & P. R. R. bridge would be directly east of Tierman Street. It is not intended that the proposed bridge should be contemplated in the near future but it is highly essential that the approach be acquired by anti-junctional route which is a continuation of Waring Road and will provide a direct connection between the city and the lake front east of the city. It is a continuous highway with parkways and boulevards on the west. To the east, Bridge Street should be connected with Lake Shore Boulevard, which in turn should be extended through Durand-Eastman Park to connect with Nine Mile Hill.

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ROUTE 23. McCALL ROAD.

McCall Road, approximately a mile north of Lewiston Avenue, is a north-south route. It should be extended to the west via Rossett and Chatterton roads. Ultimately this route should be widened and given a six-line capacity.

ROUTE 24. LEWISTON-MAPLEWOOD - NEW BRIDGE.

Plans are under way for the erection of a bridge over the Genesee River to connect the city with Lewiston Avenue. This route is a direct and continuous highway to Hamilton and Toronto, Canada. When the new bridge is completed, it will give cross-town traffic the best and shortest route around the north end of Longwood Bay.

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U. S. ENVOYS OFF TO SEEK NAVY SLASH

Continued from Page One

On the eve of the assembling of the conference, the prospect of the conclusion of an agreement on the five leading naval powers—the United States, Great Britain, Japan, France and Italy—appears none too bright because of the intransigent opposition of France to a disarmament treaty that does not

should be extended straight north along Lyell Avenue to connect with Sherman Street at Old State Street. These streets should be eliminated by widening to 100 feet the Lyell Avenue bridge over the subway. The log in Dewey Avenue should be cut out of the northwest corner. It is recommended that the grade crossings on the Lyell Avenue bridge be raised to a uniform 10-foot level. Provision should be made to accommodate six lines of traffic throughout.

ROUTE 16. JEFFERSON-BROWN-WILDER-GRAVE-SMITH.

This route is approximately one-half mile west of the central traffic district. It is recommended that the Lyell Avenue bridge over the subway be widened to 100 feet. Provision should be made to accommodate six lines of traffic throughout.

ROUTE 17. JEFFERSON-BROWN-WILDER-GRAVE-SMITH.

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ROUTE 18. PLYMOUTH AVENUE SOUTH.

Plymouth Avenue South, from Sherman Street to Old State Street, serves as a relief street to the Lyell Avenue bridge. It is recommended that the grade crossings on the Lyell Avenue bridge be raised to a uniform 10-foot level. Provision should be made to accommodate six lines of traffic throughout.

ROUTE 19. PLYMOUTH AVENUE NORTH.

Plymouth Avenue North, from Sherman Street to Old State Street, serves as a relief street to the Lyell Avenue bridge. It is recommended that the grade crossings on the Lyell Avenue bridge be raised to a uniform 10-foot level. Provision should be made to accommodate six lines of traffic throughout.

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SEX INQUIRY REPORT RAPS COLLEGE HEAD

Dropping of Professors at Missouri for 'Scientific Probe' Roundly Censured

Washington, Jan. 9.—President Stratton Duluth Brooks and the Board of Curators of the University of Missouri have been severely censured by a special committee of the Association of University Professors as a result of the controversy over a sex questionnaire at that institution last year.

The censure, announced tonight by the association, was returned by an investigation into the disciplining of two members of the university faculty "because of their sanction" of the questionnaire circulated among students.

The association said the inquiry had been undertaken by the request of President Brooks, many members of the faculty, and students in the course of Professor Harmon O. DeGraff, who was dismissed last April on account of the questionnaire. Professor Max F. Meyer was suspended.

Scores Dismissals

The committee's conclusion, as revealed in a statement issued preliminary to publication in the February bulletin of the association, was:

"For the Board of Curators to decree the most severe punishment within its power, dismissal and suspension without pay, for this alleged offense, (trivial if any) is under the present circumstances a clear breach of the principles of freedom of teaching and research and security of tenure in the university."

Alluding to the actions against DeGraff and Meyer as having been taken without notice to them "and without pretermit of definite charges," the statement said the questionnaire had related to "the changing economic status of women, the sexual code and the moral ideas concerning the family." Both professors approved the questionnaire and several hundred students were distributed among students with instructions to answer anonymously.

Cites Charges

The charges made by the executive board of the curators against the professors were:

"1. That they (Meyer and DeGraff) allowed a questionnaire to be circulated which tended to make students sexually vulgar and shocking to students, especially to women students.

"2. That the questionnaire, which did not produce any scientifically valid conclusion nor any facts likely to be of substantial value.

"3. That the questionnaire 'tended to create the condition that it is alleged to correct.'

"After hearings held by the committee of the association these charges are declared to be founded. In answer to the accusation, the report state in part:

"There is little or no evidence that any student receiving the questionnaire was shocked or inhibited by it. There is no evidence that the questionnaire led to sexual immorality or to decreased self-control in the matter of sex behavior on the part of the students. The questionnaire was taken by students for what it purported to be, a scientific inquiry.

SEX INQUIRY REPORT RAPS COLLEGE HEAD

Dropping of Professors at Missouri for 'Scientific Probe' Roundly Censured

Washington, Jan. 9.—President Stratton Duluth Brooks and the Board of Curators of the University of Missouri have been severely censured by a special committee of the Association of University Professors as a result of the controversy over a sex questionnaire at that institution last year.

The censure, announced tonight by the association, was returned by an investigation into the disciplining of two members of the university faculty "because of their sanction" of the questionnaire circulated among students.

The association said the inquiry had been undertaken by the request of President Brooks, many members of the faculty, and students in the course of Professor Harmon O. DeGraff, who was dismissed last April on account of the questionnaire. Professor Max F. Meyer was suspended.

Scores Dismissals

The committee's conclusion, as revealed in a statement issued preliminary to publication in the February bulletin of the association, was:

"For the Board of Curators to decree the most severe punishment within its power, dismissal and suspension without pay, for this alleged offense, (trivial if any) is under the present circumstances a clear breach of the principles of freedom of teaching and research and security of tenure in the university."

Alluding to the actions against DeGraff and Meyer as having been taken without notice to them "and without pretermit of definite charges," the statement said the questionnaire had related to "the changing economic status of women, the sexual code and the moral ideas concerning the family." Both professors approved the questionnaire and several hundred students were distributed among students with instructions to answer anonymously.

Cites Charges

The charges made by the executive board of the curators against the professors were:

"1. That they (Meyer and DeGraff) allowed a questionnaire to be circulated which tended to make students sexually vulgar and shocking to students, especially to women students.

"2. That the questionnaire, which did not produce any scientifically valid conclusion nor any facts likely to be of substantial value.

"3. That the questionnaire 'tended to create the condition that it is alleged to correct.'

"After hearings held by the committee of the association these charges are declared to be founded. In answer to the accusation, the report state in part:

"There is little or no evidence that any student receiving the questionnaire was shocked or inhibited by it. There is no evidence that the questionnaire led to sexual immorality or to decreased self-control in the matter of sex behavior on the part of the students. The questionnaire was taken by students for what it purported to be, a scientific inquiry.

Chicago Recalls 2,000 City Employees Recently Dropped

Chicago, Jan. 9.—(Special Tribune)—There was general rejoicing today when two thousand city employees returned to work after being laid off for several months.

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The nation's most... a 1931... with... quite... to be... Mr. Dodson was a very... the news... the Community Players' production of "Mary the Third" at the... first... a most... success. We have never... an audience at the little stage theater giving more signs of being highly entertained than did that one last night.

Not have we often heard such enthusiastic comments in the... Mr. Dodson was a very... the news... the Community Players' production of "Mary the Third" at the... first... a most... success. We have never... an audience at the little stage theater giving more signs of being highly entertained than did that one last night.

And there was no wonder that the production was greeted with such warm and generous praise. In general tone and quality it matched the very best things that the Players have done. They gave us an exceptional night for an amateur offering. In "Mary the Third" they presented a dramatic comedy of challenging thought, tense dramatic scenes, clever comedy in character and lines and adult craftsmanship. Just a brief moment of two was a bit "talky" but it was good talk and the entire thing was keenly observed of the conflicting attitudes of the younger and the older generations today toward love and marriage. It smacked soundly of actual life.

The play has a prologue of two episodes, in the first of which Mary, the first, in 1870, captures her man with the tricks of her much-lauded time, and in the second of which Mary, the second, the first Mary's daughter, in 1897, chooses between two admirers more honestly but in quite conventional spirit. In the first act Mary, the third, the second Mary's daughter, and Grandmother Mary is on hand, setting herself up as a model of whether she loves either of them properly to marry him. She is the new girl, sincere, unafraid and thoughtful if not exceeding wise. Her story tells that most... rages are falling and the... were mistakes at the outset or because married people have let humdrum life crush the beauty out of them. She is determined that she shall be sure her's is the perfect love and that the beauty of it will last in marriage.

She announces that Hal, Lynn and a young couple are going camping with her, unchaperoned, so that she and the boys can appear perfectly natural to each other, show how they react to the little things of life as well as the large and so she tries to decide about their love. Mother is shocked but faithful in opposing. Granny is aghast and in favor of stern measures of prevention and father is amazed, angry and threatening Mary slips away at night with the boys after a party, however, in care of the plan. Much trouble follows, it almost wrecks the family.

Shrewd Robert Stevens, the director, has assembled no more competent a cast in the five years he has been here, and has gotten no finer results from any. Fairchild was in the title role, said nice things about Miss Fairchild's playing before, but we had had no reason for thinking she could do the excellent acting she did last night. She did Mary, the Third with understanding, conviction, sincerity and, when needed, real emotional force. Her playing had excellent vitality and illusion; it had more fluency and smoothness than ever before. But it was as Mary, the First that she astonished us. In depicting the artifice of this hypocritical life she bore the repeated a lightness, a fineness of touch we never suspected she had. Indeed, we felt that she did an exquisite little vignette here.

And then there were two exceptional actresses in the roles of Mother and Granny. With what beautiful poise, restraint and clarity Mrs. Frances Mangan played Mother! With the finest of diction, with true authority, it was a delight to hear and watch her. Granny was in the hands of the gifted Mrs. Ruth Eversham, and Miss Crothers herself would have been pleased. The snappish, interfering, mischief-making old lady was given a skillful and decidedly amusing characterization by Mrs. Ber-

well by Harry J. Dodson... moments in the latter part... made living, both in humor and pathos. Mr. Dodson was a very... Mr. Dodson was a very... the news... the Community Players' production of "Mary the Third" at the... first... a most... success. We have never... an audience at the little stage theater giving more signs of being highly entertained than did that one last night.

Fire Company Elects: May Add Members
Mount Morris, Jan. 9.—The annual meeting and banquet of the Seymour Chemical Company of the Mount Morris Fire Department was held at Maplewood Inn, on Reservoir Road in the Town of Genesee. A turkey dinner was served by Proprietor Jamison.

Mayor William H. DeCamp of this village was the guest of honor and among other things in his talk he said that he believed there was no reason why the original charter could not be changed so that the membership could be increased. According to this charter the company can have but 20 active members, all other being classed as honorary members.

A Kansas newspaper says if you put a pinch of pepper on strawberries it will keep you from having lice. And if you put three pinches of pepper on them it will keep you from having strawberries. Louisville Times.

O. E. S. INSTALLS
Webster, Jan. 9.—These officers have been installed by Webster Chapter, O. E. S., Marion, Mrs. Abel; treasurer, Blanche Fisher; secretary, Frances Kittberger; conductress, Anna Collins; associate conductress, Edith Bowman; chaplain, Ella Lentz; marshal, Marlon Sawyer; historian, Stella Hartung; organist, Susie Jones; color bearer, Robert Wilton; auditor, Emma Verdon; sentinel, Margaret Crayton; Adah, Anna Goetzman; Ruth, Rubie Morrison; Esther, Mae Stull; Martha, Genevieve Fueness; Elects, Louise Sutter; trustee for three years, Velma Hand.

EASTMAN
Tres Charmant!
Sabe Chantant!
Duchesse Scandal!
The only one woman with...
Dashing, Daring, Debonair
MAURICE CHEVALIER
in the first picture...
"The Love Parade"
Directed by ERNST LUBITSCH
Jeannette MacDonald,
Lupino Lane, Lillian Roth
ADDED FEATURES
"The Plasterers"
"Old Apple Tree"
Paramount TALKING NEWS

PICCADILLY
Last Times Today
A Young Man and His Love
Greta Garbo
in "THE KISS"
"The KIBITZER"
HARRY GREEN
Mary Brian and Neil Hamilton
A Paramount Laugh Special
All Talking - All Laughing
4 Acts Screen Vaudeville
Universal TALKING NEWS

REGENT
Now Playing
Mr. George Arliss
in Warner Bros.
ALL TALKING MASTER ROMANCE
"DISRAELI"
A Grand Stage play made even greater on the Talking Screen!
ADDED FEATURE
"The Dancing Gals"
A Paramount Talkingie
Marie Currier
Clyde Doerr
Symphonie Symphonie

EASTMAN THEATRE CONCERTS
TONIGHT—8:30 O'Clock
ROLAND HAYES, Tenor
General of Notes Singer
Prices: \$2.50, \$3
Stage Seats \$1.50
General Admission \$1.00
Friday Afternoon, January 10th
3:15 O'Clock
Rochester Philharmonic Orchestra
EUGENE COSSENS, Conducting
HAROLD GLEASON, Soloist
Prices: 50c, 75c, \$1
Tickets Now on Sale—Eastman Theatre Box Office

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ALL TALKING MASTER ROMANCE
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A Grand Stage play made even greater on the Talking Screen!
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TOMORROW NITE
SAGAMORE SUPPER DANCE
Supper, \$1.50
Per Person
No Cover Charge
Sagamore Hotel Roof

STRAND
TODAY AND SAT
BLANCHE SWEET
"THE LADY IN WHITE"
Thrilling, Silent, Dramatic Hit!
Also LAURA LA PLANTE in
"THE LOVE TRAP"
A Talking Light Comedy Success

MADISON
TODAY AND SAT
MARION DAVIES
SINGS, TALKS, DANCES, IN
"MARIANNE"
A Story of American address in France, and the Middle Ages.

LAST TIMES TODAY
WILLIAM BOYD
"THE BEST COMEDY"
LARRY RICH & FRIENDS
4 BROADWAY & OTHER BIG ACTS

STARTING Saturday!
★ **AL TRAHAN**
★ **NATACHA NATTOVA**
★ **RUTH FORD**
★ **EDMUND LOWE**
★ **CONSTANCE BENNETT**
★ **CADET SEXTETTE**
★ **LESTER and IRVING TRIO**
★ **RUSS HANN and His Bohemians**

ARKO TEMPLE NOW!
★ **EDMUND LOWE**
★ **CONSTANCE BENNETT**
★ **"This Thing Called LOVE"**
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DRAGON
PRICES—Night, 50c to \$2.50
Matinee, 50c to \$1.50
Seats Now on Sale

10 DAYS
STARTING TOMORROW AT NOON
TWO GREAT AUDIBLE PICTURES
LONG ON LAUGHS
2 WOMEN HATERS
FALL FOR SAME GIRL
YOU WILL VOTE THIS MOVIE.
TONE PRODUCTION THE FUNNIEST PICTURE YET

MEXICALI ROSE
BARBARA STANWYCK
AND SAM HARDY

NIX ON DAMES
MAE CLARK
WITH MAE CLARKE
ROBERT AMES
WM. HARRIGAN
MAUDE FULTON
GEO. McFARLANE
ALSO

MEXICALI ROSE
BARBARA STANWYCK
AND SAM HARDY
THESE ATTRACTIONS END TODAY:
BELLE BAKER in "SONG OF LOVE" and LLOYD HUGHES and MARGARET LIVINGSTON in "ACQUITTED"

LOEW'S THE HOUSE OF NITE!
ALL SINGING AND TALKING and DANCING TRIUMPH
SUNNY SIDE UP
with JANTIE GAYNOR and CHARLES FARRELL

LOEW'S THE HOUSE OF NITE!
SUNNY GIRLS and HOT TUNES
Comedy, Color and Musical Mirth at its Finest and Freshest.
ANOTHER BIG LOEW STAGE SHOW
JOE PHILLIPS & CO.
with COLLETTE RYAN
HUGHIE CLARK
"PAST AND PRESENT MUSIC"
Wagner's N. Y. Entertainers

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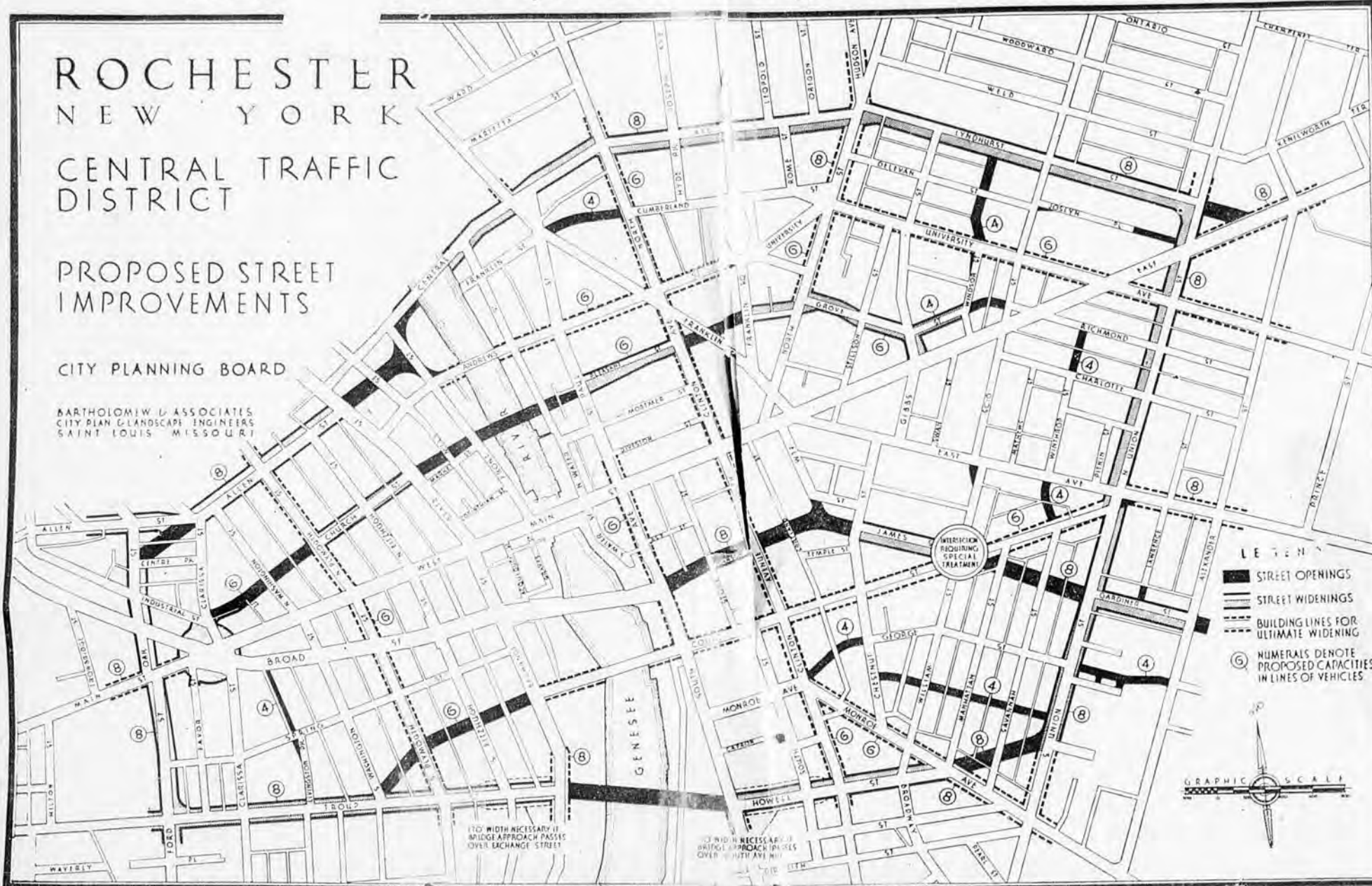
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URGES 6 STREETS TO PARALLEL MAIN

Bartholomew Plan for Street Changes in Business District



This map, prepared by Mr. Bartholomew, shows the Central Traffic District, as he defines it, bounded to the north by Allen Street, Central Avenue and Lyndhurst Street; on the east by Union Street; on the south by Troup and Howell Streets, and on the west by Ford and University Avenue. The seven main east and west routes, some now in existence, others proposed, are, from the top of the map, as follows: (1) Allen Street, Central Avenue, Lyndhurst Street, connected with Main Street east directly just beyond Union; (2) Allen Street, Andrews and University Avenue; (3) Church Street extended to west to meet West Side traffic circle at Cassa Street and Main Street West, and extended on east through Mill and Front Streets and across new river bridge to meet Pleasant Street; Pleasant Street extended directly east to Court Street and extended to meet Main at Scio Street; (4) Main Street East and West; (5) Broad Street extended east to meet James, and through Gardiner Park; then directly east to Court Street; (6) Court Street extended west through Fitzhugh Street and Plymouth Avenue to meet Troup Street at Washington Street; (7) Troup Street extended east from Monroe Avenue to meet South Union Street.

PLAN URGED FOR TRAFFIC RELIEF HERE

New North and South Streets Suggested by Bartholomew
BROAD EXTENDED IMMEDIATE NEED
Church and Pleasant Connection with Grove Planned

By HIRAM MARKS
With construction of a thoroughfare parallel to Main Street in the business district of Rochester the subject of discussion for upwards of twenty years, the section of the City Plan unfolded last evening by Harland Bartholomew, city planner, before a dinner meeting of the Civic Improvement Association, relating to the Central Traffic area attracted the greatest interest from the large assemblage.

Six Streets Parallel to Main

Mr. Bartholomew meets them by suggesting that within the next fifty years the city should have three continuous east and west thoroughfares north of Main Street and also three south of Main Street. That of these streets should immediately extend eastward as the present parallel on the south, and as a first parallel on the north should widen Pleasant Street, extend it to connect with Grove Street and Main Street on the east, and with Church Street extended to Main Street west at Clarissa Street on the west. The north-side street would involve the construction of a new bridge across the river between the Main Street and Andrews Street bridges.

North side parallel streets suggested for future completion are the Andrews Street-University Avenue route, extended on the west to Allen and the Central Avenue-Lyndhurst Street route extended on the east directly into Main. South side parallel streets suggested for future completion are Court Street extended on the west direct to Troup Street and on the east direct to East Avenue, and the connection of Troup and Howell Streets by a new bridge south of the Court Street bridge, and by a straight cut to South Union Street on the east.

Defines Central District

The Central Traffic district, which is another name for the downtown business section, is established in Mr. Bartholomew's plan as the district bounded by Troup and Howell Streets on the south; Central Avenue and Lyndhurst Street on the north; Ford and Oak Streets on the west, and Union Street on the east. The projects outlined, Mr. Bartholomew explains, have been selected because of their importance in the general traffic circulation scheme.

Improvements Suggested for Immediate Consideration

Important major street projects upon which definite estimates of cost could now be prepared and which should be included in an annual bond budget covering all of the needs of the city during the next five or ten years are enumerated by Mr. Bartholomew as follows:

1. Broad Street extension east.
2. Connection of Lowell Street to Bay Street.
3. Connection of Gregory Street and Richard Street to Canterbury Street.
4. Trestle over New York Central Railroad on Goodman Street.
5. Connection of Genesee Street to Dewey Avenue.
6. Connection of Church Street to Grove Street and extensions.
7. Connection of Central Avenue to Allen Street and Allen Street to Lead Street.
8. Connection of Allen Street with Andrews Street.
9. Union Avenue-Clifton Street connection; Clifton Street-Troup Street connection, and separation of grade at Pennsylvania Railroad at Troup Street.
10. Continuation of Broad Street northwest to Driving Park Avenue.

The bridge connecting Clifford Avenue and Emerson Street, which projects have been selected because of their importance in the general traffic circulation scheme," he writes. "They are the most important radial thoroughfares upon which the city is now urgent, a much-needed east and west thoroughfare north of Main Street within the central business district, and by-pass routes, and certain more important downtown thoroughfares in each section of the city."

WHOLE MIDDLE WEST IN GRIP OF BLIZZARD

Chicago, Jan. 9—(Special Dispatch)—All of the Middle West from the Canadian border to the Texas Panhandle and from the Rocky Mountains to New York is in the grip of a blizzard which is tying up transportation everywhere. The onslaught lacks some of the fierceness of the December blizzard but indications are that it will be equally as effective in choking lines of communication. Seven to 10 inches of snow has already fallen and weather forecasters say it will continue another 24 hours.

At this rate the fall would exceed the 15 inches precipitation in December. Temperatures, hovering around 20 above, are falling rapidly this evening and high, north-west winds, are piling the snow in great drifts. Some idea of the extent of the storm is shown in the following dispatches:

Continued on Page Two

Continued on Page Twelve

EDWARD W. BOK, NOTED EDITOR, DIES IN SOUTH

Succumbs to Heart Attack at Home in Florida Near Famous Singing Tower

Lake Wales, Fla., Jan. 9.—Edward William Bok, who rose from a poor Dutch immigrant boy to a position of fame and wealth, died at his Mountain Lake home early today. He was 66 years old.

The editor, author and philanthropist will be buried tomorrow at the foot of the great singing tower of bells he erected in the wilderness of a bird sanctuary near his winter home here.

A heart attack was the cause of death which came after only four days of illness. Mr. Bok died while specialists and relatives were rushing here from the North.

A special crypt at the base of the singing tower built several years ago, will receive the body tomorrow.

Coming to this country at the age of 13, Mr. Bok became a messenger boy. He rose to success as a journalist, retiring 10 years ago from the editorship of the Ladies' Home Journal. He became widely known for his donation of a \$100,000 fund for a plan by which the United States might cooperate with other nations for the attainment and preservation of peace. He also was known for his autobiography, "The Americanization of Edward Bok."

In Philadelphia, Mr. Bok had headed many welfare movements. He was an art and music patron and set up a \$10,000 annual award for the man or woman who was considered to have performed the best act for the city.

In building the singing tower with its carillon of 71 bells here the philanthropist said he gave it as a gift to America for the success this country had brought to him.

Mr. Bok had spent much of his time in Florida since his retirement. He lived quietly in a stucco house which was connected with the bird sanctuary.

William Curtis Bok and Cary William Bok, sons, arrived here this morning, a few hours after their father died. Mrs. Bok, however, was at the bedside when her husband died. Later in the day Cyrus H. K. Curtis, her father, arrived from Philadelphia, whence he had been summoned yesterday.

Funeral services will begin at 4 P. M. tomorrow. Former President Coolidge, a warm friend of Mr. Bok, sent his condolences from St. Petersburg today and indicated he would attend the funeral. Mr. Bok lived the major part of his life in Philadelphia.

Her Condolences Sent to Bok's Widow

Washington, Jan. 9.—President Hoover today extended his sympathy to Mrs. Edward W. Bok for the death of her husband.

25,000 TROOPS IN REVIEW FOR NEW PRINCESS

Rome, Jan. 9.—(Special Dispatch)—The armed might of Italy was assembled today in Piazza Hippodrome to provide further pantomimic pageantry for Princess Maria Jose—she is that to Italy now—and her royal wedding guests. In the sea of humanity the Eternal City's new sweetheart, wearing a salmon colored hat with a flap over one ear and a rich vision in a ruffled, stoned by H. Duse Mussolini in the uniform of prime minister and cocked hat in the richly ornate tribunal, while 25,000 troops of the land, sea and air forces filed by.

Premier Mussolini and the Princess seemed to get on famously. They laughed and chatted and applauded together when Prince Humbert, Princess Maria Jose's husband, in full uniform, rode by on a prancing steed at the head of

Claimed by Death



EDWARD W. BOK

P. S. C. CHIEF DENIES SONS BIAS ACTIONS

New York, Jan. 9.—William A. Prendergast, chairman of the state Public Service Commission, today denied before the legislative commission investigating operation of the public service law that he had any connection with the employment of his two sons by corporate utilities.

Mr. Prendergast's denial was in answer to a resolution of the community councils of New York City which in reference to the employment of his sons, said, "we feel that public officials should be free of entanglements that might be felt to bias them in rendering their decisions where the public interest is concerned."

Mr. Prendergast said one son, Herbert N. Prendergast, is employed by E. L. Phillips & Company, holding company, and that William A. Prendergast, Jr., now employed by the National City Bank, was formerly associated with Phillips & Company, W. C. Langley & Company, and the Long Island Lighting Company. He said both sons obtained their positions without the exercise of any influence on his part.

The community councils have contended that the connection of P. S. C. sons with the Phillips and Langley interests would make it impossible for Mr. Prendergast to remain unbiased in consideration of a pending application of the Long Island Capital Corporation before the commission. Both these interests were said to be concerned in the commission's decision on the case.

The application is for authority to acquire not less than 1,000,000 or all 3,000,000 share of the outstanding common capital stock of the Long Island Lighting Company.

In reviewing the case before the commission, Mr. Prendergast read a memorandum he had prepared in which he advocated that the petition be granted. No decision, he said, has been reached by the entire commission. He said the Long Island Lighting Company is operated by the Phillips interests and its security issues are handled by the Langley Company.

G. O. P. Rebuilding Schemes Discussed

State Group Fails to Act on Suggestions

New York, Jan. 9.—(Special Dispatch)—Suggestions for strengthening the Republican party in New York state and city offered by scores of members throughout the state, were reviewed today by a committee of 11 leaders.

The committee, headed by Richard W. Lawrence, announced that no action was taken. Chairman Lawrence said a plan would be formulated at the next meeting.

Mr. Lawrence said the committee intends to work with the party organization to "stiffen the morale, build up a stronger organization and convince all Republicans they have a party to be proud of."

Only Three Left of Four McCarthy Cops

F. H. SMITH CO. UNDER FIRE IN FEDERAL COURT

Attorney Charges Frauds in Stock Sales Amounting to Many Millions

New York, Jan. 9.—Suit to establish an equity receivership for the F. H. Smith Company, investment banking firm which is under investigation by the office of the United States Attorney-General, was filed today in the United States District Court. The suit was brought by Jerry W. and Emma B. Overbaugh of Catskill, N. Y., who said they purchased 250 shares of 7 per cent, preferred stock in the company for \$25,000.

The petition for the receivership charged "financial juggling," manipulations and exaggerated appraisals of property which allegedly resulted in the issuance of mortgage bonds frequently in excess of "twice the value of buildings and grounds and furnishings."

Seven members of the F. H. Smith Company's Board of Directors were recently indicted in Washington on charges of using the mails to defraud in connection with activities of the company. The company then moved its headquarters to New York and Nugent Dadds, special assistant to the United States Attorney-General, launched an investigation of the company's activities here with a view to obtaining indictments against the directors in New York.

The defendants named in the receivership suit are the F. H. Smith Company, G. Bryan Pitts, Samuel J. Henry and Daniel N. Zilman.

The authorized capitalization of the company is given by the plaintiffs as \$30,000,000, represented by 300,000 shares of preferred stock and 200,000 shares of common stock with no par value. The petition alleged that \$7,000,000 in preferred stock is outstanding and that the amount of outstanding common stock was unknown to the plaintiffs.

Cannot Get Leave to Examine Black Duck

Washington, Jan. 9.—Efforts of Conrad W. Cooker to have government officials permit the Liberal Civic League of Boston to examine the Black Duck, the bootlegging schooner on which three men were killed when it attempted to escape from Coast Guard, had not been successful tonight.

Cooker, representing the league which criticized Coast Guard officers for the firing upon the Black Duck, called on Secretary Mellon today. He was told that the Treasury had turned the matter over to the United States attorney at Providence and had nothing further to do with the matter.

WASHBURN RESIGNS

White Plains, Jan. 9.—Howard Washburn today resigned from the chairmanship of the Westchester County Board of Supervisors. He retained his membership on the board. Washburn is under indictment with four others for alleged irregularities in two county land deals.

The Koran promises true believers beautiful virgins in Paradise.

Yale Divinity Professor Fails to Win Citizenship

New Haven Conn., Jan. 9.—Prof. Douglas Clyde Macintosh of the Yale Divinity School was formally denied United States citizenship in a decision filed by Judge Warren E. Burrows with the United States District Court.

She's A Miner



The young woman burdened with all the rescue equipment, Elizabeth Garey, a sophomore in the Washington State college mines at Pullman, Wash.

FIFTY SOLO'S ORGANIZE NET HOUSE FACTION

Washington, Jan. 9.—(Special Dispatch)—Fifty members of both political parties in the House of Representatives today announced a caucus to battle to a finish against the incoming program of the administration in the present laws. Although the caucus would bloc represents only one-fifth of the House membership, which is overwhelmingly against the program, it is expected to have a strong effect when the day of legislation reaches the showdown stage.

"We do not expect to stay altogether on the defensive," declared Representative Charles Linthicum, Democrat of Pennsylvania, in a speech before the caucus. "Our cause is growing stronger with the people every day and we expect to take the initiative with several bills of our own."

The net bill was one of several developed today as the prohibition committee continued its work.

Meanwhile, the enforcement committee has been in session for two days adjourned without making a word of its proceedings public, not issuing any kind of statement. It is reported, however, that Chairman Wickham is authorized to issue a statement at any time.

VITALE FACES OPEN HEARING BY BAR GROUP

Likely To Be Next Procedure in Investigation of Misconduct Charge

New York, Jan. 9.—(Special Dispatch)—A public hearing of the charges of misconduct on the bench launched against Point Magistrate Albert H. Vitale probably will follow the secret one now in progress before a New York Bar Association committee, it was indicated tonight.

Vitale, who was questioned by the Bar committee yesterday, will appear again in his own defense at a resumption of the hearing on Monday. Former Magistrate Michael N. Delella and Arthur C. Johnson, denoted detective who failed to shoot it out with the Vitale assassin, also will testify, and then the committee will make its recommendation to the appellate division of the New York Supreme court.

It will then decide upon the higher court either to dismiss the charges and thus vindicate Vitale or order a retrial to stage a public hearing on them. This latter action will be followed, according to lawyers close to the situation.

The probe was inspired by the discovery that Vitale had suspended sentence on Max Morris, a future offender, after the charges were referred as Vitale might retain jurisdiction of it instead of sending it to the Court of Special Sessions and that the records are missing.

Chief Magistrate McAdoo today commissioned Deputy Chief Clerk Jay Finn to search the records in the various district courts in which Vitale has presided since his appointment. At the Merriam court Chief Clerk Frank J. Duffy, attached to that branch, said today that he had conducted a thorough search of the court archives back to last June and that all the records in all but the Morris case were intact. The search for the Morris papers is continuing, he said.

WHOLE MIDDLE WEST IN GRIP OF BLIZZARD

Continued from Page One

Northern Texas is halted under the heaviest snow fall in years. Northeast Oklahoma is experiencing the severest blizzard since 1919.

St. Louis and Miami generally traffic and wire service paralyzed by sleet and snow.

Kansas City reports the worst storm of the winter, with hundreds of automobiles stalled in the streets.

Colorado, Wyoming and Montana temperatures dropped to 10 and 25 below zero.

Michigan reports a 35-mile gale.

WITTER, TIOGA ASSEMBLYMAN 19 YEARS, DIES

Orange, Jan. 9.—Daniel P. Witter, 70, who served 19 years in the State Assembly, died tonight at his home in Berkshire. He represented Tioga County.

Mr. Witter, a Republican, was in the Assembly during the years 1906-1909 and 1916-1925. He had the distinction of being the author and securing the passage of more important agricultural legislation than any other person in the state. Another achievement of which he was proud was the establishment through legislation of the Bureau of the American at the Syracuse fair grounds.

He was chairman of the Committee on Internal Affairs two years, constitutionally, and state supply two years, and Agricultural nine years. It was during his chairmanship of the Committee on Agriculture that the farm and markets law was re-enacted.

For about 20 years he was employed by the State Department of Agriculture as a conductor of farmers institutes in the winter time, and for nine years had been employed at the State College of Agriculture at Ithaca during the fall months to assist in the arrangement of programs for teachers institutes, which now are being conducted as a part of the regular extension work of the college.

On March 1, 1925, members of the Legislature presented him with an inscribed silver tea set as a token of their regards. Surviving are the widow, a son, Gebert R. of Scranton, Pa., and a daughter, Mrs. S. S. Dewitt of Berkshire.

A New York taxicab driver has been fined \$50 for using language that is unbecoming of the stage.—Philadelphia Inquirer.

B. FORMAN COMPANY
Krimmer

B. FORMAN

CLINTON AVENUE SOUTH

A Printed Frock Looks Over Its Accessories!

...and a wise printed frock it is, for here at Forman's are assembled accessories by the score. Tremendous trifles with just one mission in life, and that to complement correctly these bright new frocks.

FOR TRAFFIC RELIEF HERE

Continued from Page Twelve

questioned at this time, he writes, "it can only be said that no immediate expense is involved and only a small amount of money is required... To sustain his contention that the plan is neither extravagant in cost nor fanciful in its conception...

Report Comprehensive

Mr. Bartholomew's report is comprehensive in scope and includes a detailed description of the city's present conditions, a list of recommendations, and a detailed outline of the city planning program...

Plan Contemplates Million Residents

Mr. Bartholomew estimates that within the next fifty years the population of Rochester will be doubled, and he contemplates a population of approximately a million in formulating his plan...

that the development of the city is not only a matter of growth but also of the character of that growth... He says that this combination of natural advantages which have contributed to Rochester's present growth should account for a substantial future growth...

Reviews Planning Here

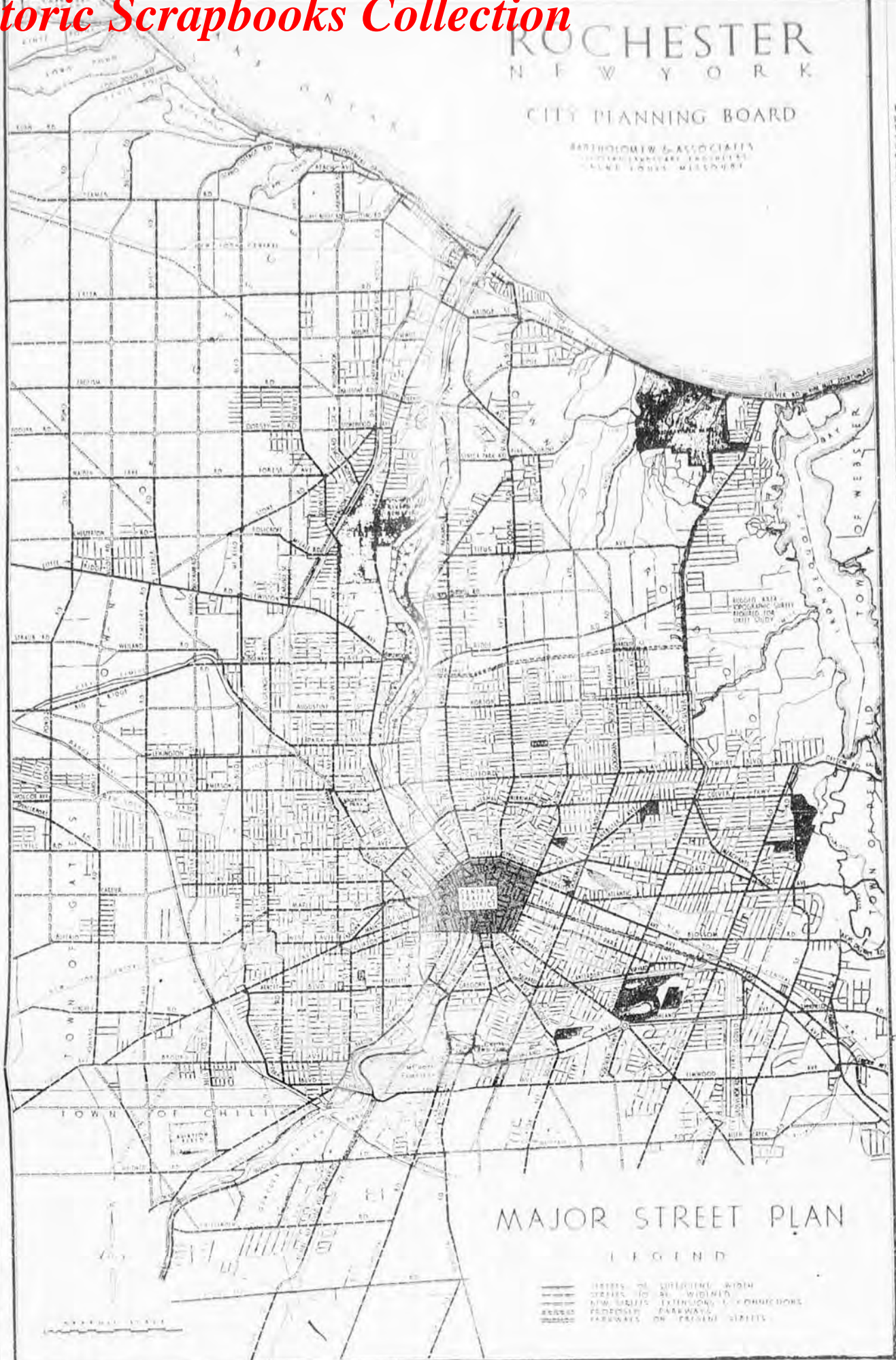
The city planning movement in Rochester since 1911 is sketched by Mr. Bartholomew and he points out that in the last some years eight or ten street opening and widening projects involving a total of \$2,366,854.82 have been effected...

Street Design Ignored

Other features of his report include a discussion of the significance of the increased registration of motor vehicles, the present uses of land and undeveloped areas, the use regulations existing under zoning ordinances, present street widths and jogs and dead-end streets...

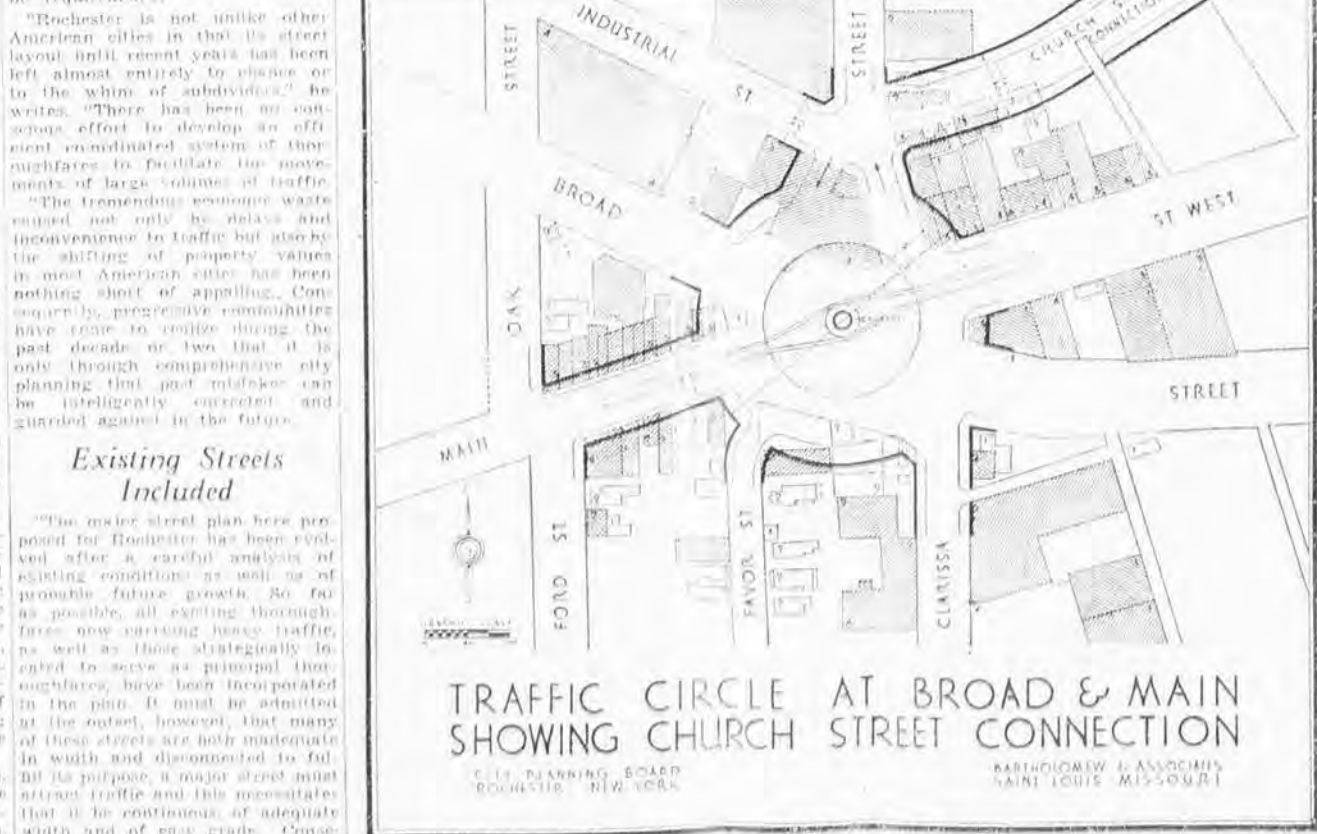
II Arterial Routes

Mr. Bartholomew has provided for eleven arterial routes radiating in all directions from the central traffic district, all of them are proposed to have a capacity of not less than eight lanes of traffic...



General street changes outside Central Traffic District proposed by Mr. Bartholomew are shown by this map. Among his suggestions close scrutiny will trace, reading from about the center of the map downward, the proposed Clifford-Emerson Street connection; the Lyell Avenue, Smith Street, Lowell, Herman, Merrimack and Bay Street route; the Arnett-Bartlett-Clarissa-Gregory-Richard Street connection with Canterbury Road. Of north and south routes proposed, reading from left, can be discerned the Genesee Park Boulevard, Mount Road connection; the Genesee Street-Dewey Avenue route...

Traffic Circle Proposed at Main and Broad



That all of the improvements will be contemplated immediately or within a relatively short space of time. Rather, it is anticipating that all of the improvements will be contemplated immediately or within a relatively short space of time. Rather, it is anticipating that all of the improvements will be contemplated immediately or within a relatively short space of time...

STREET PROPOSALS

Major street proposals made by Mr. Bartholomew follow:

- ROUTE 1 - ALLEN - CENTRAL - LYNDHURST. There are four by-pass routes around the central traffic district... ROUTE 2 - TROUP - NEW BRIDGE-HOWELL. The widening and connection of these thoroughfares from the southern by-pass route... ROUTE 3 - FORD - OAK. Considerable study has been given to the comparative merits of the use of Ford and Oak Street... ROUTE 4 - FORD - CLIFFORD - CLARISSA. The widening of these streets... ROUTE 5 - NORTH HUDSON. There are several comparatively important routes around the central traffic district... ROUTE 6 - UNION - NIAGARA PARK - BROAD - DEWEY. The widening of these streets... ROUTE 7 - MAIN - EAST-MER-GRANTS-ATLANTIC. The importance of Main Street as a principal thoroughfare... ROUTE 8 - BROAD - GARDNER PARK - PARK EAST. The use of Broad Street eastward and its connection with Park and Union Avenue... ROUTE 9 - STATE-LAKE. Although consisting of two different parts, this route is actually one continuous thoroughfare...

Naming of Flowers
Described to Club

The whims and legends which have influenced men in naming flowers and plants were described yesterday afternoon by Alfred C. Hottes, associate editor of Better Homes and Gardens, before members of the Rochester Garden Club at the home of Mrs. Richard B. Harris in East Avenue.

He spoke of the legends of invisibility from the seed of the fern, and the name of spinach from the proper name Hispania. The ancient legend about the tulip is the flower in which the tulip babies were created and recounted, and the closing of the flower at nightfall explained as a protection for those whom it protected.

A colorful Spanish legend of the iris was also told. It is said that when the earth had been created angels sat on a rainbow and admired the achievement. But so numerous were the angels and so infectious their enthusiasm that they broke the rainbow and it went sliding down on the earth. Where it fell iris sprang up.

Cornell Club to Observe
Founder's Day Tomorrow

The memory of Ezra Cornell, founder of Cornell University will be revered at the annual "Founder's Day" exercises of the Cornell Women's Club tomorrow afternoon at West Manor, West Avenue, at 1:15 o'clock.

Miss Beulah Blackmore, head of the technical department of the Home Economics Division of Cornell will be the speaker. Miss Carroll Grimmering is in charge of the arrangements.

Personal Mention

Miss Mary A. Beach of University Avenue will sail January 22 on the S. S. Conte Blancmanne to spend several months in Mentone, in Southern France.

Mrs. Albert W. Beaven of Burr Street entertained at tea Tuesday in honor of Mrs. Herbert Goodman of Chicago, president of the Women's National Baptist Foreign Missionary Society.

Dr. Estelle H. M. Groh of Magee Avenue has returned to town after a trip through the Southern States and visiting friends in Florida.

Miss Beulah Suter of Grand Avenue entertained at bridge Tuesday evening in honor of Miss Mary Casagrande who sails tomorrow for a trip to the West Indies and South America.

Mrs. Jennie Loe of Benton Street entertained the Portland circle of the Baptist Temple yesterday afternoon.

Mrs. Walworth Nicholson of Greenfield Lane entertained at luncheon Monday at the Century Club in honor of Mrs. John Holahan, who was Miss Edna Moore of East Avenue, before her recent marriage.

Miss Jane Stebbins of New York, who has been a guest of the sister, Miss Katharine Stebbins of Clover Street, returned Sunday to her home.

Mr. and Mrs. Lawrence J. Wagner of Culver Road have been spending a few days at the Dodge Hotel in Washington, on their way to Miami, Fla. where they will spend three months.

Mrs. Austin J. Preston of Middlesex Road will entertain the East End Circle of the Baptist Temple today for luncheon.

Raymond W. Staub of Westland Avenue has been spending a few days at the Edgewater Beach Hotel in Chicago.

Miss Julia Stebbins of Clover Street returned Sunday to New York where she is studying for the winter.

Mrs. Lloyd E. Lawrence of Rowley Street entertained the Dorcas Circle of the Monroe Avenue M. E. Church Wednesday afternoon.

Miss Mable Warren of Guilford, Conn., is spending the winter with Miss Lillian Hull of Winthrop Street.

Miss Mary Christensen of Winthrop Street entertained at dinner at her home Friday before the dance given by the Woman's College of the University of Rochester.

Mrs. Willie T. Jensen of Garson Avenue entertained the Sunshine Circle of the Monroe Avenue M. E. Church Wednesday for luncheon.

Jack W. Whitmore of Culver Road, Charles W. Pembroke of Grosvenor Road, and James Boucher are spending a few days at the Lexington Hotel in New York City.

Mr. and Mrs. Harry A. Klein of Magee Avenue are spending a few days in New York at the Governor Clinton Hotel.

Mrs. L. F. Wood of Brighton Street entertained the teachers and officers of the Baptist Temple Church School last evening at a tureen supper.

Mrs. Nelson F. Bruce of Sherbourne Road will entertain the Baraborn Class of the Brick Presbyterian Church today for luncheon.

Mr. and Mrs. William Roy McCann of Douglas Road left last night to attend the marriage Saturday of their son, Lee McCanna, to



Dr. Amy Gilbert, head of the history department of Elmira College, will speak tomorrow afternoon at 3 o'clock at a meeting of the Elmira College Club at the home of Mrs. Harvey F. Remington of 300 Winton Road.

Miss Grace Abbott Receives
Original Letter Written by
Susan B. Anthony in 1881

By MAXINE DAVIS

Washington, Jan. 9.—(Capital News)—An old letter, written in 1881 by Susan B. Anthony, in which the great suffrage leader urged her co-workers to concentrate their efforts on the State of Nebraska where chances for success seemed to her to be particularly bright, has recently come into the possession

of Miss Grace Abbott, Chief of the Federal Children's Bureau, and a native of Nebraska. The letter was written in long hand by Miss Anthony just 49 years ago and furnishes an interesting contrast to conditions as they were then, with suffrage for women still a distant dream, and conditions today with women occupying high posts in the Federal Government and in the states as well.

Miss Anthony spoke particularly of the fine spirit of the Nebraska women and of the favorable attitude of the press toward the movement for votes for women. The State was at that time preparing for a referendum on woman suffrage. All these factors were enumerated by Miss Anthony as reasons for concentrating effort on a state where the results seemed most likely to be successful.

After having been preserved for all these years by the suffrage group, the letter has been presented to Miss Abbott, perhaps the most prominent Nebraska woman who worked for suffrage, and one who has carried on in our own day and time the fine spirit of the Nebraska women of the eighties which won the praise and admiration of the great suffrage leader of that time.

Miss Abbott has had several copies made of the letter, the original of which she is treasuring with jealous care.

Miss Ella Ryan of Abermarle Street is in New York for a few days staying at the Hotel Governor Clinton.

Miss Barbara Dunean is entertaining at breakfast Sunday at her home in Portsmouth Terrace.

Mr. and Mrs. LeRoy Stediek of San Francisco, Calif., are to arrive today to be the week-end guests of Mr. and Mrs. Edgar M. Hawkins of Highland Avenue.

Mr. and Mrs. William H. Dunn of the South Goodman Street leave today for St. Petersburg, Fla.

Mrs. Leon Stern of East Avenue is leaving Monday to spend two weeks in New York City.

Mr. and Mrs. Frank C. Hard of Lyons announce the engagement of their daughter, Hilda, to Charles Kenneth Catlin, son of Mr. and Mrs. Charles J. Catlin of Macedon. Miss Hard is a teacher at West High School.

Mr. and Mrs. M. Herbert Eisenhart of East Avenue are leaving tomorrow night for Wellesley Hills, Mass., to attend the marriage of Miss Priscilla Proctor, which takes place in the Unitarian Church of Wellesley Hills Saturday afternoon.

Mrs. Andrew Sutherland of Pittsford entertained at tea Monday afternoon for Mrs. Wilma F. Wolfe and Miss Henrietta More of Boston, the guests of Mrs. Gordon Wolfe of Pittsford.

JOSEPH W. CLARK

Naples, Jan. 9.—Joseph W. Clark, 74, died at his home in Mechanic Street here. He leaves his widow, Mrs. Emma Geer Clark, two daughters, Mrs. Albert Tomlin of Burgerson's Corners and Miss Edith Clark of Naples, and four sons, William J. Clark of Potter, Grover C. Clark of Granger, Merrill H. and George I. Clark, both of Potter; also two brothers, Herbert Clark of Logan, Iowa, and three sisters, Mrs. Emmett Williams of Middlesex, Mrs. James Denmore of Potter and Mrs. Hennie Lathrop of Long Beach, Calif. Funeral from the home Saturday at 2 o'clock.

MRS. JOHN MCGREEVY

Naples, Jan. 9.—Mrs. Hannah Wheeler McGreevy, 79, wife of John McGreevy, died at their home in Thrall Street today. She was the daughter of Seymour and Catherine Reuter Wheeler and was born in the town of Naples, and had always resided in this vicinity. Her husband she leaves three sons, Frank McGreevy of Buffalo, Carl McGreevy of Syracuse and William McGreevy of Geneva; a brother, Malcolm Wheeler of Naples. Funeral from the home Saturday at 2 o'clock.

CLAIMS AIR MAIL RECORD

Moneton, N. B., Jan. 9.—(Inter-Pilot) Walter Fleming, of the Inter-provincial Airways, Ltd., engaged in the air mail service between this city and St. John, made what is claimed to be the world's record in air mail transportation flights when he flew a biplane from St. John to Moneton airport in a few seconds less than 20 minutes over the 90 miles route.

Weddings

Mrs. Alex Sears Sternberg of Bourdoin Street announces the marriage of her daughter, Miss Frances Lee Sternberg, to Harry A. Metzger, son of Mr. and Mrs. Henry V. Metzger, of 100 Hill Street, Saturday, Jan. 4.

Mrs. John M. Metzger and son Quentin have returned to their home at 310 West 10th Street, St. Paul, Minn., after a visit to St. Paul and Minneapolis, Minn.

Richard Steinhilber has returned from New York City and is staying at the home of his parents, Mr. and Mrs. Victor Mandala.

Mrs. Joseph P. Kowalski, wife of one of the members of the Polish Club, has an extended stay.

Miss Alice Granly has gone to New York City where she is connected with the Monistone branch of the Y. W. C. A.

Robert Charles, principal of the recently High School and was recent guest of his parents, Dr. and Mrs. O. R. Charles.

T. V. Kow and wife of Atlanta, Ga., and Miss M. E. Deane of Geneva, were guests of their parents, Mr. and Mrs. E. E. Kow.

WEST BLOOMFIELD
A service in honor of Fred DeBoer was given in honor of Fred DeBoer at Monday evening.

Wilfred Cotten and William Cannon, students at St. Joseph's College in Canada, returned to school Tuesday after spending the holidays at their home.

Walter Steward and an left Sunday morning for Buena Vista, N. C., where they will spend some time with his parents.

Miss Anna G. Thompson left today for St. Petersburg, Fla., where she will spend the winter.

Club Activities

To Elect Officers
The Electa Club of the Rochester Chapter, No. 311, O. E. S., will have its regular meeting this evening at 8 o'clock at the home of Mrs. Herta Lidfeld of 287 Elmwood Avenue. Election of officers will take place and refreshments will be served.

To Begin Lecture Series
A Courtesy James will begin new series of six well-known lectures and King's talks at 8 o'clock at the Women's City Club at 11 o'clock this morning. These talks are open to the general public and course tickets may be obtained at the office desk of the Women's City Club.

Mr. James will discuss the following topics: "Building a Better City," "The Weather—What About Prohibition Enforcement?," "In the D. of Disraeli," "Will the Mistress be the Seas Abandon?"

Among the new books reviewed will be "The Universe Around Us" by Sir James Jeans, "The Ancient Voyage" by Rupert Hughes, "The Uncertain Trumpet" by A. M. Hutchenon.

Civic Club to Meet
The regular meeting of the Italian Women's Civic Club takes place at 7:45 o'clock this evening at the home of the Mrs. Rose and Francis Giambo, of 100 West Street. Miss Harriet J. will give a demonstrated talk "Friendship Nursery School."

P. T. A. Meets
The Parent-Teacher Association of Carthage School, No. 8, held regular meeting yesterday afternoon at 2 o'clock at the room at 2 o'clock at the Mrs. K. K. Lark at the 2 o'clock and 4 o'clock of Parent-Teacher Associations.

The population of Persia has steadily decreased since the M. A. C. 20 provinces of Persia had 10 times the population of today in the Middle Ages.

Suburban Personals

AVON
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LEFT—FOUNDATION OF PINK SILK ELASTIC AND SATIN WITH MATCHING LACE BAND. FROM CADOLLE. CENTER—ANOTHER CADOLLE GARMENT OF THE SAME MATERIALS FOR THE LARGER FIGURE. RIGHT—BONELESS AND SLENDER FOUNDATION OF SATIN AND LACE FROM CHARMIS.

The relation of the coat to the present silhouette is deemed very important by the French couturiers. Patou, largely responsible, perhaps entirely so, for the new figure, wishes to restrain it by a foundation which he fits to the Croonian body, throwing out the bust and stressing the natural inequity at the back of the waist.

The rebellion against corsets is due to the fact that the very name has been linked with constricting garments which caused much discomfort, as well as the embarrassment of a short distance down the back of front.

Styles by Annette



Order blank for Patterns
Democrat **Chromide**
Fashion Service
Fifth Avenue and 20th Street,
New York City
(Price 15 cents each)
Inclosed please find \$.....
Please send me the patterns
listed below:
Pattern Number.....
Size.....
Name.....
Number and
Street.....
City.....
State.....

The front in panel skirt gives the figure the most vertical line and this is the reason the skirt is placed at either side and at the back is placed of single through the hips with ruffling fullness at from which tips its sides.

The bodice is beautifully mounted in Princess lines. A softly flaring collar of Venetian neckline detracts from the breadth and makes this delightful Princess dress suited to larger women.

Flaring cuffs of sleeves are ultra-new and charmingly feminine. Silk, crepe, chiffon, crepe, mull, mesh, fishnet, crepe satin and wool crepe smoothly appropriate.

Pattern price 15 cents in stamps or coin (coin is preferred). Wrap with care.

WINN \$35,000 FOR LEG

White Plains, Jan. 9.—(AP)—An 11-year-old boy returned a \$35,000 verdict in favor of Henry G. Osis, Negro mechanic, in his suit against Samuel Maroon, contractor, for damages growing out of an accident in July, 1928. Osis lost a leg when his motorcycle and Maroon's automobile collided. One of the jurors, seated during the trial when Osis' injuries were described by his attorney.

IT TAKES ONLY
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And It's FREE!

Are your teeth worth a few minutes of your time? Then come here and learn all about their condition—the examination is free.

If a good policy is needed for teeth, the skilled mechanics and complete equipment of this office will be helpful to your teeth.

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DR. J. F. GALVIN
"Careful Dentistry"
37 Main Street E.

Office Hours:
9 A.M. to 5 P.M.
Wed. and Sat.
Until 5 P.M.

of
Fur Coats
Beaver **\$335** Raccoon **\$225**
Hudson Seal **\$195** Jap Mink **\$225**
Silver Muskrat **\$175**
Australian Opossum **\$125**
American Broadtail **\$155**
Persian Lamb **\$350**

20%
to
30%
Reductions

KOVEN'S
30 CLINTON AVE. NORTH

Why Do Doctors Prescribe
Cod Liver Oil?

Not for its fishy taste.
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PHYSICIANS PRESCRIBE
COD LIVER OIL JUST
FOR ONE REASON

Because it contains Vitamins A and D and these two vitamins build up the power to resist disease when one is in a weakened condition. If it weren't for these two precious and magical vitamins your doctor wouldn't tell you to get Cod Liver Oil when you are losing weight.

It is to get these two health promoting strength increasing, energy creating vitamins into your system that Cod Liver Oil is prescribed in wasting diseases, in bronchitis and chest colds—in anemia and convalescence—in feeble old age and when vitality is low and frail.

And now here is good news for those who use Cod Liver Oil for any chronic disease or abnormal condition—you won't have to take repulsive liquid Cod Liver Oil any more—no, never again.

For now a learned scientist has extracted these precious vitamins from the most vitamin-laced Norwegian Cod Liver Oil and put them

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These new tablets, a marvel of scientific achievement, are Cod Oil Extract Tablets. You get a lot of any drug in America. For every ailment, no matter how old or how recent, the health and vigor of your body is described or recommended in McCoy's Cod Liver Oil Extract Tablets are equally as good. Remember that doctors prescribe Cod Liver Oil for its precious vitamins—so get these vitamins in McCoy's Cod Liver Oil Extract Tablets—you are sure to get them—fast! Your "Vitamin" strength. 50 tablets—50 cents. All druggists—advertisement.

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HERE is the modern washing machine that removes every vestige of dirt from the most soiled clothes. And it does the work without suction cups, vibrators, or paddles. There is not a moving part in the solid copper tub. Smooth raised baffles keep the water churning through the clothes.

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Rochester Gas and Electric Corp.
80 EAST AVE. MAIN 3960
(Associated Gas & Electric System)

Nobody's Darling
From day to day The Times-Union has followed in its news columns street railway developments and has presented additional facts bearing thereon.

We have been hearing from year to year of a deficit under the service-at-cost contract, that is, the 6 per cent. return on the \$20,000,000 base valuation has not been quite covered.

Yet on December 1 last interest was defaulted on the \$1,500,000 second Rochester Railway bonds. Interest has been paid on the first mortgage bonds, but in the order granting a receivership it is set forth that the company has no funds to pay them when they fall due on April 1, 1930.

What has the New York State Railways been doing with the money received from the Rochester lines for the last nine years?

Application for the receivership was made by a subsidiary of the Associated Gas & Electric Company, latest reputed holder of stock control of the New York State Railways. It is said this company has now offered to accept the first Rochester Railway bonds at 40 per cent. of their face value in exchange for Associated securities, raising an earlier offer.

Spokesmen for the bondholders committee say that the bonds representing a first mortgage on a system returning \$1,000,000 annually are worth 100 cents on a dollar. They are preparing to seek to enforce their claims if the bonds are not paid on April 1, and will ask that a clause in the receivership order which appears to enjoin such action be vacated by the Federal Courts.

Robert C. Watson, president of the Rochester Trust and Safe Deposit Company and chairman of the first mortgage bondholders committee, suggests that if there is a foreclosure the city might well make an offer for the Rochester lines.

Mr. Watson is speaking for the bondholders, otherwise it might seem strange to hear a banker advocating municipal ownership. Yet his argument that a system which has been returning \$1,000,000 annually would be a bargain at around \$4,000,000 appears sound.

For that matter, since cities must have street car lines, and it is extremely difficult to collect from patrons rates which will sustain the high "replacement" value the courts tend to allow operating companies, more and more systems may come under municipal control through outright purchase at or near real market values.

Seventy-six Dead End Streets

That section of the Bartholomew city plan which deals with the problems of the central area of Rochester points to one very significant weakness which typifies in a way the city's whole downtown problem. In this area roughly classified as the

central business district Mr. Bartholomew found 76 dead end streets; 76 streets, that is to say, on which business is transacted constantly and which are pockets for traffic that can do little else than to pile up into congested heaps.

On the word of Mr. Bartholomew, this clutter of dead end streets gives Rochester a peculiarly difficult problem. The city happened to grow that way, and nothing was done about it back in the days when preventive measures would have been most useful. Some of these dead end streets lead into the river banks, some of them open off Main Street and have nowhere to go because there is no immediate parallel street. Some are just cul-de-sacs that have no sense and should be operated upon.

The Bartholomew plan reduces the number of dead end streets from 76 to 47; a feat accomplished largely by opening up a series of six streets parallel to Main Street, three on each side. Two new bridges are provided for, one near Pleasant Street, and the other near Howell Street, south of Main Street. Through east to west traffic could thus move in Central Avenue, Andrews Street, Pleasant Street (extended), Broad Street, Court Street and Howell Street, besides Main Street.

A system of through streets in the downtown section so elaborate and yet so practical appears to be the long awaited answer to Rochester's need for adequate parallels to Main Street. Elaborate as it looks, Mr. Bartholomew stresses the point that it is not extravagant. There are a number of "major operations" which are absolutely necessary at the outset, but "when the cost of the land and improvements necessary for these projects are compared with the betterment in traffic movement and the resultant increment in land values, all of these projects should prove entirely feasible and in no way extravagant."

Obviously, any city plan should be prepared in the light of its cost and of funds available to pay for it. The Bartholomew plan appears to have been devised with the thought that the opening of new parallels to Main Street and a general improvement of the downtown area would increase land values to such a degree that the work in the long run would largely pay for itself. Experience of other cities indicates that this is a perfectly sound theory on which to launch a major construction program.

BRIDGE WILL BE USELESS OVER WEEK

Car Ferries Cannot Operate Until Stutson Street Span Is in Working Order

BAKER INSPECTS BREAK Defective Castings May Have Let Weight Slip, Commissioner Says

Investigation of circumstances surrounding the crash Saturday noon of the jack-knife bridge at Stutson Street, when one of the large counterweights splashed into the river, was begun yesterday under the direction of Harold W. Baker, commissioner of public works, and probably will continue for several days.

Mr. Baker said that he is not certain at present just how long it will take to make repairs, but that it will be at least more than a week and will cost a considerable amount of money. Meanwhile motor traffic over the bridge, an important one in the suburban highway system, will be held up and shipping in the port will be curtailed.

Says Castings May Be Defective The bridge was elevated about ten feet to permit the Car ferry Ontario II to pass under, when the heavy counterweight serving the west leaf toppled into the Genesee River, and the leaf crashed back into place. The boat was some distance away when the accident occurred and was not endangered.

Mr. Baker said that the counterweight fell, apparently, because castings holding it in place were defective. It was explained that the defect in the casting would not show to the naked eye and was owing probably to poor design and execution. All bridges are inspected regularly, Mr. Baker said.

Bridge Structure Sprung

Had the casting broken when the leaf was raised to its full elevation the bridge probably would have been wrecked, Mr. Baker said. As it is, the structure is sprung out of line, one of the main columns appears to be out of alignment, and the weight will have to be replaced, a preliminary investigation shows.

Mr. Baker said yesterday that he had called a conference of department officials in his office in the morning, and had passed much time at the bridge. However, he was in a position to say little about the situation until a complete probe has been made.

The bridge was erected in 1915, or thereabouts, Mr. Baker said, and has given more or less difficulty.

Officials of the Buffalo, Rochester & Pittsburgh Railway said that the two car ferries will be useless while the bridge is out of commission. Temporarily, the Ontario II was tied up at the Summerville municipal dock after the accident. The Ontario I tied up at Cobourg, Canada, pending further orders. It was expected that the Ontario II would leave for Canadian shores today.

Each car ferry has for its cargo from 28 to 40 loaded coal cars, and they are loaded by driving the entire train onto the ship, it was explained. For this reason it is impossible to load the boat or to unload it unless access is gained to the harbor slips which are equipped with trussing facilities. The broken dredge is between the boats and the ship.

These two car ferries represent the only shipping in and out of the Port of Rochester at this season of the year, it is said.

Blast Furnace Site Needs Attention, Says City Manager

Purchased by City as Site For Harbor, Immediate Action on It Should Be Taken, Says Story, to Prepare For Increased Lake Traffic.

By Charles E. Weleh

City Manager Stephen B. Story will ask the consent of the council tonight to proceed with his plan for the early development of the old blast furnace property in lower Lake Avenue for use as a harbor and dock, as recommended by the Harbor Advisory Board.

Included in the plan, which has the approval of the Chamber of Commerce, is a provision for using part of the land as an addition to the parking space adjoining Ontario Beach Park.

The blast furnace property was purchased by the city last year from William Bausch as a site for the projected Rochester harbor. In urging action by the council providing for its immediate development, Mr. Story plans to stress the need of the improvement to provide for increased lake traffic expected to result from completion of the Welland Canal. At the same time, he says, it will eliminate an eyesore in the Twenty-third Ward.

Coupled with his request for council action, Mr. Story will cite the need of employing an expert engineer as consultant on the work. In line with the recommendations of the Harbor Advisory Board, composed of Harry C. Stevenson, chairman; Libanus M. Todd, Moss Mosely, Frank H. Macy and Capt. William J. Graham of the Naval Militia.

Mr. Story is hopeful that, with council consent, development of the harbor can be started in the Spring. In connection with his plan, he is considering the suggestion by Roscoe House, superintendent of Lighthouses at Buffalo, that a radio beacon, for the guidance of vessels, be constructed at the lake. The

PLAN PARK AND WHARF FOR HARBOR

Old Blast Furnace Property to Be Utilized by City for Development

FAR BEHIND TORONTO

Radio Beacon Proposed for Greater Safety of Lake Craft Navigation

By HIRAM MARKS

Immediate development of the former blast furnace property in the Twenty-third Ward for dock, port and park purposes will be proposed to the City Council by City Manager Stephen B. Story, who, with the approval of the Council, is hopeful that the work can be undertaken this spring. The Harbor Advisory Board, consisting of Harry C. Stevenson, chairman; Libanus M. Todd, Moss Mosely, Frank H. Macy and Captain William Graham, of the Naval Militia, recommended in its report that the blast furnace property be acquired and then expert advice be obtained in developing it primarily for dock purposes.

The city, through resolution of the City Council, has acquired title to the land from William Bausch, and City Manager Story is preparing a program for recommendation to the Council for its development. The Harbor Advisory Committee reached the conclusion that there was nobody in Rochester that was sufficiently familiar with marine engineering to lay out the property for wharf purposes, and it suggested that a consultant be employed to check up the plans.

Expert Needed

City Manager Story points out that while a great part of the work can be done by the engineering department of the city, it would be advantageous to have the plans formulated by an engineer with specific training in this particular field, and he concurs, he declared, heartily in the recommendation of the Harbor Advisory Board, which has also been approved by the Chamber of Commerce.

While the greater part of the former blast furnace property will be used for dock purposes, there will be sufficient space to enable an addition to the parking facilities at Ontario Beach Park. The wharves will connect with the park property, so that, in a measure, they will supplement the park.

Development of the harbor is urged as a means of furnishing adequate docking equipment for the increased traffic that is expected to flow into the Port of Rochester with the opening of the new Welland Canal. Other cities along the Great Lakes have large development projects in mind, and there has been considerable agitation for increased docking facilities here.

Having acquired the blast furnace property, the people of the Twenty-third Ward feel that the city should take some immediate steps to develop it and City Manager Story's program is aimed at precisely this object. Property owners in the ward feel that, in its laying out the property for a circular traffic route to the park, in present condition, the property is an eyesore, and with proper embellishment it can be made a genuine asset to the Twenty-third Ward. Some means may be devised in eliminating traffic congestion which occurs on occasion. This is a suggestion that was originally proposed by former Mayor Martin B. O'Neil.

Councilman Nelson A. Milne of the Northwest district, in which the Twenty-third Ward is located, has been looking into the possibilities of the blast furnace property, now that the city has acquired it, and is co-operating with residents of the ward in the program to clean up the property.

Plan First Requirement
Once an adequate construction program for the wharves is prepared, it is pointed out, it can be carried out over several years, as the docking space is needed, and in the meantime the land can be cleaned up and made attractive to the neighborhood. Sufficient docking facilities can be provided, it is believed, with a relatively modest expenditure at the beginning.

City Manager Story feels that the project is one of the important matters that must be followed through this year and is in keeping with the program of development of the port, which has been strongly recommended by the business interests of Rochester and Monroe County. The visit of the Rochester Chamber of Commerce group to the port development at Toronto showed that Rochester is far behind in shipping facilities in anticipation of the great increase in lake traffic that is expected to develop with the opening of the new canal, permitting boats of deep draught to pass directly into Lake Ontario from the upper lakes.

Suggest Radio Beacon

Governmental officials have been consulted by City Manager Story in the program he will suggest to the City Council, and the Light-house Service has under consideration the improvement of the Rochester Harbor light and fog signal. Roscoe House, superintendent of lighthouses at Buffalo, has proposed to the city the construction of a radio beacon, which is one of the latest developments for the guidance of vessels in thick weather, and the installation at Rochester is the first one proposed for establishment on Lake Ontario.

Mr. House has taken the matter up with City Manager Story and George J. Nier, commissioner of public safety. The government wishes to construct a building 50 by 100 feet on the park property, to control the light. Commissioner Nier wants the building located to the south of Beach Avenue, so as not to obstruct the view of the river for the patrons of the park, and City Manager Story will confer soon with Mr. House for the purpose of locating the building in a manner which he can recommend to the council. Mr. House writes that "it is appreciated that any building to be erected in this locality should be sightly and harmonize with existing structures and with that end in view, a design has been prepared of a building which it is believed will be in keeping with the surroundings and offer no disadvantage of any kind."

NEW ORDINANCE PUTS TEETH IN FIRE PREVENTION RULES; COUNCIL GETS TROLLEY BILL

Provides for Renewal of Service - at - Cost Contract to July 31

5-CENT FARE FOR SCHOOL CHILDREN

Councilmen and Rail Receivers Said To Be in Agreement

Renewal of the service-at-cost contract with provision for a 5c fare for school children, and the sale of tickets on busses and trolley cars, is proposed in an ordinance introduced last evening in the City Council by Councilman Joseph L. Guzzetta.

Vice-Mayor Adler referred the measure to the public utilities committee.

Agreement Reported

The councilmen are reported to be agreed on the measure, and it is asserted that the railways, through the receivers, Benjamin E. Tilton and Wallace E. Pierce, represented by the law firm of Whitman & DeY, have agreed to the two modifications sought by Councilman Guzzetta; that the public utilities committee, made up of Councilmen R. Andrew Hamilton, William F. Durman, and Louis S. Foulkes, will report favorably on the measure; and that the renewal until July 31 will be authorized.

The modifications will be incorporated in the agreement of extension by Corporation Counsel Clarence M. Platt, and remove the possibility of a collapse of the car service in Rochester, as the company is confronted by the arbitrary return to a 5c fare if the service-at-cost contract terminates. This 5c fare, which the city ten years ago agreed was inadequate to furnish proper service, is compulsory under the franchise provisions, which were waived by the service-at-cost contract.

Receivers Willing to Renew The joint receivers, Mr. Tilton and Mr. Pierce, in a communication to the Council, which was read by City Clerk Thomas P. O'Leary, stated their willingness to continue the service-at-cost contract, provided the city should elect and agree to continue it.

The continuance would be for the seven months to July 31, when the original document, which was executed on July 15, 1920, was to terminate. Renewal for a longer period will be the subject of later negotiations. Councilman Foulkes has an ordinance before the Council providing for the extension, without the modifications, but the modifications are in the interest of the public, and it is said the Council is agreed that they should be put into effect.

Continued on Page Nineteen

Principal Business Handled by Council

Major business transacted last evening by the City Council included:

Received from Councilman William F. Durman an ordinance regulating the use and handling of explosives, including other safety regulations, intended to make more enforceable the fire prevention activities of the city in the interest of public welfare.

Received from Councilman Joseph L. Guzzetta ordinance for renewal of service-at-cost contract, with five-cent fare provision for school children and sale of tickets in trolley cars and busses, action to be taken in fourteen days.

Conferred with City Manager Stephen B. Story in conjunction with meeting and authorized reconstruction of Stutson Street bridge at earliest possible period, after receiving explanation of extent of damages from Frank McKibben, bridge engineer, and Harold W. Baker, commissioner of public works.

Received communication from Ninth and Tenth Ward Women's Christian Temperance Unions asking that City Hall bell be tolled in commemoration of tenth anniversary of national prohibition.

Received request from board of commissioners of Municipal Museum asking that Morton W. Rundel memorial fund be used for a new museum structure, and that name of museum be changed to designate its scope more adequately.

In connection with the announcement of the committees, Councilman Guzzetta last evening registered a protest against Mayor Joseph C. Wilson's failure to name him on the public utilities committee. He said that he wanted it understood, in view of his campaigning against the service-at-cost contract, that it was not with his consent that he was eliminated from the committee. Vice-Mayor Adler suggested that since the appointments are exclusively under the control of the Mayor, and that they are more or less of a tentative nature, that Councilman Guzzetta take the matter up with Mayor Wilson. This Councilman Guzzetta said he would do. He said he has been named to chairman of the personnel committee, which he has held for two years, and knew of no functions of this committee, and asked Vice-Mayor Adler for an outline of the duties of the committee.

The request was turned over to City Manager Story, who said that it is hoped that this year the administration may reach the question of standardization of salaries, and that in such event the personnel committee would have much to do. Councilman Guzzetta expressed his pleasure at being called upon for the work.

Drastic Regulations Cover Control and Use of Explosives

SERIOUS HAZARDS EXIST, SAYS STORY

Believes Measure Will Tend To Reduction of Insurance Premiums

By HIRAM MARKS

An ordinance calculated to put teeth in the fire prevention regulations that are being enforced by the city, was introduced in the City Council last evening by Councilman William F. Durman, chairman of the public welfare and safety committee.

The ordinance is of far-reaching importance, said City Manager Stephen B. Story, and represents the last thought toward regulations to eliminate fire hazards and those endangering life.

Drastic regulations governing control and use of all kinds of explosives, are embodied in the ordinance, which was prepared by Corporation Counsel Clarence M. Platt and his staff, in conjunction with George J. Nier, commissioner of public safety, and his assistants. Licensing of persons handling some forms of explosives, especially dynamite, is provided.

The ordinance is intended to prevent, if possible, Councilman Durman said, any such explosion in a hospital as that in Cleveland last year which cost more than one hundred lives. The ordinance supplements the new building code which will soon be ready for consideration by the Council, and together they will be of material assistance in safeguarding public welfare in Rochester, said City Manager Story.

The measure was referred by Vice-Mayor Isaac Adler to the public welfare and law committees of the Council for consideration, and a hearing on it will be conducted at which citizens who are interested will have an opportunity to be heard.

In conjunction with the introduction of the ordinance, City Manager Story submitted a communication outlining the work of the fire prevention division of the Fire Bureau. He points out that since last April, when the bureau was organized, there have been 10,204 inspections of buildings. Mr. Story says that the enactment of the building code and the regulations proposed in Councilman Durman's ordinance cannot help but be beneficial to all property owners from the standpoint of reduction in fire insurance premiums and they are major steps toward reduction of insurance charges in this city.

WOULD HAVE BELL TOLLED FOR DRY LAW

The tolling of the City Hall bell from 12 to 12:10 o'clock Thursday noon in commemoration of the 10th anniversary of the Eighteenth amendment is urged in a communication received last evening by the City Council from Elizabeth H. Smith, acting president of the Ninth and Tenth Wards Women's Christian Temperance Union.

Vice-Mayor Adler ordered that the communication be received and filed. He added that private individuals also were requested by persons other than Miss Smith to blow their whistles during the ten minutes.

The communication is as follows: As the tenth birthday of National Constitutional Prohibition falls on Thursday, Jan. 16, the request comes to the women of the Women's Christian Temperance Union of Rochester, from our national president, Mrs. Ella A. Boole, also from our state president, Mrs. D. Leigh Colvin and our city board president, Mrs. Gertrude D. Browne, that all Christian citizens meet unite in an effort to have the city, church and school bells ring for ten minutes, beginning at 12 o'clock noon, and ending at 12:10—one minute for each of the ten years of prohibition.

Therefore, we ask you, as the constituted authority in such cases, to accede to this request by authorizing the ringing of the City Hall bell for ten minutes, from 12 to 12:10 on Thursday, Jan. 16.

The churches and schools all over the country are asked to co-operate in this. We hope Rochester may not be behind in recognizing this anniversary.

Urges Use of Rundel Fund

The use of the Morton Rundel Memorial Fund now amounting to approximately \$1,000,000, for a Municipal Museum is urged by the Board of Commissioners of the Rochester Municipal Museum in a resolution which was submitted to the City Council last evening. The commissioners feel that the Municipal Museum should participate in the memorial fund and believes that Mr. Rundel contemplated just such an institution as had been projected by the museum.

The resolution was signed by Arthur C. Parker, director of the museum, and follows: The Board of Commissioners of the Rochester Municipal Museum in regular session convened on Dec. 2, 1920, at the Museum Building in Edgerton Park, Rochester, N. Y. Devised thatasmuch as the Municipal Museum owns a valuable collection of fine arts masterpieces including paintings, rare furniture, carvings, works of craftsmanship, silver, ceramics, and personal articles including the collection of the City Manager, the City Council and the Corporation Counsel give due and immediate consideration to the fund.

Further, that it is our belief and conviction that the Rundel fund or bequest contemplated just such an institution as has been projected by the Municipal Museum, and that any other use or disposition of the said fund would constitute a needless duplication, if not a misappropriation, of the fund.

Would Change Museum Name In a second resolution, signed by Mr. Parker, the Board of Commissioners ask that a local law be enacted that will designate the museum as the Rochester Museum of Arts and Sciences. It is pointed out that this name will more adequately define its scope and purposes.

The council also received a resolution signed by Mrs. Gilbert L. Lewis, president of the Rochester Colony of New England Women, pointing out that meetings have been held for an extended period of time in the Municipal Museum in Edgerton Park and that the Rochester Colony of New England Women "herby endorse the plan for the future development of the Municipal Museum, and urge that a new and modern building, centrally located, in the heart of Rochester, be erected, thus providing a suitable and efficient home for the projects fostered by the said museum."

In another resolution signed by Mrs. Lewis the organization of for-

Assure Car Service

There apparently is no good reason why the City Council should not act favorably on Councilman Louis S. Foulkes' resolution, introduced on Monday night, for continuation of the present street car service. The city cannot do without adequate service, and if continuation of the service-at-cost contract, which recently expired, is the best way out of a bad situation, the council should not unnecessarily delay accepting that means.

The resolution provides for continuation of the present service until midnight of July 31 next, the normal expiration date of the service-at-cost contract which the city negotiated with the New York State Railways about ten years ago. The receivers for the New York State Railways have indicated in a communication to the City Council that they are willing to continue the contract until July 31.

The Foulkes resolution has been cluttered up somewhat, however, by an amendment proposed by Councilman Joseph L. Guzzetta. Mr. Guzzetta proposes that the contract provide a five-cent fare for school children and free transportation for all children under six years of age.

The Guzzetta amendment should not be decided too hastily. In fact it should be handled separately. What we need first is to get the contract question settled. If the Guzzetta amendment can be handled without delay to prompt disposition of the contract issue, well and good, but if it is going to be a millstone, it would be better to leave it by the wayside for the present at least.

New Rundel Suit

Merits of the new suit brought by heirs of Morton Rundel must be decided in the courts.

Corporation Counsel Clarence M. Platt holds the situation is practically the same as when these heirs lost an earlier suit in Supreme Court. He points out that the city might reasonably wait until the full amount to be at its disposal was known, which did not come about until the property in which Fayette Rundel held a life interest reverted to it through her death on December 31, 1928. The question has also been pending in the City Center, if that is included in the City plan.

Thus when the case comes up in the courts the city should be able to show that it is not wilfully delaying execution of the terms of the bequest, but is seeking to use in a manner which will best serve the people of Rochester, whom Morton Rundel died to benefit.

Casting Shadows Before

Decision of the city administration to seek the improvement of the blast furnace property recently acquired near the mouth of the river is likely to be generally approved for the reason that in its present condition, the area presents a singularly unattractive spectacle. Addition of space to the present parking grounds at the lakeside also will be welcomed.

With regard to the installation of a wharf for steamships, there may be room for a difference of opinion. But certainly, the city administration seems justified in asking the help of an expert in an undertaking that may have considerable bearing on the amount of commerce passing in and out of the Port of Rochester.

Improvement of Rochester harbor facilities, the prospective opening of the new Welland Canal, a great lakeside development in Toronto, all indicate events of vast import in Lake Ontario, most easterly of the Great Lakes and until now cut off from the immense commerce of the upper four.

Of even greater significance, may be the conferences now in progress in Canada, with delegations from all the provinces participating, to try to find a basis of agreement whereby the St. Lawrence waterway may be made available for ocean shipping.

CITY OPERATION OF BUSES IN NEW BILL

An opening for municipal operation of bus lines, and perhaps for trolley lines, was seen today in a measure before the state legislature and submitted to Corporation Counsel Platt for approval.

It would permit municipalities, under the home rule act, to acquire, own and operate buses. Proposed as an amendment to the home rule act, it has been referred to the Senate Judiciary Committee.

"Its purpose is clear," said Mr. Platt, "but the bill is loosely drawn and for that reason, I can not see any possibility of its passage."

"The odds are against it being reported out of committee this year, but if it is, it might be the solution of many municipal trolley and bus problems."

He said he did not believe it could be used to solve the present controversy between the New York State Railways bondholder and the Associated Gas and Electric Corporation, new owner of the railways.

STORY EXTOLLS MERITS OF CITY MANAGER PLAN

Speaks Before Utica Club - Describes Economies of New Rochester Government in Past Years.

City Manager Stephen B. Story is back in Rochester after a trip to Utica, where he extolled the merits of city manager type of government to members of the Klotz Club Tuesday night.

"We feel," Mr. Story said at the conclusion of his speech, "that we have been able to give the people of Rochester the type of government we are not the least bit ashamed of, and of which we are very, very proud."

After tracing the history of the city manager type of government and asking his hearers not to confuse it with the commission form, Mr. Story launched into a survey of the accomplishments of the present regime in Rochester.

Under the old charter, Mr. Story pointed out, "it required 28 days for the city of Rochester to pay a bill, but it was usually not get any discounts for cash. Now it can pay a bill in two days if necessary. Our income from ocean discounts last year was \$14,600—enough to maintain the purchasing department."

Civil service is accepted in the spirit as well as the letter, Mr. Story said. All appointments are made in the fire and police bureau from the No. 1 man at the top of the list. The turnover in jobs in 1928 with the change in government was less than five per cent.

How politics has been removed from city employment was cited in a rule prohibiting a city employe from serving as a watcher at the election polls. Jobs are held on merit, he said, and not for political "pull."

When a public improvement, such as paving a street, comes up, the maximum cost is announced and the final cost is about 70 per cent of the ordinance estimate. Never do the people pay more than the estimate, he said. Keen competition prevails for even the small jobs now that the contractors have broken away from the "ring" plan of bidding and dividing work.

The city of Rochester, said the manager, has its own asphalt plant and the cost of asphalt has been reduced from \$11 a ton to \$8.55 a ton.

Skating Flag Flies; Genesee Rink Open

The skating flag was flying atop Powers Building today. Genesee Valley Park rink is open.

The other rinks may be open tomorrow, it was said by park officials.

600 saved. It is now paid on the basis of the trip and the price fluctuates with the amount of snow to be removed.

A stepladder is hired by the city to check up on dangerous conditions never before inspected. In one year the stepladder found 1,107 signs, 791 stacks of chimneys, 521 fire escapes, 19 flagpoles and 28 water tanks unsafe.

With the aid of a telescope, Mr. Story said, a smoke inspector checks on the smoke nuisances and promptly notifies any offenders. As a result, he said, the atmosphere of the city is clear and the city stands fourth or fifth on the list as far as the smoke nuisance is concerned.

Efficiency of the police bureau was explained in detail as a result of a system of reports entered. Motor automobiles have been materially reduced in number and 95 per cent of all cars stolen have been recovered, he said.

Auto tagging has been enforced in place of the old system of having a political friend and tear up tags by the wholesale. In 1927, said the speaker, 5,874 cars were tagged, and in 1928, 28,777. A third party on a license card for traffic violation means a \$5 fine.

With an ordinance putting "teeth" into the fire prevention work and an arson squad active, fire losses in Rochester have been materially reduced. After a jury verdict returned, Mr. Story said.

Civil service is accepted in the spirit as well as the letter, Mr. Story said. All appointments are made in the fire and police bureau from the No. 1 man at the top of the list. The turnover in jobs in 1928 with the change in government was less than five per cent.

PUBLIC GARAGE IN LAKE AVENUE CAUSES BATTLE

Zoning Ordinance Violated, Residents of Section Say - Fight Carried to Corporation Counsel.

Complaints filed at City Hall by a number of property owners in Lake Avenue alleging a public garage is being operated in the rear of 494 Lake Avenue in violation of the building zone ordinance have started a lively row in that section, said to be a purely residential district.

Henry A. Wilson is owner of the garage. Records show he applied in May, 1929, to the bureau of buildings for a permit to remodel the barn into a 4-car private garage. He obtained this permit according to the city bureau, operated a public garage on the premises up to September when he applied to the bureau for permission to erect a sign advertising an automobile repair business in connection with the garage.

His application was refused on the ground he had no permit to operate a public garage. Mr. Wilson then appealed to the Board of Appeals from the decision of the superintendent of city buildings. Because of objections raised by a number of adjoining property owners, this appeal was refused.

It is charged Mr. Wilson has continued to operate the garage. The city building superintendent turned the case over to the Corporation Council. Mr. Wilson got a number of affidavits in support of his case. Today there are a

mass of conflicting affidavits relating to the garage for Clarence M. Platt, corporation counsel, to study and reconcile.

Mr. Platt says there is a nice batch of questions to be settled. His office is preparing to start action to recover the penalties provided by the ordinance, but first of all the history of the use of the property in prior years must be studied.

It may be found Mr. Wilson is protected by an old ordinance and that the premises in question were in the past used for commercial purposes.

The conclusion of his ar-

NEW ORDINANCE PUTS TEETH IN FIRE PREVENTION RULES; COUNCIL GETS TROLLEY BILL

Provides for Renewal of Service-at-Cost Contract to July 31

5-CENT FARE FOR SCHOOL CHILDREN

Councilmen and Rail Receivers Said To Be in Agreement

Renewal of the service-at-cost contract with provision for a 5c fare for school children, and the sale of tickets on busses and trolley cars, is proposed in an ordinance introduced last evening in the City Council by Councilman Joseph L. Guzzetta.

Vice-Mayor Adler referred the measure to the public utilities committee.

Agreement Reported

The councilmen are reported to be agreed on the measure; and it is asserted that the railroads, through the receivers, Benjamin E. Tilton and Wallace E. Pierce, represented by the law firm of Whitman & Dey, have agreed to the two modifications sought by Councilman Guzzetta; that the public utilities committee, made up of Councilmen R. Andrew Hamilton, William F. Durman, and Louis S. Foulkes, will report favorably on the measure; and that the renewal until July 31 will be authorized.

The modifications will be incorporated in the agreement of extension by Corporation Counsel Clarence M. Platt, and remove the possibility of a collapse of the car service in Rochester, as the company is confronted by the arbitrary return to a 5c fare if the service-at-cost contract terminates. This 5c fare, which the city ten years ago agreed was inadequate to furnish proper service, is compulsory under the franchise provisions, which were waived by the service-at-cost contract.

Receivers Willing to Renew

The joint receivers, Mr. Tilton and Mr. Pierce, in a communication to the Council, which was read by City Clerk Thomas P. O'Leary, stated their willingness to continue the service-at-cost contract, provided the city should elect and agree to continue it.

The continuance would be for the seven months to July 31, when the original document, which was executed on July 12, 1929, was to terminate. Renewal for a longer period will be the subject of later negotiations. Councilman Foulkes has an ordinance before the Council providing for the extension, without the modifications, but the modifications are in the interest of the public, and it is said the Council is agreed that they should be put into effect.

Continued on Page Nineteen

Principal Business Handled by Council

Major business transacted last evening by the City Council included: Received from Councilman William F. Durman an ordinance regulating the use and handling of explosives, including other safety regulations, intended to make more enforceable the fire prevention activities of the city in the interest of public welfare.

Received from Councilman Joseph L. Guzzetta an ordinance for renewal of service-at-cost contract, with five-cent fare provision for school children and sale of tickets in trolley cars and busses, action to be taken in fourteen days.

Conferred with City Manager Stephen B. Story in conjunction with meeting and authorized reconstruction of Stutsen Street bridge at earliest possible period, after receiving explanation of extent of damages from Frank McKibben, bridge engineer, and Harold W. Baker, commissioner of public works.

Received communication from Ninth and Tenth Ward Women's Christian Temperance Unions asking that City Hall bell be tolled in commemoration of tenth anniversary of national prohibition.

Received request from board of commissioners of Municipal Museum asking that Morton W. Rundel memorial fund be used for a new museum structure, and that name of museum be changed to designate its scope more adequately.

Urged Use of Rundel Fund

The use of the Morton Rundel Memorial Fund now amounting to approximately \$1,000,000, for a Municipal Museum is urged by the Board of Commissioners of the Rochester Municipal Museum, a resolution which was adopted by the Council last evening.

The ordinance is intended to prevent, if possible, Councilman Durman said, any such explosion in a hospital as that in Cleveland last year which cost more than one hundred lives. The ordinance supplements the new building code which will soon be ready for consideration by the Council, and together they will be of material assistance in safeguarding public welfare in Rochester, said City Manager Story.

The measure was referred by Vice-Mayor Isaac Adler to the public welfare and law committees of the Council for consideration, and a hearing on it will be conducted at which citizens who are interested will have an opportunity to be heard.

In conjunction with the introduction of the ordinance, City Manager Story submitted a communication outlining the work of the fire prevention division of the Fire Bureau. He points out that since last April, when the bureau was organized, there have been 10,204 inspections of buildings. Mr. Story says that the enactment of the building code and the regulations proposed in Councilman Durman's ordinance cannot help but be beneficial to all property owners from the standpoint of reduction in fire insurance premiums and they are major steps toward reduction of insurance charges in this city.

Drastic Regulations Cover Control and Use of Explosives

SERIOUS HAZARDS EXIST, SAYS STORY

Believes Measure Will Tend To Reduction of Insurance Premiums

By HIRAM MARKS

An ordinance calculated to put teeth in the fire prevention regulations that are being enforced by the city was introduced in the City Council last evening by Councilman William F. Durman, chairman of the public welfare and safety committee.

The ordinance is of far-reaching importance, said City Manager Stephen B. Story, and represents the last thought toward regulations to eliminate fire hazards and those endangering life.

Drastic regulations governing control and use of all kinds of explosives, are embodied in the ordinance, which was prepared by Corporation Counsel Clarence M. Platt and his staff, in conjunction with George J. Nier, commissioner of public safety, and his assistants. Licensing of persons handling some forms of explosives, especially dynamite, is provided.

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The request was turned over to City Manager Story, who said that it is hoped that this year the administration may reach the question of standardization of salaries, and that in such event the personnel committee would have much to do. Councilman Guzzetta expressed his pleasure at being called upon for the work.

On April 1, 1929, the fire prevention division of the Fire Bureau was organized and began its active work in the first nine months of its activity it has produced excellent results. A tabulation of its inspections is as follows:

Table with 2 columns: Item, Count. Buildings inspected 6,335; Buildings reinspected 3,779; Schools—total 1,000; Asylums—state 1; Hospitals and Orphanages 90; Homes for the aged 1.

Total inspections of buildings 10,204. In addition we received the following number of complaints: corrected 211; No cause for complaint 165; Complaints referred to Building Department 37; Referred to police 2,901; Fire hazards corrected 2,782; Hazards not corrected 169.

The entire activity of the fire prevention division to date has been based upon the enforcement of regulations which have been non-existent in the city. The division deserves great credit for the correction of 95 per cent. of the hazards by co-operative methods. In order to make a good job better, we need to have behind the fire prevention regulations the force and authority of an ordinance or a series of ordinances which will give the Bureau real leverage in the enforcement of regulations which are dangerous to life and property.

The ordinance which Councilman Durman presented to the Council will supply the need which has been apparent ever since the Fire Prevention Division began its work. The Corporation Counsel's office and the Department of Public Works have worked for the past several months on this ordinance, and I urge the earnest and early consideration of it by the Council.

Says Terrible Conditions Exist in Rochester which, if neglected, may result in serious injury and loss of life. Most of the people who are endangered by such fires are wholly ignorant of the existence of the danger, and in view of such a situation, the moral obligation of a city administration to take such steps as will minimize or eliminate the danger is greater than would be if each inhabitant were thoroughly cognizant at all times of the relative safety of the environment in which he lives and works.

The Building Code which is shortly to be presented to the Council will be complementary to the ordinance which will be given to you to control the use of explosives. The Building Code as it practically covers conditions not pertinent to structures.

Urged Use of Rundel Fund. The use of the Morton Rundel Memorial Fund now amounting to approximately \$1,000,000, for a Municipal Museum is urged by the Board of Commissioners of the Rochester Municipal Museum, a resolution which was adopted by the Council last evening.

Consideration to the claims of the said Municipal Museum to participation in the Rundel bequest, or by whatever name it may be known to the end that the said museum may enjoy the benefits of the said fund or bequest, the building that shall house the collections of the said museum. And, our belief and conviction that the Rundel fund or bequest contemplated just such an institution as has been projected by the Municipal Museum, and that any other use or disposition of the said fund would constitute a needless duplication, if not a misappropriation, of the fund.

Would Change Museum Name. In a second resolution, signed by Mr. Parker, the Board of Commissioners ask that a local law be enacted that will designate the museum as the Rochester Museum of Arts and Sciences. It is pointed out that this name will more adequately define its scope and purposes.

The council also received a resolution signed by Mrs. Gilbert L. Lewis, president of the Rochester Colony of New England Women, pointing out that meetings have been held for an extended period of time in the Municipal Museum in Edgerton Park and that the Rochester Colony of New England Women hereby endorse the plan for the future development of the Municipal Museum, and urge that a new and modern building, centrally located, in the heart of Rochester, be erected, thus providing a suitable and efficient housing for the projects fostered by the said municipal museum.

WOULD HAVE BELL TOLLED FOR DRY LAW

The tolling of the City Hall bell from 12 to 12:10 o'clock Thursday noon in commemoration of the tenth anniversary of the Eighteenth amendment is urged in a communication received last evening by the City Council from Elizabeth H. Smith, acting president of the Ninth and Tenth Wards Women's Christian Temperance Union.

Vice-Mayor Adler ordered that the communication be received and filed. He added that private individuals also were requested by persons other than Miss Smith to blow their whistles during the ten minutes.

The communication is as follows: The tenth birthday of National Constitutional Prohibition falls on Thursday, Jan. 16, the request comes to the women of the Women's Christian Temperance Union of Rochester, from our national president, Mrs. D. Leigh Colvin and our city board president, Mrs. Gertrude D. Browne, that all Christian citizens might unite in an effort to have the city, church and school bells ring for ten minutes, beginning at 12 o'clock noon, and ending at 12:10—one minute for each of the ten years of prohibition.

Therefore, we ask you as the constituted authority in such cases, to accede to this request by authorizing the ringing of the City Hall bell for ten minutes, from 12 to 12:10 on Thursday, Jan. 16.

The churches and schools all over the country are asked to co-operate in this. We hope Rochester may not be behind in recognizing this anniversary.

Assure Car Service

There apparently is no good reason why the City Council should not act favorably on Councilman Louis S. Foulkes' resolution, introduced on Monday night, for continuation of the present street car service. The city cannot do without adequate service, and if continuation of the service-at-cost contract, which recently expired, is the best way out of a bad situation, the council should not unnecessarily delay accepting that means.

The resolution provides for continuation of the present service until midnight of July 31 next, the normal expiration date of the service-at-cost contract which the city negotiated with the New York State Railways about ten years ago. The receivers for the New York State Railways have indicated in a communication to the City Council that they are willing to continue the contract until July 31.

The Foulkes resolution has been cluttered up somewhat, however, by an amendment proposed by Councilman Joseph L. Guzzetta. Mr. Guzzetta proposes that the contract provide a five-cent fare for school children and free transportation for all children under six years of age.

The Guzzetta amendment should not be decided too hastily. In fact it should be handled separately. What we need first is to get the contract question settled. If the Guzzetta amendment can be handled without delay to prompt disposition of the contract issue, well and good, but if it is going to be a millstone, it would be better to leave it by the wayside for the present at least.

Of course the city should endeavor to get for the patrons the best service at the lowest price. But on the surface it appears doubtful if free transportation for children under six years of age would add to or detract from the traffic or revenue of the company. The five-cent fare for school children is another question, and more likely to cause delay in negotiating the contract.

New Rundel Suit

Merits of the new suit brought by heirs of Morton Rundel must be decided in the courts.

Corporation Counsel Clarence M. Platt holds the situation is practically the same as when these heirs lost an earlier suit in Supreme Court. He points out that the city might reasonably wait until the full amount to be at its disposal was known, which did not come about until the property in which Jarriette Rundel held a life interest reverted to it through her death on December 31, 1928. The question has also been pending as to the proper location of the library, as it could be placed with due reference to the Civic Center, if that is included in the City plan.

Thus when the case comes up in the courts the city should be able to show that it is not willfully delaying execution of the terms of the bequest, but is seeking to use in a manner which will best serve the people of Rochester, whom Morton Rundel died to benefit.

Casting Shadows Before

Decision of the city administration to seek the improvement of the blast furnace property recently acquired near the mouth of the river is likely to be generally approved for the reason that in its present condition, the area presents a singularly unattractive spectacle. Addition of space to the present parking grounds at the lakeside also will be welcomed.

With regard to the installation of a wharf for steamships, there may be room for a difference of opinion. But certainly, the city administration seems justified in asking the help of an expert in an undertaking that may have considerable bearing on the amount of commerce passing in and out of the Port of Rochester.

Improvement of Rochester harbor facilities, the prospective opening of the new Welland Canal, a great lakeside development in Toronto, all indicate events of vast import in Lake Ontario, most easterly of the Great Lakes and until now cut off from the immense commerce of the upper four.

Of even greater significance, may be the conferences now in progress in Canada, with delegations from all the provinces participating, to try to find a basis of agreement whereby the St. Lawrence waterway may be made available for ocean shipping.

As yet Ontario and Quebec have not been able to agree on the improvement, but while the debate proceeds, development is under way by private enterprise, which sees wealth to be garnered from the building of dams and power plants at the rapids, and is willing to install foundations suitable for locks that may later be used for the passage of giant freighters.

CITY OPERATION OF BUSES IN NEW BILL

An opening for municipal operation of bus lines, and perhaps for trolley lines, was seen today in a measure before the state legislature and submitted to Corporation Counsel Platt for approval.

It would permit municipalities, under the home rule act, to acquire, own and operate buses. Proposed as an amendment to the home rule act, it has been referred to the Senate Judiciary Committee.

"Its purpose is clear," said Mr. Platt, "but the bill is loosely drawn and for that reason, I can not see any possibility of its passage."

"The odds are against it being reported out of committee this year, but if it is, it might be the solution of many municipal trolley and bus problems."

He said he did not believe it could be used to solve the present controversy between the New York State Railways bondholder and the Associated Gas and Electric Corporation, new owner of the railways.

"The receivership for the New York State Railways places all of its affairs in the hands of the court," said Mr. Platt. "It is useless for anybody to anticipate situations which may arise under this receivership, but I don't feel that municipal ownership of the Rochester lines is a possible development."

STORY EXTOLLS MERITS OF CITY MANAGER PLAN

Speaks Before Utica Club—Describes Economics of New Rochester Government in Past Years.

City Manager Stephen B. Story is back in Rochester after a trip to Utica, where he extolled the merits of city manager type of government to members of the Kirox Club Tuesday night.

"We feel," Mr. Story said at the conclusion of his speech, "that we have been able to give the people of Rochester the type of government we are not the least bit ashamed of, and of which we are very, very proud."

After tracing the history of the city manager type of government and asking his hearers not to consider it as the commission form, Mr. Story launched into a survey of the accomplishments of the present regime in Rochester.

"Under the old charter," Mr. Story pointed out, "it required 28 days for the city of Rochester to pass a bill, but it was usually an average of 60 days. It couldn't get any discounts for cash flow it can pay a bill in two days if necessary. Our income from sale of discounts last year was \$14,000—enough to maintain the purchasing department."

Civil service is accepted in the spirit as well as the letter, Mr. Story said. All appointments are made in the fire and police bureaus from the No. 1 man at the top of the list. The turnover in jobs in 1928 with the change in government was less than five per cent.

How politics has been removed from city employment was cited in a rule prohibiting a city employe from serving as a voter at the election polls. Jobs are held on merit, he said, and not for political "pull."

When a public improvement, such as paving a street, comes up, the maximum cost is announced and the final cost is about 70 per cent of the ordinance estimate. Never do the people pay more than the estimate, he said. Keen competition prevails for even the small jobs now that the contractors have broken away from the "ring" plan of bidding and dividing work.

The city of Rochester, said the manager, has its own asphalt plant and the cost of asphalt has been reduced from \$11 a ton to \$8.85 a ton.

Savings On Snow Removal. Snow is removed from sidewalks all over the city of Rochester by a plow. It was formerly done by a single contractor at three cents a foot at a cost of \$120,000 average for a year. When put on a competitive basis, the price was reduced to less than two cents a foot and between \$35,000 and \$40,000.

His application was refused on the ground he had no permit to operate a public garage. Mr. Wilson then appealed to the Board of Appeals from the decision of the superintendent of city buildings. Because of objections raised by a number of adjoining property owners, this appeal was refused.

It is charged Mr. Wilson has continued to operate the garage. The city building superintendent turned the case over to the Corporation Council. Mr. Wilson got a number of affidavits in support of his case. Today there are a mass of conflicting affidavits relating to the garage for Clarence M. Platt, corporation counsel, to study and reconcile.

Mr. Platt says there is a nice bunch of questions to be settled. His office is preparing to start action to recover the penalties provided by the ordinance, but first of all the history of the use of the property in prior years must be studied.

It may be found Mr. Wilson is protected by an old ordinance and that the premises in question were in the past used for commercial purposes.

Skating Flag Flies; Genesee Rink Open

The skating flag was flying atop Powers Building today. Genesee Valley Park rink is open.

The other rinks may be open tomorrow, it was said by park officials.

It is now paid on the basis of the trip and the price fluctuates with the amount of snow to be removed.

A stepladder is hired by the city to check up on dangerous conditions never before inspected. In one year the stepladder found 1,107 signs, 791 stacks of chimneys, 521 fire escapes, 18 flagpoles and 28 water tanks unsafe.

With the aid of a telescope, Mr. Story said, a smoke inspector checks on the smoke nuisances and promptly notifies any offenders. As a result, he said, the atmosphere of the city is clear and the city stands fourth or fifth on the list as far as the smoke nuisance is concerned.

Efficiency of the police bureau was explained in detail as a result of a system of reports enacted. Stolen automobiles have been materially reduced in number and 95 per cent of all cars stolen have been recovered, he said.

Auto tagging has been enforced in place of the old system of having a political friend tear up tags by the wholesale. In 1927, said the speaker, 5,874 cars were tagged, and in 1928, 28,777. A third party on a license card for traffic violation means a \$5 fine.

With an ordinance putting "teeth" into the fire prevention work and an arson squad active, fire losses in Rochester have been materially reduced. After a jury verdict handed Mr. Story said.

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LOWER ASSESSMENT DUE

FOR 1931

PEAK REACHED ON VALUES, SAYS TAYLOR

Hits Weller Statement For increase To Meet City Pay Boosts

Good news for taxpayers but bad tidings for city financiers came today from the office of George E. Taylor, city assessor, who announced that assessments in Rochester have about reached a high limit, and must come down instead of ascend for 1931.

In the face of a statement yesterday by W. Earl Weller, director of the Bureau of Municipal Research that assessments must be increased at least 15 per cent to take care of proposed higher salaries for city employees, Mr. Taylor said additional money could not be expected from higher assessments.

"We have reached a point where more assessments must be lowered than can be increased," said Mr. Taylor. "This means that in the execution of an equalization program the general run of property must emerge with lower values."

APPEAL LIKELY "We are facing a situation where we must appeal to Albany to fix an equalized rating of \$2 per cent, as against the present rate of 76 per cent.

"With city property valued at \$600,000,000 on the city books, we cannot expect to increase this sum.

"We are valuing Boston flats, all double and four-family flats, more than they can bring in the market. Indeed, we have reached the limit, if we have not passed it, for all medium class residential property in Rochester."

Mr. Taylor said that within thirty days, equalized values, based on scientific assessments, would be ready for all Rochester real estate. He predicted in the adjustments the reductions would outnumber the increases.

Mr. Taylor said that the state permitted Rochester to assess real estate at the rate of 78 per cent of actual values.

"We must get permission to fix assessments at a rate of at least 82 per cent, of actual values, to meet the demands of city improvements and current expenses," he added.

PLAN COMPLETED "I cannot see where that will give us any more money because it will mean lowering more values than can possibly be increased."

The scientific assessment plan has been completed for all the city. The deputy assessors engaged in the work have been dismissed.

Mr. Taylor said just as soon as he received definite instructions from City Manager Stephen B. Story the plan would be applied to the assessment rolls.

Mr. Story said he would provide the necessary instructions just as soon as full values were computed for all Rochester real estate under the scientific assessment plan. The city manager added:

"Just what effect this will have on our program for standardization of salaries, we cannot tell until we get to the full total. We appreciate we must give considerable in equalizing salaries. Of course if we can't get money to carry out our program we cannot carry them out."

McDonald Charges Laxity Of Officials After Fire Probe

Detective Chief Says Hazard in Fay's Theater Attic Should Have Been Discovered Before—Janitor Pleads Not Guilty to Arson Charge.

Official laxity in overlooking the fire hazard that existed in Fay's Theater attic, today was charged by Detective Captain John P. McDonald in a statement concerning the \$10,000 incendiary blaze in the show-house garret Sunday.

Bravery of firemen in risking their lives to get at the source of the fire, was commended by the captain, who declared the firemen's work enabled police to get evidence against the janitor, Edward Harding, 47, who pleaded not guilty in City Court today to a charge of arson second degree.

The captain said: "After an official visit of inspection at Fay's Theater yesterday afternoon, I am convinced that the

attic where the fire originated is the worst fire trap for firemen I have ever seen in the years of my service in the police department.

"And you can say this for me, that I don't care what city official this hits. Such conditions ought not to be allowed to exist in Rochester. There certainly was a lot of laxity in allowing such conditions to prevail in the heart of the city.

Must be Remedied "They must be remedied if we are to give our firemen reasonable assurance for safety.

"Why, the ceiling of the theater over the auditorium is nothing more than a combination of tin, wood and plaster. Firemen were forced to make their way along dangerous cat-walks to arrive at the source of the blaze.

"Several of the firemen slipped off these boards and almost fell through the ceiling to death below. A fireman's foot went through the plaster and he caught hold of a beam, saving himself from crashing to the seats on the main floor. It is a wonder to me that five or six firemen weren't killed in this fire.

"I want to compliment the firemen on their fine work. If they had not risked their lives in going into that hell-hole to the source of the fire, we never would have got the evidence which has led to the arrest of Harding."

Chain Head in City Frank C. Walker of New York City, president of the Rochester Playhouse, Inc., and head of a national theater chain, in which Edward Fay of Providence, R. I., is associated, arrived here this morning, and conferred with Mr. Fay.

Later, the two theater officials, with John A. Doyle, head of the Doyle Detective Bureau, went to police headquarters, where Mr. Fay reiterated his pledge of "100 per cent" co-operation with the police in "placing responsibility" for the fire.

It was said at police headquarters that Burns Agency detectives are making an independent investigation of the blaze. Identity of the concern or individual who hired them, is unknown.

Paying The Piper

We learn sooner or later, in this school of experience, that if we want to dance we must pay the piper. Sometimes, when we are permitted to dance first, we rather resent the inevitable bill. This is particularly true if, at the same time, we are pressed for payment of bills for more vital necessities.

In municipal expenditures, the rule holds good, only too well, in fact. For if we want more and more improvements, expenditures, we must keep in mind that we cannot escape payment. Not always, but sometimes, we regret that we've previously asked for expenditures which, perhaps, were not warranted by the basic conditions.

Our city government, like all other progressive governments, constantly is expanding, reaching out, creating new departments, inaugurating modern systems, correcting old practices by instituting new ones that cost more but which are correspondingly more desirable.

That we have done this with pronounced regularity, and perhaps too hastily, is shown by the fact that today we face an increase of 20 per cent. in city taxes. This condition has been uncovered by the Bureau of Municipal Research. W. Earl Weller, director of the bureau, says that if the city makes all the expenditures now contemplated new sources of revenue must be found, or taxes increased heavily in 1931 over 1930.

Among the expenditures planned: Policemen's and firemen's salary increases, \$300,000; increase to other city employees, \$325,000; annual contribution to firemen's and policemen's pension fund, \$350,000; probable increase in school expenditures, \$300,000; miscellaneous increases, \$250,000. The total is \$1,525,000. Of this increase, \$625,000 is to raise salaries of city employees.

The first and only question is whether we shall have the 20 per cent. increase in taxes, or pare down the contemplated expenditures.

The difficulty in all such matters is that the citizen who approves additional expenditures is likely to resent, naturally enough, the increase in taxes that necessarily will follow. But if the public approves of such new costs for additional services, for higher salaries, and the like, it should be willing to pay the costs without complaint. If the public disapproves, then by all means its views should be made known before the city commits itself to the additional expenditures. Wilful neglect of this duty is incompatible with good citizenship.

CITY TO PAY \$60,000 FOR TERRY PARK

Favorable Action by Council Expected Monday—New Bathhouses To Be Built at Ontario Beach.

By Charles E. Welch

Favorable action is expected by the City Council, at its next meeting on Councilman Nelson A. Milne's ordinance to acquire Terry Park as an addition to Ontario Beach Park.

The price agreed on is \$60,000 and about 70 owners of adjacent lake property will share in the transaction. Each will get about \$555.

Acquisition of Terry Park by the city will enable the city to proceed with a plan to build a new and up-to-date bathhouse at the lake to supplant the present bathhouse said to be in a dilapidated condition. The old places are to be razed in accordance with City Manager Stephen B. Story's program to erect a new bathhouse of concrete to include a new municipal dance hall and an administration building on the easterly line of Terry Park.

The deed to Terry Park stipulates no building shall be erected on the park property for the next 15 years. Because of this stipulation the city proposes to erect the new bathhouse on city-owned property immediately adjacent to the park.

The 70 owners of the Terry Park property own easements which many of them were willing to transfer to the city for \$1. After Councilman Milne introduced his ordinance to acquire the property, many of the owners placed a higher price on their easements with the result that all will now receive slightly more than \$555 out of the total of \$60,000 which, City Manager Story announced today, the city has agreed to pay for the park.

Acquisition of the property also will give these owners an added advantage in the form of police protection, which they had previously requested when they offered to sell their easements.

Favorable action by the council will enable Mr. Story to proceed with the purchase of the property and will insure erection of a new and enlarged bathhouse before the season opens next Summer.

CITY MUSEUM PLEA MET BY CLUB PROTEST

The Central Library Committee of the Women's City Club, which for years has been agitating for the creation of a Central Library building, has recorded, in a letter to the Common Council, its opposition to the suggestion made by commissioners of the Municipal Museum that the institution should participate in the Rundel Art Gallery project.

The commissioners must be under no misapprehension as to the terms and wording of Mr. Rundel's will, the committee says, since his gift was clearly and concisely left for a "library and art gallery." There were museums in existence at the time Mr. Rundel's will was made and had he wished to leave his money to a museum he undoubtedly would have stated that fact, the letter says.

The committee continues: "It is beside the point at this time to enter into a discussion of the relative value and need in the city of a central library building or a museum building. Rochester must have both eventually, but it is difficult to see how the Rundel fund, wholly or in part, could be used for a museum without betraying a public trust.

This is a moment when the branch library system has reached a wide development and when the concerted demand of the citizens is at high pitch for the central building which will make of the library system a complete unit whole. It is the moment also when (barely 12 months ago) the city has finally come into possession of the last of the Rundel money so that it knows exactly what funds are at its disposal and can at last begin to plan for their use. And above all it is the moment when, after earnest consideration, the trustees of the Central Library have expressed their willingness to cooperate in the culminating project.

It seems to us that this is an act all genuine friends of the museum, and we count ourselves among its friends will heartily deplore.

We trust that you, who have so unmistakably manifested during the past two years your determination to provide for Rochester the Central Library building of which it stands in need, will not allow this proposal to obscure the purpose of Mr. Rundel's bequest.

MUSEUM DROPS NAME FOR ONE MORE FITTING

Arts and Sciences Held To Be Significant of Aims and Educational Scope

With a desire to convince the public that a municipal museum is other than a depository for personal or civic memorials and to obtain a name that would define the educational scope of the institution, the name of the Municipal Museum has been changed to the Rochester Museum of Arts and Sciences in accordance with action taken at a recent meeting of the Board of Commissioners.

The same general plans already in progress will be followed and the name of the Rochester Municipal Museum Department will remain unchanged. The definitive terms, "arts" and "sciences", will express in a more concrete way the purposes the department has in mind, it is said. The arts will be considered as covering all those activities associated with the mental creations of mankind and the sciences will cover all that the term implies, including anthropology and history.

Opportunity will be afforded citizens to exercise a renewed interest in the program of development of the museum. The department has confident hopes, according to an editorial in Museum Service, a bulletin published by the Rochester Museum of Arts and Sciences, that the change in name is the "beginning of a steady march forward toward the goal ahead, a well equipped modern museum building with complete facilities for exhibition and research. Rochester as the science city has urgent need for a monumental institution that symbolizes its greatness. Only a museum of this character can epitomize Rochester and portray its culture.

The museum has contact with many parts of the world and has a staff of foreign correspondents. Just before the holidays Dr. Frans Obrecht of Brussels was appointed correspondent in Belgium. Negotiations are under way for obtaining exchanges from China and from archeological sites in Belgium. Dr. Obrecht has made a number of important ethnological and linguistic studies in America, particularly in the Iroquoian province.

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Says B. R. & P. Aided City Project "The B. R. & P. Mr. Dow told the commission, was of the greatest assistance to the city in the development of the switching railroad project and in the working out of contracts for its operation. The city feels, he said, that the acquisition by the B. R. & P. of the B. R. & P. will mean a continuation of that character of co-operation.

"The present application seems to us to offer the best possible disposition of the B. R. & P., not only from the standpoint of the city's industries, but of the section of the country in which the city is located, inasmuch as the B. R. & P. is the only one of the major systems which does not reach with its own rails the lake cities of Rochester or Buffalo," he said.

He said the B. R. & P. and B. and O. form direct routes, with shortest mileages between Rochester and territory on the B. and O. lines in Southwestern Pennsylvania, Western Maryland, West Virginia and parts of Virginia and Kentucky. To parts of that territory the only available routes are formed by the B. R. & P. and B. and O. By other circuitous routes the rates always have been higher, he said.

RAIL MERGER CITY'S WISH, I. C. C. IS TOLD

Civic Investment, Industry Want B. and O. Control of B. R. and P., Dow Argues

BURTON SUPPORTS STAND Consolidation Said To Meet Commission Plan; D. and H., Pennsylvania Protest

Washington Bureau, Democrat and Chronicle

Washington, Jan. 17—Rochester's industrial welfare and direct financial interest in transportation demand that the Interstate Commerce Commission approve the merger of the Baltimore & Ohio and Buffalo, Rochester & Pittsburgh Railroads if there be any consolidation at all.

So Fayette B. Dow, attorney for the City of Rochester and the Rochester Chamber of Commerce today told the Interstate Commerce Commission during oral argument on the proposition, which was opposed by the Delaware & Hudson and Pennsylvania Railroad, which denied that the acquisition be not permitted.

Mr. Dow told the commission that Rochester has put into operation at a cost of \$12,000,000 an industrial switching railroad and also has made large investments in harbor property in the port of Rochester. The city, he said, is much interested in the development of the lake harbor and traffic to and from Canada, and the B. R. & P. was the pioneer in the development of the port, where connection is made with steamship services.

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Mr. Newcomb said, labored under a misapprehension as to the decision of the commission in the D. and H. application.

The Pittsburgh and West Virginia and the Wabash Railroads withdrew their opposition to the acquisition of the B. R. & P. by the B. and O. at the hearing today in view of the commission's recent announcement of the general plan grouping these lines.

Frederick W. Burton, representing the city and Chamber of Commerce of Rochester, said the City of Rochester was unqualifiedly in favor of the B. and O. application believing that the union of the two roads would promote the welfare of Rochester through the further development of its transportation facilities.

Representing the Rochester and Pittsburgh Coal Company, August Guthrie said this company, which ships annually from 50 to 60 per cent of the coal originating on the B. R. & P., is in favor of the B. and O. application.

Henry W. Anderson, senior counsel in the case for the B. and O. pointed out that the obstacles here before offered against assigning the B. R. & P. to the B. and O. were removed since the commissioner had issued his plan.

H. T. Newcomb, counsel for the Delaware and Hudson Company, in opposition to the application of the B. and O. declared that Mr. Lore had successfully negotiated the purchase of the B. R. & P. and that the decision in the application of the D. and H. to acquire the B. R. & P. passed upon by the commission several years ago, never was actually determined. He said substantial economies could be worked out by the D. and H. if it had the B. R. & P.

Lore's plan favors development of the east ferry route to Canada from the Port of Rochester, which was alluded to by the Rochester counsel. The Rochester counsel, Mr. Newcomb said, labored under a misapprehension as to the decision of the commission in the D. and H. application.

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CITY'S COUNSEL URGES MERGER BEFORE I. C. S.

Frank B. Dow, Representing Rochester, Says City Is Interested in B., R. & P.

Washington Bureau The Times-Union

Washington—The City of Rochester is vitally interested in any plan of consolidation in eastern territory which involves the Buffalo, Rochester & Pittsburgh Railway, Frank B. Dow, counsel for the City of Rochester and the Rochester Chamber of Commerce, told the Interstate Commerce Commission today.

Dow made his assertion during oral arguments before the commission in connection with the application of the Baltimore & Ohio Railroad for authority to acquire control of the Buffalo, Rochester & Pittsburgh.

The Buffalo road was allocated to the Baltimore and Ohio in the commission's final consolidation plan made public.

"The Buffalo, Rochester & Pittsburgh Railway has long cooperated with Rochester in the development of the city and the expansion of its traffic," Dow told the commission. He said the railroad was a pioneer in the port development of the city.

"The City of Rochester," said Dow, "recently constructed at a cost of more than \$12,000,000 an industrial switching railroad. It also has large investments in harbor improvement projects, and therefore has a direct financial interest in transportation," he declared.

Dow pointed out to the commission that the city is considerably concerned with the development of its harbor and the traffic to and from Canada, carried on by means of car ferries.

Among the many harbor improvements effected by the city in its program of port development are a modern freight terminal, bunkering and drydock facilities, and channel deepening, Dow said.

He explained to the commission that the city is extremely desirous that the co-operation which has existed for many years between the city and the Buffalo, Rochester & Pittsburgh Railway be continued if that road is allocated to a major system.

Lothar M. Walker, special counsel for the B. and O., set forth indications that the desired acquisitions would be logical and in the public interest, that for more than 30 years the B. and O. and B. R. and P. have been on the close terms, that economies would be effected with the two lines operating in closer cooperation; that the B. and O. has under consideration a new short, low grade line from Chicago to New York, in which the B. R. and P. would be a vital link and that advantage would result to the shipping public served by the two roads in the handling of traffic from Buffalo and Rochester, where the B. R. and P. has terminals, to the port of Baltimore, where the B. and O. has extensive docks, piers, elevators and other marine shipping facilities.

Would Aid City Welfare—Burton Frederick W. Burton, representing the city and Chamber of Commerce of Rochester, said the City of Rochester was unqualifiedly in favor of the B. and O. application believing that the union of the two roads would promote the welfare of Rochester through the further development of its transportation facilities.

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130 Expect City Council To Act On Trolley Co. Contract Monday

By Robert D. Burns Conditions of the city's consent to continue the service-at-cost contract, involving several amendments, under the receivers appointed by the United States Court to operate the Rochester Lines of New York State Railways, appear to be agreed upon by the factional groups in City Council.

Two ordinances providing for this consent are now in Public Utilities Committee. One is the Foulkes ordinance which would continue the present contract until Aug. 1. The other is the Guzzetta ordinance which amends the contract so that which amends the contract so that the mayor and city manager are authorized to continue the agreement only if the contract is amended to provide for a maximum of five cents for children riding to and from school, and for the purchase of tickets on cars and buses.

The trolley pact without consent of the city and the receivers is terminated by the receivership. The receivers have filed their consent to continue the contract, but it remains to be seen if they are willing to continue operations under an amended agreement. Several lawyers say, the consent of the United States Court, which now has control of the street railway properties, will be required.

This is a matter which Corporation Counsel Clarence M. Platt is to consider if City Council adopts the Guzzetta ordinance. Normally the contract would expire Aug. 1. The city therefore has six months in which to decide whether to make a new deal with the trolley company or bondholders, or turn the street transportation of the business back to the control of the Public Service Commission. In view of the activities of bondholders' protective committees, it is possible that the company's control of the Rochester lines will be in litigation by Fall, and steps under way to sell the properties under foreclosure proceedings.

Holdings of Rochester Railway Company first mortgage gold bonds, of which \$2,300,000 is outstanding, have organized to protect their interests in case of default of redemption when the bonds mature April 1. Interest on the first mortgage bonds of the Rochester Railway Company, it is said, has been paid promptly, but the receivership has led holders and owners of the bonds to anticipate a default, such as occurred when interest on the \$1,500,000 second mortgage bonds, secured by liens also on the trolley lines in Rochester, became payable Dec. 1 last.

Under terms of the deposit agreement signed by holders of the first mortgage Rochester bonds, the promoter company to operate the system, or negotiate with the city to handle the street transportation business. Mr. Watson, president of the Rochester Trust and Safe Deposit Company, said recently it would be good business for the city to take over the Rochester lines if the company failed to redeem the bonds, and the road was sold at public auction. A period of grace is allowed the company to make good its obligation, but bondholders say they are not going to wait until the last minute before organizing to enforce their rights.

Between now and August the business affairs of the trolley system in Rochester will be fully aired, it is said, and in that time the Public Service Commission will have closed its inquiry into the actual ownership of New York State Railways, the company's operating revenues and expenses, and the trolley claim that it is operating at a loss.

Reports of operations under the service-at-cost contract in Rochester show the company has had more than \$1,900,000 annually in the last 3 years available for stock dividends and bond interests after deducting big reserves for depreciation, payment of taxes and operating expenses.

The plan's adoption will fix the new building line for both sides of the street and demand the construction of new buildings, in some relative value and need in the instances, five feet back of present city lines. "South Avenue cannot spare much for a museum without betraying its sidewalks for wider traffic," said Mr. Howe, "and it cannot spare much for a museum without betraying the plan of giving a public trust."

At such a critical and significant time, to propose to divert even a small part of that bequest to purposes other than the donor had specified seems lacking in a genuine perspective of the city's needs and the citizens' demands. "It seems to us that this is an act which all genuine friends of the museum, and we count ourselves among its friends, will heartily deplore."

Announcement to prepare for Rochester Central Library building of which it stands in need, will not allow this proposal to obscure the purpose of Mr. Rundel's bequest.

CLUB WOMEN PROTEST ON FUND SPLIT

Suggested Participation of City Museum in Rundel Bequest Opposed

CITE WORDING OF WILL In Communication to City Council, Point Out Library Need

Suggestion of the Board of Commissioners of the Municipal Museum that it should participate in the Rundel Fund met with opposition yesterday from the Central Library Committee of the Women's City Club, which forwarded resolutions to the City Council expressing a protest against the action sought by the municipal museum commission last Monday evening.

The City Council last Monday evening received the resolution of the commissioners of the Municipal museum, together with a resolution by the Rochester Colony of New England Women endorsing the suggestion. The Central Library Committee, through Mrs. Leonard Jones, chairman, forwarded a communication to the City Council declaring that the commissioners must be misinformed about the terms and wording of Mr. Rundel's will. The communication of the committee is as follows:

"The Central Library Committee of the Women's City Club wishes to express promptly its protest against the proposal on the part of the Municipal Museum and its commissioners that that institution should participate in the Rundel art gallery bequest. It seems certain that these commissioners must have been acting in misinformation of the terms and wording of Mr. Rundel's will.

"There were museums in existence when Mr. Rundel made his will and when he so clearly and so concisely left his generous gift for a library and art gallery for the people of Rochester. It seems evident that if he had wished to leave his money for a museum he would have done so.

"This is a moment when the branch library system has reached a wide development and when the concerted demand of the citizens is at high pitch for the central building which will make of the library system a complete, unified whole. It is the moment also when the city has finally come into possession of the last of the Rundel money, so that it knows exactly what funds are at its disposal and can at last begin to plan for their use. And above all, it is the moment when, after earnest consideration, the trustees of the Reynolds Library have expressed their willingness to co-operate in the culminating project.

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RECEIVERS AND COUNCIL TO CONFER

Action Delayed As Railways Counsel Questions Right of Contract Now

Legal obstacles, raised to prevent the City Council from promising to operate the City Rail program to provide a 5-cent fare for school children and for the sale of tickets on trolley cars and buses under a continuance of the service-at-cost contract with the receivership of the New York State Railways.

So serious are the barriers that the Council Public Utilities Committee, headed by R. Andrew Hamilton, agreed, with legal attorneys for the railways, to postpone all consideration of the contract proposal until Thursday.

Then the receivers, Benjamin F. Tilton and Wallace Pierce, will confer with Council members and Corporation Counsel Clarence M. Platt. NO ACTION TONIGHT

No attempt will be made at the Council meeting tonight to act on the receivership of the street car lines. The Council will meet on Thursday, when the receivership of the street car lines will be discussed.

"Mr. Tilton is out of the city ascertaining what right he has in the change in the contract during the period of receivership," said Councilman Hamilton. "He represents the interests of the court which is the real administrator of the property, and to concede a 5-cent fare will be a complete and adequate library system."

Site Set Aside "A central library site was set aside by the Common Council six and one-half years ago. It is in South Avenue between Broad and Court streets directly across the river from the present location of the library in the City Hall Annex. Whether this will fit into the long awaited civic center plan remains to be seen. Whatever that plan may be, the central library should be one of the first if not the first building to be erected. The Rundel bequest, as a nucleus of the fund needed for that purpose now amounts to \$899,742.64."

Some 2,444,178 books were loaned during 1929. Mr. Yust reported, an increase of 194 per cent over the previous year; 26,43 per cent of Rochester's population is using the library, he said, with 35,17 borrowers registered at Central and the branches. Of the books loaned 27 per cent were for children, the report states, emphasizing the need for a special book collection in the children's department for use and study by parents and teachers.

Adequate reason for such a department should be provided in the new central library building, Mr. Yust believes.

Continued on Page Twenty-eight

TO PREPARE CITY'S PORT FACILITIES

Army Engineer Advises That Development Be Moderate as Needs Require

AGREES WITH VIEW HERE City Manager, Councilman Peake Visit Buffalo to Discuss Situation

That the city of Rochester is adopting an excellent policy in starting in a moderate way in the development of harbor facilities to handle the increased traffic on Lake Ontario expected as a consequence of the opening of the new Welland canal was the opinion expressed yesterday by City Manager Stephen E. Story and Councilman Chester A. Peake, chairman of the Public Works and Engineering Committee of the City Council by Major Eugene Reybold, Major Reybold is chief of the Buffalo district of the Army Engineers in charge of the Port of Rochester and other harbors in this district.

City Manager Story and Councilman Peake, whose committee will handle any proposal for the development of the blast furnace property in the Twenty-third ward, went to Buffalo to canvass the situation with Major Reybold and received assurances of the fullest cooperation from the Army engineers in the problems confronted by the city in the development of harbor facilities.

Making Ready for Traffic Having acquired the blast furnace property by unanimous action last year of the City Council, and upon the recommendation of the Harbor Advisory Board and the Chamber of Commerce, the problem of developing it faced City Manager Story. He has initiated steps, with the Council's co-operation, to have facilities available when and if increased traffic comes to Lake Ontario as the consequence of the greater draught passing into the lake from the other Great Lakes through the enlarged Welland Canal. People of the Twenty-third ward also are urging that the property, which they say in its present state is an eyesore, be cleaned up, and Councilman Nelson A. Mine and Supervisor John Ferguson of the ward are co-operating to meet their wishes.

Increase to Be Gradual Major Reybold expressed the opinion that the prospects for larger traffic on Lake Ontario because of the new Welland canal were bright, but expressed the opinion that it would not develop within a year from the opening of the canal, but would be a slow process, with volume increasing annually. This is precisely the attitude of Harry J. Braham, chairman of the Republican County Committee, who with the Monroe County legislative delegation, is working on a Port Authority Measure for Monroe County. Mr. Braham believes that, having acquired the blast furnace property, the city may well clean it up and develop modest facilities, which can serve until the greater traffic develops and makes possible the exercise of the Port Authority on a scale that is expected to mean much to Rochester industries and the furtherance of business interests in Monroe County. Mr. Braham sees large possibilities before the city in lake traffic, but feels that the growth will be gradual and the county may well look ahead in the Port Authority measure to meet the situation when it develops. In the meantime, the blast furnace property can be made to provide harbor facilities, to be used as a passenger boat slip, and for other municipal purposes.

Decline Prediction Members of the Republican organization group decline to predict what they would do. All said the mayor could not be expected to sign a new bond issue. As the law now stands he must sign them to validate their sale in New York.

Because of the delicate political situation raised, request for the bond issue was withheld from the Council and will not be submitted until it is determined who must sign for the mayor.

The Finance Committee presented two reports on reducing the city manager's salary, one against the measure, signed by Mayor Wilson and Vice Mayor Adler, and one in favor, signed by Councilman Nelson A. Mine.

The one advocating the reduction was lost by a vote of four and four, with Councilman R. Andrew Hamilton, William F. Dorman and Joseph L. Guzzetta voting with Councilman Mine.

On every other measure before the Council action was unanimous. The Council gave City Manager Story authority to buy Terry Park so that Ontario Beach Park may be extended westward. It also authorized the city to build a new lake shore bathhouse this Spring, and a program advocated by Harry C. Goodwin when he was councilman last year be carried out.

8474,000 NOTES RENEWED The city is to pay \$80,000 for seventy easements to Terry Park, and agree not to build on this particular site for fifteen years. The Council authorized the renewal of \$474,000 in construction notes. Unanimous action was necessary and it was granted without objection.

The Council received a number of home rule laws to amend the charter that Council meetings may be held twice a month instead of weekly. An amendment to the city auction ordinance was proposed to permit auctions of bankrupt stock of merchandise which actually developed in Rochester. The Council voted for several home rule laws to change the name of the Charities Bureau to the Welfare Bureau and make titles in this bureau conform to the demands of the new state welfare laws. City Manager Story formally presented the plan for the widening of Waicon Road at the foot of the new University of Rochester grounds.

YUST URGES BUILDING OF NEW LIBRARY

Adequate Central Building Proposed, With Rundel Fund as Nucleus

BOOK LOANS INCREASE Volumes Circulated Last Year Numbered Upward of 2,400,000

Erection of an adequate central library building with the Rundel bequest now amounting to \$899,742.64 as the nucleus for the building fund, was urged by William F. Yust, city librarian, in his annual report just submitted to the library board of trustees.

"Continued growth of the work at the Central Library emphasizes anew the need of a modern central library building," Mr. Yust stated. "It is now almost eighteen years since the public library system was started. The need of a central plant was pointed out from the beginning. The opening of each new branch library has served to emphasize that need. Branches are a supplement to and not a substitute for a central library. The present central collection has been in service only three and one-half years. But that time has been sufficient to demonstrate its necessity in a complete and adequate library system."

Site Set Aside "A central library site was set aside by the Common Council six and one-half years ago. It is in South Avenue between Broad and Court streets directly across the river from the present location of the library in the City Hall Annex. Whether this will fit into the long awaited civic center plan remains to be seen. Whatever that plan may be, the central library should be one of the first if not the first building to be erected. The Rundel bequest, as a nucleus of the fund needed for that purpose now amounts to \$899,742.64."

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8474,000 NOTES RENEWED The city is to pay \$80,000 for seventy easements to Terry Park, and agree not to build on this particular site for fifteen years. The Council authorized the renewal of \$474,000 in construction notes. Unanimous action was necessary and it was granted without objection.

The Council received a number of home rule laws to amend the charter that Council meetings may be held twice a month instead of weekly. An amendment to the city auction ordinance was proposed to permit auctions of bankrupt stock of merchandise which actually developed in Rochester. The Council voted for several home rule laws to change the name of the Charities Bureau to the Welfare Bureau and make titles in this bureau conform to the demands of the new state welfare laws. City Manager Story formally presented the plan for the widening of Waicon Road at the foot of the new University of Rochester grounds.

GROUP LOSES FIGHT TO CUT STORY SALARY

CITY MANAGER TO CONTINUE AT \$20,000

By J. CODY WALLER

Despite defeat for a Republican organization measure to reduce City Manager Stephen E. Story's salary from \$20,000 to \$15,000, the Republican group in the City Council has developed an opening for early control of the municipal government, according to political students today.

The Council last night received a notice that a bill which would reduce Mayor Joseph C. Wilson, who has been ill and confined to his home now for six months, of the obligation of signing \$5,000,000 in bonds to be issued soon. The measure must have Republican organization support to pass.

The mayor will not attend a special meeting of the Council Friday, when this law will be voted on. A deadlock of four and four is certain, unless the Republican organization councilmen vote to permit the vice mayor to sign the bonds.

The organization councilmen are expected to favor the law. Out of their action ascendancy to greater power in the Council is expected to follow.

Members of the Republican organization group decline to predict what they would do. All said the mayor could not be expected to sign a new bond issue. As the law now stands he must sign them to validate their sale in New York.

Because of the delicate political situation raised, request for the bond issue was withheld from the Council and will not be submitted until it is determined who must sign for the mayor.

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24 FIRMS ASK RIDGE RD. SPAN SPECIFICATIONS

Twenty-four contracting firms have requested specifications on the Ridge Road bridge the city will begin constructing in the Spring, according to an announcement made today by Wendell E. Andrews, purchasing agent.

City officials interpret this as an indication that bidding on the project will be spirited. Bids will be opened Feb. 5 and the city requires an accompanying check of \$150,000 to guarantee specific performance. The contract will not be signed before Feb. 21, Harold W. Baker, public works commissioner, says. The bridge is expected to require three years for construction. Work on testing the foundations already has been accomplished and the actual bridge construction is expected to begin as soon as the weather permits. The total of specifications sold to contractors and those interested in supplying material for the bridge is expected to reach 75 by the end of this week, Mr. Andrews says.

Urges Central Library Emphasis is laid upon the need of an adequate central library building in the annual report of William F. Yust, city librarian, to the board of trustees of the Rochester Public Library. Mr. Yust says: It is now almost 18 years since the public library system was started. The need of a central plant was pointed out from the beginning. Branches are a supplement to and not a substitute for a central library. The present central collection has been in service only three and one-half years. But that time has been sufficient to demonstrate its necessity in a complete and adequate library system.

Anything Mr. Yust has to say about our library needs merits attention. With the support of the board of trustees he has done as much as possible to give central library service at the building on Court Street, which now houses a collection of 67,000 volumes.

To inquire deeply into any subject requires the best books on the topic. Only a large collection, properly housed, can meet this need in a wide range of subjects. In scientific and technical lines these must in general be recent books—that is, the supply must be continually replenished.

Persons who pride themselves upon being severely "practical" should note that it is exactly this type of thorough inquiry which gives the necessary aid to those who make advances in the arts and sciences. Even so original a genius as Edison always has followed the plan of reading up thoroughly before attempting an improvement, so as to utilize knowledge already gained.

Cultural advantages of a well stocked Central Library are so obvious that one need not labor the point. We need an adequate central library building. We also need books to stock it. It is to be hoped that the Rundel Fund soon will be used for the building, and that the pending agreement between the city and the Reynolds Library trustees will increase funds for buying books.

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TROLLEY PROBE IS REQUESTED BY SOCIALISTS

Again referring to the service-at-cost contract as "a patent fraud," the county committee of the Socialist party last night sent a letter to the City Council urging the Street Railway Administration to investigate the street railway system "to the end of taking action against fraud if unearthed, and for guidance in devising a plan of dealing with the present situation."

The communication recalls the stand of the Socialist party in the Fall campaign. "The real solution of the street car service problem is municipal ownership." "It is time the obstacles to municipal ownership erected by special interests under New York State law should be confronted," the letter reads. "There must be a determined effort for legislation enabling the city to save its street railway and subway system."

CITY UNDOES SOUTH AVENUE 'BOTTLENECK'

Long promised new pavement and car tracks for the busiest "bottle-neck" in downtown Rochester—South Avenue, between Court and Main streets—will materialize in the spring, according to an announcement today by Henry Howe, chief city engineer.

Engineers are preparing specifications to support a South Avenue improvement ordinance for early introduction to the City Council. The section will not be widened for the improvement, remaining at 54 feet, but the hump will come out of the center of the thoroughfare between Broad and Main streets, and the car tracks will be on a level with the rest of the thoroughfare, Mr. Howe said.

Because of the subway improvement, the short stretch between Broad and Court Streets was widened to sixty feet, but was otherwise unimproved.

A wider thoroughfare is contemplated eventually in the city plan.

WILL CONSIDER LIBRARY PLANS AT CONFERENCE

A conference concerning the merger of Reynolds Library with the public library system will be held Wednesday, according to Vice-Mayor Isaac Adler.

Members of the City Council welfare committee will hear Charles H. Wittke, chairman of the municipal library trustees, who will outline to the councilmen what he believes the city should demand of the Reynolds trustees and to what extent the city can expect to co-operate in the project.

The memorial fund left by Mortimer W. Rundel for a library and art gallery must also be taken into consideration in the settlement of the library situation, officials say. Final disposition of this fund awaits the outcome of a court action.

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Expect City Council To Act On Trolley Co. Contract Monday

By Robert D. Burns

Conditions of the city's consent to continue the service-at-cost contract, involving several amendments, under the receivers appointed by the United States Court to operate the Rochester Lines of New York State Railways, appear to be agreed upon by the factional groups in City Council.

Two ordinances providing for this consent are now in Public Utilities Committee. One is the Foulkes ordinance which would continue the present contract until Aug. 1.

The other is the Guzzetta ordinance which amends the contract so that the mayor and city manager are authorized to continue the agreement only if the contract is amended to provide for a maximum of five cents for children riding to and from school, and for the purchase of tickets on cars and buses.

The trolley pact without consent of the city and the receivers is terminated by the receivership. The receivers have filed their consent to continue the contract, but it remains to be seen if they are willing to continue operations under an amended agreement.

Several lawyers say, the consent of the United States Court, which now has control of the street railway properties, will be required. This is a matter which Corporation Counsel Clarence M. Platt is to consider if City Council adopts the Guzzetta ordinance.

Normally the contract would expire Aug. 1. The city therefore has six months in which to decide whether to make a new deal with the trolley company or bondholders, or turn the street transportation business back to the control of the Public Service Commission.

CITY UNCORKS SOUTH AVENUE 'BOTTLENECK'

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Interests in case of default of redemption when the bonds mature April 1. Interest on the first mortgage bonds of the Rochester Railway Company, it is said, has been paid promptly, but the receivership has led holders and owners of the bonds to anticipate a default, such as occurred when interest on the \$1,500,000 second mortgage bonds secured by liens also on the trolley lines in Rochester, became payable Dec. 1 last.

Under terms of the deposit agreement signed by holders of the first mortgage Rochester bonds, the protective committee, of which Robert C. Watson is chairman, may start foreclosure proceedings, organize a company to operate the system, or negotiate with the city to handle the street transportation business.

Mr. Watson, president of the Rochester Trust and Safe Deposit Company, said recently it would be good business for the city to take over the Rochester lines if the company failed to redeem the bonds, and the road was sold at public auction. A period of grace is allowed the company to make good its obligation, but bondholders say they are not going to wait until the last minute before organizing to enforce their rights.

Between now and August the business affairs of the trolley system in Rochester will be fully aired, it is said, and in that time the Public Service Commission will have closed its inquiry into the ownership of New York State Railways, the company's operating revenues and expenses, and the trolley claim that it is operating at loss.

Reports of operations under the service-at-cost contract in Rochester show the company has had more than \$1,000,000 annually in the last 9 years available for stock dividends and bond interests after deducting big reserves for depreciation, payment of taxes and operating expenses.

The plan's adoption will fix the new building line for both sides of the street and demand the construction of new buildings, in some instances, five feet back of present city or museum building, Rochester lines.

"South Avenue cannot spare more than eventually, but it is any of its sidewalks for wide-difficult to see how the Rundel building the roadway," said Mr. Howe, "and it cannot spare much for a used for a museum without betraying a new building line. The plan proposes to give it wider walks."

CLUB WOMEN PROTEST ON FUND SPLIT

Suggested Participation of City Museum in Rundel Bequest Opposed

CITE WORDING OF WILL In Communication to City Council, Point Out Library Need

Suggestion of the Board of Commissioners of the Municipal Museum that it should participate in the Rundel Fund met with opposition yesterday from the Central Library Committee of the Women's City Club, which forwarded resolutions to the City Council expressing a protest against the action sought by the municipal museum commissioners.

The City Council last Monday evening received the resolution of the commissioners of the Municipal Museum, together with a resolution by the Rochester Colony of New England Women endorsing the suggestion.

The Central Library Committee, through Mrs. Leonard Jones, chairman, forwarded a communication to the City Council declaring that the commissioners must be misinformed about the terms and wording of Mr. Rundel's will. The communication of the committee is as follows:

"The Central Library Committee of the Women's City Club wishes to express promptly its protest against the proposal on the part of the Municipal Museum and its commissioners that that institution should participate in the Rundel art gallery bequest. It seems certain that these commissioners must have been acting, in submitting their proposal, under misinformation of the terms and wording of Mr. Rundel's will.

"There were museums in existence when Mr. Rundel made his will and when he so clearly and so wisely left his generous gift for a library and art gallery for the people of Rochester. It seems evident that if he had wished to leave his money for a museum he would have done so.

"It is beside the point at this time to enter into a discussion of the relative value and need in the instances, five feet back of present city or museum building, Rochester lines.

"This is a moment when the branch library system has reached a wide development and when the concerted demand of the citizens is at high pitch for the central building which will make of the library system a complete, unified whole. It is the moment also when the city has finally come into possession of the last of the Rundel money, so that it knows exactly what funds are at its disposal and can at last begin to plan for their use. Above all, it is the moment when, after earnest consideration by the trustees of the City, a new library building is being planned on a grand scale, a new era of a reformed library system is being inaugurated, and the people of Rochester are being prepared for a library system which will be a credit to the city and a benefit to the people.

"We trust that you, who have so unerringly manifested during the past two years, your determination to provide for Rochester the Central Library building of which it stands in need, will not allow this proposal to obscure the purpose of Mr. Rundel's bequest."

RECEIVERS AND COUNCIL TO CONFER

Action Delayed As Railways Counsel Questions Right of Contract Now

Legal obstacles, raised for a promised to defeat the City Council program to provide a 5 cent fare for school children and for the sale of tickets on trolley cars and buses under a continuance of the service-at-cost contract with the receivership of the New York State Railways.

So serious are the barriers that the Council Public Utilities Committee, headed by R. Andrew Hamilton, agreed, with the attorneys for the railways, to postpone all consideration of the contract proposal until Thursday.

Then the receivers, Benjamin Tilton and Wallace Pierce, will confer with Council members and Corporation Counsel Clarence M. Platt.

NO ACTION TONIGHT

No attempt will be made at City Council meeting tonight to set aside the ordinance for the 5-cent fare for school children and for the sale of tickets until July 25 when the contract expires.

"Mr. Tilton is out of the city ascertaining what right he has to make any change in the contract during the period of receivership," said Councilman Hamilton.

"He represents the interests of the court which is the real administrator of the property, and to concede a 5-cent fare will lose the railways \$200,000 a year."

CHANGES. Three certified doctors from the flight to Los Angeles. And the flight to Los Angeles. And the flight to Los Angeles. And the flight to Los Angeles.

Now they set with the moving. They set with the moving. They set with the moving. They set with the moving.

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WILTZIE. The chief agencies in issuing books for circulation. They carry 89 per cent of the book stock and 67 per cent of the circulation.

More branches are needed. There are still several large sections of the city having a diameter of more than one mile which are without this service. It is unfortunate that no additional branches have been started in the last two years.

In that direction lie the largest possibilities of library extension. Vote by the Reynolds trustees last month to approve in principle the report of the commissioners favoring association with the city library was mentioned in the city librarian's report.

"This action strengthens the hope and hastens the prospects for the development of a Central Library that will be worthy in content and adequate in service for the citizens of Rochester."

The circulation report is as follows:

Table with 4 columns: Name of Collection, No. of Volumes, No. of Copies, Val. Circulated. Rows include Central, Education, Monroe, Lincoln, Goodwin, Charlotte, Brighton, Arnet, Portland, Lake Ave., South Ave., Park Ave., Sub-branches, Schools, and Unassigned.

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STURGES BUILDING OF NEW LIBRARY

Adequate Central Building Proposed, With Rundel Fund as Nucleus

BOOK LOANS INCREASE

Volumes Circulated Last Year Numbered Upward of 2,400,000

Erection of an adequate central library building with the Rundel bequest now amounting to \$899,742.64 as the nucleus for the building fund, was urged by William F. Yust, city librarian, in his annual report just submitted to the library board of trustees.

"Continued growth of the work at the Central Library emphasizes anew the need of a modern central library building," Mr. Yust stated. "It is now almost eighteen years since the public library system was started. The need of a central plant was pointed out from the beginning. The opening of each new branch library has served to emphasize that need. Branches are a supplement in and not a substitute for a central library. The present central collection has been in service only three and one half years. But that time has been sufficient to demonstrate its necessity in a complete and adequate library system."

Site Set Aside. A central library site was set aside by the Common Council six months ago.



"Branch libraries," he continues, "are the chief agencies in issuing books for circulation. They carry 89 per cent of the book stock and 67 per cent of the circulation. More branches are needed. There are still several large sections of the city having a diameter of more than one mile which are without this service. It is unfortunate that no additional branches have been started in the last two years. In that direction lie the largest possibilities of library extension. Vote by the Reynolds trustees last month to approve in principle the report of the commissioners favoring association with the city library was mentioned in the city librarian's report."

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TO PREPARE CITY'S PORT FACILITIES

Army Engineer Advises That Development Be Moderate as Needs Require

AGREES WITH VIEW HERE

City Manager, Councilman Peake Visit Buffalo to Discuss Situation

That the city of Rochester is adopting an excellent policy in

Advertisement for Henry Sieberts, Inc. located at 162 Andrews St. Main 328. The ad lists various services including printing, bookbinding, and more.

City Manager Story will have some proposals with reference to the property to make to the council soon. He said last evening upon his return from Buffalo that a very pleasant contact had been had with Major Reybold, who was sympathetic toward the problems faced by the city in the development of harbor facilities, and cautioned that a moderate start be made and that facilities be increased to meet the demands of lake traffic.

Increase to Be Gradual. Major Reybold expressed the opinion that the prospects for larger traffic on Lake Ontario because of the new Welland canal were bright, but expressed the opinion that it would not develop within a year from the opening of the canal, but would be a slow process, with volume increasing annually.

This is precisely the attitude of Harry J. Braham, chairman of the Republican County Committee, who with the Monroe County legislative delegation, is working on a Port Authority Measure for Monroe County. Mr. Braham believes that, having acquired the blast furnace property, the city may well clean it up and develop modest facilities, which can serve until the greater traffic develops and makes possible the exercise of the Port Authority on a scale that is expected to mean much to Rochester industries and the furtherance of business interests in Monroe County.

Mr. Braham sees large possibilities before the city in lake traffic, but feels that the growth will be gradual and the county may well look ahead in the Port Authority measure to meet the situation when it develops. In the meantime, the blast furnace property can be made to provide harbor facilities, to be used as a passenger hot slip, and for other municipal purposes.

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The one advocating the reduction was lost by a vote of four and four, with Councilmen H. Andrew Hamilton, William F. Duran and Joseph L. Guzzetta voting with Councilman Nelson A. Milne.

On every other measure before the Council vote was unanimous. The Council gave City Manager Story authority to buy Terry Park so that Ontario Beach Park may be extended westward. It also means that the city will buy a new lake shore, although this Spring, and a program advocated by Harry C. Goodwin which he was councilman last year be carried out.

\$474,000 NOTES RENEWED. The city is to pay \$99,000 for seventy easements to Terry Park, and agree not to build on this particular site for fifteen years.

The Council authorized the renewal of \$474,000 in construction notes. Unanimous action was necessary and it was granted without a question.

The Council received a number of home rule laws to amend the charter that Council meetings may be held twice a month instead of weekly.

An amendment to the city auction ordinance was proposed to permit auction of bankrupt stock of merchandise which actually develop in Rochester.

The Council voted for several home rule laws to change the name of the Charities Bureau to the Welfare Bureau and make titles in this bureau conform to the demands of the new state welfare laws.

City Manager Story formally erases for the widening of Wolcott Road at the foot of the new University of Rochester grounds.

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Increase to Be Gradual. Major Reybold expressed the opinion that the prospects for larger traffic on Lake Ontario because of the new Welland canal were bright, but expressed the opinion that it would not develop within a year from the opening of the canal, but would be a slow process, with volume increasing annually.

This is precisely the attitude of Harry J. Braham, chairman of the Republican County Committee, who with the Monroe County legislative delegation, is working on a Port Authority Measure for Monroe County. Mr. Braham believes that, having acquired the blast furnace property, the city may well clean it up and develop modest facilities, which can serve until the greater traffic develops and makes possible the exercise of the Port Authority on a scale that is expected to mean much to Rochester industries and the furtherance of business interests in Monroe County.

Mr. Braham sees large possibilities before the city in lake traffic, but feels that the growth will be gradual and the county may well look ahead in the Port Authority measure to meet the situation when it develops. In the meantime, the blast furnace property can be made to provide harbor facilities, to be used as a passenger hot slip, and for other municipal purposes.

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City officials interpret this as an indication that bidding on the project will be spirited. Bids will be opened Feb. 5 and the city requires an accompanying check of \$150,000 to guarantee specific performance. The contract will not be signed before Feb. 21. Harold W. Baker, public works commissioner, says.

The bridge is expected to require three years for construction. Work on testing the foundations already has been accomplished and the actual bridge construction is expected to begin as soon as the weather permits.

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TROLLEY PROBE IS REQUESTED BY SOCIALISTS

Again referring to the service-at-cost contract as "a patent fraud," the county committee of the Socialist party last night sent a letter to the City Council urging the Story administration to investigate the street railway system "to the end of taking action against fraud if unheeded, and for guidance in devising a plan of dealing with the present situation."

The communication recalls the stand of the Socialist party in the Fall campaign, "the real solution of the street car service problem is municipal ownership."

"It is time the obstacles to municipal ownership erected by special interests under New York State law should be confronted," the letter reads. "There must be a determined effort for legislation enabling the city to save its street railway and subway system."

Urges Central Library

Emphasis is laid upon the need of an adequate central library building in the annual report of William F. Yust, city librarian, to the board of trustees of the Rochester Public Library. Mr. Yust says:

It is now almost 18 years since the public library system was started. The need of a central plant was pointed out from the beginning. Branches are a supplement in and not a substitute for a central library. The present central collection has been in service only three and one-half years. But that time has been sufficient to demonstrate its necessity in a complete and adequate library system."

Anything Mr. Yust has to say about our library needs merits attention. With the support of the board of trustees he has done as much as possible to give central library service at the building on Court Street, which now houses a collection of 67,000 volumes.

To inquire deeply into any subject requires the best books on the topic. Only a large collection, properly housed, can meet this need in a wide range of subjects. In scientific and technical lines these must in general be recent books—that is, the supply must be continually replenished.

Persons who pride themselves upon being severely "practical" should note that it is exactly this type of thorough inquiry which gives the necessary aid to those who make advances in the arts and sciences. Even so original a genius as Edison always has followed the plan of reading up thoroughly before attempting an improvement, so as to utilize knowledge already gained.

Cultural advantages of a well stocked Central Library are so obvious that one need not labor the point.

We need an adequate central library building. We also need books to stock it. It is to be hoped that the Rundel Fund soon will be used for the building, and that the pending agreement between the city and the Reynolds Library trustees will increase funds for buying books.

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Expect City Council To Act On Trolley Co. Contract Monday

By Robert D. Burns
Conditions of the city's consent to continue the service-at-cost contract, involving several amendments, under the receivers appointed by the United States Courts to operate the Rochester Lines of New York State Railways, appear to be agreed upon by the factional groups in City Council. The city, through the council acting unanimously, is expected to take definite action at the regular meeting Monday night.

Two ordinances providing for this consent are now in Public Utilities Committee. One is the Foulkes ordinance which will continue the present contract until Aug. 1. The other is the Guzzetta ordinance which amends the contract so that the mayor and city manager are authorized to continue the agreement only if the contract is amended to provide for a maximum of five cents for children riding to and from school, and for the purchase of tickets on cars and buses. It is expected out of committee with a recommendation that it be adopted.

The trolley pact without consent of the city and the receivers, terminated by the receivers, but sent to continue the contract, but it remains to be seen if they are willing to continue operations under an amended agreement. Several lawyers say, the consent now in the United States Court, which now has control of the street railway properties, will be required. This is a matter which Corporation Counsel Clarence M. Platt is to consider if City Council adopts the Guzzetta ordinance.

Normally the contract would expire Aug. 1. The city therefore has six months in which to decide whether to make a new deal with the trolley company or bondholders, or turn the street transportation business back to the control of the Public Service Commission. In view of the activities of bondholders' protective committees, it is possible that the city lines will be in litigation by Fall, and steps under way to sell the properties under foreclosure proceedings.

CITY UNCORKS SOUTH AVENUE 'BOTTLENECK'

Long promised new pavement and car tracks for the busiest "bottle-neck" in downtown Rochester—South Avenue, between Court and Main streets—will materialize in the spring, according to an announcement today by Henry Howe, chief city engineer.

CLUB WOMEN PROTEST ON FUND SPLIT

Suggested Participation of City Museum in Rundel Bequest Opposed

CITE WORDING OF WILL
In Communication to City Council, Point Out Library Need

Suggestion of the Board of Commissioners of the Municipal Museum that it should participate in the Rundel Fund, met with opposition yesterday from the Central Library Committee of the Women's City Club, which forwarded resolutions to the City Council expressing a protest against the action sought by the municipal museum commissioners.

The City Council last Monday evening received the resolution of the museum commissioners of the Municipal Museum, together with a resolution by the Rochester Colony of New England Women endorsing the suggestion.

Mr. Rundel's will. "There were museums in existence when Mr. Rundel made his will and when he left his generous gift for a library and art gallery for the people of Rochester. It seems evident that if he had wished to leave his money for a museum he would have done so."

"It is beside the point to discuss the relative value and necessity of a central library building, or a museum building. It is not possible to have both eventually, but it is difficult to see how the Rundel fund, wholly or in part, could be used for a museum without betraying the roadway."

Central Library Needed
"This is a moment when the branch library system has reached a wide development and when the concerted demand of the citizens is at high pitch will make of the building a complete, unified library system. It is the moment also when (barely 12 months ago) the city has finally come into possession of the last of the Rundel fund money, so that it knows exactly what funds are at its disposal and can at last begin to plan for their use. And after earnest consideration by the trustees of the Reynolds library, it is a moment when we have a no-suspense opportunity for a referendum for the election of a permanent library authority. The plan was presented in the form of a resolution at the meeting of the board of trustees of the Reynolds library."

"We trust that you, who have so unmistakably manifested during the past two years your determination to provide for Rochester a central library building of which it stands in need, will not allow this proposal to obscure the purpose of Mr. Rundel's bequest."

RECEIVERS AND COUNCIL TO CONFER

Action Delayed As Railway Counsel Questions Right of Contract Now

Legal obstacles, raised for the purpose of defeating the City Council program to provide a 5 cent fare for school children and for the use of tickets on trolley cars and buses under a continuance of the service-at-cost contract with the receivership of the New York State Railways.

So serious are the barriers that the Council Public Utilities Committee, headed by R. Andrew Hamilton, agreed, with the attorneys for the railways, to postpone all consideration of the contract proposal until Thursday.

Then the receivers, Benjamin Tilton and Wallace Pierce, will confer with Council members and Corporation Counsel Clarence M. Platt.

NO ACTION TONIGHT
No attempt will be made at the Council meeting tonight to act on the proposed 5-cent fare for school children and the sale of tickets until July 25, when the street car expires.

"Mr. Tilton is out of the city, ascertaining what right he has to make any change in the contract during the period of receivership," said Councilman Hamilton.

"He represents the interests of the court which is the real administrator of the property, and to concede a 5-cent fare will lose the railways \$200,000 a year."

"Mr. Tilton appears ready to play fair with the street car and bus riding public. We plan to get the concessions if we can, but if we can't, we can't."

QUESTIONS AUTHORITY
Carroll N. Whitman, attorney for the New York State Railways, in the absence of Mr. Tilton, said that a 5-cent fare for school children would mean a new authority of receivership.

"The Federal Reserve Bank of New York has a branch in Rochester and the other banks in the city are all members of the Federal Reserve Bank. The Federal Reserve Bank is a national institution and it is not possible for it to have a branch in Rochester without having a branch in New York City."

"We trust that you, who have so unmistakably manifested during the past two years your determination to provide for Rochester a central library building of which it stands in need, will not allow this proposal to obscure the purpose of Mr. Rundel's bequest."

POSTURGES BUILDING OF NEW LIBRARY

Adequate Central Building Proposed, With Rundel Fund as Nucleus

BOOK LOANS INCREASE
Volumes Circulated Last Year Numbered Upward of 2,400,000

Erection of an adequate central library building with the Rundel bequest now amounting to \$890,742.64 as the nucleus for the building fund, was urged by William F. Yust, city librarian, in his annual report just submitted to the library board of trustees.

"Continued growth of the work at the Central Library emphasizes anew the need of a modern central library building," Mr. Yust stated. "It is now almost eighteen years since the public library system was started. The need of a central plant was pointed out from the beginning. The opening of each new branch library has served to emphasize that need. Branches are a supplement to and not a substitute for a central library. The present central collection has been in service only three and one half years. But that time has been sufficient to demonstrate its necessity in a complete and adequate library system."

Site Set Aside
"A central library site was set aside by the Common Council six months ago."

"Branch libraries," he continues, "are the chief agencies in issuing books for circulation. They carry 59 per cent of the book stock and 67 per cent of the circulation. There are still several large sections of the city having no branches which are without this service. It is unfortunate that no additional branches have been started in the last two years. In that direction lie the largest possibilities of library extension."

Vote by the Reynolds trustees last month to approve in principle the report of the commissioners favoring association with the city library was mentioned in the city librarian's report.

"This action strengthens the hope and heightens the prospects for the development of a Central Library that will be worthy in content and adequate in service for the citizens of Rochester."

The circulation report is as follows:

Name of Collection	No. of Volumes	Adult	Juvenile
Central	37,412	210,705	42,300
Edgerton	18,041	102,725	31,953
Genesee	18,565	94,924	31,953
Monroe	18,750	106,432	27,988
Lanark	17,721	90,545	86,589
Clowman	17,323	120,557	48,238
Charlotte	16,290	81,438	16,290
Highland	15,392	71,369	19,790
Lanark	15,392	151,536	46,959
Lanark	15,392	59,522	55,191
Portland	15,393	119,784	56,490
Lake Ave.	12,203	102,827	30,809
South Ave.	9,354	92,174	27,051
Park Ave.	9,354	122,254	127,426
Subway	2,421	132,254	283,280
School	2,330		15,272
Aggregates	204,807	1,538,841	905,337

TO PREPARE CITY'S PORT FACILITIES

Army Engineer Advises That Development Be Moderate as Needs Require

AGREES WITH VIEW HERE
City Manager, Councilman Peake Visit Buffalo to Discuss Situation

That the city of Rochester is adopting an excellent policy in the harbor development.

City Manager Story will have some proposals with reference to the property to make to the council soon. He said last evening upon his return from Buffalo that a very pleasant contact had been with Major Reynolds, who was sympathetic toward the problems faced by the city in the development of harbor facilities, and cautioned that a moderate start be made and that facilities be increased to meet the demands of lake traffic.

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GROUP LOSES FIGHT TO CUT STORY SALARY

CITY MANAGER TO CONTINUE AT \$20,000

By J. CODY WALLER
Despite defeat for a Republican organization measure to reduce City Manager Stephen E. Story's salary from \$20,000 to \$15,000, the Republican group in the City Council has developed an opening for City control of the municipal government.

One who has been mentioned as a possible candidate for the position of City Manager is Harry J. Braham, chairman of the Republican County Committee.

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Story Confers With U. S. Engineer On Old Blast Furnace Rochester's Port Development Site On West Shore Of River Considered

City Acquired the Land Last Year—Consideration Being Given Feasibility of Dredging the River and Constructing a Basin.

Plans for the development of a Rochester harbor along the west bank of the river outlet, on the site of the former Genesee blast furnace, may be formulated as a result of a conference held at Buffalo today.

City Manager Stephen B. Story was in that city consulting with Maj. Eugene Reybold, chief of the Buffalo district of the United States Army engineers, on the merits of a harbor at the river outlet and what form the development should take.

BUREAU TITLE IS CHANGED BY CITY COUNCIL

Two local laws affecting the Bureau of Charities were adopted by the City Council last night. There was no opposition.

One of the laws changes the name of the Bureau of Public Welfare and the other authorizes the commissioner of public safety to appoint a director of public welfare as head of the bureau.

No motion was taken on a local law, proposed by Councilmen Nelson A. Milne which would take away from the city manager authority to fix the salaries of subordinates in the city clerk's office and vest it in the council.

Another local law, proposed by Councilman Milne, would provide for bi-monthly meetings of the council instead of weekly meetings. It was referred to the law committee.

On motion of Councilman Foulkes the council at the conclusion of last night's session was adjourned to Friday afternoon at 2 o'clock when action on this local law will be taken.

An ordinance affecting auctioneers was introduced in the council last night. It would permit auctioneers to sell jewelry and merchandise at sales providing the goods to be sold were stock involved in bankruptcy cases, but only in such cases where the bankrupt has been in business in Rochester immediately prior to such auction sales and for a period of at least six months.

TO PREPARE CITY'S PORT FACILITIES

Army Engineer Advises That Development Be Moderate as Needs Require

AGREES WITH VIEW HERE

City Manager, Councilman Peake Visit Buffalo to Discuss Situation

That the city of Rochester is adopting an excellent policy in starting in a moderate way in the development of harbor facilities to handle the increased traffic on Lake Ontario expected as a consequence of the opening of the new Welland canal was the opinion expressed yesterday to City Manager Stephen B. Story and Councilman Chester A. Peake, chairman of the Public Works and Engineering Committee of the City Council by Major Eugene Reybold, Major Reybold is chief of the Buffalo district of the United States Army engineers, in charge of the Port of Rochester and other harbors in this district.

City Manager Story and Councilman Peake, whose committee will handle any proposal for the development of the blast furnace property in the Twenty-third ward, went to Buffalo to canvass the situation with Major Reybold and received assurances of the fullest cooperation from the Army engineers in the problems confronted by the city in the development of harbor facilities.

Making Ready for Traffic

Having acquired the blast furnace property by unanimous action last year of the City Council, and upon the recommendation of the Harbor Advisory Board and the Chamber of Commerce, the problem of developing it faced City Manager Story. He has initiated steps, with the Council's co-operation, to have facilities available when and if increased traffic comes to Lake Ontario as the consequence of ships of greater draught passing into the lake from the other Great Lakes through the enlarged Welland Canal. People of the Twenty-third ward also are urging that the property, which they say in its present state is an eyesore, be cleaned up, and Councilman Nelson A. Milne and Supervisor John Ferguson of the ward are co-operating to meet their wishes.

Monroe County. Mr. Bareham believes that, having acquired the blast furnace property, the city may well clean it up and develop modest facilities, which can serve until the greater traffic develops and makes possible the exercise of the Port Authority on a scale that is expected to mean much to Rochester industries and the furtherance of business interests in Monroe County. Mr. Bareham sees large possibilities before the city in lake traffic, but feels that the growth will be gradual and the county may well look ahead in the Port Authority measure to meet the situation when it develops. In the meantime, the blast furnace property can be made to provide harbor facilities, to be used as a passenger hot slip, and for other municipal purposes.

VALUE OF CITY PLAN STRESSED

Rochester's major street plan is the backbone of the future growth and development of the city, Carl A. Taubert, consulting engineer and assistant to Harland Bartholomew, today declared in his address at a luncheon meeting of the Cornell Club at Pavers Hotel.

Mr. Taubert assisted Mr. Bartholomew in the preparation of the city plan, which, in addition to the major street scheme, includes studies of trolley and railroad transportation, recreation and the allocation of parks and playgrounds, civic center project and other phases of Rochester's development.

Illustrating his address with thirty-two charts and maps, Mr. Taubert detailed the advantages of a comprehensive street plan. He declared that adequate and properly located thoroughfares are of first importance.

"If the streets are not adequate to handle your city's traffic," he said, "business cannot expand, accidents will increase, traffic jams are inevitable, and your personal and individual happiness and pride in your community will be blighted."

An especially constructed telescope was mounted in a high tower for the smoke inspector who has plotted some 2,000 stacks in the city. Through him 170 odd different installations were corrected and the value of the new equipment placed through his efforts is in excess of a quarter million dollars. Rochester ranks fourth or fifth as far as being free from smoke nuisance is concerned.

Mr. Story spoke of the efficiency of the police system there, developed through its school. The stolen auto bureau has accomplished much. In 1927 there were 1,375 stolen cars. In 1928 with 6,000 additional cars in the city there were but 885 while in 1929 with still another additional 6,000 automobiles, there were but 550 reported thefts of cars. Ninety-three per cent of the stolen cars are returned.

The auto tagging proposition has changed from the political pull proposition of the police system, for they know that a tag placed on a car today means something in Rochester. He said 35 additional policemen have been employed with a salary increase between \$75,000 and \$80,000, yet the total budget of the department is the same as in 1927. He spoke of the value of prowl cars over motorcycles.

The fire prevention work, the arson squad and fire losses were discussed by the speaker as they related to Rochester. In Rochester the budget for the bureau of fire has increased but \$5,000 since 1927. The charities bureau has reduced its cases from 250 to 100. Shoes, milk, coal and other materials are contracted for at a big saving. Yet the speaker said that in 1928 the Bureau of Charities was the only bureau to exceed its budget and this was to the tune of \$223,000.

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The purchasing bureau has a storehouse and he said the savings in control after the purchases are in the storehouse are as great as they are in centralized buying. There is also a real estate division, controlling the rental of properties and their sale. They have compiled an inventory of city property.

Garbage Disposal

In the garbage disposal plant, an outlet was found for the hot water which formerly had gone into the river so that an income of \$13,000 per year is derived. The city plows every sidewalk, formerly at an assessment of three cents a front foot under the old plan with the group of contractors controlling and costing \$120,000 a year. Last year it was let on a contract costing less than two cents a front foot with a saving between \$35,000 and \$40,000 yearly. This year it is being done on a trip basis, the cost fluctuating according to the snowfall. All streets are plowed and intersections, grades, etc., receive sand and calcium chloride, breaking up the ice and snow so that chains are seldom necessary. One thousand tons of sand were used last year, as much will be used this year in addition to an equal amount of chloride.

Their airport was built in 30 days, with between 30,000 and 35,000 tons of stone, 2,000 tons of cement and 10,000 feet of drains placed, paid for a part or it as fertilizer.

Mr. Story told of the bureau of buildings where a steeple Jack was employed who went where other inspectors had never been. He classed chimneys, 521 fire escape violations, buildings, 19 flag poles, including the City Hall and Convention Hall, 28 water tanks, 32 church steeples, four of which had to be taken down. Also in the main street he discovered a wooden stack.

Rochester Boils Over At Misstatements Made By Story Before Uticans

(From the Utica Daily Press, January 15, 1930.)

ROCHESTER OFFICIAL TELLS BENEFITS OF CITY MANAGER PLAN

Stephen B. Story Addresses Kirotext and Guests, Explaining How Scheme Works in That City—Sketches Its History

An exposition of the council-manager form of city government as practiced in Rochester, contrasted with the home rule form in effect in this city, was given last night in Hotel Martin before the Kirotext Club interested citizens by Stephen B. Story, city manager of Rochester.

Why Rochester's taxes remain high in spite of the savings made by the city was discussed and disclosed by the speaker, who claimed absorption of the current expense debt is being accomplished in an amazing manner.

Mr. Story wanted it understood at the start he is not a paid propagandist nor seeking a job, but merely coming as a citizen of a thriving city to tell the results gained in Rochester with two years' experience with the city manager form.

He sketched the history of the city, which started in a small Virginia community, and has grown until it is in use in 430 communities in the United States and Canada. He told of its adoption by Dayton, Cincinnati and Cleveland, Ohio; Kansas City and Rochester, the four latter being the largest cities having this form. McCracken, Kan., with 400 inhabitants, is the smallest community with the form of government and Cleveland the largest.

He likened the voters to stockholders, the council to a board of directors, and the city manager to the general manager of a corporation.

Mr. Story spoke of the commission-manager type, where the commission is both legislative and executive. The commission in such cases usually consists of five members elected for a specific job, as public works, public safety, etc. In this case each commissioner is a little separate mayor, all departments on an equal basis. When it comes to budget time, it is a case of back scratching, said the speaker, where one commissioner will vote for another's budget. There is no incentive, he said, in this type to cut the costs down. Mr. Story said it was not advisable to have the same body executing the laws as makes them.

Council is Supreme

Under the city manager form, the council is the law and policy making body and the city manager the hired man of the council. In 1925 Rochester succeeded in getting an amendment to the charter whereby there would be nine council members instead of the 24 they had been operating under. Five of the nine are councilmen at large and the city is divided in population into four parts and one councilman elected from each district. The five at large have the city wide point of view, while the four satisfy those who desire to put their fingers on one man and state he is their direct representative.

Small Turnover Regarding the salaries of heads of departments, Mr. Story said they are generally larger than under the old system, but the total expense is small. The opponents of the council-manager form of government predicted with the change it would mean the overflow of all the employees. The turnover, he said, was Continued on page 5

Many Write Warnings to Oneida County from Rochester

TALK IS DECEPTIVE

New Manager Racketing Starts as Collapse Threatens

Fighting desperately against a nation-wide wave of dissatisfaction with career city manager government the national association of city managers has undertaken a new propaganda campaign and last week saw a hurried departure of Stephen B. Story, Rochester manager, to Utica where local organizers are making a second attempt to wreck that city's long council charter and put a short council-manager control in its place.

It was learned yesterday that scores of Rochester people had sent marked clips of Story's Utica speech to friends in Utica, challenging the grossly deceptive statements that Story was reported to have made in an account published in the Rochester Times-Union. Story's denial of politics in the Rochester City Hall particularly aroused the resentment of Rochesterians, and his wild claims in respect to snow removal and other contracts, together with his apparently seriously made claims about his departmental efficiency, led many to wish to warn Utica of the danger of accepting at face value facts which were spread by managerite platform speakers.

The Gannett newspaper in Utica is said to be "returning to the charge," trying to build public sentiment in favor of city management, and the Utica paper is co-operating with Gannett's Rochester papers in helping the organized propaganda work forward. Gannett is said to be convinced that the manager plan invariably gives his local management more power than it is possible for them to wield otherwise, and has signed up as a recruit in the manager plan extension work.

He contrasted the two forms of council meetings, the old being one where there were seldom dissenting votes, while in the new there are, all sorts of discussions and never behind closed doors. Standing the room only applies at council meetings now with the newspapers devil voting half pages to the council where formerly one-quarter of a column sufficed. The people are interested and hence the newspapers. He spoke of the defeat of a councilman at the last election who was always speaking on every subject so that nothing went through without being dragged out into the open. He declared a minority in his estimation is most essential in the council.

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Story Confers With U. S. Engineer On Old Blast Furnace Rochester's Port Development Site On West Shore Of River Considered

City Acquired the Land Last Year—Consideration Being Given Feasibility of Dredging the River and Constructing a Basin.

Plans for the development of a Rochester harbor along the west bank of the river outlet, on the site of the former Genesee blast furnace, may be formulated as a result of a conference held at Buffalo today.

City Manager Stephen B. Story was in that city consulting with Maj. Eugene Raybold, chief of the Buffalo district of the United States Army engineers, on the merits of a harbor at the river outlet and what form the development should take.

Engineers say the west bank of the river is in need of shoring. The feasibility of dredging the river and constructing a basin to permit the turning of boats in the harbor is also being considered. Major Raybold has studied the features of the Genesee River and its outlet and is well qualified to advise on the harbor question, Mr. Story says.

The city purchased the old blast furnace property last year, after the Harbor Advisory Board had submitted a preliminary report recommending that move. The purchase was made from William Bausch.

A year ago, City Manager Story appointed the Harbor Advisory Board to investigate possibilities of development of the Port of Rochester, and a possible site for it. Since that time, the only report that has come from the board was that recommending the blast furnace property acquisition.

A bill introduced at Albany last year by Monroe County legislators, seeking establishment of a Monroe County Port Authority similar to the New York Port Authority, was passed by the Legislature, but vetoed by Governor Roosevelt. A new bill is expected to be submitted to the present legislative session.

Meanwhile, harbor development for Rochester is at a standstill. The Harbor Advisory Board's recommendation was that the blast furnace property could be used for development to care for ship traffic until a larger development could be decided upon.

Consideration is being given several sites, including Charlotte, Irondequoit Bay, and the Long Pond region to the westward.

TO PREPARE CITY'S PORT FACILITIES

Army Engineer Advises That Development Be Moderate



Advertisement for HENRY SIEBERT'S SONS, Inc. featuring a graphic of a typewriter and the text 'ST PAID Accounts'.

City Manager Story will have some proposals with reference to the property to make to the council soon. He said last evening upon his return from Buffalo that a very pleasant contact had been had with Major Raybold, who was sympathetic toward the problems faced by the city in the development of harbor facilities, and cautioned that a moderate start be made and that facilities be increased to meet the demands of lake traffic.

Increase to Be Gradual Major Raybold expressed the opinion that the prospects for larger traffic on Lake Ontario because of the new Welland canal were bright, but expressed the opinion that it would not develop within a year from the opening of the canal, but would be a slow process, with volume increasing annually.

This is precisely the attitude of Harry J. Baram, chairman of the Republican County Committee, who with the Monroe County legislative delegation, is working on a Port Authority Measure for Monroe County. Mr. Baram believes that, having acquired the blast furnace property, the city may well clean it up and develop modest facilities, which can serve until the greater traffic develops and makes possible the exercise of the Port Authority on a scale that is expected to mean much to Rochester industries and the furtherance of business interests in Monroe County.

Mr. Baram sees large possibilities before the city in lake traffic, but feels that the growth will be gradual and the county may well look ahead in the Port Authority measure to meet the situation when it develops. In the meantime, the blast furnace property can be made to provide harbor facilities, to be used as a passenger boat slip, and for other municipal purposes.

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Mr. Story wanted it understood in the start he is not a city manager, with the mayor and council as his advisers, but a paid city manager, with the mayor and council as his advisers. He said the city manager names the head of the departments, public safety, law, police, fire, health, public works, etc.

He sketched the history of the city manager plan, which started in 1895 in a community of 10,000 people. It is in the United States City Managers Association, which is a national organization of city managers.

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less than five per cent, and there are very few industries can boast as low a figure as that. He said they had endeavored to take politics out of it and they have a law that a city employe can not be a member of any political committee nor contribute to the campaign funds.

There is also a prohibition against any city employe serving as a watcher at the polls, endeavoring to make the employes hold their jobs by honest work and not by servitude to a political party. He noted the change of attitude on the part of agencies outside the city government as the Community Chest, various hospitals and others with which the city contacts. These relationships have been straightened out and are much better.

In the public works department no ordinance is permitted to go before the council unless it contains the maximum cost of a job and will not be accepted in excess of the order. It has been found that the actual cost is usually about 70 per cent of the price given. Competition has become keen among the contractors, so that 10 or 12 bid even on the small jobs. The character of inspection has been improved gradually, and laboratory tests made of pavements, resulting in some cheating being found, one indictment and a general wholesale effect upon the others. An effort has been made to change the inspectors so they are assistant engineers and can be employed the year around, doing away with the task of building up an inspection force each year. Two million dollars worth of local improvements have been done each year under the plan. One bureau of the department of public works is known as design and construction, and this covers the work above mentioned. Maintenance and operation showed a big decrease in the cost of operation of the city's asphalt plant. In 1927 there were 13,000 tons placed at \$11.20 a ton; in 1928 there were 14,000 tons at \$9.85 and in 1929 up to October 1st, there were 15,600 tons at \$8.88 per ton.

Garbage Disposal Mr. Story said residents of Rochester do not seem to understand why their taxes have not gone down with all of these savings. Back in 1919 it found it could not operate under the 2 per cent of valuation prescribed in the law for current expenses, which does not apply to the debt service. So \$250,000 was borrowed on an eight months note and carried over into the next year. Then it became a debt service and was not included in the budget. This grew until in 1928 there was a current expense debt of \$2,918,000. The new charter said that this sort of thing must stop by 1934, so they decided to wipe it out in that year by canceling \$500,000 per year. At the end of the first year they had a surplus of \$491,000 from unestimated revenues and savings and this was applied as well. In 1928 they decided to put \$800,000 in the budget for that purpose and with the surplus at the end of that year the current expense debt was reduced to \$600,000 or a reduction of \$2,118,000 in two years. Mr. Story said that was the actual reason the people did not see an actual reduction in their taxes. Whether he would be city manager next week he said he did not know, as they might get a vote of 5 to 4 against him, but that he was satisfied they had done that which is best for the city. A rising vote of thanks was given the speaker, who was unable to answer questions, as he was obliged to get a train and had but little time to do so.

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BUREAU TITLE IS CHANGED BY CITY COUNCIL

Two local laws affecting the Bureau of Charities were adopted by the City Council last night. There was no opposition.

One of the laws changes the name of the Bureau of Charities to City Bureau of Public Welfare and the other authorizes the commissioner of public safety to appoint a director of public welfare as head of the bureau. Frank J. Koch holds the position. Adoption of the law affecting the head of the bureau simply means that Mr. Koch's title will be changed. Both laws were necessary to conform with a new state statute.

No motion was taken on a local law, proposed by Councilmen Nelson A. Milne, which would take away from the city manager authority to fix the salaries of subordinates in the city clerk's office and vest it in the council. It is expected that it will be acted upon at the council meeting next Monday night.

Another local law, proposed by Councilman Milne, would provide for bi-monthly meetings of the council instead of weekly meetings. It was referred to the law committee.

On motion of Councilman Foulkes the council at the conclusion of last night's session was adjourned to Friday afternoon at 2 o'clock when session on this local law will be taken.

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Bond Row Statement Shows N.Y.S. Railways Claims Of Operating Loss Were False

Chairman "Spills Beans" in Attempt To Scare Out Bonds

FIGURES ARE GIVEN

Company Made Big Money On Ten-Cent Fare Is Indicated

The most interesting development yet registered in connection with Rochester's traction tangle is the discovery by The Monroe Republican that a circular was mailed by J. H. Pardee, chairman of the board of the New York State Railways, to the holders of five per cent bonds, which contains information which "ought to know."

The statement was dated December 26th, last, and apparently is propaganda calculated to make the bond holders want to relinquish their bond interests, the basic mortgage bonds being considered by some as a bar to some very desirable capitalization thimble-rigging that some of the owners of the company are said to desire to indulge in. But the excerpts from the statement may interest Rochester trolley riders. Mr. Pardee says, after trying to be alarming with the threat of a five-cent fare, "We have had a statement made up showing the five-cent fare applied to the number of revenue passengers carried for the year ending October 31, 1929, to see what the income statement would be if that fare had been in effect throughout the twelve-month period, with the following results:

"Operating Revenue and Other Income, \$2,775,757.86.

"Operating Expenses, Maintenance Depreciation and Taxes, \$3,920,917.64.

"Operating loss before making any provision for payment of bond interest, \$1,145,059.78."

That means that the New York State Railways would have lost \$1,145,059.78, if they had been operating last year on a five-cent fare. But they were operating on a ten-cent fare, which about doubles the operating revenue item, making it about five and a half million dollars, and so the New York State Railways actually did, according to its board chairman, make a sum approaching a million and a half dollars in amount.

The whys and the wherefores of the recent bankruptcy of the company, in face of that statement by the chairman of the board become very interesting and important. Whether the owners of the company thought they could "shake down" some of the security owners or not by forcing a receivership is a moot point.

Adler, Foulkes, Stanton and Peake Join to Keep Story's Pay at \$20,000

Committee Report Opposes Republican Program for Pay Slash - Adler Seeks Mayor Power - Renew Notes

By way of giving emphasis to the grouping of the Rochester City Council membership, Councilman William F. Duran, Republican, Monday night moved the reduction of the salary of the city manager from \$20,000 a year to \$15,000 a year. The vote, as expected, resulted in another deadlock. Councilman Adler, Foulkes and Peake together with Councilman Stanton, Democrat, joined in saving the story "family budget" from any such violent crimp. Not the least interesting phase of the story pay-reduction program in the interest of tax-harried Rochester was the committee report. The committee members to whom the matter of a salary reduction was referred some time ago number Councilmen Adler, Milne and Mayor Wilson. Monday night, to the vast satisfaction of the Story "brigade" Mayor Wilson with Councilman Adler constituted themselves a majority in reporting against any pay reduction for Story. Councilman Milne reported in the minority favoring a pay reduction. This is the first definite alignment the Mayor has taken in respect to

the present council lineup and was the most interesting political development of the meeting.

A motion for a charter-alteration permitting Councilman Adler to sign city bonds and notes in place of Mayor Wilson was fathered by Councilman Foulkes. This will take the form of a local law, if passed.

More Renewed Notes

Notes aggregating nearly half a million dollars were renewed at the city manager's behest, the sum being \$474,000. Councilman Milne sponsored a motion which was passed unanimously opening negotiations for the purchase of Terry Park.

By way of assisting in the solution of the Rochester traction tangle the Socialist Party recommended that the solution to the difficulty lies in public ownership. The framers of the Socialist communication neglected to state whether they thought the New York State Railways could be purchased for what the owners tell the bondholders the property is worth, or for what the amount of capital stock may total.

But the Pardee statement, in view of the constant complain's by the company's officials to the effect that the company was NOT making money, comes as an astonishing revelation to a city that has been "bleeding itself" to pay a ten-cent fare to a "struggling" corporation.

It may be that the Pardee statement reveals the fact to the people of Rochester that they have been paying car fares on the basis of the needs of a greatly overcapitalized corporation, and that in view of the possible overcapitalization the just fare level may be about seven or eight cents.

The Pardee statement in another place informs the bond holders that the first and second mortgage bonds are only worth 23 cents and less than 25 cents, respectively, on the dollar, which may amply reveal the reasons why the bond holders have organized to fight any "trade in" or "knock down" dicker that the company's owners may want to put over on them in an effort to free the corporation from the bond incumbencies.

TICKET SALE ON TROLLEYS OBJECTED TO

Would Cause Big Cut in Revenues, Railway Men Tell City Officials CITE SYRACUSE FIGURES More Friendly To Plan for Five-cent Fares for School Children

By HIRAM MARKS

Vigorous opposition to the proposal to permit the sale of street car tickets on cars and busses was expressed yesterday afternoon by representatives of the New York State Railways at a conference with city officials looking toward extension of the service-at-cost contract to July 31.

The conference took place in the office of Corporation Counsel Clarence M. Platt and Councilman R. Andrew Hamilton, chairman of the public utilities committee, presided.

It was brought out in the discussion that the sale of tickets on the cars and busses would mean a shrinkage of revenue of approximately \$233,000 on the Rochester lines. This situation was developed by Charles E. Barnes, commissioner of railroads, who pointed out that in Rochester 57 per cent of the revenues is in cash fares; while in Syracuse, where the tickets are sold on the cars, approximately 73 per cent is in the ticket fares.

Using the Syracuse factor with reference to the Rochester situation, it would mean a loss of nearly a quarter million dollars, owing to the reduced price at which the tickets are sold.

Commissioner Barnes pointed out that this would be unfair to the regular patrons of the car lines, as they now have an opportunity to purchase tickets at 200 agencies, as well as at street intersections in busy hours, and he expressed the opinion that those wishing to obtain tickets had ample opportunity to do so. He said that there was a concession to these riders, as the tickets are sold at twelve for a dollar, while under the contractual provisions of the service-at-cost contract, when a ten-cent cash fare prevails, provision is made for the sale of eleven tickets for a dollar. He contended that the greatest benefit from the sale of tickets on the cars would reflect to the casual user of the trolley cars, those using them only when weather conditions do not permit the operation of an automobile. He cited an example of a person coming from Buffalo for a day or two who might use a dollar's worth of tickets, and said he felt that the availability of the tickets would benefit such persons, while those using the cars regularly and obtaining the tickets at established agencies would suffer a loss in receiving only eleven instead of twelve tickets for a dollar.

Commissioner Barnes said this would mean a shrinkage of revenue of \$63,000 a year on the Rochester property.

Mr. Tilton said that he was limited in the management of the property to the mandates of the Federal Court, which created the receivership for the preservation of assets of the traction system. He indicated that while he was opposed to the sale of tickets on the busses and cars, he would recommend to the court the granting of the concession with reference to the reduced fare for school children of all ages, but made it clear this was a concession that would have to have the approval of the court.

The railways and the city officials contended that any modification would have to be in the form of a concession by the receiver, approved by the court, and if incorporated in the service-at-cost contract would constitute a new contract, subject to approval by the Public Service Commission.

Mr. Tilton pointed out that he had no formal communication from the public utilities committee of the City Council, with reference to the concession regarding the five-cent fare for school children, and said that if a formal presentation is made to him, he will pass the matter on to the Federal Court, with such recommendation as he feels is to the best interest of the railways and the public. He expressed a willingness to co-operate in the fullest degree.

Regarding the sale of tickets on the cars, there was some discussion as to the outcome of a proceeding started in the administration of the late Mayor Hiram H. Edgerton to bring this about, and it was asserted an unfavorable ruling was made by the Public Service Commission. Councilman Hamilton made the point that the service-at-cost contract empowers the commissioner of railroads to designate where the tickets may be sold, and he asserted that in his opinion designation could be made of the cars, if this were found a practical thing to do.

There was much talk about the finances of the company and Mr. Tilton asserted that the interest has been paid on the bonds in the past from borrowed money and that operating revenues have not been sufficient to pay interest on these obligations. When questioned about the earnings of the Rochester property, he asserted that the benefit of this was reflected in investment in the property and its rolling stock and the money that was earned here went back into the Rochester lines.

To Call Conference

While the discussion was complete, there was no formal crystallization of sentiment. Councilman Hamilton said that he would call a meeting of his committee, which consists also of Councilmen William F. Duran and Louis F. Foulkes, to canvass the situation with Corporation Counsel Clarence M. Platt and reach, if possible, agreement with the other councilmen as to the definite terms that will be sought by the city with reference to the extension of the service-at-cost contract.

Whether the city will accept what appeared to be the position of the railway officials to recommend the granting of the five-cent fare for school children and retain the present method of selling tickets at agencies, remains to be determined at the conference, which Councilman Hamilton will probably call early next week.

MUNICIPAL BUS LINES URGED BY STATE MAYORS

Also Approve Slater Bill for Establishing State Commerce Department

Albany Bureau Democrat and Chronicle Albany, Jan. 23-Cities should have the right and power to operate municipal bus lines, the State Conference of Mayors and Other City Officials decided today, through action by its legislative committee.

Under the Downing-Post bill now pending in the Legislature, municipalities would be granted power to adopt local laws providing for municipal ownership and operation of their own bus lines. This was one of the measures favored today by the legislative committee in its midwinter action on pending legislative bills.

The Downing-Post bill is of particular interest this year, because of the tangle in which the street railway companies operating in Rochester, Syracuse and Albany find themselves by reason of the receivership of New York State Railways and United Traction Company. The situation, combined with the efforts of the Associated Gas & Electric to induce street railway company bondholders to exchange their securities for Associated stock at a fraction of the bonds' face value, has resulted in a demand by bondholders protective committees that the lines be taken over by cities.

Senator Fred J. Slater's bill calling for the establishment of a state department of commerce was approved, as were measures of similar import introduced by Senator MacCubbin and Assemblyman Pratt.

Mayor Frederick C. MacLaughlin of White Plains is president of the Mayors' conference, and Mayor Joseph C. Wilson, of Rochester, vice-president, is scheduled for election as president in June.

ADLER CAN SIGN BONDS NOW

After much deliberation, the City Council this afternoon in special session adopted charter amendments to make it possible for Vice Mayor Isaac Adler to sign bonds in place of Mayor Joseph C. Wilson, who is ill.

The Republican organization in the Council, headed by R. Andrew Hamilton, made a survey of the situation to ascertain if the move would react to the political advantage of the City Manager Lescaze bloc.

Satisfied that the amendments were desired to correct charter shortcomings and not for political advantage, the organization councilmen accepted it. The amendment simply paves the way for Mr. Adler to sign 4,000 bonds and relieve Mayor Wilson of the task.

ASK MANY QUESTIONS

When the conference adjourned, Councilman Hamilton announced the committee would consider the suggestion for immediate negotiation of a new contract, but he insisted that the company could not make concessions just before the receivership, it could grant these now. He declared he would favor the Council demanding the concessions.

On the New York State Railways lines and 105 cents to Rochester. "The reason for the receivership is that we cannot get any money to pay interest on our obligations. The only place we can get money is out of revenues. Nobody puts new money into street car companies. "When interest has been paid on bonds it has been pretty much borrowed money."

CITY STANDS PAT ON ITS ULTIMATUM

Hamilton, Guzzetta Reiterate Belief 5 Cent Fare Can Be Granted

City and New York State Railways officials were emphatically deadlocked today over the continuance of the service at cost contract between the municipality and the railways.

A majority of the Council Public Utilities Committee, R. Andrew Hamilton, chairman, and Joseph L. Guzzetta, with Louis S. Foulkes dissenting, was standing pat on the ultimatum that if the railways under James F. Hamilton, former president, just before the new year was ready to concede a 5-cent fare for school children and the sale of tickets on trolleys and busses, the receivers should make such concessions for a continuance of the contract.

Both Benjamin E. Tilton, a receiver, and City Railways Commissioner R. Barnes, at a conference with councilmen, yesterday admitted that the Rochester lines of the New York State Railways are showing improved revenues from operations.

Mr. Tilton said that if the Federal Court approves, he would create a 5-cent fare for school children under certain conditions during the school months. The conditions both he and Mr. Barnes indicated would be equivalent to children showing affidavits that they are school pupils.

SLOW UP SERVICE

Any possibility of a resumption of the sale of tickets on the street cars apparently was doomed by Mr. Barnes, who said it would slow up the service and endanger the railways' revenue by \$200,000 a year. Barnes said the sale of tickets was stopped here under an order from the State Public Service Commission. It developed the superintendent of transportation under the receivership; Charles R. Barnes, commissioner of railroads; Corporation Counsel Platt and newspaper representatives also attended.

Mr. Tilton proposed first the city start negotiations at once to enter into a new contract with the receivers for the company; second, the city consent to continue the present agreement until such time as terms are agreed upon to the mutual benefit of both parties; and third, that plans be made to have school principals sign certificates

for school children. He explained the new contract take effect any time and might not wait for the expiration of the present one on July 31.

This was not viewed as a concession by Corporation Counsel Clarence M. Platt, who said it was possible the contract could be summarily terminated before the expiration of the receivership and thus compromise the making of a new contract. Once terminated, he said, the company would face the 5-cent fare of the old contract.

Councilman Foulkes argued that both the reduced fare for school children and the selling of tickets on the cars would reduce revenues and work against a lower fare generally.

WOULD CREATE SURPLUS

"I will go to any extent short of agreeing to reduce the revenues," Mr. Tilton said, "in order to avert a receivership. The service-at-cost contract is not continuing. We are disposed to put no obstacles in the way of the city but we do ask that we have an opportunity to create a surplus."

Mr. Tilton's plea for a chance to create a surplus caused surprise, and Councilman Foulkes asked the receiver about the reports of profits in excess of \$1,000,000 annually, which had been published in The Times-Union.

Receiver Declares Annual Surplus Is Put Back Into Use

City Hall Parley on Service-at-Cost Continuance Shows All Parties Near Agreement-Tilton Questioned on Use of \$1,000,000 Surplus.

By Robert D. Burns

Sale of tickets aboard busses and trolley cars in Rochester appeared today to be the only obstacle between the city and the federal receivers agreeing on terms to continue the service-at-cost contract up to Aug. 1 next.

It seems likely that all parties will agree on a five-cent fare for school children provided each pupil presents a certificate from the school principal when paying the reduced rate.

Another parley between members of the councilmanic public utilities committee and the receiver will be held next week, Chairman R. Andrew Hamilton said today. City Council, therefore, will not receive a report from the committee on the two ordinances relating to the city's consent to continue the contract at the regular meeting next Monday night.

At a conference with the public utilities committee yesterday afternoon in the office of Corporation Counsel Clarence M. Platt, Benjamin E. Tilton, one of the federal receivers in charge of operations of New York State Railways, laid down three general propositions before the city representatives.

Called by Hamilton, the conference was called by Mr. Hamilton. Present with him on the committee was Councilman Louis S. Foulkes, but Councilman William F. Duran, third committee member, was unable to attend. The discussion was also participated in by Councilman Joseph L. Guzzetta, whose ordinance amending the service-at-cost contract to provide for a five-cent school fare and the purchase of tickets on trolleys and busses was before the committee.

Mr. Tilton, Carroll N. Whitman, attorney for the receivers of the trolley property; John G. Ufert, superintendent of transportation under the receivership; Charles R. Barnes, commissioner of railroads; Corporation Counsel Platt and newspaper representatives also attended.

Mr. Tilton proposed first the city start negotiations at once to enter into a new contract with the receivers for the company; second, the city consent to continue the present agreement until such time as terms are agreed upon to the mutual benefit of both parties; and third, that plans be made to have school principals sign certificates

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Mr. Tilton's plea for a chance to create a surplus caused surprise, and Councilman Foulkes asked the receiver about the reports of profits in excess of \$1,000,000 annually, which had been published in The Times-Union.

"What has become of this reported annual surplus?" Mr. Foulkes inquired. "I am glad you asked that question," Mr. Tilton said, "and I am glad to answer it. That surplus has been put back into your streets, into rails, equipment, rolling stock." "Do you mean that the company has re-invested its earnings every year here in Rochester?" "Yes, I do. Every cent has been put back into the business," declared Mr. Tilton.

Statement of Earnings

Here Commissioner Barnes introduced a statement of earnings detailed annually for eight years under the service-at-cost contract up to Dec. 31, 1928. The year 1929 was not included, but the figures will be included in the annual report for that year to City Council, it was said. For the eight years, the Barnes' statement shows the company received a total profit of \$9,432,285.66.

How About The Big Boats?

By constructing docks on the site formerly occupied by the Genesee blast furnace, just south of Ontario Beach Park, Rochester can develop a harbor suitable for lake vessels of medium size.

What about the big boats, the upper lake freighters 500 and 600 feet long?

Is it worth while to go after lake traffic in a big way by providing accommodations for these large cargo carriers? If so, how and where can they be handled? Will a large turning basin be needed and can such basin be developed at the river mouth?

These are questions to which no answer has yet been given. They deserve consideration in any comprehensive report on harbor requirements.

Bond Row Statement Shows N.Y.S. Railways Claims Of Operating Loss Were False

Chairman "Spills Beans" in Attempt To Scare Out Bonds FIGURES ARE GIVEN

Company Made Big Money On Ten-Cent Fare Is Indicated

The most interesting development yet registered in connection with Rochester's traction tangle is the discovery by The Monroe Republican that a circular was mailed by J. H. Pardee, chairman of the board of the New York State Railways, to the holders of five per cent bonds, which contains information which Rochester as a growing community "ought to know."

But the Pardee statement, in view of the constant complaints by the company's officials to the effect that the company was NOT making money, comes as an astonishing revelation to a city that has been "bleeding itself" to pay a ten-cent fare to a "struggling" corporation.

Adler, Foulkes, Stanton and Peake Join to Keep Story's Pay at \$20,000

Committee Report Opposes Republican Program for Pay Slash - Adler Seeks Mayor Power - Renew Notes

By way of giving emphasis to the grouping of the Rochester City Council membership, Councilman William F. Durman, Republican, Monday night moved the reduction of the salary of the city manager from \$20,000 a year to \$15,000 a year.

Notes aggregating nearly half a million dollars were renewed at the city manager's behest, the sum being \$474,000.

By way of assisting in the solution of the Rochester traction tangle the Socialist Party recommended that the solution to the difficulty lies in public ownership.

TICKETS SALES ON TROLLEYS OBJECTED TO

Would Cause Big Cut in Revenues, Railway Men Tell City Officials

CITE SYRACUSE FIGURES More Friendly To Plan for Five-cent Fares for School Children

By HIRAM MARKS

Vicious opposition to the proposal to permit the sale of street car tickets on cars and busses was expressed yesterday afternoon by representatives of the New York State Railways at a conference with city officials looking toward extension of the service-at-cost contract to July 31.

Whether the city will accept that appeared to be the position of the railway officials to recommend the granting of the five-cent fare for school children and retain present method of selling tickets at agencies, remains to be determined at the conference, which Councilman Hamilton will probably call early next week.

Mr. Tilton pointed out that he had no formal communication from the public utilities committee or the City Council, with reference to the concession regarding the five-cent fare for school children, and said that if a formal presentation is made to him, he will pass the matter on to the Federal Court, with such recommendation as he feels is to the best interest of the railways and the public.

Regarding the sale of tickets on the cars, there was some discussion as to the outcome of a proceeding started in the administration of the late Mayor Hiram H. Edgerton to bring this about, and it was asserted an unfavorable ruling was made by the Public Service Commission.

There was much talk about the finances of the company and Mr. Tilton asserted that the interest has been paid on the bonds in the past from borrowed money and that operating revenues have not been sufficient to pay interest on these obligations.

While the discussion was complete, there was no formal crystallization of sentiment. Councilman Hamilton said that he would call a meeting of his committee, which consists also of Councilmen William F. Durman and Louis S. Foulkes, to canvass the situation in Corporation Counsel Clarence Platt and reach, if possible, agreement with the other councilmen as to the definite terms that will be sought by the city with reference to the extension of the service-at-cost contract.

Whether the city will accept that appeared to be the position of the railway officials to recommend the granting of the five-cent fare for school children and retain present method of selling tickets at agencies, remains to be determined at the conference, which Councilman Hamilton will probably call early next week.

CITY STANDS PAT ON ITS ULTIMATUM

Hamilton, Guzzetta Reiterate Belief 5 Cent Fare Can Be Granted

City and New York State Railway officials were hopelessly deadlocked today over the continuance of the service-at-cost contract between the municipality and the railways.

A majority of the Council Public Utilities Committee, R. Andrew Hamilton, chairman, and Joseph L. Guzzetta, with Louis S. Foulkes, dissenting, was standing pat on the ultimatum that if the railways under James F. Hamilton, former president, just before the new year were ready to concede a 5-cent fare for school children and the sale of tickets on trolleys and busses, the receivers should make such concessions for a continuance of the contract.

Both Benjamin E. Tilton, receiver, and City Railways Commissioner C. R. Barnes at a conference with councilmen, yesterday admitted that the Receiver Hamilton and the New York State Railways are showing improved revenues from operations.

Mr. Tilton said that if the Receiver Hamilton approves, he would grant a 5-cent fare for school children under certain conditions during the school months. The conditions both he and Mr. Barnes indicated would be equivalent to the children showing affidavits that they are school pupils.

Any possibility of a resumption of the sale of tickets on the street cars apparently was doomed by Mr. Barnes, who said it would allow the service and unduly reduce the railways' revenue by \$200,000 a year.

The most important result of the conference was the proposal by the Receiver Hamilton to reduce the fare for school children on a reduced rate for school children.

Commissioner Barnes declared for a reduced rate for school children. He said he and James F. Hamilton, former president of the New York State Railways, had been favorably considering the matter for some time.

"I think it proper to reduce the fare for school children," Commissioner Barnes told the committee. "When you educate the coming generation to ride on the cars, you are making an investment that provides returns. I believe that if the fare were lowered more children would ride, and that means more business and more revenues for the company."

Mr. Tilton said this proposal, coming from the commissioner of the railways, carried force, but he made it plain that his position as receiver made it impossible for him to agree to terms which meant a loss of revenues. He said he estimated the loss resulting from a five-cent fare for school riders at \$80,000 annually, but admitted the possibility of new business from school children decreasing this estimated loss.

Would Create Surplus "I will go to any extent short of agreeing to reduce the revenues," Mr. Tilton said, "in order to avert one which will result if the service-at-cost contract is not continued. We are disposed to put no obstacles in the way of the city but we do ask that we have an opportunity to create a surplus."

Mr. Tilton's plan for a chance to create a surplus caused surprise and Councilman Foulkes asked the receiver about the reports of profits in excess of \$1,000,000 annually, which had been published in The Times-Union.

"What has become of this reported annual surplus?" Mr. Foulkes inquired. "I am glad you asked that question," Mr. Tilton said, "and I am glad to answer it. That surplus has been put back into your streets, into rails, equipment, rolling stock."

"Do you mean that the company has re-invested its earnings every year here in Rochester?" "Yes, I do. Every cent has been put back into the business," declared Mr. Tilton.

Receiver Declares Annual Surplus Is Put Back Into Use

City Hall Parley on Service-at-Cost Continuance Shows All Parties Near Agreement - Tilton Questioned on Use of \$1,000,000 Surplus.

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Called by Hamilton The conference was called by Mr. Hamilton. Present with him on the committee was Councilman Louis S. Foulkes, but Councilman William F. Durman, third committee member, was unable to attend. The discussion was also participated in by Councilman Joseph L. Guzzetta, whose ordinance was adopted by the committee.

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The investment value of the company's property in Rochester was fixed at \$18,216,000 by these appraisers and on this valuation the company has been drawing a return at the rate of six per cent. The contract provides that all costs of betterments be added to the base value, and so the company's investments since the beginning of operations are presumably reflected in the present base value of the company.

The Barnes report reads: "From the above returns (\$8,432,285.66) the company expended for additions, betterments, busses, etc., the difference between the base value as of July 17, 1921, \$18,216,000, and the base value as of Dec. 31, 1928, \$20,219,893.57, equalling \$1,103,893.57, plus abandonment of track, structures, equipment, etc., \$143,420.92, totaling, \$1,247,314.49."

Mr. Tilton said yesterday he could not consent to the sale of tickets on the cars and busses, and fixed the estimated loss from such sale at \$233,000 annually. Sale by conductors was stopped May 1, 1921, on order of the Public Service Commission. The legality of the order has never been tested in court. The ratio of tickets to cash was said to be 43 per cent. In Syracuse it is 70 per cent.

How About The Big Boats? By constructing docks on the site formerly occupied by the Genesee blast furnace, just south of Ontario Beach Park, Rochester can develop a harbor suitable for lake vessels of medium size.

What about the big boats, the upper lake freighters 500 and 600 feet long? Is it worth while to go after lake traffic in a big way by providing accommodations for these large cargo carriers? If so, how and where can they be handled? Will a large turning basin be needed and can such basin be developed at the river mouth?

These are questions to which no answer has yet been given. They deserve consideration in any comprehensive report on harbor requirements.

Commissioner Barnes said that from an operating viewpoint the service on the cars would be impaired; as there would naturally be a slowing up by reason of the sale of tickets, especially on busses and one-man cars, and no real benefits would accrue to the service or the steady patrons of the cars, and there would be a large loss to the city, which the finances of the railways can not stand at this time.

Benjamin E. Tilton, president of the New York State Railways, and co-receiver with Wallace Pierce of the properties, indicated that he would not be unfriendly to the move sponsored by Councilman Joseph L. Guzzetta to bring about a five-cent carfare for school children. It was brought out by Commissioner Barnes that this would mean a shrinkage of revenue of \$63,000 a year on the Rochester property.

Mr. Tilton said that he was limited in the management of the property to the mandate of the Federal Court, which created the receivership for the preservation of assets of the traction system. He indicated that while he was opposed to the sale of tickets on the busses and cars, he would recommend to the court the granting of the concession with reference to the reduced fare for school children of all ages, but made it clear this was a concession that would have to have the approval of the court.

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After much deliberation Council this afternoon adopted a resolution to make it possible for Mayor Isaac Adler to sign bonds in place of Mayor Joseph C. Wilson.

The Republican organization of the Council, headed by R. Andrew Hamilton, made a survey of the situation to ascertain if the motion to ascertain if the motion would have the political advantage of the City Manager League.

Satisfied that the amendments were desired to correct charter shortcomings and not for political advantage, the organization councilmen accepted it. The amendment simply gives the way for Mr. Adler to sign 4,000 bonds and relieve Mayor Wilson of the task.

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Continued on Page Twenty-three

Bond Row Statement Shows N.Y.S. Railways Claims Of Operating Loss Were False

Chairman "Spills Beans" in Attempt To Scare Out Bonds

FIGURES ARE GIVEN

Company Made Big Money On Ten-Cent Fare Is Indicated

The most interesting development yet registered in connection with Rochester's traction tangle is the discovery by The Monroe Republican that a circular was mailed by J. H. Pardee, chairman of the board of the New York State Railways, to the holders of five per cent bonds, which contains information which Rochester as a growing community "ought to know."

The statement was dated December 26th, last, and apparently is propaganda calculated to make the bond holders want to relinquish their bond interests, the basic mortgage bonds being considered by some as a bar to some very desirable capitalization thimble-rigging that some of the owners of the company are said to desire to indulge in.

But the excerpts from the statement may interest Rochester trolley riders. Mr. Pardee says, after trying to be alarming with the threat of a five-cent fare, "We have had a statement made up showing the five-cent fare applied to the number of revenue passengers carried for the year ending October 31, 1929, to see what the income statement would be if that fare had been in effect throughout the twelve-month period, with the following results: "Operating Revenue and Other Income, \$2,775,757.86.

"Operating Expenses, Maintenance Depreciation and Taxes, \$3,920,817.64.

"Operating loss before making any provision for payment of bond interest, \$1,145,059.78."

That means that the New York State Railways would have lost \$1,145,059.78, if they had been operating last year on a five-cent fare. But they were operating on a ten-cent fare, which about doubles the operating revenue item, making it about five and a half million dollars, and so the New York State Railways actually did, according to its board chairman, make a sum approaching a million and a half dollars in amount.

The whys and the wherefores of the recent bankruptcy of the company, in face of that statement by the chairman of the board become very interesting and important. Whether the owners of the company thought they could "shake down" some of the security owners or not by forcing a receivership is a moot point.

Adler, Foulkes, Stanton and Peake Join to Keep Story's Pay at \$20,000

Committee Report Opposes Republican Program for Pay Slash - Adler Seeks Mayor Power - Renew Notes

By way of giving emphasis to the present council lineup and was the most interesting political development of the meeting. A motion for a charter-alteration permitting Councilman Adler to sign city bonds and notes in place of Mayor Wilson was fathered by Councilman Foulkes. This will take the form of a local law, if passed.

Notes aggregating nearly half a million dollars were received at the city manager's behest, the sum being \$474,000. Councilman Milne sponsored a motion which was passed unanimously opening negotiations for the purchase of Terry Park.

By way of assisting in the solution of the Rochester traction tangle the Socialist Party recommended that the solution to the difficulty lies in the public ownership. The framers of the Socialist communication neglected to state whether they thought the New York State Railways could be purchased for what the owners tell the bondholders the property is worth, or for what the amount of capital stock may total.

But the Pardee statement, in view of the constant complaints by the company's officials to the effect that the company was NOT making money, comes as an astonishing revelation to a city that has been "bleeding itself" to pay a ten-cent fare to a "struggling" corporation.

It may be that the Pardee statement reveals the fact to the people of Rochester that they have been paying car fares on the basis of the needs of a greatly overcapitalized corporation, and that in view of the possible overcapitalization the just fare level may be about seven or eight cents.

The Pardee statement in another place informs the bond holders that the first and second mortgage bonds are only worth 22 cents and less than 25 cents, respectively, on the dollar, which may amply reveal the reasons why the bond holders have organized to fight any "trade in" or "knock down" dicker that the company's owners may want to put over on them in an effort to free the corporation from the bond incumbencies.

TICKET SALE ON TROLLEYS OBJECTED TO

Would Cause Big Cut in Revenues, Railway Men Tell City Officials

CITE SYRACUSE FIGURES

More Friendly To Plan for Five-cent Fares for School Children

By HIRAM MARKS

Vigorous opposition to the proposal to permit the sale of street car tickets on cars and busses was expressed yesterday afternoon by representatives of the New York State Railways at a conference with city officials looking toward extension of the service-at-cost contract to July 31.

The conference took place in the office of Corporation Counsel Clarence M. Platt and Councilman R. Andrew Hamilton, chairman of the public utilities committee, presided.

It was brought out in the discussion that the sale of tickets on the cars and busses would mean a shrinkage of revenue of approximately \$233,000 on the Rochester lines. This situation was developed by Charles E. Barnes, commissioner of railroads, who pointed out that in Rochester 57 per cent of the revenues is in cash fares; while in Syracuse, where the tickets are sold on the cars, approximately 75 per cent, is in the ticket fares.

Using the Syracuse factor with reference to the Rochester situation, it would mean a loss of nearly a quarter million dollars, owing to the reduced price at which the tickets are sold.

Commissioner Barnes pointed out that this would be unfair to the regular patrons of the car lines, as they now have an opportunity to purchase tickets at 200 agencies, as well as at street intersections in busy hours, and he expressed the opinion that those wishing to obtain tickets had ample opportunity to do so. He said that there was a concession to these riders, as the tickets are sold at twelve for a dollar, while under the contractual provisions of the service-at-cost contract, when a ten-cent cash fare prevails, provision is made for the sale of eleven tickets for a dollar.

He contended that the greatest benefit from the sale of tickets on the cars would reflect to the casual user of the trolley cars, those using them only when weather conditions do not permit the operation of an automobile. He cited an example of a person coming from Buffalo for a day or two who might use a dollar's worth of tickets, and said he felt that the availability of the tickets would benefit such persons, while those using the cars regularly and obtaining the tickets at established agencies would suffer a loss in receiving only eleven instead of twelve tickets for a dollar.

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Carol Whitman of the law firm of Whitman & Dey, attorneys for the railroads and for the receivers, contended that any modification would have to be in the form of a concession by the receiver, approved by the court, and if incorporated in the service-at-cost contract would constitute a new contract, subject to approval by the Public Service Commission.

Mr. Tilton pointed out that he had no formal communication from the public utilities committee or the City Council, with reference to the concession regarding the five-cent fare for school children, and said that if a formal presentation is made to him, he will pass the matter on to the Federal Court, with such recommendation as he feels is to the best interest of the railways and the public. He expressed a willingness to co-operate in the fullest degree.

Regarding the sale of tickets on the cars, there was some discussion as to the outcome of a proceeding started in the administration of the late Mayor Hiram H. Edgerton to bring this about, and it was asserted an unfavorable ruling was made by the Public Service Commission. Councilman Hamilton made the point that the service-at-cost contract empowers the commissioner of railroads to designate where the tickets may be sold, and he asserted that in his opinion designation could be made of the cars, if this were found a practical thing to do.

There was much talk about the finances of the company and Mr. Tilton asserted that the interest has been paid on the bonds in the past from borrowed money and that operating revenues have not been sufficient to pay interest on these obligations. When questioned about the earnings of the Rochester property, he asserted that the benefit of this was reflected in investment in the property and its rolling stock and the money that was earned here went back into the Rochester lines.

To Call Conference

While the discussion was complete, there was no formal crystallization of sentiment. Councilman Hamilton said that he would call a meeting of his committee, which consists also of Councilmen William F. Durman and Louis S. Foulkes, to canvass the situation with Corporation Counsel Clarence M. Platt and reach, if possible, an agreement with the other councilmen as to the definite terms that will be sought by the city with reference to the extension of the service-at-cost contract.

Whether the city will accept what appeared to be the position of the railway officials to recommend the granting of the five-cent fare for school children and retain the present method of selling tickets at agencies, remains to be determined at the conference, which Councilman Hamilton will probably call early next week.

MUNICIPAL BUS LINES URGED BY STATE MAYORS

Also Approve Slater Bill for Establishing State Commerce Department

Albany Bureau Democrat and Chronicle Albany, Jan. 23.—Cities should have the right and power to operate municipal bus lines, the State Conference of Mayors and Other City Officials decided today, through action by its legislative committee.

Under the Downing-Post bill, now pending in the Legislature, municipalities would be granted power to adopt local laws providing for municipal ownership and operation of their own bus lines. This was one of the measures favored today by the legislative committee in its midwinter action on pending legislative bills.

The Downing-Post bill is of particular interest this year, because of the tangle in which the street railway companies operating in Rochester, Syracuse and Albany find themselves by reason of the receivership of New York State Railways and United Traction Company. The situation, combined with the efforts of the Associated Gas & Electric to induce street railway company bondholders to exchange their securities for Associated stock at a fraction of the bonds' face value, has resulted in a demand by bondholders protective committees that the lines be taken over by cities.

Senator Fred J. Slater's bill calling for the establishment of a state department of commerce was approved, as were measures of similar import introduced by Senator Joseph C. Wilson, of Rochester, vice-president, is scheduled for election as president in June.

ADLER CAN SIGN BONDS NOW

After much deliberation, the City Council this afternoon in special session adopted charter amendments to make it possible for Vice Mayor Isaac Adler to sign bonds in place of Mayor Joseph C. Wilson, who is ill.

The Republican organization in the Council, headed by R. Andrew Hamilton, made a survey of the situation to ascertain if the move would react to the political advantage of the City Manager League bloc.

Satisfied that the amendments were desired to correct charter shortcomings and not for political advantage, the organization councilmen accepted it. The amendment simply gives the way for Mr. Adler to sign 4,000 bonds and relieve Mayor Wilson of the task.

Continued on Page Twenty-three

CITY STANDS PAT ON ITS ULTIMATUM

Hamilton, Guzzetta Reiterate Belief 5 Cent Fare Can Be Granted

City and New York State Railways officials were hopelessly deadlocked today over the continuance of the service-at-cost contract between the municipality and the railways.

A majority of the Council Public Utilities Committee, R. Andrew Hamilton, chairman, and Joseph L. Guzzetta, with Louis S. Foulkes, dissenting, was standing pat on the ultimatum that if the railways under James F. Hamilton, former president, just before the new year was ready to concede a five-cent fare for school children and the sale of tickets on trolleys and busses, the receivers should make such concessions for a continuance of the contract.

Both Benjamin E. Tilton, receiver, and Councilman R. Barnes at a conference with councilmen, yesterday admitted that the Rochester lines of the New York State Railways are showing improved revenues from operations.

Mr. Tilton said that if the Federal Court approves, he would grant a 5-cent fare for school children under certain conditions during the school months. The conditions both he and Mr. Barnes had stated would be equivalent to the children showing affidavits that they are school pupils.

SLOW UP SERVICE

Any possibility of a resumption of the sale of tickets on the street cars apparently was doomed by Mr. Barnes, who said it would slow up the service and endanger the railways' revenue by \$300,000 a year. Mr. Barnes said the sale of tickets was stopped here under an order from the State Public Service Commission. It developed the city was asked the commission to approve its petition for reinstatement to stop the sale of tickets.

The most important result of the conference was a proposal by Mr. Tilton that the Utilities Committee get authority from the Council to continue the contract until time to time. Any period of one week to one month, or two months would do, he said, pending while beginning negotiations for a new contract.

Mr. Tilton said as receiver he would sign a contract that would bind the railways regardless of what ownership may develop after the receivership. He explained the new contract could take effect part time and might not wait for the expiration of the present one on July 31.

This was not viewed as a concession by Corporation Counsel Clarence M. Platt, who said it was possible the contract could be summarily terminated now because of the receivership and thus compel the making of a new contract. Once terminated, he said, the company would face the 5-cent fare of the old contract, but he said Councilman Foulkes argued that both the reduced fare for school children and the selling of tickets on the cars would reduce revenues and work against a lower fare generally.

ASK MANY QUESTIONS

When the conference adjourned, Councilman Hamilton announced the committee would consider the suggestion for immediate negotiation of a new contract, but he stipulated that, if the company could afford concessions just before the receivership, it could grant them now. He declared he would favor the Council demanding the voters' choice.

At the new York State Railways, "The reason for the receivership is that we cannot get any money to pay interest on our obligations. The only place we can get money is out of revenues. Nobody puts new money into street car companies."

"When interest has been paid on bonds it has been mostly borrowed money."

Receiver Declares Annual Surplus Is Put Back Into Use

City Hall Parley on Service-at-Cost Continuance Shows All Parties Near Agreement—Tilton Questioned on Use of \$1,000,000 Surplus.

By Robert D. Burns

Sale of tickets aboard busses and trolley cars in Rochester appeared today to be the only obstacle between the city and the federal receivers agreeing on terms to continue the service-at-cost contract up to Aug. 1 next.

It seems likely that all parties will agree on a five-cent fare for school children provided each pupil presents a certificate from the school principal when paying the reduced rate.

Another parley between members of the councilmanic public utilities committee and the receivers will be held next week, Chairman R. Andrew Hamilton said today. City Council, therefore, will not receive a report from the committee on the two ordinances relating to the city's consent to continue the contract at the regular meeting next Monday night.

At a conference with the public utilities committee yesterday afternoon in the office of Corporation Counsel Clarence M. Platt, Benjamin E. Tilton, one of the federal receivers in charge of operations of New York State Railways, laid before the three representatives.

Called by Hamilton, the conference was called by Mr. Hamilton. Present with him on the committee was Councilman Louis S. Foulkes, but Councilman William F. Durman, third committee member, was unable to attend. The discussion was also participated in by Councilman Joseph L. Guzzetta, whose ordinance

Table with 2 columns: Item, Amount. Includes items like 'Seamless Sheets' and 'Steel Sheets' with values like \$1,100.00, \$800.00, etc.

The investment value of the company's property in Rochester was fixed at \$18,216,000 by these appraisers and on this valuation the company has been drawing a return at the rate of six per cent. The contract provides that all costs of betterments be added to the base value, and so the company's investments since the beginning of operations are presumably reflected in the present base value of the company.

The Barnes report reads: "From the above returns (\$50,432,285.66) the company expended for additions, betterments, busses, etc., the difference between this base value as of July 27, 1921, \$19,216,000, and the base value as of Dec. 31, 1928, \$20,319,892.57, equalling \$1,103,892.57, plus abandonments of track, structures, equipment, etc., \$143,420.92, totaling, \$1,247,313.49."

Mr. Tilton said yesterday he could not comment on the sale of tickets on the cars and busses, and fixed the estimated loss from such sale at \$233,000 annually. Sale by conductors was stopped May 1, 1921, on order of the Public Service Commission. The legality of the order has never been tested in court. The ratio of tickets to cash was said to be 42 per cent. In Syracuse it is 70 per cent.

How About The Big Boats?

By constructing docks on the site formerly occupied by the Genesee blast furnace, just south of Ontario Beach Park, Rochester can develop a harbor suitable for lake vessels of medium size.

What about the big boats, the upper lake freighters 500 and 600 feet long?

Is it worth while to go after lake traffic in a big way by providing accommodations for these large cargo carriers? If so, how and where can they be handled? Will a large turning basin be needed and can such basin be developed at the river mouth?

These are questions to which no answer has yet been given. They deserve consideration in any comprehensive report on harbor requirements.

NEW INLET SOUGHT TO MOUNT HOPE

Southwest Section of City Asks Entrance Opening Into Elmwood Avenue

PETITIONS CIRCULATED

Will Carry Need to City Council, Backers Say; List Reasons

A new entrance to Mount Hope Cemetery opening into Elmwood Avenue, near the southwest end of the burial ground, is asked in petitions circulated by members of the Nineteenth Ward Business Men's Association...

Circulation of the papers and preparation of the plan for the new entrance were directed by Harold S. W. MacFarlin, president of the association...

Will Press Request

"For a number of years there has existed a need for another entrance to Mount Hope Cemetery," Mr. MacFarlin said. "This is by no means the first time it has been requested or suggested. In the past, not alone in the papers, but from individuals, the convenience such an improvement would be has been pointed out. This movement by this association has been undertaken at the request not alone of members, but of citizens of the ward, and it is planned to carry it through on an organized and concerted basis until decision has been obtained from the highest city officials."

"This improvement is of particular interest, not alone to residents of the Nineteenth Ward, but to those of the Twentieth, Fifteenth, Twenty-fourth and part of the Tenth. In addition, recent improvements in streets and the desire to avoid traffic congestions, as well as street car and bus routes, make this new gate easier and more convenient entrance for persons from practically every part of the west side of the city."

Fatigues Older Folks

"This long walk, for those who do not come by automobile, or when automobiles may not enter, is an unnecessary hardship. Many cases have been reported to us where it has been especially fatiguing to the older folks, who wish to visit the cemetery perhaps more frequently than do the younger people. There exists no sound reason, how, for asking these people to walk so far, or on the other hand, by denying them the easy access to the graves of ones they wish to visit."

"The expense of the improvement would certainly be small measured against the convenience for thousands of citizens; and I do not see how, in the face of other expenditures, the city officials can afford to deny this request—which is a legitimate one, springing from a long standing need, entirely possible, within reach of the city purse, and affecting thousands of Rochesterians."

"According to James Corbett, funeral director of the West Side and a former officer of the Rochester Funeral Directors' Association, as well as vice-president of the Nineteenth Ward Business Men's Association, this additional gate would be greatly appreciated by Rochester funeral directors, being particularly convenient for burials in the section referred to."

The Mt. Hope Question

Residents of the Southwestern section of the city have brought up once more the question of a new entrance into Mt. Hope Cemetery. This time, the issue has the backing of a business men's organization in the Nineteenth Ward, which at least puts the question where it cannot well be ignored.

As has been pointed out previously, the residents of the Nineteenth Ward and parts of adjacent wards who approach Mt. Hope Cemetery by the Elmwood Avenue bridge as their shortest and most direct course, are obliged to go part way around the cemetery in order to get into it. The western end of the grounds has been fenced off securely in recent years, so that not even a footpath remains open. The nearest entrance therefore is the southern gate near Stewart Street, in Mt. Hope Avenue.

Owing to the fact that many of the recent burials are being made in the southern end of the cemetery near the western border, those who come to visit new graves in the southwest corner of the cemetery far outnumber visitors to any other part of Mt. Hope, except on special occasions, such as Memorial Day. From the West Side, visitors pass through Elmwood Avenue within sight of the new part of the cemetery, go to the southern gate in Mt. Hope Avenue and back across the cemetery.

An entrance at the southwest corner would save a mile and a half of travel to the West Siders.

Underground Sidewalks

Proposal of a plan for the construction of underground sidewalks in Main Street East is made by Paul N. Schubnell, a real estate appraiser. Mr. Schubnell's plan is a step beyond that of engineers who have seen possibilities in arched store fronts, thus allowing the street pavement to be widened to the building lines and affording an all-weather sheltered pedestrian way.

That the plan proposed for an underground walk has merit cannot be denied, but just what its value might be would of course have to be determined by experts familiar with the problems to be solved. Tunnels under street intersections and bridges over intersecting streets have, of course, been proposed by a number of planning experts.

One well known Rochester store some time ago constructed a subway under a busy street to connect separated parts of its property, thus proving that such a device for avoiding traffic dangers is not an impossibility. The value of a subway under various busy corners along Main Street will occur to almost anyone who cares to consider the matter while waiting for the lights to change in time to permit an appointment to be kept across the street.

If traffic congestion continues to increase in the next 10 years as it has in the decade just closed, 1940 may witness a great many changes that today may seem improbable, and one of them may be either underground sidewalks, or tunnels beneath busy street intersections.

Avoid Long-Term Contract

The City Council seems inclined to make a contract with the receivers for the New York State Railways which will, in substance, reinstate the service-at-cost contract for a period coinciding with that which the contract had to run prior to the receivership. The chief question raised has been whether certain concessions, such as reduced fares for school children and sale of tickets on the cars, could be incorporated in this temporary agreement.

It can be recognized that some action may be necessary to validate operation on a basis which will permit the trolley company to meet its expenses. It is not to be expected that operation can be maintained properly on the basis of the old five-cent fare contract. It may even be necessary, if a temporary contract is made, to have it in the exact terms of the former agreement.

Any action taken or agreement made should, and doubtless will be passed on in these legal aspects by the corporation counsel.

But the council and the city administration should not assume that if no specific contract is made there will be no regulation or control of service. The Public Service Commission has authority under such conditions.

Why not make a trial of such supervision before trying ourselves up with another contract? In view of the unsettled conditions in local transit the city assuredly should not tie its hands by another long-term contract, whatever may be done temporarily.

COUNCIL SOON TO GET MAJOR STREET PLAN

City Manager Outlines Next Step in Development—Assessment Map Ready in Two Weeks.

The Major Street Plan, as prepared and described by Harold Bartholomew, will be ready for presentation to the City Council within the next few weeks, City Manager Stephen B. Story told the City Council last night.

"The public already has been presented a description of the Major Street Plan," he said, "and naturally the question, 'what is the next step?' follows."

"The City Planning Board," he continued, "has had the Major Street Plan before it for study and has officially adopted it. It will shortly be prepared to submit officially the Major Street Plan to the council, together with its recommendations concerning the plan."

"Within two weeks the council can adopt the assessment map, as prepared for the assessor by the map and survey division of the Bureau of Design and Construction. This map, as adopted, should show the existing widths of streets, location of streets, buildings, etc. The adoption of this map would constitute the map so adopted as the official city map."

"Following this, the council should pass a resolution directing the commissioner of public works to prepare for consideration by the council the suggested changes in the city map based upon the recommendation of the City Planning Board as a result of the Bartholomew 'Major Street Plan Report.' Following this the proposed street lines would be laid out on the official map and the street line changes would then be submitted to the council for adoption by it as amendments to the official city map. Thereafter no buildings would be allowed to be erected which would be an encroachment upon the street lines, as officially adopted, unless upon appeal to the Zoning Board of Appeals and then only upon such terms and restrictions as the Zoning Board of Appeals might impose."

"This procedure corresponds with the city planning and zoning law of the State of New York, under which the city now operates."

"As nearly as can be estimated six months will be required to place the lines of the major streets on the official map. This work may be handled in progressive installments in such manner as the City Planning Board and the council may desire."

"There is nothing in this outlined procedure which will prevent the council from undertaking such improvement work as it may see fit, but whatever is to be done prior to the incorporation of the Major Street Plan upon the official city map should be in accord with and entirely consistent with the Major Street Plan."

\$4,465,000 Municipal Bond Issue Approved

Money Will Cover School And Flying Field Expenditures

Councilmen Also Adopt Ordinance Providing For Improvement of Norton Street From Waring Road to City Line—New Museum Building Asked For.

By Charles E. Welch

Favorable action was taken last night by the City Council on a municipal bond issue totaling \$4,465,000, which includes \$120,000 for expenditures for school construction.

The council also unanimously adopted an ordinance, introduced by Councilman William F. Duran, providing for the improvement of Norton Street, from Waring Road to the city line. The ordinance, the subject of a public hearing at which no opposition was heard, provides for a 36-foot pavement through a section of Norton Street already equipped with sewers, but the growth of which has been retarded, according to Councilman Duran, because of road conditions.

"The improvement is one desired by residents of the immediate section for many years," he said, "and the action of the council tonight in passing the ordinance will make possible the early improvement of the last link in the development of Norton Street which will provide a through boulevard from St. Paul Street all the way to Culver Road."

Ten Ordinances

Ten ordinances for the bond issue were presented to the council by Councilman Charles Stanton. All were adopted without opposition. The ordinance provides for the issuance of bonds for the following:

Bridge design and construction, \$270,000; municipal land purchase, \$350,000; municipal building construction, \$120,000; municipal aviation field, \$120,000; school construction, \$1,990,000; sewage disposal, \$75,000; transit subway construction, \$110,000; water works improvement, \$215,000; general local improvement, \$900,000; public improvement bonds, \$275,000.

A communication to the council from the commissioners of the Municipal Museum was read by City

Manager Story. The immediate need of proper housing, therefore, deeply concerns your commission. It is to be noted that any such collection of funds made available by gift, will, or bequest, for the purpose of housing such collections or making them accessible to the people of our city, be applied to the purpose indicated by said bequests and wills.

Just Consideration Asked. It is not the purpose of your commission to interfere with funds or to detract from their rightful claims by urging outside to the contrary. This commission is deeply grateful that there may be such funds for the upbuilding and maintenance of other institutions.

Your commission, however, feels that any such collection of funds, its application to the needs of the arts or sciences, to history, or to human industry, as illustrated by educational exhibits, ought to be applied to the purpose designated, and be given equal consideration, however worthy.

Therefore, inasmuch as the commissioners of the Municipal Museum is concerned with the subjects above mentioned, we request our former resolution (a copy of which was filed with your honorable body), that the municipal museum of the city of Rochester be given just and thorough consideration when a donation or application of such public bequests or funds is made.

At the same time we petition that the needs and requirements of any other public institution mentioned in the terms governing such bequests be given equal consideration with ours, that the stipulations and terms of such bequests be partially interpreted by a demonstration that the city of Rochester does not pervert the wishes of benefactors or constitute them for purposes of expediency.

Mayor Delegates Power. City Clerk O'Leary, at the beginning of the meeting, read a letter from Mayor Joseph Wilson in which he appointed Vice-Mayor Isaac Adler to carry out the duties imposed in the mayor by the city charter. A local law delegating these powers to the vice-mayor was adopted by the council last Friday afternoon.

City Manager Story invited the members of the council to visit the municipal airport after the meeting to greet the arrival of the first night mail plane. Several of the councilmen accepted. A communication was received from Fred C. McLaughlin inviting the city to send representatives to the mid-winter conference of mayors and other city officials in Albany March 5.

Public hearings were held on ordinances providing for University district storm water outlet sewer, amending a bill for the Merlin Street concrete pavement and combined sewer and amending measure for the Sunset Street asphalt pavement and walks. Local laws amending proposed charter changes providing for bi-monthly instead of weekly meetings of the council and giving the council authority to fix salaries of subordinates in the office of the city clerk were introduced and referred to the law committee for public hearings.

At Meeting Of Council

Bridge Work Held Slow

Councilman Milne inquired as to the reason for the "let-down" in the work of reconstructing Stinson Street bridge, assessing residents of the 23rd Ward were complaining. City Manager Story said the night shift on the bridge was discontinued because it was found that to continue day and night shifts would prove too costly.

Councilman Joseph L. Guzzetta said the city owed a duty to the citizens to repair the bridge as quickly as possible. "In repairing the bridge consideration was given the B. R. & P. Railway, to enable the car ferry to get through. We should give equal consideration to the citizens," he said.

On the suggestion of Councilman Louis S. Foulkes, City Manager Story said he would inquire into the matter and ascertain what the cost would be to the city if a night shift is maintained and make the result of his inquiry known to the councilmen at their next conference. He told Councilman Guzzetta the bridge company had informed him that it will take from 60 to 90 days to complete repairs.

"That's a long time to keep the people waiting," the councilman said.

CITY-AT-LARGE MUST PAY FOR SEWER PROJECT

Cost of the Donald Street sewer in the Twenty-third Ward, estimated at \$140,000, will be levied against the city-at-large if it was decided in a decision of Supreme Court Justice Adolph J. Rodenbeck filed in the county clerk's office today.

Justice Rodenbeck set aside assessments made by the city to defray cost of the sewer on the ground they were in excess of the benefits received by those in line to bear the costs.

Litigation over the sewer assessment has extended over a period of five years. The city built an outlet sewer converting an open stream into an underground sewer running east from Ontario Beach Park, approximately three hundred feet from the R. W. & O. railroad tracks into the Genesee River.

Expense of the project was charged to a large assessment area south of the park for some two miles, and some of the property drained was in the Town of Greece, where no assessments could be charged against it. The assessment was so heavy that a number of taxpayers began proceedings to have it set aside on the grounds that they were not benefited by the sewer, and had been satisfied with the open stream.

No obstacle is therefore seen in getting a five-cent fare for school children into the stipulation to continue under the old regime until Aug. 1 next. City Council and the receivers appear to be unanimous on this amendment of the contract.

On the sale of tickets aboard buses and trolley cars, Mr. Tilton declared emphatically that as receiver he was obliged to conserve the interests of creditors, and therefore was not in a position to so early a time to consent to such reduction in revenues as would result if tickets were sold by conductors and bus operators. He estimated this decrease in revenues at \$233,000 annually. The provision for the sale of tickets on the cars was never a part of the service-at-cost contract. It was ordered by the Public Service Commission when it approved the 7-cent fare on the trolley lines in Rochester. On representations that service was being slowed up, and hazards

Utilities Committee Of Council Ready To Urge Renewal

Stipulate That Tickets Be Sold on Trolleys as Basis of City of Rochester's Consent to Continuance of Service-at-Cost Contract.

By Robert D. Burns

On condition that the fare for school children going to and from school shall not be more than five cents, the public utilities committee was prepared today to recommend to City Council that the city give its consent to continue the service-at-cost contract up to Aug. 1, next.

The committee was still inclined today to hold out for the sale of tickets aboard the trolley and bus lines in Rochester as another condition of city consent and may embody this provision in the stipulation to continue under the old agreement. Unless the city and the receivers of utility agree to continue the contract the state law requiring a five-cent fare in Rochester again becomes operative.

At a meeting of the committee yesterday in the Rochester Club proposals from the receivers of the trolley company were reviewed. Present were Councilman R. Andrew Hamilton, chairman; Councilman Louis S. Foulkes, Councilman William F. Duran and Irving L. Gelsler, deputy corporation counsel representing the city's law department. Mr. Hamilton and Mr. Duran represent the Republican organization wing of the council, and Mr. Foulkes is with the City Manager group.

Three propositions had been laid down by Benjamin E. Tilton, one of the federal receivers, now in charge of the Rochester trolley properties at a consortium, in the corporation counsel's office last Thursday, called by the utilities committee. The first of the three proposals was that the city start negotiations for a brand new contract. The second was that the city consent to continue operations under the service-at-cost contract "as is" until such time as the receivers and city authorities formulate a working agreement mutually advantageous to both, and the third, which indicated Mr. Tilton's willingness to approve a five-cent fare for school children, was that school principals arrange to furnish a certificate for pupils to show conductors when paying the reduced rate of fare.

Tilton Accepts Children's Fare. This cut in rates is not provided for in the old service-at-cost contract, and to become effective it is believed that the approval of the United States Court, in charge of New York State Railways under the receivership, must first be obtained. It is understood that Mr. Tilton will recommend this modification of the contract to the favorable notice of the court.

Another point of issue with the receivers and the public utilities committee, Chairman Hamilton said today, is that the city is interested in having the receivers bound as lightly by obligations as the municipal corporation. "The financial affairs of the company are in a very uncertain phase," said Mr. Hamilton, "and we must see that we are insured against the company failing to carry out its part of the bargain. We are not to be tied up with this contract while the company or its receivers are footloose."

of car riding increased, due to the attention required of conductors in selling tickets and making change, the commission at that time rescinded the order and directed that tickets be placed on sale at convenient stations throughout the city.

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NEW INLET SOUGHT TO MOUNT HOPE

Southwest Section of City Asks Entrance Opening Into Elmwood Avenue

PETITIONS CIRCULATED

Will Carry Need to City Council, Backers Say; List Reasons

A new entrance to Mount Hope Cemetery opening into Elmwood Avenue, near the southwest end of the burial ground, is asked in petitions circulated by members of the Nineteenth Ward Business Men's Association, to be presented to the City Council.

Circulation of the papers and preparation of the plan for the new entrance were directed by Harold S. W. MacFarlin, president of the association.

That the plan proposed for an underground walk has merit cannot be denied, but just what its value might be would of course have to be determined by experts familiar with the problems to be solved.

One well known Rochester store some time ago constructed a subway under a busy street to connect separated parts of its property, thus proving that such a device for avoiding traffic dangers is not an impossibility.

If traffic congestion continues to increase in the next 10 years as it has in the decade just closed, 1940 may witness a great many changes that today may seem improbable, and one of them may be either underground sidewalks, or tunnels beneath busy street intersections.

The portion of the cemetery that this new gate would serve is that section in which most of the burials are now taking place, or have taken place during the past few years.

Fatigues Older Folks "This long walk, for those who do not come by automobile, or when automobiles may not enter, is an unnecessary hardship.

According to James Corbett, funeral director of the West Side and a former officer of the Rochester Funeral Directors' Association, as well as vice-president of the Nineteenth Ward Business Men's Association, this additional gate would be greatly appreciated by Rochester funeral directors, being particularly convenient for burials in the section referred to.

The Mt. Hope Question

Residents of the Southwest section of the city have brought up once more the question of a new entrance into Mt. Hope Cemetery.

As has been pointed out previously, the residents of the Nineteenth Ward and parts of adjacent wards who approach Mt. Hope Cemetery by the Elmwood Avenue bridge as their shortest and most direct course, are obliged to go part way around the cemetery in order to get into it.

Owing to the fact that many of the recent burials are being made in the southern end of the cemetery near the western border, those who come to visit new graves in the southwest corner of the cemetery far outnumber visitors to any other part of Mt. Hope.

An entrance at the southwest corner would save a mile and a half of travel to the West Side.

Underground Sidewalks

Proposal of a plan for the construction of underground sidewalks in Main Street East is made by Paul N. Schubmehl, a real state appraiser.

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Avoid Long-Term Contract

The City Council seems inclined to make a contract with the receivers for the New York State Railways which will, in substance, reinstate the service-at-cost contract for a period coinciding with that which the contract had to run prior to the receivership.

It can be recognized that some action may be necessary to validate operation on a basis which will permit the trolley company to meet its expenses.

Any action taken or agreement made should, and doubtless will be passed on in these legal aspects by the corporation counsel.

But the council and the city administration should not assume that if no specific contract is made there will be no regulation or control of service.

Why not make a trial of such supervision before tying ourselves up with another contract? In view of the unsettled conditions in local transit the city assuredly should not tie its hands by another long-term contract, whatever may be done temporarily.

COUNCIL SOON TO GET MAJOR STREET PLAN

City Manager Outlines Next Step in Development—Assessment Map Ready in Two Weeks.

The Major Street Plan, as prepared and described by Harland Bartholomew, will be ready for presentation to the City Council within the next few weeks.

"The public already has been presented a description of the Major Street Plan," he said, "and naturally the question, 'what is the next step?' follows.

"The City Planning Board," he continued, "has had the Major Street Plan before it for study and has officially adopted it. It will shortly be prepared to submit officially the Major Street Plan to the council, together with its recommendations concerning the plan.

"Within two weeks the council can adopt the assessment map, as prepared for the assessor by the Bureau of Design and Construction. This map, as adopted, should show the existing widths of streets, location of streets, buildings, etc.

"Following this, the council should pass a resolution directing the commissioner of public works to prepare for consideration by the council the suggested changes in the city map based upon the recommendation of the City Planning Board as a result of the Bartholomew Major Street Plan Report.

This procedure corresponds with the city planning and zoning law of the State of New York, under which the city now operates.

"As nearly as can be estimated six months will be required to place the lines of the major streets on the official map. This work may be handled in progressive installments in such manner as the City Planning Board and the council may desire.

"There is nothing in this outlined procedure which will prevent the council from undertaking such improvement work as it may see fit, but whatever is to be done prior to the incorporation of the Major Street Plan upon the official city map should be in accord with and entirely consistent with the Major Street Plan."

A communication to the council from the commissioners of the Municipal Museum was read by City Clerk O'Leary.

At the same time we petition that the needs and requirements of any other public institution mentioned in the terms governing such requests be given equal consideration with ours, that the stipulations and terms of such requests be impartially interpreted, and that the public be benefited and further benefited by a demonstration that the city of Rochester does not pervert the wishes of benefactors to construct them for purposes of expediency.

Mayor Delegates Power City Clerk O'Leary, at the beginning of the meeting, read a letter from Mayor Joseph Wilson in which he appointed Vice-Mayor Isaac Adler to carry out the duties imposed in the mayor by the city charter.

Expense of the project was charged to a large assessment area south of the park for some two miles, and some of the property drained was in the Town of Greece, where no assessments could be charged against it.

The real obstacle, it is said to be opposition on the part of the receivers to the sale of tickets aboard buses and trolley cars.

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The council also unanimously adopted an ordinance, introduced by Councilman William F. Duran, providing for the improvement of Norton Street, from Waring Road to the city line.

The immediate need of proper housing, therefore, deeply concerns your commission and leads it to request that the city make all funds made available by gift, will, or bequest, for the purpose of housing, school buildings or making them accessible to the people of our city, be applied to the purpose indicated by said bequests and wills.

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Ten ordinances for the bond issue were presented to the council by Councilman Charles Stanton. All were adopted without opposition. The ordinance provides for the issuance of bonds for the following:

Bridge design and construction, \$270,000; municipal land purchase, \$390,000; municipal building construction, \$120,000; municipal aviation field, \$120,000; school construction, \$1,990,000; sewage disposal, \$75,000; transit subway construction, \$110,000; water works improvement, \$215,000; general local improvement, \$900,000; public improvement bonds, \$275,000.

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At Meeting Of Council

Bridge Work Held Slow Councilman Mills inquired as to the reason for the "let-down" in the work of reconstructing Stutson Street bridge, asserting residents of the 2nd Ward were complaining.

"In repairing the bridge consideration was given the E. R. & P. Railway, to enable the car ferry to get through. We should give equal consideration to the citizens," he said.

On the suggestion of Councilman Louis S. Foulkes, City Manager Story said he would inquire into the matter and ascertain what the cost would be to the city if a night shift is maintained and make the result of his inquiry known to the councilmen at their next conference.

"That's a long time to keep the people waiting," the councilman said.

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Present were Councilman R. Andrew Hamilton, chairman; Councilman Louis S. Foulkes, Councilman William F. Duran and Irving L. Gelsler, deputy corporation counsel representing the city's law department.

Three propositions had been laid down by Benjamin E. Tilton, one of the federal receivers, now in charge of the Rochester trolley properties at a consortium in the corporation council's office last Thursday, called by the utilities committee.

The first of the three proposals was that the city start negotiations for a brand new contract. The second was that the city consent to continue operations under the service-at-cost contract "as is" until such time as the receivers and city authorities formulate a working agreement mutually advantageous to both.

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Utilities Committee Of Council Ready To Urge Renewal

Stipulate That Tickets Be Sold on Trolleys as Basis of City of Rochester's Consent to Continuation of Service-at-Cost Contract.

On condition that the fare for school children going to and from school shall not be more than five cents, the public utilities committee was prepared today to recommend to City Council that the city give its consent to continue the service-at-cost contract up to Aug. 1, next.

The committee was still inclined today to hold out for the sale of tickets aboard the trolley and bus lines in Rochester as another condition of city consent and may embody this provision in the stipulation to continue under the old agreement. Unless the city and the receivers of utility agree to continue the contract the state law requiring a five-cent fare in Rochester again becomes operative.

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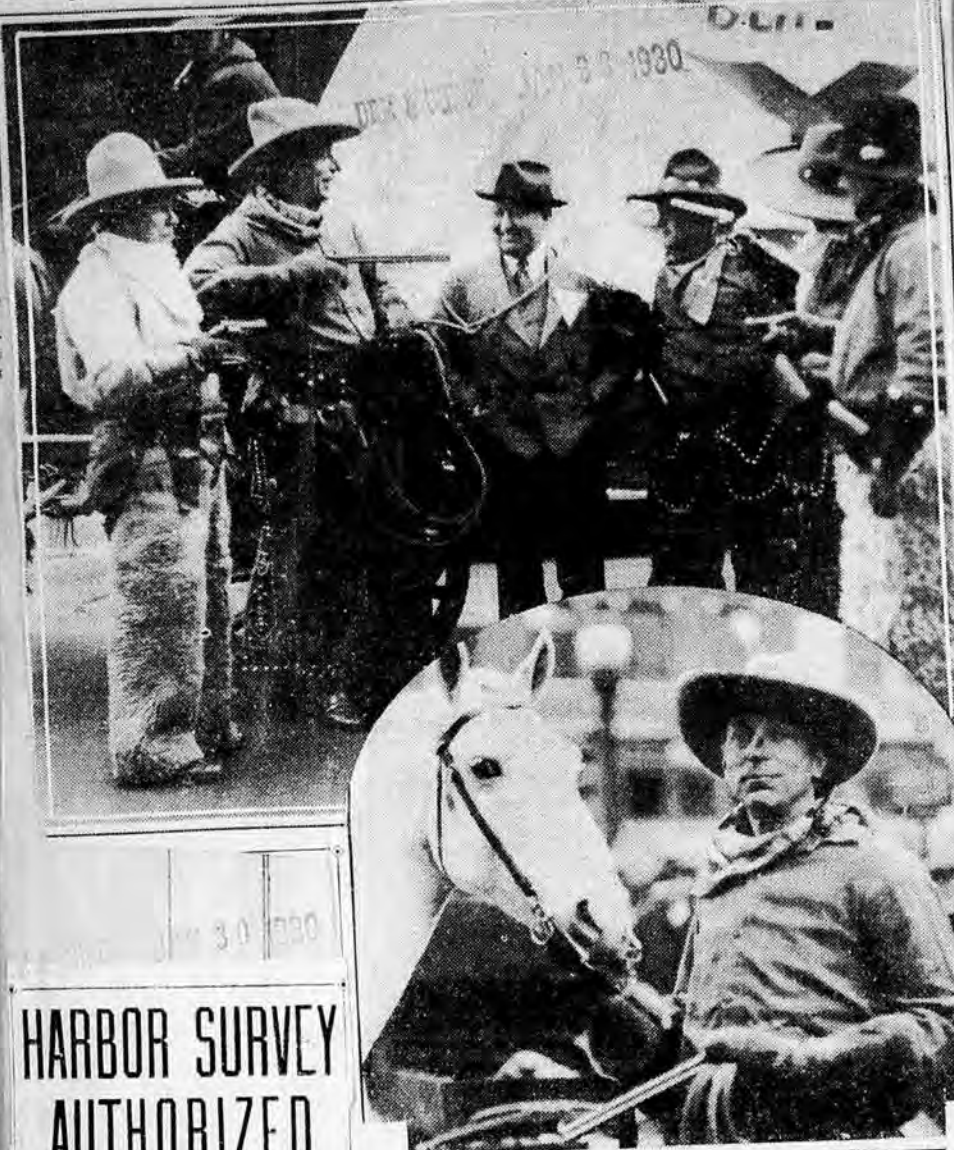
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FOR SALE OR RENT DIAMOND SHOPPE 225 MAIN ST. E. MAXIMS JEWELRY, OLD FASHIONED CASH PAID FOR DIAMONDS, WALT ANTIQUES NEW ADVERTISEMENTS

Story First Victim As Y Cowboys Shoot Up Town



Above, Cowboy leader Harper Sibley lassoing City Manager Stephen B. Story as first recruit in Y. M. C. A. membership drive as chaps-clad gang stands by. Below, Cowboy Sibley and his trusty steed snapped in front of City Hall.

HARBOR SURVEY AUTHORIZED BY STORY

That plans for a Rochester harbor on the west bank of the Genesee River, on the site of the abandoned Genesee blast furnaces, may materialize in the Spring, City Manager Stephen B. Story today authorized an engineering survey of the situation.

Working Toward the Plan

City Manager Story takes the right course in suggesting to the City Council the next step towards realization of the Major Street Plan recently presented by Harland Bartholomew. It is important that action on the street plan be pressed steadily and consistently if it is to come to anything.

COMMITTEE OF COUNCIL TALKS RAILWAY CASE

Specific Request To Be Made for Basis of Extending Service at Cost

The Public Utilities Committee of the City Council expressed the railway situation yesterday at a meeting at the Rochester Club, preparatory to making a report to next Monday's session of the Council.

CLAIM COUNCIL ORDINANCE LEGAL

Denied an increase in pensions despite its authorization by the City Council some months ago, retired policemen and firemen today asked the courts to compel the city to meet the provisions of an ordinance held illegal by Corporation Counsel Clarence M. Platt.

PAINTERS WIN ANOTHER POINT AGAINST CITY

Motion for Judgment on Pleadings in Labor Suit Denied

Another point in its fight to force the city to pay all men employed on city painting jobs the union rate of \$1.15 an hour was won by the Painters' Union yesterday in an opinion handed down by Supreme Court Justice Clyde W. Knapp.

CHAMBER URGES CITY NOT TO INCREASE TAX ON PROPERTY; SUGGESTS MORE ECONOMY

Chamber Tax Committee's Report to Trustees

Your committee on Municipal and County Taxation to which was referred the letter of Robert C. Watson, president of the Rochester Trust & Safe Deposit Company, protesting against the proposed 15 per cent increase in property assessment in the City of Rochester is confronted with the following facts:

It was expected by the City Manager that the proposed increase in assessments would meet the increased expenditures. Although tax increase was decided on, mention was made of a 15 per cent increase.

The above figure is based on the 1931 estimate of services rendered, and the adjustments that will be made in general salaries if a schedule of progressive increases is set up as is now the custom in the school and in police and fire services.

In Table II we show the effect of these expenditures on the city's budget and for debt service on the taxes to be paid. It should be understood that the city is limited in the money it raises by taxes on

his taxes, his assessments for improvements, and the interest and principal payments on his mortgage.

The study of the salaries of employees proposed by the city should include their comparison with those paid by industrial and mercantile establishments for similar or comparable occupations and should give due consideration to the fact that city employees are paid during illness and vacation periods, that provision is made for old age retirement pensions, etc.

He denied a motion made by the city to dismiss the test action brought by Edward Decker representing the union and stated his opinion that there were questions of fact involved which virtually necessitated a jury trial of the case.

The question involved is whether the painters employed by the city were acting as painters or simply as handy men employed by the city on various kinds of work.

Decker began the proceedings early in 1928, charging City Manager Stephen B. Story with violation of Section 230 of the Labor Law in that he refused to pay certain mechanics employed by the city at the rate of \$1.15 per hour for a legal eight hour day's work.

George E. Draper, deputy corporation counsel, represents the city in the suit and John D. Sullivan is attorney for Decker.

Table I. Current Expense Budgets of City (Including Schools) 1928-1930 and Estimated Budgets for 1931 and 1932 as Chamber Figures

Table with columns for Year, Assessed Value, Current Expense Budget, Total Tax on Property, Other Revenue, Total Primary Income, and Deficiency Borrowing. Rows include years 1927, 1928, 1929, 1930, 1931*, and 1932*.

Table II. Taxes for Current Expenses and Debt Service 1930-1932 as Chamber Estimates

Table with columns for Year, Assessed Value, Tax Rate, Debt Service, and Taxes on \$10,000. Rows include years 1930, 1931, and 1932*.

Estimated General Debt Service 1931 Estimated General Debt Service 1932

Table with columns for 1931 debt service, Estimated additions, Current expense notes, and Principal and interest on new debt. Rows include 1931 debt service, Estimated additions, Current expense notes, and Principal and interest on new debt.

Asks Salary Study To Precede Grants to Any Large Group

BIG DEFICIT IN 1931 IS FORECAST Danger in Assessment Increase Beyond Present Level

The Chamber committee's report declares increases contemplated by the city, and other normal increases and expenditures for general departments and for schools would make necessary the borrowing on current expense notes in 1931 \$2,028,946, since the taxing power of the city would fall that much short of providing the revenue needed to meet the proposed expenditure.

Officers and trustees of the Chamber Tax Committee yesterday adopted recommendations of the Chamber's Committee on Municipal and County Taxation warning the city authorities against further increases in taxes on real estate and urging careful study of the city's whole situation before granting salary increases to any large group of the city's employees.

The committee's recommendations resulted from reference to it by the trustees of a letter from Robert C. Watson, president of the Rochester Trust and Safe Deposit Company, in which Mr. Watson pointed out the danger of increasing the tax burden on small homes and urged the Chamber to take action against any proposed assessment increase for the purpose of paying salaries to city employees.

Milne Will Propose That City Purchase

Owners Of Nearby Property Urging Buying Of Plot

Realty Corporation Threatening to Divide Land Into Building Lots—Has Asked \$30,000 For Site—Council Will Get Petition on Monday.

Purchase of a four and a half-acre park, owned by the Buy-a-Home Corporation in lower Lake Avenue, by the city-at-large for \$30,000, will be proposed to the City Council Monday night by Councilman Nelson A. Milne.

The land is on the east side of Lake Avenue, near the Buffalo, Rochester & Pittsburgh Railway viaduct.

On the tract is a small clubhouse, known as the Lakedale Club. The building was erected by the realty development company. In it some 20 residents of the tract gathered last night to present a petition signed by 270 property owners urging city purchase of the land.

Milne Present The meeting was attended by Councilman Milne, Alfred J. Bristol, president of the Buy-a-Home Corporation, and L. O. Neel, president of the Lakedale Club, who presided. Home owners were present from Cheltenham, Wyndham, Holcroft, Harding, Cherry, Leander, and Fallesen roads, as well as Hopper Terrace, all streets in the subdivision where the proposed park is situated.

There are approximately 350 homes in the tract. The history of the proposed park reveals that when the first lots were sold the real estate company set aside the plot, graded it roughly and built the clubhouse. Gradually it was surrounded by newly-built homes.

Several years ago the company announced its intention of subdividing the plot and selling the lots. A group of residents attempted to have adjoining land-owners purchase the plot and present it to the city, if the city would maintain it as a park. This plan fell through, various property owners objecting to the cost involved. For a time the matter lay dormant.

Petitions Circulated It was revived recently when petitions were circulated.

"If this park is what you want, and I believe it is, I will do all that I can to see that you get the deal," Mr. Milne told the meeting.

Asked what price he would ask the city for the land, Mr. Bristol stated he thought it would be about \$30,000. In case the city does not take over the land, it will be divided into building lots and sold, Mr. Bristol stated.

Several of the property owners at last night's meeting said they had understood the real estate company

Park In Lakedale Tract

City Manager Rule Is in

Peril from Need

of Higher Tax

Rate

ADLER GIVES FIGURES IN PROOF

By J. CODY WALLER City manager government, now entering its third year in Rochester, is dangerously close to the rocks of failure, according to Vice Mayor Isaac Adler, its staunchest champion.

Either assessments must be increased for 1931, that there may be more revenue to meet city expenses, or the new government must abandon its charter provision for wiping out emergency borrowing by 1934.

In the face of recommendations of the Chamber of Commerce for a general curtailment of city expenses to stave off higher taxes, Mr. Adler declared today that assessments must be increased.

The Chamber of Commerce urged postponement of salary raises to all city employees, including the \$400,000 a year already authorized for policemen and firemen, and general standardization of all city jobs and salaries.

PENSIONS BRING NEED The Chamber program, according to City Manager Stephen B. Story, also would prevent making solvent the police and firemen's pension funds, for which the city must be prepared to provide \$350,000 each year, beginning in 1931.

Proposed standardization of salaries, which would add another \$275,000 to the city budget, also would be impossible if the Chamber program is followed, and there is no increase in assessments, Mr. Story said.

Mr. Adler said there must be more money from taxes, regardless of what is done with assessments. "We must increase assessments or have a higher tax rate," said Mr. Adler. "The charter, as adopted by the people, provides for a termination of emergency borrowing by 1934."

"We are not making good this charter provision as we should. We borrowed money last year and we must borrow more this year."

"We must borrow, if not a salary is increased. There is only one place to get money and that is out of taxes. We must have more to carry out our programs of service to the people and still live up to the charter promise to wipe out emergency borrowing."

MORE MONEY NEEDED City Manager Stephen B. Story was inclined to differ with Mr. Adler. He said any increased assessments, authorized by the old City Council for the taxes of 1931, would be necessary but to take care of salary and pension adjustments.

The Chamber of Commerce trustees announced a series of recommendations to prevent higher assessments in Rochester in 1931.

Mr. Adler insisted that if the city is to continue the service the people demand, regardless of increase in salaries, property assessments must be raised. Either that or the practice of emergency borrowing must be continued.

Mr. Story was inclined to view the Chamber of Commerce recommendations as an unfair picture of actual conditions.

The Chamber of Commerce recommendations are not specific in condemning the \$400-a-year increase authorized for policemen and firemen nor the making of their funds solvent. But the inference was there, in advocating that a survey be made of salaries paid in industries and mercantile establishments before anything is done with salaries of City employees.

INCREASE OF TAX BURDEN CERTAIN, ADLER'S OPINION

Vice Mayor Thinks Even Utmost of Care in Spending Cannot Save City from Rate Raise

WOULD HOLD DOWN SALARIES UNTIL 'WE CAN AFFORD RAISE'

Even with the utmost economy, an increase in assessments and taxation by the city administration seems unavoidable, according to Vice-Mayor Isaac Adler, chairman of the Law Committee of the City Council and member of the Finance Committee.

Mr. Adler, in response to a report by the Chamber of Commerce Committee on Municipal and County Taxation, declares that he wishes that the committee had been "a little more specific in pointing out what services, in its judgment, could be dispensed with and what economies could be effected by the city administration," and added that if "there are any such economies which are practicable, I certainly would favor them."

Must Have More Money Vice-Mayor Adler asserts that even with the normal increase in municipal expenditures for 1932 and 1933, the city is confronted with the necessity of raising more money, and he declares that the only way that he knows that this can be accomplished is by increasing assessments and increasing taxation.

Report Is Protest "The whole tenor of the report is a protest against any increase in assessments and taxation. With the utmost economy, I do not see how such an increase can be avoided. In 1927 the city spent \$2,913,760 above its income; in 1928 this amount of excess expenditure was reduced to \$1,050,000; in 1929 it was further reduced to \$800,000. In 1930, no further reduction can be made but, on the contrary, some increase is anticipated. This balance of excess expenditure must be liquidated in the next three years; in addition to that, normal increases must be provided for, and our debt service will necessarily increase with the development of the city, in which all our citizens are evincing a deep interest."

The Chamber of Commerce committee on municipal and county taxation has performed a useful service in calling attention to the heavy expenditures and increase in taxes which the people of Rochester must face in the coming years," said Vice-Mayor Adler. "I cordially agree with the committee in its recommendation to study carefully the question of increase of salaries which of course will be done and I have thus far been unable to see how the city can possibly make the increases in law fire and police salaries which have been asked and corresponding increases in other salaries and at the same time keep taxes at their present level."

Agrees with Committee "I note that the Chamber of Commerce committee recommends that 'the city should promptly curtail all services not deemed indispensable and effect such other possible economies as the elimination of the School Census Board and the discontinuance of payment for the education of children in districts outside the city.'"

"I wish the committee might be a little more specific in pointing out what services in its judgment could be dispensed with and what economies could be effected by the city administration. If there are any such economies which are practicable, I certainly would favor them."

The two matters specifically mentioned in the committee's report—the School Census Board and payment for education of children living outside the city—are both matters within the control of the Legislature and beyond the control of city officials. Both are matters of state law.

CITY UTILITY RATES TO BE PROBED SUPERVISORS AUTHORIZE ACTION

Complaint Will Be Made if Investigation Justifies Action in Matter

Calling on the City Council for cooperation, the Board of Supervisors today authorized a sweeping investigation of electric power and light rates in Rochester and Monroe County.

James E. Cuff, county attorney, said the supervisors could make an investigation and asserted that, if present rates are justified, officials of the Associated Gas and Electric Company should willingly consent to the inquiry.

If investigation justifies action, a complaint against power and light rates will be made to the Public Service Commission asking reduction in the existing schedule.

There was more to the action of the supervisors than appeared on the surface. It was said to have been inspired by a belief that the Associated Gas and Electric Company is about to ask the Public Service Commission for a higher rate schedule in all its New York territory. This would mean higher rates for users of power and light of the Rochester Gas & Electric Corporation, a subsidiary.

The Rochester Gas & Electric Corporation is said to have doubled the rate at which the New York State Railways buys power for the street cars, after its acquisition by the Associated Gas & Electric Company. This is said to have been a factor in determining the supervisors' action.

RUSSELL DENIES INCREASE

"If the power and light distributors here can prove their present rates are fair, well and good; if not, we shall ask the Public Service Commission to lower them," said Timothy J. Kelly,

Operating Or Financier? Officials of the Associated Gas & Electric group, when questioned before the Public Service Commission about their acquisition of stock control of the New York State Railways, have bluntly stated that it was a case where the tail went with the dog. For example, Mr. Daly, head of the particular subsidiary which now holds 80 per cent. of the stock, said:

"I didn't count the railroad properties worth a cent—nothing but junk—and I don't today."

Under the service-at-cost contract the Rochester lines, at least, produced a net return above operating expenses and taxes of about a million a year. But the New York State Railways and its operating companies were so loaded down with bond and stock issues that this \$1,000,000 was "sunk without a trace."

The financial history of street railways is an old story, and need not be repeated here. They were sold and resold while the going was good, and faced leaner years in bad condition.

But a most serious question is whether other public utilities are to become the plaything of the same brand of financiering, on a far vaster scale. Right here in Rochester we have seen a solid property, the Rochester Gas & Electric Corporation, change hands

floor leader of the supervisors and author of the investigation resolution. When advised of the action of the supervisors, Herman Russell, president of the Rochester Gas & Electric Corporation, denied any increase in rates was contemplated by his company.

"The last thing in the world we want to do is increase anything," said Mr. Russell. "We have added customers by our optional quantity rate. We want to lower rates instead of increase them, I know no increase is contemplated here."

It was learned that political leaders back of the supervisors claim to have information that the various transfers of the Rochester Gas & Electric Corporation meant profits of \$36,000,000 to those participating in the transfer, and the only way for this sum to be absorbed is in higher rates.

THE RESOLUTION The resolution adopted by the supervisors follows:

Whereas, The costs and selling prices of electric power and gas are a matter of deep concern and importance to the people of Monroe County, and, therefore, public interest requires a clear understanding thereof.

Be it resolved, That the Chairman of this Board proceed immediately and name a special committee and chairman thereof, consisting of members of this Board, for the purpose of investigating and reporting upon the production costs and costs to consumers of electric power and light and gas in the City of Rochester and the townships and villages of Monroe County as compared with those in other localities; and be it further

Resolved, That the Board shall and hereby does confer upon such Committee all power to send for persons and papers; and to require the attendance of witnesses; and examine any person as a witness upon any subject or matter.

Resolved, That the Clerk of this Board be instructed to convey to the City Council of the City of Rochester a copy of this resolution, together with an invitation to said Council to co-operate with this Board and Committee in such investigation.

Chairman Dayton T. Lawrence said he would name the investigating committee, probably on Monday.

A copy of the resolution will be forwarded to the City Council Monday.

twice. The E. L. Phillips interests paid one New York Central a round price, but soon sold out for a profit which is generally understood to have run into many millions.

Appointment by the Board of Supervisors of a committee to investigate the possible effect on gas and electric rates of this transfer of control to the Associated Gas & Electric Company reflects the uneasiness created by this series of stock transactions.

Herman Russell, president of the Rochester Gas & Electric Corporation and long identified with the management, says the purchase by the Associated group will cause no advance in rates.

This may very likely prove correct. The trend of rates for electricity is downward, as larger demand and technical advances in the industry make it possible to furnish current cheaper. It would be outrageous for the present owners of the Rochester system to go against the trend of the times, and actually advance rates.

But who will pay the interest on the new "investments" which must be set up on the books to cover the huge profits arising from these sales and resales of the properties?

And the mere fact that the question has been publicly raised shows the distrust and loss of confidence caused by mergers which smack more of financial manipulation than of improvement in operating efficiency.

The City's Tax Problem

The advice of the Committee on Municipal and County Taxation of the Chamber of Commerce to the city authorities to go slow in increasing taxes on real estate in the city, will find a ready response from property owners. The committee makes no hesitation about recommending that the city curtail expenditures "not deemed indispensable" and to make such other economies as may be practicable.

Taxes have been going up steadily, bit by bit, in Rochester for a number of years, as they have in other cities. It is generally agreed that they cannot go much higher without imposing an unbearable burden on many property owners, especially the owners of smaller houses. At present the assessment ratio is set by the State Tax Department at about 76 per cent. of real value.

As the committee points out, "any considerable increase in this ratio will bring the assessed value so near the true value as to set up the possibility that fluctuating real estate values might wipe out the margin and make the assessment exceed the real value, a condition faced by New York City in several taxpayers' suits not many years ago."

The committee's figures picture the prospect for property owners for the next three years if the proposed increase in assessment be made. The owner of a home assessed at \$5,000 would pay \$128.80 in 1930, \$132.42 in 1931 and \$157.83 in 1932. The owner with a \$10,000 assessment would pay \$257.60 in 1930, \$264.84 in 1931 and \$315.67 in 1932. That is, the full effect of the proposed increase would be felt in 1932, with increases each year until then.

The city is always torn between the demands for increased service and the need for more money. When the two objects threaten to become too widely separated, a pause on the side of economy is always the safest policy.

SOLONS TO PROBE CITY LIGHT RATE

Ask Council Co-operation in Survey; Monroe Towns To Be Included

RESOLUTION ADOPTED

Recent Change of Ownership of Utility Company Said To Have Led to Move

Investigation of electric power and light and gas rates in the City of Rochester and towns of Monroe County was authorized by the Board of Supervisors in a resolution adopted yesterday which provides for appointment of a committee for that purpose.

Co-operation of the City Council was asked by the board in its proposed inquiry to determine whether present rates are justified and to prevent any possible increase in rates. It is found that existing rates are too high, a complaint will be made to the Public Service Commission, asking reduction.

It is understood that the action was brought about by the recent absorption of Rochester properties by the Associated Gas & Electric Corporation, which it is rumored will seek permission from the Public Service Commission to increase its rate schedule in all its New York territory. This would mean higher rates for users of light and power of the Rochester Gas & Electric Corporation, a subsidiary.

It was stated, however, by Herman Russell, president of the Rochester utility, that no increase in rates is contemplated here. When informed of the supervisors' action, he declared that officials of the corporation here feel that their rates are as low as is commensurate with efficient service, and lower than those in most cities of the country except those supplied by natural gas, and one or two other exceptions, including Baltimore, where byproducts of large steel mills are used in gas manufacture.

A rate of eight cents per kilowatt hour for small consumers of electricity is charged here. Householders using forty or more kilowatt hours monthly have the option of paying on a schedule that brings the average cost to approximately six and one-half cents per kilowatt hour. The rate charged the average home consumer for gas for general uses is \$1 per thousand cubic feet.

The resolution adopted by the Board of Supervisors was introduced by Supervisor Timothy J. Kelly of the Thirteenth Ward. The committee will be appointed Monday by Dayton T. Lawrence, chairman of the board.

PROGRESS TO PAY ITS WAY BY PLANNING

Henry T. Noyes in Outline Shows How Money Can Be Made to Work Fast

RESPONSIBILITY HEAVY

Civic Improvement Body to Make Contact with Public Spending Authorities

Large responsibilities confront the Civic Improvement Association in making the city plan a reality, declared Henry T. Noyes, long active in city planning activities and chairman of the regional Planning Board.

The first section of the City Plan, relating to major thoroughfares, has been announced by Harland Bartholomew Associates, consultants for the city, and 2,300 copies are being printed by the city for distribution to interested citizens and groups.

City Manager Stephen B. Story, at the last session of the City Council, presented a communication which outlined graphically the steps that must be taken by the city's legislative body to bring about adoption of the official map, which is the basis for all street planning.

Vice-Mayor Isaac Adler referred the communication to the City Planning and Zoning Committee of the Council, which is composed of Councilmen Charles Stanton, chairman, Chester A. Peake and Nelson A. Milne. Mr. Story intends to confer with the committee to keep the matter of city planning, which has been agitated in Rochester for upwards of ten years, alive.

The second section of the city plan, relating to civic center, will soon be announced.

To Be Federation Mr. Noyes points out that the Civic Improvement Association is to be, when finally worked out, a federation of all civic clubs, the business organizations and the public spirited citizens interested in the proper development of Rochester and the adjacent region. Herman Russell is president of the Civic Improvement Association, and it was at a dinner at the Chamber of Commerce, under the auspices of the association, that Mr. Bartholomew, city planner of St. Louis, announced formally the street plan.

Mr. Noyes said that the objects or purposes of the association are to promote city, town, county and regional planning, to the end of obtaining plans which really constitute one harmonious and complete plan for the city and region and to strive for the development of the city and region in accordance with that plan.

Cost Relatively Small

"The cost of a city plan or a regional plan is relatively small, but when made and completed, they exist merely on paper," said Mr. Noyes. "The task is to make the plan a reality. The task is to see that public improvements for which we issue city and county bonds are, during ten or twenty years of time, made in accordance with the plan, or the co-ordinated plans and in the right order of sequence. The assumption in furtherance of its object will strive for results with harmonious co-operation with the city, county, including towns, the state and nation.

"In all four fields we will find various official boards and agencies, but our task, in the last analysis, and whether with the city, county, or state, will eventually concern capital expenditures, and hence the final authorities with which we will deal will be the Council, supervisors, Legislature and Congress.

To Foster Public Opinion

Mr. Noyes said that to create and foster public opinion is one of the main objects of the association.

TROLLEY PACT REPORT TO BE GIVEN COUNCIL

Utilities Committee To Recommend 5-Cent Fare for Children - Municipal Stoneyard Sought.

By Charles E. Welch

The City Council tonight will get the report of the Public Utilities Committee on the proposed amendment to the service-at-cost contract providing a 5-cent fare for school children and the sale of tickets on the cars.

Councilman Joseph L. Guzzetta will introduce a resolution for establishment of a municipal stoneyard.

The expected draft of the City Plan will not be ready for submission to tonight's meeting, it was learned today, nor will the new building code be presented.

Whether the report of the Public Utilities Committee will be unanimous could not be ascertained today. Councilman R. Andrew Hamilton is chairman of the committee and Councilmen William F. Durman and Louis S. Foulkes are the other members.

As to Public Improvements "Two factors confront us with relation to public improvements: The demand for public improvements, such as new schools, bridges and so forth, at any one time is probably ten times what the city can spend at that time; that as regards say 47 out of every 50 proposed improvements, whether in the city plan or no, there are some good reasons to be advanced why they should be done.

Decision as to capital expenditures should thus be based on the city plan, the program or order of sequence, and on a sound budget, agreed to by all parties, projected ten and twenty years into the future.

"If we face twenty or thirty needed improvements, all parties can be brought into co-operation, but only if each is given its proper place and time on the program and budget. That means, however, at least a ten-year budget.

"Certain public improvements quickly pay for themselves. Others represent a long-time-dead-load carry covered, say, by 40-year bonds.

"Buffalo tells us of one improvement financed on the basis of \$100,000 per annum would pay the interest and retire the bonds. That improvement immediately increased values, and the city's year profit per annum to the city of \$475,000.

Chicago Shows How

"The extension of Michigan Boulevard through the center section of old Chicago has paid for itself nine times over.

"The Financial Program Board is to determine for us how quickly the various proposed improvements in the city plan will pay for themselves.

"Assume, as an extreme illustration, eight improvements that will pay for themselves in an average of five years and as against another improvement that involves a long-time-dead-load carry for 40 years. Then, by repeatedly turning over our capital, we can have for the same amount of money, eight improvements instead of one.

"This in a way presents the real problem before us in Rochester.

"Today no city in America has better 'machinery' in the sense of boards and agencies for getting results than Rochester. Especially fortunate are we in the high type and ability of the men serving on our various boards.

"However, this association must be actively and vitally concerned with the personnel as appointed to these various boards, render the boards and their members strong support and sympathy, and help them all to get results."

NEW CONTRACT TO BE DRAFTED FOR SERVICE AT COST

Resume of Business Handled by Council

Business transacted by the City Council included the following items:

Adopted unanimously resolution by Councilman R. Andrew Hamilton directing public utilities committee and City Manager Stephen B. Story jointly to consider, plan, and report to the Council the manner of obtaining at a reasonable price adequate transportation for the needs of the community, giving consideration to a new service-at-cost contract, financial stability of New York State Railways, and the valuation or revaluation of the trolley property in Rochester.

Passed unanimously resolution by Councilman William F. Durman providing for purchase of property for traffic circle at eastern terminus of new Ridge Road bridge.

Received from Councilman Durman amendment to building code providing for sprinkler system in basements of all tenement and apartment houses.

Passed unanimously resolution by Councilman Joseph L. Guzzetta providing for Elmwood Avenue entrance to Mount Hope Cemetery, and received from him ordinance authorizing borrowing of \$75,000 for municipal stone cutting yard, and passed a resolution directing public works committee to consider whether establishment of the yard was advisable.

Passed unanimously resolution by Councilman Louis S. Foulkes approving legislation sponsored by Monroe County legislative delegation, providing for separate park commission for Genesee region, other than Letchworth Park.

Received ordinance for concrete pavement in Norton Road; conducted hearing on amendment to auctioneers' ordinance; received invitation from Board of Supervisors to participate in investigation into light and power rates in city and county, and transacted substantial volume of routine business.

Members of the Public Utilities Committee are Councilman Hamilton, chairman; Councilmen William F. Durman and Louis S. Foulkes. This committee submitted a partial report to the council on its activities in behalf of a resolution introduced by Councilman Joseph L. Guzzetta, authorizing the renewal of the service-at-cost contract until July 31, with amendments providing a 5 cent fare for all school children and the sale of tickets on buses and trolleys.

The report points out that after several conferences with the receiver appointed by the Federal court, the appointment of William T. Plumb as auxiliary receiver was announced and Mr. Plumb, together with Benjamin E. Thoon, general receiver and president of the New York State Railways, will have charge of the Rochester situation. Mr. Plumb asked for an opportunity to meet with the committee before its final determination, and as a consequence a conference will be conducted this week. The committee in its report points out that it is "forcibly impressed with the necessity of immediate action in preparation for the termination of the present service at cost contract on August 1, and that consideration should be given to a new contract, if one is to be entered into, the financial stability of the company in control of the transportation system and the revaluation of its properties to be used as a base value.

Entrance to Mount Hope Cemetery from Elmwood Avenue was unanimously adopted. Councilman Guzzetta submitted a petition with 2,000 signatures urging this action.

Councilman Durman introduced an amendment to the building code which will require the installation of sprinkler pipes in the basements of all apartment and tenement houses. The amendment resulted as a consequence of the Stanwood Apartment fire, and was recommended to City Manager Story by John G. Ellendt, superintendent of buildings, and introduced by Councilman Durman because of his chairmanship of the Public Safety Committee. It probable will be incorporated in the new building code, in the course of preparation, Councilman Durman asserted.

Authorization of the purchase of land for the traffic circle at the eastern approach of the Ridge Road bridge is provided in an ordinance by Councilman Durman and another device lands owned by the city in St. Paul Street, at the eastern end of the bridge, for street purposes in conjunction with the bridge. Both measures were referred by Vice-Mayor Adler to the Finance Committee.

Councilman Guzzetta introduced a resolution, which was unanimously adopted, directing the Public Works Committee, of which Councilman Chester A. Peake is chairman, to consider the advisability of establishing a municipal stone cutting yard, also a resolution giving authority to Comptroller Clarence E. Higgins to borrow \$75,000 for such a yard. This measure went to the Finance Committee. Councilman Guzzetta said that he was not sponsoring these measures, but were introducing them for the council's consideration at request.

Councilman Milne presented a petition from property owners in Lakewood asking that a parcel of land in that sub-division, fronting on Lake Avenue be used for park purposes, and that the city acquire at the expense of the taxpayers at large. It went to the public Welfare Committee.

Concrete Proposed A group of property owners in Norton Street urged that the improvement in that street, from Waring Road to the city line, be concrete instead of asphalt, and Councilman Durman introduced an ordinance for such an improvement. Property owners speaking last evening declared that 80 per cent. wished concrete, and their wishes should be respected.

Councilman Kaulek introduced a local improvement ordinance for Gabriel Place sewers, walks and grading, and Councilman Milne introduced ordinances for Fence Street macadam pavement and walks, and amending Caliban Park asphalt pavement.

Councilman Charles Stanton introduced a resolution for confirmation of assessment rolls for a number of improvements, and it was unanimously adopted. Councilman Peake submitted a resolution for the closing of a portion of Rice Alley and Gleason Place. It went to the City Planning and Zoning Committee. His resolution for additional lighting in Thurston Road, from Chill Avenue to Brooks Avenue was adopted; and Councilman Milne's ordinance disapproving the price asked by Maria Mastrella for lands required for Emerson Street widening was adopted.

The Finance Committee filed a report disapproving the price of \$7,000 for lands required for the Smith Street bridge, and owned by Maria Genasme, and it was adopted by the council, also an amendment to the local improvement ordinance for Pulman Avenue improvement. Approval was given to the purchase price asked by the University of Rochester for lands in Wolcott Road.

New Position Created City Manager Story prescribed to the City Council the creation of an additional female probation officer in the City Court, Criminal Branch, at a salary of \$1,800 a year, and an additional junior stenographer, at a salary of \$1,200. He abolished the position of one assistant with training in the Public Library at a salary of \$2,000 and created a temporary position at \$1 an hour. He also abolished the position of assistant engineer at a salary of \$3,120 a year, and created the position of structural designer, in the Department of Public Works, at a salary of \$3,300.

The Law Committee made up of Vice-Mayor Adler, chairman; Councilmen Hamilton and Foulkes conducted a hearing on an amendment to the auctioneers ordinance which would permit the resale of stocks purchased in assignment of bankruptcy sales. The Better Business Bureau, Retail Merchants Council and the Rochester Jewelers' Association had representatives opposing the amendment, and letters opposing it were read from several department stores. The auctioneers favored the amendment, and there was long discussion. Both sides agreed to striking out a section, which would not place a limitation on the sale, and would bring it within the general provisions that limits sales to thirty days. The committee took the maze of argument under advisement.

REVALUATION STUDIES FOR CAR PROPERTY AUTHORIZED

FINANCES WILL BE ASCERTAINED

Story and Utilities Committee Will Prepare Plan

By HIRAM MARKS

A resolution directing the Public Utilities Committee and City Manager Stephen B. Story jointly to consider, plan and report to the City Council the manner of securing at a reasonable price adequate public transportation for the needs of this community, was unanimously adopted at last evening's session of the city council after it was introduced by Councilman R. Andrew Hamilton.

The resolution directs that the committee and Mr. Story in their consideration include the preparation and negotiation for a new service-at-cost contract, the ascertainment of the financial stability of the company controlling such transportation and the valuation or revaluation of its properties used and useful in such service."

Utilities Personnel

Members of the Public Utilities Committee are Councilman Hamilton, chairman; Councilmen William F. Durman and Louis S. Foulkes. This committee submitted a partial report to the council on its activities in behalf of a resolution introduced by Councilman Joseph L. Guzzetta, authorizing the renewal of the service-at-cost contract until July 31, with amendments providing a 5 cent fare for all school children and the sale of tickets on buses and trolleys.

The report points out that after several conferences with the receiver appointed by the Federal court, the appointment of William T. Plumb as auxiliary receiver was announced and Mr. Plumb, together with Benjamin E. Thoon, general receiver and president of the New York State Railways, will have charge of the Rochester situation. Mr. Plumb asked for an opportunity to meet with the committee before its final determination, and as a consequence a conference will be conducted this week. The committee in its report points out that it is "forcibly impressed with the necessity of immediate action in preparation for the termination of the present service at cost contract on August 1, and that consideration should be given to a new contract, if one is to be entered into, the financial stability of the company in control of the transportation system and the revaluation of its properties to be used as a base value.

Entrance to Mount Hope Cemetery from Elmwood Avenue was unanimously adopted. Councilman Guzzetta submitted a petition with 2,000 signatures urging this action.

Councilman Durman introduced an amendment to the building code which will require the installation of sprinkler pipes in the basements of all apartment and tenement houses. The amendment resulted as a consequence of the Stanwood Apartment fire, and was recommended to City Manager Story by John G. Ellendt, superintendent of buildings, and introduced by Councilman Durman because of his chairmanship of the Public Safety Committee. It probable will be incorporated in the new building code, in the course of preparation, Councilman Durman asserted.

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The City's Tax Problem

The advice of the Committee on Municipal and County Taxation of the Chamber of Commerce to the city authorities to go slow in increasing taxes on real estate in the city, will find a ready response from property owners. The committee makes no hesitation about recommending that the city curtail expenditures "not deemed indispensable" and to make such other economies as may be practicable.

Taxes have been going up steadily, bit by bit, in Rochester for a number of years, as they have in other cities. It is generally agreed that they cannot go much higher without imposing an unbearable burden on many property owners, especially the owners of smaller houses. At present the assessment ratio is put by the State Tax Department at about 76 per cent. of real value.

As the committee points out, "any considerable increase in this ratio will bring the assessed value so near the true value as to set up the possibility that fluctuating real estate values might wipe out the margin and make the assessment exceed the real value, a condition faced by New York City in several taxpayers' suits not many years ago."

The committee's figures picture the prospect for property owners for the next three years if the proposed increase in assessment be made. The owner of a home assessed at \$5,000 would pay \$128.80 in 1930, \$132.42 in 1931 and \$157.83 in 1932. The owner with a \$10,000 assessment would pay \$257.60 in 1930, \$264.84 in 1931 and \$315.67 in 1932. That is, the full effect of the proposed increase would be felt in 1932, with increases each year until then.

The city is always torn between the demands for increased service and the need for more money. When the two objects threaten to become too widely separated, a pause on the side of economy is always the safest policy.

SOLONS TO PROBE CITY LIGHT RATE

Ask Council Co-operation in Survey; Monroe Towns To Be Included

RESOLUTION ADOPTED

Recent Change of Ownership of Utility Company Said To Have Led to Move

Investigation of electric power and light and gas rates in the City of Rochester and towns of Monroe County was authorized by the Board of Supervisors in a resolution adopted yesterday which provides for appointment of a committee for that purpose.

Co-operation of the City Council was asked by the board in its proposed inquiry to determine whether present rates are justified and to prevent any possible increase in rates. If it is found that existing rates are too high, a complaint will be made to the Public Service Commission, asking reduction.

It is understood that the action was brought about by the recent absorption of Rochester properties by the Associated Gas & Electric Corporation, which it is rumored will seek permission from the Public Service Commission to increase its rate schedule in all its New York territory. This would mean higher rates for users of light and power of the Rochester Gas & Electric Corporation, a subsidiary.

It was stated, however, by Herman Russell, president of the Rochester utility, that no increase in rates is contemplated here. When informed of the supervisors' action, he declared that officials of the corporation here feel that their rates are as low as is commensurate with efficient service, and lower than those in most cities of the country except those supplied by natural gas, and one or two other exceptions, including Baltimore, where byproducts of large steel mills are used in gas manufacture.

A rate of eight cents per kilowatt hour for small consumers of electricity is charged here. Householders using forty or more kilowatt hours monthly have the option of paying on a schedule that brings the average cost to approximately six and one-half cents per kilowatt hour. The rate charged the average home consumer for gas for general uses is \$1 per thousand cubic feet.

The resolution adopted by the Board of Supervisors was introduced by Supervisor Timothy J. Kelly of the Thirteenth Ward. The committee will be appointed Monday by Dayton T. Lawrence, chairman of the board.

Cost Relatively Small

"The cost of a city plan or a regional plan is relatively small, but when made and completed, they exist merely on paper," said Mr. Noyes. "The task is to make the plan a reality. The task is to see that public improvements for which we issue city and county bonds are, during ten or twenty years of time, made in accordance with the plan, or the co-ordinated plans and in the right order of sequence. The association in furtherance of its object will strive for results with harmonious co-operation with the city, county, including towns, the state and nation.

"In all four fields we will find various official boards and agencies, but our task is to make the city, county, state and nation work together. We will eventually have a plan for the city, county, state and nation, and we will have the tasks and responsibilities of the association. He said that the city has made excellent progress in connection with zoning.

PROGRESS TO PAY ITS WAY BY PLANNING

Henry T. Noyes in Outline Shows How Money Can Be Made to Work Fast

RESPONSIBILITY HEAVY

Civic Improvement Body to Make Contact with Public Spending Authorities

Large responsibilities confront the Civic Improvement Association in making the city plan a reality, declared Henry T. Noyes, long active in city planning activities and chairman of the regional Planning Board.

The first section of the City Plan, relating to major thoroughfares, has been announced by Harland Bartholomew Associates, consultants for the city, and 2,500 copies are being printed by the city for distribution to interested citizens and groups.

City Manager Stephen B. Story, at the last session of the City Council, presented a communication which outlined graphically the steps that must be taken by the city's legislative body to bring about adoption of the official map, which is the basis for all street planning.

Vice-Mayor Isaac Adler referred the communication to the City Planning and Zoning Committee of the Council, which is composed of Councilmen Charles Stanton, chairman; Chester A. Peake and Nelson A. Milne. Mr. Story intends to confer with the committee to keep the matter of city planning, which has been agitated in Rochester for upwards of ten years, alive.

To Be Federation

Mr. Noyes points out that the Civic Improvement Association is to be, when finally worked out, a federation of all civic clubs, the business organizations and the public spirited citizens interested in the proper development of Rochester and the adjacent region. Herman Russell is president of the Civic Improvement Association, and it was at a dinner at the Chamber of Commerce, under the auspices of the association, that Mr. Bartholomew, city planner of St. Louis, announced formally the street plan.

Mr. Noyes said that the objects or purposes of the association are to promote city, town, county and regional planning, to the end of obtaining plans which really constitute one harmonious and complete plan for the city and region, and to strive for the development of the city and region in accordance with that plan.

Chicago Shows How

"The extension of Michigan Boulevard through the center section of old Chicago has paid for itself nine times over."

"The Financial Program Board is to determine for us how quickly the various proposed improvements in the city plan will pay for themselves.

"Assume, as an extreme illustration, eight improvements that will pay for themselves in an average of five years and as against another improvement that involves a long-time-dead-load carry for 40 years. Then, by repeatedly turning over our capital, we can have for the same amount of money, eight improvements instead of one.

"This in a way presents the real problem before us in Rochester. "Today no city in America has better 'machinery' in the sense of boards and agencies for getting results than Rochester. Especially fortunate are we in the high type and ability of the men serving on our various boards.

city plan—adequate, comprehensive and publicly known (now assured). An intelligent program or order of sequence, this to be based on a thorough study and scientific appraisal of all our needs and then, a careful arrangement, according to the relative importance of all proposed improvements and the ability of certain improvements quickly to pay for themselves and, thus, a little later, to finance other improvements. A sound financial budget—this to cover all capital expenditures and projected ten to twenty years into the future.

"Now let me be clear. A city plan will cost us, say, \$50,000. That is, in one sense, trivial. What we are concerned with is the capital expenditures, bond issues, namely the 25 or 30 millions of dollars to be spent by Rochester in the next five years on public improvements and the 100 millions to be spent in, say, 25 years.

"Our situation in Rochester in this matter is a difficult one. "In many, if not most of the Western cities, no public improvements can be made except after the citizens by a majority vote have approved the necessary bond issues for specific purposes.

"Here our Council is supreme and final, and may I mention that political power usually rests on persons, personal favors and, last but not least, on ward and local improvements.

"The task of this association is to represent and work for the city as a whole.

As to Public Improvements

"Two factors confront us with relation to public improvements: The demand for public improvements, such as new schools, bridges and so forth, at any one time is probably ten times what the city can spend at that time; that as regards say 47 out of every 50 proposed improvements, whether on the city plan or no, there are some good reasons to be advanced why they should be done.

"Decision as to capital expenditures should thus be based on the city plan, the program or order of sequence, and on a sound budget, agreed to by all parties, projected ten and twenty years into the future.

"If we face twenty or thirty needed improvements, all parties can be brought into co-operation, but only if each is given its proper place and time on the program and budget. That means, however, at least a ten-year budget.

"Certain public improvements quickly pay for themselves. Others represent a long-time-dead-load carry covered, say, by 40-year bonds.

"Buffalo tells us of one improvement financed on the basis of \$100,000 per annum would pay the interest and retire the bonds. That improvement immediately increased values, and the city's yearly income \$375,000—a clear net profit per annum to the city of \$475,000.

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"This in a way presents the real problem before us in Rochester. "Today no city in America has better 'machinery' in the sense of boards and agencies for getting results than Rochester. Especially fortunate are we in the high type and ability of the men serving on our various boards.

"However, this association must be actively and vitally concerned with the personnel as appointed to these various boards, render the boards and their members strong support and sympathy, and help them all to get results."

TROLLEY PACT REPORT TO BE GIVEN COUNCIL

Utilities Committee To Recommend 5-Cent Fare for Children — Municipal Stoneyard Sought.

By Charles E. Welch The City Council tonight will get the report of the Public Utilities Committee on the proposed amendment to the service-at-cost contract providing a 5-cent fare for school children and the sale of tickets on the cars.

Councilman Joseph L. Guzzetta will introduce a resolution for establishment of a municipal stoneyard. The expected draft of the City Plan will not be ready for submission to tonight's meeting, it was learned today, nor will the new building code be presented.

Whether the report of the Public Utilities Committee will be unanimous could not be ascertained today. Councilman R. Andrew Hamilton is chairman of the committee and Councilmen William F. Durnan and Louis S. Foulkes are the other members. Both Mr. Hamilton and Mr. Durnan are known to be favorable to inclusion of the 5-cent fare in the contract, if it is renewed. Mr. Foulkes' attitude is not known.

With other City Manager League councilmen he has been favorable to renewal of the trolley contract in its original form. Councilman Joseph L. Guzzetta has led the fight for a 5-cent fare for children.

The latter's resolution for a municipal stoneyard is to be proposed, it is understood, to correct a situation affecting stone-cutters who previously complained against the practice of pavement contractors in buying dressed curbing outside the city. There are 30 members of the union here and they have argued that continuation of the practice by contractors, accepting paving contracts from the city, will eventually "put them out of business."

Councilman Guzzetta's resolution would provide that the city establish a stoneyard where all curbing used in city pavements would be dressed. Corporation Counsel Clarence M. Platt said today he doubted that such a move by the city would be constitutional.

A local law, proposed by Councilman Milne, which would give the council authority to fix salaries of subordinates in the city clerk's office probably will not be acted on tonight.

NEW CONTRACT TO BE DRAFTED FOR SERVICE AT COST

Resume of Business Handled by Council

Business transacted by the City Council included the following items:

Adopted unanimously resolution by Councilman R. Andrew Hamilton directing public utilities committee and City Manager Stephen B. Story jointly to consider, plan, and report to the Council the manner of obtaining at a reasonable price adequate transportation for the needs of the community, giving consideration to a new service-at-cost contract, financial stability of New York State Railways, and the valuation or re-valuation of the trolley property in Rochester.

Passed unanimously resolution by Councilman William F. Durnan providing for purchase of property for traffic circle at eastern terminus of new Ridge Road bridge.

Received from Councilman Durnan amendment to building code providing for sprinkler system in basements of all tenement and apartment houses.

Passed unanimously resolution by Councilman Joseph L. Guzzetta providing for E. Avenue entrance to Mount Hope Cemetery, and received him ordinance authorizing rowing of \$75,000 for stone cutting yard, and a resolution directing public committee to consider whether establishment of the yard advisable.

Passed unanimously resolution by Councilman Louis S. Foulkes approving legislation sponsored by Monroe County legislative delegation, providing for sewer park commission for Gettysburg Park, other than Lettworth Park.

Received ordinance for concrete pavement in Norton Road, conducted hearing on amendment to auctioneers' ordinance, received invitation from Board of Supervisors to participate in investigation into light and power rates in city and county, and transacted substantial volume of routine business.

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Concrete Proposed

A group of property owners in Norton Street urged that the improvement in that street, from Waring Road to the city line, be concrete instead of asphalt and Councilman Durnan introduced an ordinance for such an improvement. Property owners speaking last evening declared that 80 per cent. wished concrete, and their wishes should be respected.

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Revaluation Studies for Car Property Authorized

FINANCES WILL BE ASCERTAINED

Story and Utilities Committee Will Prepare Plan

By HIRAM MARKS

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Park Region Indorsed

By unanimous action the City Council approved legislation pending at Albany, sponsored by the Monroe county delegation, which provides for a Genesee Region Park Commission, separate from the Lettworth Park Commission. The resolution was introduced by Councilman Foulkes.

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The Finance Committee Filed

2d Receivership Voids Contract Agreement Of City And Trolley Co.

New Arrangements To Be Made With Recent Appointees

Ancillary Receivership Necessary Under Federal Law—Rochester Attorney One of Pair Named by Judge Adler in Elmira. An entirely new deal has been called for in negotiations between the city and the receivers of New York State Railways...

Nine Bids On Span Are Opened Before Contractors Here

Council Chambers Crowded For Proceedings—Contract Will Be Awarded Friday Morning—Rochester Firm Is High

Building of the new Ridge Road bridge, the biggest civic construction project in Rochester's history, is scheduled to begin in six weeks, it was announced today at City Hall, when nine bids for the job were opened before 200 contractors and city officials.

The lowest bid, \$2,494,012, was submitted by the Booth & Flynn Construction Company of Pittsburgh, Pa. and the highest, \$3,105,064.50, by I. M. Luddington & Son, Inc., the only Rochester contractor to enter an estimate.

Checks Are Returned

"Good faith" checks for \$150,000 required by the city of each contractor bidding on the bridge work, were returned to all except the four lowest bidders.

There are two other possible means of increasing revenue, he said, but he didn't think either of the two would be very popular. One would be imposition of a personal business tax, as proposed by Mark Graves, New York State tax commissioner.

Mr. Taylor said that everything a man owns or wears is taxed in Cleveland, including his watch, automobile, scarf, household and personal effects.

ASSESSOR HITS EXEMPTION FROM TAX

Exemption of \$93,000,000 worth of real estate, or one-seventh of the total assessed valuation of taxable property in Rochester, deprives the city of an annual revenue of \$2,400,000, George R. Taylor, veteran city assessor, declared today.

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Municipal Ownership Of Trolley

Many Business Men Say Purchase Would Be Profitable Move

Detroit Solved Similar Problem by Acquiring Property and Equipment—Committee Will Meet With the Receivers Next Thursday.

Municipal ownership of the Rochester trolley lines, now in the hands of federal receivers, is being considered by the public utilities committee, it was said today by Chairman Councilman R. Andrew Hamilton.

The new receivers who were appointed by United States District Judge Simon Adler to take control of the Rochester properties are expected to attend this conference.

Under the city council resolution, the committee is instructed to study the question of making a new contract with the receivers.

Removal of Story Demanded by Central Trades Council

Resolution Adopted Charges City Manager With Extravagance With Municipal Money and Opposition to Labor

The removal of Stephen H. Story as city manager of Rochester is demanded in a resolution adopted by the Rochester Central Trades and Labor Council at a meeting last evening in its hall in the Reynolds Arcade.

The resolution charges the City Manager with being extravagant with the city's money, employing outside experts at large expense to perform many services which should have been done by regular city employees.

The resolution follows: Whereas, the Rochester Central Trades and Labor Council believes that the city manager form of government should be given a fair trial in this city, and that it cannot be fairly judged by the results of the present administration, be it

BRIDGE WORK TO BE BEGUN IN SIX WEEKS

Contract for Structure at Ridge Road Will Be Awarded Tomorrow

PITTSBURGH FIRM LOW

Assures City Officials It Will Use Rochester Labor, Materials Where Possible

After a long conference yesterday afternoon between City Manager Stephen E. Story, Harold W. Baker, commissioner of public works, and representatives of the contracting firm of Booth & Flynn of Pittsburgh, which was low on the contract for the Ridge Road bridge, it was announced that the contract for the structure will be awarded tomorrow, that actual construction will start within six weeks, and that as much Rochester labor and materials as possible will be used.

Ask Rochester Labor

City Manager Story, following out a program enunciated in the City Council by Councilman William F. Duran of the Northeast District and Councilman Nelson A. Milne of the Northwest District, which are to be connected by the proposed structure, requested the representatives of Booth & Flynn to employ to the utmost degree Rochester labor and wherever consistent with good business, purchase materials in this city and county.

Rochester Firm High

The only Rochester concern to submit a bid, I. M. Luddington & Son, Inc., was high, with a figure of \$3,105,064.50, or \$611,052.00 more than the low bidder.

Bidders and Bids

The bidders were: Booth & Flynn Construction Company of Pittsburgh, Pa., \$2,494,012; Fogles Construction Company of Minneapolis, Minn., \$2,514,000; Merritt-Chapman-Scott Corporation of New York City, \$2,595,000; Montrone Construction Company of New York City, \$2,741,000; Andersen Construction Company of New York City, \$2,863,500; John Casey Company of Pittsburgh, Pa., \$2,900,000; Walter S. Rae Company of Williamsport, Pa., \$2,977,000; P. T. Cox Construction Company of New York City, \$2,997,000, and I. M. Luddington & Son of Rochester, \$3,105,064.50.

AIRPORT RULES NOT ENFORCED, SAYS SPEAKER

Stunting Over Field, Lack of Parachutes, Hit by Ex-Foreign Army Man

Charges that officials at the Rochester Airport do not enforce Department of Commerce regulations as strictly as necessary for safety were made yesterday by Capt. Stephen J. Zand, former officer in both the Polish and French armies in a talk before the Reserve Officers' Association at the Chamber of Commerce.

RATE FOR GAS NOT TO RISE IN MONROE

Company Announcement Follows Supervisors' Vote for Probe of Light and Power.

On the heels of the Board of Supervisors' demand for a sweeping investigation of electric power and light rates in Rochester and Monroe County, assurance that no increase is contemplated was contained in a telegram today from J. I. Mangle, president of the Associated Gas & Electric Company.

THE TRANSPORTATION PROBLEM

A large order was handed City Manager Story and the Public Utilities committee when they were directed by the City Council to study the transportation problem of the city. They are directed, among other things, to devise adequate transportation for the needs of the community at a reasonable price, to consider a new service-at-cost contract, to look into the financial stability of the New York State Railways and the valuation or revaluation of the trolley property in Rochester.

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A large order was handed City Manager Story and the Public Utilities committee when they were directed by the City Council to study the transportation problem of the city. They are directed, among other things, to devise adequate transportation for the needs of the community at a reasonable price, to consider a new service-at-cost contract, to look into the financial stability of the New York State Railways and the valuation or revaluation of the trolley property in Rochester.

2d Receivership Voids Contract Agreement Of City And Trolley Co. New Arrangements To Be Made With Recent Appointees

Ancillary Receivership Necessary Under Federal Law—Rochester Attorney One of Pair Named by Judge Adler in Elmira.

By Robert D. Byrns

An entirely new deal has been called for in negotiations between the city and the receivers of New York State Railways for a continuation of the service at cost contract up to Aug. 1 next.

It developed today that new consent must be obtained from the receivers due to the appointment of an ancillary receivership of the trolley and bus properties in Rochester and adjacent territory by United States Judge Simon L. Adler sitting in Elmira.

On application of attorneys representing the General Finance Corporation, Judge Adler has had under consideration for some time a petition to appoint receivers of the properties within the jurisdiction of the Western District of New York, which includes Rochester, where the cream of the trolley properties are operated. The point was made and decided that an additional receivership was requisite under the law following the appointment of receivers in the Northern District of New York. Judge Adler in authorizing the ancillary receivership here named William T. Plumb, a well known Rochester attorney, and Benjamin E. Tilton, president of New York State Railways, and also a receiver named by the court in Northern New York. Mr. Plumb and Mr. Tilton qualified as officers of the Federal Court for the purpose of the receivership Jan. 28, and on that date took over control of the

Rochester properties of New York State Railways.

In consequence, Corporation Counsel Clarence M. Platt said today the consent to continue the contract filed with the city by the receivers named in the Northern District was of no effect, and that all proceedings had by the city prior to Jan. 28 with the company's representatives have no standing, as Mr. Tilton and his associate, Wallace Pierce, were not legally in control of the Rochester properties at the time they gave their consent to continue the contract.

Points To Contract

"We must assume," said Mr. Platt, "that what the Federal Courts have done is the law, and hence we must assume that the ancillary receivers were necessary for the control of the Rochester properties. Until those ancillary receivers qualified there was no call for action on the part of the city."

Mr. Platt pointed out that section of the contract which reads: "In case a receiver shall be appointed and take control of the property of the company affected and involved herein, this contract shall forthwith terminate unless the city and the receiver shall elect and agree to continue."

Early consent of the original receivers was filed with City Council, and since Jan. 2 the council has had under consideration the question of its consent to continue.

Several ordinances are pending in the public utilities committee in the matter of continuing the contract, but these ordinances are predicated on the fact that the receivers had given their consent to continue on the old agreement. One ordinance provides for operations "as is," and another proposes several amendments of the contract, notably the establishment of a five cent fare for school children, and sale of tickets aboard cars and busses.

At the council meeting last night, the committee failed to report on either of these ordinances, and the reason became apparent today when it was found that an entirely new consent was required of the newly appointed receivers. That this consent will be obtained readily was not so certain today, as it was said the new receivers seem disposed to talk things over.

Council Undertakes Study

In the meantime City Council has undertaken a study of street transportation business in Rochester. The resolution which was adopted at the meeting last evening of council reads as follows:

"Resolved, That the Public Utilities Committee and the city manager be and hereby are directed jointly to consider, plan and report to this council the manner of securing at a reasonable price a adequate public transportation for the need of this community, including the preparation and negotiation for a new service-at-cost contract, the ascertainment of the financial stability of the company controlling such transportation and the valuation or revaluation of its properties used and useful in such service."

Nine Bids On Span Are Opened Before Contractors Here

Council Chambers Crowded For Proceedings—Contract Will Be Awarded Friday Morning—Rochester Firm Is High—Pittsburgh Company Low.

Building of the new Ridge Road bridge, the biggest civic construction project in Rochester's history, is scheduled to begin in six weeks, it was announced today at City Hall, when nine bids for the job were opened before 200 contractors and city officials.

The lowest bid, \$2,494,912, was submitted by the Booth & Flynn Construction Company of Pittsburgh, Pa., and the highest, \$3,195,664.50, by I. M. Ludington & Son, Inc., the only Rochester contractor to enter an estimate.

The contract will be awarded Friday morning at 11 o'clock in City Hall Council Chambers, according to Wendell E. Andrews, head of the City Bureau of Purchase and Supply, who opened the bids today.

A difference of \$611,000 between

the lowest and highest bids indicated to city officials that the bidding was exceptionally close for such a large job.

Estimate Is \$2,948,000

The bridge will be of reinforced concrete with stone facing. The city engineer's estimate for its cost is \$2,948,000. His estimate for obtaining the ground, improvements, roadways and approaches, plus the bridge cost, is \$3,250,000.

City Manager Stephen E. Story, who was present when the bids were opened in the Council Chambers, the only City Hall room big enough to hold the crowd of contractors and city authorities, declared the bridge is the largest construction work on which the city ever has received bids.

Harold W. Baker, commissioner of public works, said construction is scheduled to begin in six weeks, unless adverse weather interferes. It is expected it will take two years to complete the span over the river gorge.

Ask Rochester Labor

City Manager Story, following out a program enunciated in the City Council by Councilman William F. Duran of the Northeast District and Councilman Nelson A. Milne of the Northwest District, which are to be connected by the proposed structure, requested the representatives of Booth & Flynn to employ to the utmost degree Rochester labor and to secure consistent with good business purchase materials and supplies from local sources.

Mr. Story said that the drop in temperature was not so bad as it had become in the past 24 hours. He had no doubt that the cold would continue.

More than two hundred persons were present when the bids were opened yesterday morning at the office of Wendell Andrews, city purchasing agent, being filled to overflowing. Booth & Flynn, with a figure of \$2,494,912, was low among the nine bidders.

Rochester Firm High

The only Rochester concern to submit a bid, I. M. Ludington & Son, Inc., was high, with a figure of \$3,195,664.50, or \$611,002.00 more than the low bidder.

The engineer's estimate for the bridge, which will be reinforced concrete, with stone facing, is \$2,948,000, and the estimate for the entire structure, including approaches, was \$3,250,000.

All of the contractors furnished checks for \$150,000 each to guarantee performance. Mr. Story said yesterday afternoon that because of the standing of Booth & Flynn, Inc., in the contracting business, and the magnitude of some of the work the company has successfully completed, an extensive investigation will be necessary into ability to perform. He said the firm's financial standing is unquestioned. The firm will put a bond completely covering the city against all contingencies.

Bidders and Bids

The bidders were: Booth & Flynn Construction Company of Pittsburgh, Pa., \$2,494,912; Fegles Construction Company of Minneapolis, Minn., \$2,544,000; Merritt-Chapman-Scott Corporation of New York City, \$2,585,000; Montrose Construction Company of New York City, \$2,741,000; Andersen Construction Company of New York City, \$2,863,500; John Casey Company of Pittsburgh, Pa., \$2,900,000; Walter S. Rae Company of Williamsport, Pa., \$2,977,000; P. T. Cox Construction Company of New York City, \$2,997,000, and I. M. Ludington & Son of Rochester, \$3,195,664.50.

Checks Are Returned "Good faith" checks for \$150,000 required by the city of each contractor bidding on the bridge work, were returned to all except the four lowest bidders.

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P. T. Cox Construction Company of New York City, \$2,997,000, and I. M. Ludington & Son of Rochester, \$3,195,664.50.

ASSESSOR HITS EXEMPTION FROM TAX

Exemption of \$93,000,000 worth of real estate, or one-seventh of the total assessed valuation of taxable property in Rochester, deprives the city of an annual revenue of \$2,400,000, George R. Taylor, veteran city assessor, declared today.

The exempted property belongs to city, county, state and federal governments, churches and educational institutions, none of which pay taxes to the city treasury. Rochester's total assessed valuation is \$659,000,000.

"That is one reason for high taxes," Mr. Taylor asserted, "and so long as it exists, there is no hope of escape from even higher taxation in the future."

Mr. Taylor pointed out that the city would have an additional borrowing capacity of \$10,000,000 if the existing exempted property were taxable.

There are two other possible means of increasing revenue, he said, but he didn't think either of the two would be very popular. One would be imposition of a personal tax, as in Cleveland, and the other a business tax, as proposed by Mark Graves, New York State tax commissioner.

Mr. Graves' theory is that chain and other stores can pay license fees, the same as theaters, pool rooms and bowling alleys do. As merchants are high, Mr. Taylor said, it would cause injustice.

"The only way to relieve real estate is to wipe out the exemption of property privilege," Mr. Taylor said.

GRASPING CLEVELAND

Mr. Taylor said anything a man owns or wears is taxed in Cleveland, including his watch, automobile, scarf, household and personal effects. Even one's spare trousers are not exempt.

Assessors in Cleveland go right into a man's house and take inventory. It is impossible to hide the radio, beds, furniture, rugs, washing machines, bathtubs, or fixtures.

"How Rochester would take an assessor snooping around, seeking chances to make the home owner pay additional taxes, is a moot question," said Mr. Taylor.

Municipal Ownership Of Trolley

Many Business Men Say Purchase Would Be Profitable Move

Detroit Solved Similar Problem by Acquiring Property and Equipment—Committee Will Meet With the Receivers Next Thursday.

Municipal ownership of the Rochester trolley lines, now in the hands of federal receivers, is being considered by the public utilities committee, it was said today by Chairman Councilman R. Andrew Hamilton.

This committee is proceeding presently have not escaped the attention of the utility committee. Mr. Watson is chairman of the protective committee which has been organized to safeguard the interests of holders of \$2,130,000 in Rochester Railway Company first mortgage bonds maturing April 1.

The new receivers who were appointed by United States District Judge Simon L. Adler to take control of the Rochester properties are expected to attend this conference. They are William T. Plumb, Rochester lawyer, and Benjamin E. Tilton, president of New York State Railways, who is also federal receiver. As all proceedings of the utility committee prior to appointment of these two receivers are said to be of no avail the committee is compelled to begin all over.

The continuation of the service-at-cost contract is up to the city and the receivers. The new receivers have not as yet filed their report to combine and unless on this point, the contract is terminated forthwith.

The Transportation Problem

A large order was handed City Manager Story and the Public Utilities Committee when they were directed by the City Council to study the transportation problem of the city. They are directed, among other things, to devise adequate transportation for the needs of the community at a reasonable price, to consider a new service-at-cost contract, to look into the financial stability of the New York State Railways and the valuation or revaluation of the trolley property in Rochester.

The committee must decide first of all what constitutes adequate transportation in Rochester under present shifting conditions and also what is a reasonable price. Trolley officials have long insisted that trolley service cannot be given for less than the fare now charged. It is palpable to anyone that fewer persons are using the cars and that the automobile is becoming a greater rather than a smaller competitor.

If the committee can find the exact financial status of the New York State Railways and can bring about a revaluation of property that will work to the benefit of car riders, it will indeed perform a valuable service. Here is the crux of the whole problem. It is no new problem. So long as the present high valuation is sustained, the company will always be able to prove that it is not taking in enough revenue to pay a reasonable return on its investment. Yet the prospects of obtaining a revaluation are no brighter now than they ever were.

At any rate it is to be hoped the work of the committee will be thorough and constructive. If there is any new factor, not previously disclosed, bearing on the situation the public has a right to know it.

Removal of Story Demanded by Central Trades Council

Resolution Adopted Charges City Manager With Extravagance With Municipal Money and Opposition to Labor

The removal of Stephen E. Story as city manager of Rochester is demanded in a resolution adopted by the Rochester Central Trades and Labor Council at a meeting last evening in its hall in the Reynolds Arcade.

The Council is said to represent 70 affiliated union bodies with more than 20,000 members among the city's industrial workers.

Charges Extravagance The resolution charges the City Manager with being extravagant with the city's money by employing outside experts at large expense to perform services which should have been done by regular city employees, and with repeatedly showing his opposition to labor by refusing to meet the requirements of the State Labor law regarding rate of wages to craftsmen.

The resolution follows: Whereas, the Rochester Central Trades and Labor Council believes that the city manager form of government should be given a fair trial in this city, and that it cannot be fairly judged by the results of the present administration, be it

Resolved, That the Central Trades and Labor Council, representing thirty affiliated union bodies, with more than twenty thousand workers in the city's industries, demands the removal of City Manager Story from office. He has proved himself unqualified to meet the responsibilities and exercise the judgment which are required to successfully direct the city's business. He has been extravagant with the city's money, employing outside experts at large expense to perform many services which should have been done by regular city employees, and with repeatedly showing his opposition to labor by refusing to meet the requirements of the State Labor law regarding rate of wages to craftsmen.

He has advanced the salaries of the chief executives, while paying the lowest possible wages to the unskilled labor, seeking to save in a petty way from the pay envelope of those who can least afford to have their earnings reduced.

Resolved, That as this is the only way in which the people have a voice in the selection of their chief executive, we shall oppose the reelection of such councilmen as vote to continue Mr. Story in office, and the election of any candidate who favors retaining him as city manager.

Resolved, That a copy of these resolutions, requesting the removal of Mr. Story from the office of city manager be presented to the City Council, and to each member thereof.

AIRPORT RULES NOT ENFORCED, SAYS SPEAKER

Stunting Over Field, Lack of Parachutes, Hit by Ex-Foreign Army Man

Charges that officials at the Rochester Airport do not enforce Department of Commerce regulations as strictly as necessary for safety were made yesterday by Capt. Stephen J. Zand, former officer in both the Polish and French armies, in a talk before the Reserve Officers' Association at the Chamber of Commerce.

The accusations were made in answer to questions asked by officers during the question period following Captain Zand's talk which was on "Differences Between Airplanes for Commercial and Warfare Use." Stunting is permitted over the airport, he said, in direct conflict with the Department of Commerce rules which forbid it.

A large number of fliers in this section fly without the use of parachutes, Captain Zand said. This fact is responsible for many fatalities, he claimed, as a pilot with a parachute has 999 chances out of 1,000 of landing safely if he is free of the ship.

RATE FOR GAS NOT TO RISE IN MONROE

Company Announcement Follows Supervisors' Vote for Probe of Light and Power.

On the heels of the Board of Supervisors' demand for a sweeping investigation of electric power and light rates in Rochester and Monroe County, assurance that no increase is contemplated was contained in a telegram today from J. I. Marge, president of the Associated Gas & Electric Company. The wire, which was received by Herman Russell, president of the Rochester Gas & Electric Corporation, a subsidiary of the Associated chain, read:

"The policy of the Associated system has been to add inducement types of rates without increasing existing ones and this has been accomplished in practically all of their territory in New York State.

"It is not the intention to increase rate in the Rochester vicinity, but in fact, it is the fixed policy of our system to continually improve our rates, to permit our customers to make fuller use of our services."

Co-operation of the City Council was asked Saturday by the Board of Supervisors. James E. Cuff, county attorney, said that the supervisors could make an investigation and asserted that if present rates are justified, officials should willingly consent to the inquiry.

The action was said to have been inspired by a belief that the company was about to ask the Public Service Commission for a higher rate schedule in New York territory.

In 1923, the average rate for residence business in Rochester was \$98 per kilowatt hour, Mr. Russell said, as compared with the present rate of 6.33 cents now. Over the six year period, the reduction represents a drop of 21 per cent., according to Mr. Russell.

Pittsburgh Firm Low Bidder With \$2,494,000 Price

To Begin Work Within Six Weeks, Providing Weather Conditions Permit—Rochester Contractor Submits High Estimate of \$3,105,000.

Contract for building the new Ridge Road bridge today was awarded at City Hall to the Booth & Flynn Construction Company of Pittsburgh, whose low bid was \$2,494,012. Providing weather conditions are favorable, construction will begin in six weeks, as scheduled, according to representatives of the contracting company, which is one of the largest and best known in the East.

RIVER BRIDGE TO RECONNECT GLACIAL RIDGE

New Span To Be Built Where Genesee Cuts Through Tough, Gravelly Morain of Ice Field.

By Cecil Roseberry
Engineering science will join hands with natural forces of geologic history when the new Ridge Road bridge in northern Rochester is constructed.

One of the chief interruptions to the course of the so-called "ridge road"—the deeply-carved Genesee gorge—will be spanned and the ancient beach which became an important convenience to modern traffic across New York State will be made that much more continuous.

Some tens of thousands of years ago, a larger lake occupied the Ontario valley, dammed by the receding glacier at the present St. Lawrence outlet. Through centuries of wave work, it built a sandy beach, then receded and abandoned it, leaving the rim known as the "ridge road" a few miles back from the present Lake Ontario.

The lake which did this work was not Lake Ontario. It is now called Lake Whittlesey. Protected by the huge ice barrier from pouring through the St. Lawrence river, it emptied past Syracuse, through the Mohawk and Hudson river system, then probably a magnificent and awe-inspiring glacier.

Because of this outlet, the ridge did not continue around the western end of Lake Ontario, but runs southward, sporadically, disappear around Syracuse.

Used by Pioneers
When the pioneers came to the western part of their big problems was highway transportation. It didn't take them long to learn, however, that the great age had benefited conducted for them a firm, hard, level road all the way to the Genesee River. It would get waddy. It was immediately taken advantage of, and today forms an important thoroughfare paralleling the Ontario.

Wherever these ancient beaches occur in the world—notably Wisconsin and on the walls of British and Scandinavian fjords—they have been termed "ridge roads."

Instated on the... continuity of the Lake Whittlesey Ridge Road. In the first place, the Genesee was running placidly through the valley that is now Irondequoit Bay. Down crept the ice, defying the river to run northward. It turned to the South during the ice age.

When the ice had enjoyed its day and retreated the Genesee turned around and sought again its old channel. But the glacier had thoughtlessly left piles of its debris, now rolling hills, down around Mendon, so the river instead cut a new channel through the heart of what is now Rochester.

WILL START BRIDGE JOB IN 6 WEEKS

Spur Track May Be Laid on City Land To Avoid Street Traffic

CONTRACTORS ON SPOT Builders Promise Employment of City Workers; Record Includes Huge Tasks

With the awarding of the contract for the new Ridge Road bridge yesterday to Booth & Flynn Construction Company of Pittsburgh, on its low bid of \$2,494,012, an immediate start was made on the preliminaries necessary to actual construction.

Weather permitting, the work will be started within six weeks, and assurances have been given City Manager Stephen B. Story and Harold W. Baker, commissioner of public works, that as much Rochester labor as possible will be employed.

The bridge will be in charge of John Hockensmith, representing Booth & Flynn Construction Company, and a member of the firm, Mr. Hockensmith comes to Rochester from Washington, D. C., where he was in charge of the Arlington Memorial Bridge, costing \$14,000,000.

Booth & Flynn also constructed the Holland tunnel, providing a vehicular connection between New York and New Jersey, under the Hudson river, costing \$25,000,000. They are regarded as among the foremost contractors in the United States.

Bid Prepared Here

During the preparation of bids, T. W. Elton of the firm, was in Rochester, and he and Mr. Hockensmith will have conference this morning with City Manager Story and Commissioner Baker. Booth & Flynn sent a corps of engineers here to survey the site, and the bid was prepared here in Rochester, a group of men working on the proposal at the Hotel Rochester for five days before the formal submission to Wendell T. Andrews, city purchasing agent, who made the award yesterday for the city.

City Manager Story will this morning take up consideration of the movement of materials to the site, without causing traffic congestion in the streets. During the course of construction, it will be necessary to use approximately 30 freight car loads of materials a day. This is equivalent to 360 five-ton truck loads of materials and presents a serious problem as to feeding the materials into the bridge, without congesting the streets and cluttering up the neighborhood.

Considering Spur Track

One plan that City Manager Story has under construction is the construction of a single track railroad spur, from the Rome, Watertown & Ogdensburg branch of the New York Central, where it crosses St. Paul Street in close proximity to the eastern terminus of the bridge, into the site, through city property, eliminating all trucking across St. Paul Street, or on city streets. The materials could be gathered in one train load each day, and then shifted on to the spur with the minimum amount of confusion. City Manager Story, in conjunction with Commissioner Baker and Mr. Hockensmith, will go more carefully into this phase of the situation.

City Manager Story pointed out that the distance from the bottom of the bridge foundation to the top of the crown of the superstructure is greater than the height of the Kodak office building. The bridge will be of reinforced concrete with a stone facing.

Story Differs with Bareham On Reason for Party Slump

Leader Lays Enrollment Drop to Non-partisan Propaganda

As widely divergent as their opinions on municipal government, were the conclusions of Harry J. Bareham, Monroe County Republican chairman, and City Manager Stephen B. Story today on the causes of the slump in party enrollment in Monroe County in 1929.

Mr. Bareham said the nonpartisan drive of political reformers was responsible for the drop in the enrollment, political reformers were responsible for the drop in enrollment, while Mr. Story denied this, pointing out the ratio of loss applied to all parts of the county equally with the city.

"The teachings of nonpartisan government advocates had their effect on enrollment and that's all there is to it," said Mr. Bareham.

"The same nonpartisan spirit which has led to greater expenses as well as increased cost of government has made a nip-and-tuck on party enrollment. It is but temporary and will be followed by a return to party enrollment just as party government will again be restored as the most responsible agency for the government."

Mr. Story attributed the loss to a natural reaction from the intensive drive of the Hoover-Smith campaign of 1928.

"There probably never was a more closely fought contest," said Mr. Story. "It brought record registration and record enrollment. The reaction was natural, and but slightly below normal even though it brought totals under the enrollment of 1927."

New Bridge Contract Let

In letting the contract for the new Ridge Road bridge to a Pittsburgh contracting firm, the city authorities were wise in stipulating that Rochester labor and materials be used as far as possible. Here is a two-and-a-half million dollar job that will give employment to large numbers of workers, skilled and unskilled. It should make a noticeable dent in the unemployment situation in this entire section, and the Pittsburgh firm deserves thanks for its promise of co-operation.

Construction of the bridge, which has been in the blue print stage for years, will begin within six weeks, and is expected to require two years, including building of special approaches. It will be the first new bridge over a previously unspanned part of the Genesee River in Rochester since the construction of the Stutson Street bridge nearly 20 years ago.

The new bridge can hardly be regarded as an extravagant luxury for the city. Rather it is an inevitable result of its own growth and of new requirements thrust upon it by changing conditions.

COUNCILMAN SEEK FACTS ON TROLLEY

Bondholders and Others to Be Heard by Committee on Public Utilities

PLAN THOROUGH INQUIRY Seeking Satisfactory Plan to Solve Present Puzzle of Tangled Interests

Complete opportunity for representatives of the bondholders of the Rochester lines of the New York State Railways to be heard, in conjunction with the transportation situation here, will be provided by the Public Utilities Committee of the City Council, according to announcement yesterday by Councilman R. Andrew Hamilton, chairman. Mr. Hamilton said that it is the desire of the entire committee, which includes Councilman William F. Duran and Louis S. Foulkes, besides himself, to delve completely into the traction situation and to have thorough information about conditions before reaching decision, which will be reflected in a report to the City Council.

Accordingly on Thursday afternoon in the office of Corporation Counsel Clarence M. Platt, the committee, in conjunction with City Manager Stephen B. Story, will meet with Benjamin E. Tilton, president of the New York State Railways and co-receiver with William T. Plumb, of the Rochester lines. Mr. Plumb will make his first appearance in the negotiations at the conference, having been appointed recently by Federal Judge Simon L. Adler.

Later, opportunity will be accorded Arthur E. Sutherland and John P. Bowman, attorneys for bondholder groups, together with Edward Harris, attorney for the Security Trust Company, Robert C. Watson, president of the Central Trust & Safe Deposit Company, John H. Gregory, president of the Central Trust Company, and any other person who may be interested, to be heard by the committee.

Under a resolution that was unanimously adopted by the City Council an inquiry is directed to be made by City Manager Story and the Public Utilities Committee into the question of furnishing public transportation in Rochester with special reference to renewal of the service at cost contract, which expires on July 31 next.

On Constructive Lines

Councilman Hamilton said that the inquiry will be approached along constructive lines, to determine where the best interests of the community rest, and he expects that all parties to the study will cooperate to bring about a satisfactory solution. Mr. Tilton, besides being general receiver for the New York State Railways, together with Walter Pierce of Plattsburg, has had many years' connection with traction problems, formerly being engineer for the Rochester Railway Company, and later vice-president of the New York State Railways in charge of the Syracuse property. He said that every possible step would be taken by him to co-operate with the Public Utilities Committee and Mr. Story in their investigation and that he would go just as far as he can to bring about a satisfactory solution of the questions which are in variance as will be permitted under the Federal receivership.

Whitman & Dey, attorneys of the New York State Railways, will be represented at the conference, also John F. Uffert, general manager of the Rochester property.

BUYING TERRY PARK NEXT CITY ACTION

Purchase of Terry Park for the enlargement of Ontario Beach Park, westerly along Beach Avenue, together with the completion of plans for new single unit bathing plant on the shore west of the river, will follow the disposition of the Ridge Road bridge contract this week, City Manager Stephen B. Story announced today.

"All preliminaries for the purchase of Terry Park have been disposed of," said Mr. Story, "and the deal for the land will be closed probably next week. The city must buy seventy assessments against Terry Park."

"We hope to have the contract for the Ridge Road bridge signed by the city and Booth & Flynn, the successful contractors, on Friday."

"It is being studied by Corporation Counsel Platt, who promises to pass on it before the end of the week."

"We hope to get the Terry Park acquisition order of the City Council taken care of next, and keep the purchase price well within the \$60,000 authorized."

"Once the acquisition is made it will be possible to definitely fix a site for a new bathing plant to replace the present cottage system."

"We must have a new bathing plant at Ontario Beach Park this year. The floors in the old cottages were falling in last, and some of them were unsafe just before the season closed."

MANY HEARINGS SCHEDULED BY CITY COUNCIL

The City Council will hold hearings tonight on a group of local laws several of which have a bearing on Councilman Nelson A. Milne's proposal to change the meeting nights of the council from each Monday night to twice monthly.

Other laws, proposed as amendments to the City Manager Charter, affect the changing of grades of streets and street names.

The law committee is expected to report on the law proposed by Councilman Milne that would wrest authority from City Manager Stephen B. Story, and give it to the council, to fix salaries of subordinates in the office of City Clerk Thomas P. O'Leary. As the law stands the council has authority only to fix the salary of the city clerk while the City Manager has the authority to fix the salary of the deputy city clerk and the other employes of the office.

CIVIC CENTER REPORT TO BE OFFERED SOON

Planning Board Expects To Begin Its Consideration of Project Within Next Two Weeks.

Municipal officials will begin consideration of the location of a civic center in about two weeks, when Harland Bartholomew, city planning consultant, is expected to submit the second report of the city plan.

City Manager Stephen B. Story said today he expects Mr. Bartholomew will arrive here from his headquarters in St. Louis late in the month, to lay the civic center plan before the City Planning Board.

In it will be revealed whether the city planners deem it advisable to locate the civic center building partly on a supra-structure over the Genesee River between Broad and Main streets. This was one of the principal proposals before Bartholomew & Associates were retained to draft a city plan.

Virtually the same procedure will be followed in submission of the civic center report as was employed when the major thoroughfares report was submitted in December. City councilmen will be apprised of the details, the planning board will pass on the report, and then publication will be permitted.

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The lake which did this work was not Lake Ontario. It is now called Lake Whittlesey. Prevented by the huge ice barrier from pouring through the St. Lawrence river, it emptied past Syracuse, through the Mohawk and Hudson river system, then probably a magnificent and awe-inspiring glacial sea.

Because of this outlet, the ridge does not continue around the eastern end of Lake Ontario, but rises southeastward, sporadically, in the form of a low ridge.

Each stood for countless centuries. Lake Whittlesey was almost the last stage of the glacial lakes. Once the ice had retreated far enough to permit Lake Ontario to connect directly with the Atlantic Ocean, the old lake dropped its level and Lake Ontario was formed.

Inland Salt Sea

But old Mother Nature injected a further complication. The land was tilted to the northward sufficiently to let the ocean run in to some extent, so that fresh water mingled with salt water for a long time, and Lake Ontario was an inland salt sea.

Later shift in the land level, however, lowered the outlet of Lake Ontario so that now it runs down to the ocean.

A good location to observe the old Lake Whittlesey beach is at Ridge Road in the village of Irondequoit. On the north side of the road will be noted a distinct slope. Many home are built on this slope, where thousands of years ago cold, muddied waves were lapping.

And from that prehistoric date the city of Rochester gained the site for the most pretentious piece of public works engineering it has ever undertaken—the Ridge Road bridge.

WILL START BRIDGE JOB IN 6 WEEKS

Spur Track May Be Laid on City Land To Avoid Street Traffic

CONTRACTORS ON SPOT

Builders Promise Employment of City Workers; Record Includes Huge Tasks

With the awarding of the contract for the new Ridge Road bridge yesterday to Booth & Flynn Construction Company of Pittsburgh, on its low bid of \$2,494,012, an immediate start was made on the preliminaries necessary to actual construction.

Weather permitting, the work will be started within six weeks, and assurances have been given City Manager Stephen B. Story and Harold W. Baker, commissioner of public works, that as much Rochester labor as possible will be employed.

The bridge will be in charge of John Hockensmith, representing Booth & Flynn Construction Company, and a member of the firm, Mr. Hockensmith comes to Rochester from Washington, D. C., where he was in charge of the Arlington Memorial Bridge, costing \$14,000,000. Booth & Flynn also constructed the Holland tunnel, providing a vehicular connection between New York and New Jersey, under the Hudson River, costing \$25,000,000. They are regarded as among the foremost contractors in the United States.

Bid Prepared Here

During the preparation of bids, T. W. Elton of the firm was in Rochester, and he and Mr. Hockensmith will have a conference this morning with City Manager Story and Commissioner Baker. Booth & Flynn sent a corps of engineers here to inspect the site, and the bid was prepared here.

The bid was prepared here, and the firm did not stop at the site, which was struck by an automobile which was after hitting girl.

Car Fails To Stop After Hitting Girl

By William J. Vincent
The car was driven by William J. Vincent, 1000 N. Broadway, who was driving north on Broadway at the intersection of Broadway and Main street, when the car struck a girl who was crossing the street.

New Bridge Contract Let

In letting the contract for the new Ridge Road bridge to a Pittsburgh contracting firm, the city authorities were wise in stipulating that Rochester labor and materials be used as far as possible. Here is a two-and-a-half million dollar job that will give employment to large numbers of workers, skilled and unskilled. It should make a noticeable dent in the unemployment situation in this entire section, and the Pittsburgh firm deserves thanks for its promise of co-operation.

Construction of the bridge, which has been in the blue print stage for years, will begin within six weeks, and is expected to require two years, including building of special approaches. It will be the first new bridge over a previously unspanned part of the Genesee River in Rochester since the construction of the Stutson Street bridge nearly 20 years ago.

To Avoid Interference

Councilman William F. Durnan, of the Northeast district, and Councilman Nelson A. Milne of the Northwest district, which are connected by the proposed bridge, will co-operate in studying this phase of the construction problem so that people living in their districts will not be interfered with by construction activities during the two years required to erect the bridge.

City Manager Story pointed out that the distance from the bottom of the bridge foundation to the top of the crown of the superstructure is greater than the height of the Kodak office building. The bridge will be of reinforced concrete with a stone facing.

Story Differs with Bareham On Reason for Party Slump

Leader Lays Enrollment Drop to Non-partisan Propaganda

As widely divergent as their opinions on municipal government, were the conclusions of Harry J. Bareham, Monroe County Republican chairman, and City Manager Stephen B. Story today on the causes of the slump in party enrollment in Monroe County in 1929.

Mr. Bareham said the non-partisan drive of political reformers was responsible for the drop in the enrollment, political reformers were responsible for the drop in enrollment, while Mr. Story denied this, pointing out the ratio of loss applied to all parts of the county equally with the city.

"The teachings of non-partisan government advocates had their effect on enrollment and that's all there is to it," said Mr. Bareham.

"The same non-partisan spirit which has led to greater expenses as well as increased cost of government has made a nimble but temporary and will be followed by a return to party enrollment just as party government will again be restored as the most responsible agency for the government."

Mr. Story attributed the loss to a natural reaction from the intensive drive of the Hoover-Smith campaign of 1928.

"There probably never was a more closely fought contest," said Mr. Story. "It brought record registration and record enrollment. The reaction was natural, and but slightly below normal even though it brought totals under the enrollment of 1927."

"If the non-partisan government idea could be blamed for the parties' losses, it would apply only to the city. But the same ration appears to have applied to the city and towns of the county alike."

COUNCILMAN SEEK FACTS ON TROLLEY

Bondholders and Others to Be Heard by Committee on Public Utilities

PLAN THOROUGH INQUIRY

Seeking Satisfactory Plan to Solve Present Puzzle of Tangled Interests

Complete opportunity for representatives of the bondholders of the Rochester lines of the New York State Railways to be heard, inconjunction with the transportation situation here, will be provided by the Public Utilities Committee of the City Council, according to announcement yesterday by Councilman R. Andrew Hamilton, chairman.

Mr. Hamilton said that it is the desire of the entire committee, which includes Councilman William F. Durnan and Louis S. Foulkes, besides himself, to delve completely into the traction situation and to have thorough information about conditions before reaching decision, which will be reflected in a report to the City Council.

Accordingly on Thursday afternoon in the office of Corporation Counsel Clarence M. Platt, the committee, in conjunction with City Manager Stephen B. Story, will meet with Benjamin E. Tilton, president of the New York State Railways and co-receiver with William T. Plumb, of the Rochester lines. Mr. Plumb will make his first appearance in the negotiations at the conference, having been appointed recently by Federal Judge Simon L. Adler.

Later, opportunity will be accorded Arthur E. Sutherland and John P. Bowman, attorneys for bondholder groups, together with Edward Harris, attorney for the Security Trust Company; Robert C. Watson, president of the Central Trust & Safe Deposit Company; John H. Gregory, president of the Central Trust Company, and any other person who may be interested, to be heard by the committee.

Under a resolution that was unanimously adopted by the City Council an inquiry is directed to be made by City Manager Story and the Public Utility Committee into the question of furnishing public transportation in Rochester with special reference to renewal of the service at cost contract, which expires on July 31 next.

On Constructive Lines

Councilman Hamilton said that the inquiry will be approached along constructive lines, in determining where the best interests of the community rest, and he expects that all parties to the study will co-operate to bring about a satisfactory solution. Mr. Tilton, besides being general receiver for the New York State Railways, together with Walter Pierce of Plattsburgh, has had many years' connection with traction problems of the Rochester Railway Company, and later vice-president of the New York State Railways in charge of the Syracuse property. He said that every possible step would be taken by him to co-operate with the Public Utilities Committee and Mr. Story in their investigation and that he would go just as far as he can to bring about a satisfactory solution of the questions which are in vantage, as will be permitted under the Federal receivership.

Whitman & Dey, attorneys of the New York State Railways, will be represented at the conference, also John F. Uffert, general manager of the Rochester property.

BUYING TERRY PARK NEXT CITY ACTION

Purchase of Terry Park for the enlargement of Ontario Beach Park, westerly along Beach Avenue, together with the completion of plans for new single unit bathing plant on the shore west of the river, will follow the disposition of the Ridge Road bridge contract this week, City Manager Stephen B. Story announced today.

"All preliminaries for the purchase of Terry Park have been disposed of," said Mr. Story, "and the deal for the land will be closed probably next week. The city must buy seventy easements against Terry Park."

"We hope to have the contract for the Ridge Road bridge signed by the city and Booth & Flynn, the successful contractors, on Friday.

"It is being studied by Corporation Counsel Platt, who promises to pass on it before the end of the week.

"We hope to get the Terry Park acquisition order of the City Council taken care of next, and keep the purchase price well within the \$60,000 authorized.

"Once the acquisition is made it will be possible to definitely fix a site for a new bathhouse to replace the present cottage system.

"We must have a new bathing plant at Ontario Beach Park this year. The floors in the old cottages were falling in last, and some of them were unsafe just before the season closed."

MANY HEARINGS SCHEDULED BY CITY COUNCIL

The City Council will hold hearings tonight on a group of local laws several of which have a bearing on Councilman Nelson A. Milne's proposal to change the meeting nights of the council from each Monday night to twice monthly.

Other laws, proposed as amendments to the City Manager Charter, affect the changing of grades of streets and street names.

The law committee is expected to report on the law proposed by Councilman Milne that would wrest authority from City Manager Stephen B. Story, and give it to the council, to fix salaries of subordinates in the office of City Clerk Thomas P. O'Leary. As the law stands the council has authority only to fix the salary of the deputy city clerk and the other employees of the office.

CIVIC CENTER REPORT TO BE OFFERED SOON

Planning Board Expects To Begin Its Consideration of Project Within Next Two Weeks.

Municipal officials will begin consideration of the location of a civic center in about two weeks, when Harland Bartholomew, city planning consultant, is expected to submit the second report of the city plan.

City Manager Stephen B. Story said today he expects Mr. Bartholomew will arrive here from his headquarters in St. Louis late in the month, to lay the civic center plan before the City Planning Board.

In it will be revealed whether the city planners deem it advisable to locate the civic center building on a supra-structure over the Genesee River between Broad and Main streets. This was one of the principal proposals before Bartholomew & Associates were retained to draft a city plan.

Virtually the same procedure will be followed in submission of the civic center report as was employed when the major thoroughfares report was submitted in December. City councilmen will be apprised of the details, the planning board will pass on the report, and then publication will be permitted.

FACING CONTRACT FOR RIDGE ROAD BRIDGE PUT THROUGH BY 'DECEPTION' MILNE CHARGES

Summary of Council Session

Major items before the City Council last evening were: Charges made by Councilman Nelson A. Milne and Joseph L. Guzzetta of deception and extravagance in estimates of cost for granite facing of Ridge Road bridge...

'Outrage on Public Pocketbook' Adds \$40,000 to Fee of McKibben, He Tells Council in Heated Debate

BLAMES STORY AND BAKER AND SAYS THEY 'MUST GO'

Adler Replies Contract Far Within Estimate; Sheathing Will Prolong Life of Structure, Says Story

By HIRAM MARKS

Acrimonious debate developed at last evening's session of the City Council with reference to the granite facing of the Ridge Road bridge.

In a formal statement read to the Council, Councilman Nelson A. Milne charged that circumstances surrounding the specifications for granite facing "indicate one of the rankest deals that every marred the record of any city..."

City Manager Stephen B. Story attempted unsuccessfully to learn from Councilman Milne which contractor gave him the estimate of more than \$700,000 as the cost of the granite facing...

Says Specifications Refused

I need scarcely point out at this time that Mr. McKibben is paid a fee of 6 per cent of the cost of this work. The three Republicans in the 1925 Council voted against the appropriation ordinance for this job...

STORY, BAKER MUST GO HE SAYS

City Manager Says Old Guard Councilman Has His Figures Muddled.

Under fire as responsible for approving a Ridge Road bridge estimate which may permit "squandering" \$700,000, City Manager Stephen B. Story and Public Works Commissioner Harold W. Baker were mobilizing all the city's engineering forces in their defense today.

Republican organization forces within the City Council have declared open war on both City Councilman Nelson A. Milne and municipal legislators last night, mentioned Mr. Story and his incompetent commissioner of Public Works must go...

Furthermore, Mr. Milne declared that he and his Republican associates on the City Council would see to it that they "go" at the first opportunity.

Mr. Milne charged that even at the price Booth and Flynn, the successful contractors, were awarded the contract for a new Ridge Road Bridge, the city would waste \$700,000 on granite facing. He said he had made an investigation and was satisfied of this, because of figures supplied by contractors. He said granite is not needed at all for the bridge, and was added to swell the fee of the engineer in charge.

FACING TO COST OVER \$700,000, MILNE ASSERTS

Says Expert Told Council Expense Would Be Less Than \$400,000

The statement of Councilman Milne with reference to the bridge facing, which he presented formally by reading so that, as he explained, there would be no misunderstanding about its contents, is as follows:

At this time I wish to call the attention of the people of Rochester to the fact connected with the Ridge Road bridge plans and specifications. I believe they indicate one of the rankest deals that ever marred the record of any city...

Guzzetta Charges Extravagance Councilman Joseph L. Guzzetta took an active part in the discussion, charging that one-third of the cost of the bridge was being spent for ornamentation; that it was extravagant, and people "justly are criticizing the council" and he asked Deputy Corporation Counsel Irving L. Galeser if the contract could be stopped.

Story Resents Insinuations City Manager Story endeavored to draw from Councilman Milne a declaration that the estimate of \$700,000 he has for the granite facing was that used by Booth & Flynn, Inc. Mr. Milne refused to answer, declaring that Mr. Story could find out from contractors, "that was what he was being paid for," and added that if he divulged the name, "he knew what would happen to that contractor."

Councilman Milne said that he favored the bridge; wanted it to go ahead as rapidly as possible; that he had been working for it for years; that he favored the stone facing of the concrete surface of the bridge and "double the life of the structure."

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Story Preparing Reply To Councilman On Manager Making Ridge Road Bridge Charges Exhaustive Review Of Work On Project

Refuses to Make Preliminary Statement on His Plans—Contract Still Unsigned—Milne Maintains Cost of Stone Facing Was Underestimated.

City Manager Stephen B. Story was preparing today a smash back at Councilman Nelson A. Milne and other Republican members of City Council at the council meeting Monday night with a reply to charges that deception was practiced in the engineer's estimate of costs for the proposed Ridge Road bridge.

Mr. Story was at his desk today preparing an exhaustive review of a bridge project, plans of construction, and preliminary engineering expenses.

The city manager refused to make any preliminary statement on a counter attack. "My answer will be complete," was all that he would say.

Lively interest is being shown in the controversy. Frank P. McKibben was retained by the city to draw plans and supervise construction of the bridge. A fee was fixed at 6 per cent of cost of construction. This bid is now under the fire of a Republican organization committee.

Contract Not Signed The contract for construction was let to Booth & Flynn, of Pittsburgh, on their low bid of \$2,494,012. The city's estimate was \$2,948,000. But this contract has not been signed as yet by the city manager, who has until a week from today to act.

The city has 10 days after an award to sign a contract for public works. The legality of the contract must still be certified by the corporation counsel.

CITY BOND SALE REVEALS CREDIT AT RECORD PEAK

George B. Gibbons & Company, Inc. were the successful bidders, with a price of \$4,486,418.61, or a premium of \$21,418.61, or \$4.47 for each \$1,000 bond. Included in this syndicate was Roosevelt & Sons; Stone, Webster & Blodgett; E. H. Robbins & Son; Dewey Bacon & Company and Emmanuel & Company.

REMARKABLE, SAY FINANCE EXPERTS Demand for Securities Regarded Weak, but Not Rochester's

By HIRAM MARKS

Spirited bidding by forty of the leading banks, bond and investment houses in the United States developed yesterday afternoon in the sale by Comptroller Clarence E. Higgins of \$1,485,000 in Rochester bonds. Reflecting the credit of Rochester in obtaining the top figure, including the lowering of the rediscout - to during the past week by the Federal Reserve Bank.

The bonds were advertised at a rate of 4 1/2 and 4 3/4 per cent. interest. Mr. Higgins said a number of fortunate circumstances assisted Rochester in obtaining the top figure, including the lowering of the rediscout - to during the past week by the Federal Reserve Bank.

Meanwhile, the contract is scheduled to be signed Friday. It is now undergoing legal study by Corporation Counsel Clarence M. Platt. Mr. Platt said that in view of the fact that the city has awarded the contract to Booth & Flynn, low bidders, it must be executed to a heavy lawsuit.

The bond market is rather soft, and sales are not at the best at the present time, bond buyers declared, but Rochester obligations are always in sharpest demand. Mr. Poole said that obligations of the city of St. Louis are regarded as the best ones on the market. That city sold \$9,000,000 in bonds, at a rate of 4 1/2 per cent, being compelled to pay 4 3/4 per cent, interest, compared with 4 1/4 for Rochester.

Beat St. Louis Rate In other words, said Mr. Higgins, St. Louis got the same premium for a 4 1/2 per cent. bond that we got for a 4 3/4 per cent. bond. Other recent sales of bonds by municipalities, which indicate the favorable credit of Rochester, and which Comptroller Higgins declares means something to this city, are as follows: Jan. 9, Mount Vernon, \$1,345,000, 4 3/8 per cent.; Jan. 13, Akron, Ohio, \$1,507,000, 4.528 per cent.; Jan. 22, Utica, \$334,000, 4.37 per cent.; Tonawanda, \$2,000,000, 4.35 per cent.; Feb. 7, White Plains, \$2,000,000, 4.35 per cent.

When Mr. Poole was told by other bond representatives that his syndicate paid "too high a price for the bonds," he remarked that "and never can tell, because of the keen demand for Rochester bonds."

Attending the sale were City Manager Stephen B. Story, Vice-Mayor Isaac Adler and Councilman Nelson A. Milne, members of the Finance Committee, Louis E. Corl, deputy comptroller and auditor for the city, and about 25 bankers and bond house representatives. As the bids were being opened, one representative declared that "Rochester's credit is the best, despite its subway," and Vice-Mayor Adler, who was standing beside Councilman Milne, added "in spite of the Ridge Road bridge."

Several of the bond buyers declared that "you will have something for your money in the bridge."

The price obtained by Rochester is said to be all the more remarkable because of the sale yesterday of \$3,000,000 in West Virginia bonds and the sale tomorrow of \$18,000,000 in the state of Arkansas bonds.

The bidders were divided into five syndicates, each depositing a certified check with the city for \$89,500 with their bid, representing 2 per cent. The average maturity of the bonds is eleven years, five months.

The syndicate that was second was composed of Harris, Forbes & Company; Bankers Company of New York; National City Company of New York; Marine Trust Company; Rothschild; Hanna. Its bid was \$4,474,331.85. The group that was third was made up of Chase Securities Company; Keen, Taylor & Company; B. J. Van Ingen & Company; Bi-smerica; Blair Corporation; A. B. Leach, Batchelder; Edward Laube, Stoke; \$4,472,099.35.

The fourth group of the First National Bank of New York; White, Weld & Company; Barr Brothers & Company; Kissel, Kin-sieut & Company; Phelps, Dunn & Company; Salomon Brothers & Hutzler; Detroit Company; Sage, Wolcott. The fifth syndicate was headed by the Guaranty Company of New York and bid \$4,466,696.70.

Premium Pays Expenses Comptroller Higgins said that the premium paid for the bonds will pay all the expenses of printing them; legal expenses and all items relating to the sale, giving a net return to Rochester. None of the bids were on the 4 3/4 per cent. basis, which was provided in the advertising. Mr. Higgins pointed out that the city got the same rate as the last sale, even though conditions in the bond market are regarded as about 30 per cent. below that of a year ago. At the time of the last sale, Rochester's rate was much more advantageous than other comparable sales at that time.

FIRST TROLLEY RIDGE BRIDGE CONFERENCE OPENED SITE INSPECTED BY ENGINEERS

First conference of city officials and New York State Railways receivers over terms for a new service-at-cost contract began at 2 p. m., today in the office of Corporation Counsel Clarence M. Platt in the City Hall.

Benjamin E. Tilton, operating receiver for the railways, asked the Public Utilities Committee, headed by R. Andrew Hamilton, and City Manager Stephen B. Story to frame a list of modifications desired in the old contract. These in turn, he said, would be met by a statement of what limits the receivers may go to to meet the demands.

"It is all question of just what the Rochester properties earning power can stand," said Mr. Tilton.

"The contract appears to have been good for the service, the convenience of the public and the protection of the railways. We hope to have a new contract which will be a mutually beneficial."

Councilman Hamilton said the city would insist on a 5 cent fare for school children and the sale of tickets on cars and buses.

The present contract officially expires on August 1. It could have been terminated on December 31 when the railways went into receivership, and is continued only to permit the city to consider plans for a new agreement.

Mr. Baker said the contract was ready for signing on the part of the city and probably would be signed tomorrow.

After their inspection of the bridge site, the contractors were to consider the location for a construction plant.

Mr. Hockensmith will direct the construction of the Ridge Road bridge, though he will not be here all the time, he said.

An inspection today of the site for the Ridge Road bridge by the senior partner and chief engineer of Booth and Flynn of Pittsburgh, the engineers who are to build it, pointed to a signing of the contract within twenty-four hours.

John Hockensmith, chief engineer, who directed the construction of the Memorial Fence Bridge at Washington, refrained from discussion of construction plans until after the contract is signed.

They would not intimate what estimate they placed on the item of granite facings for the bridge in their bid of \$2,544,012. They said theirs was a lump bid, and not a unit bid calling for any disclosure of item estimates.

This did not ease the political situation for either city officials or the Republican organization councilmen who have attacked the plans and specifications as providing for expenditure of \$700,000 on granite alone.

"The bid is \$450,000 below the total estimate and the estimate for granite alone is under this total. Talk of \$700,000 is ridiculous," said Public Works Commissioner Harold W. Baker, after talking with the contractors.

Mr. Baker said the contract was ready for signing on the part of the city and probably would be signed tomorrow.

After their inspection of the bridge site, the contractors were to consider the location for a construction plant.

Mr. Hockensmith will direct the construction of the Ridge Road bridge, though he will not be here all the time, he said.

Assistant in Education Named to Staff of Municipal Museum

Work Is To Supply Growing Demand from Schools and Other Educational Organizations for Loan Exhibits Illustrative of History and Other Studies

In keeping with the increasing efforts of the Municipal Museum of Arts and Sciences at Edgerton Park to serve the community far beyond its doors, Mrs. Annie Olmstead Peet, a graduate in museum training at the museum in Buffalo, has come to be assistant in education.

Mrs. Peet returns to her former home as she lived in Rochester as a girl with her parents, Rev. Dr. and Mrs. Edwin B. Olmstead, when her father was minister of Asbury Methodist Church. She married Mortimer Peet, a Rochesterian and graduate of the University of Rochester as she lived in last Spring. Their home was in Utica.

Mrs. Peet was a member of the first class of East High School, and she took a course at the Pratt Normal school in art work.

Many Requests for Loans Although the place Mrs. Peet fills has been established only a few days, she is asked for loans which she can get in a few days. To understand the rate was much more advantageous than other comparable sales at that time.

one must know that the building in Edgerton Park is not large enough to permit display at one time of all the Museum's exhibits. They are in closets, storerooms, or elsewhere out of sight, but waiting to serve the community and its visitors at call.

When a school teacher wants to give her pupils a visual demonstration of the story of Troy, it may be, she telephones to Mrs. Peet for the articles to illustrate it, in ancient Greece. Another teacher may telephone, "Let us have something on China." Mrs. Peet immediately gets out a Mandarin robe, fancy slipper, and other articles exemplifying life in that country. If inquiries of other nature life is explained by a teacher, she asks Mrs. Peet for specimens. If history in this country is the order of the day, examples of how Colonial men and women furnished their houses as the ideal homes are at once packed up for the school.

Clubs and missionary societies as well as schools may have material in keeping with their work, if they will notify Mrs. Peet.

FACING CONTRACT FOR RIDGE ROAD BRIDGE PUT THROUGH BY 'DECEPTION' MILNE CHARGES

Summary of Council Session

Major items before the City Council last evening were: Charges made by Councilman Nelson A. Milne and Joseph L. Guzzetta of deception and extravagance in estimates of cost for granite facing of Ridge Road bridge; with assertions by City Manager Story that question was not being raised by Councilman Milne in good faith; that he was taking his "business out of the thin air"; that facing would double the life of the bridge; and declaration by Vice-Mayor Isaac Adler, gave estimate to council of total cost, exceeding by \$500,000 the successful contractor's bid, indicating the integrity of Mr. McKibben's figures; Councilman Guzzetta urged that the contract be stopped; and Councilman Milne in a formal statement with reference to the bridge situation charged City Manager Story and Harold W. Baker, commissioner of public works, with incompetency, declaring "they must go."

'Outrage on Public Pocketbook' Adds \$40,000 to Fee of McKibben, He Tells Council in Heated Debate

BLAMES STORY AND BAKER AND SAYS THEY 'MUST GO'

Adler Replies Contract Far Within Estimate; Sheathing Will Prolong Life of Structure, Says Story

By HIRAM MARKS

Acrimonious debate developed at last evening's session of the City Council with reference to the granite facing of the Ridge Road bridge.

In a formal statement read to the Council, Councilman Nelson A. Milne charged that circumstances surrounding the specifications for granite facing "indicate one of the rankest deals that every marred the record of any city," adding that the facing added \$40,000 to Frank McKibben's fee, and "it is an outrage upon the public pocketbook, and the whole facing scheme was put through by deception or the withholding of facts."

City Manager Stephen B. Story attempted unsuccessfully to learn from Councilman Milne which contractor gave him the estimate of more than \$700,000 as the cost of the granite facing, and then charged that the "figures were taken out of thin air," and questioned the good faith of Councilman Milne in making his objections.

Says Specifications Refused

I need scarcely point out at this time that Mr. McKibben is paid a fee of 6 per cent of the cost of this work. The three Republicans in the 1923 Council voted against the appropriation ordinance for this job, Dr. Story, Mr. Duran and myself. Guzzetta, Mr. Duran, and myself voted for it. Not liking the secrecy which marked the preparation of these plans, I myself asked that before the bridge ordinance was to be voted upon, each councilman be supplied with a copy of the plans and specifications. Mr. Baker refused to supply us with the plans and specifications.

Now it appears that we Republican councilmen were misinformed or deliberately deceived about the stone facing costs. I may say for myself that had the truth been told me I should never, even in the informal way which marked the preparation of these plans, have made a mistake of \$700,000 in favor of the city on the other items; as the total cost of the structure, on the lump bidding that the contractors did, was \$500,000. It is to the estimate he placed on the Council.

To the Councilman Guzzetta I asserted that the bridge facing is a waste of money. I said that the bridge facing is a waste of money. I said that the bridge facing is a waste of money. I said that the bridge facing is a waste of money.

Late last year this Council met informally with Mr. McKibben, bridge expert employed by City Manager Story. Mr. McKibben furnished us with a number of plans and sketches of concrete and steel bridges. We were told that the facing should be of granite, and that the cost would be less than \$500,000. This was presented at that time. Subsequently, at an open Council meeting Mr. McKibben repeated the statement that the facing would cost less than \$500,000. It was upon his statement and upon his recommendation that we proceeded. We took his cost declaration as correct. He was recommended to us as an expert by Mr. Story. Our judgment was based upon what he told us. A contractor tells me that the granite alone is to cost over \$500,000, and that the total cost of the granite facing will be over

STORY, BAKER MUST GO HE SAYS

City Manager Says Old Guard Councilman Has His Figures Muddled.

Under fire as responsible for approving a Ridge Road bridge estimate which may permit "squandering" \$700,000, City Manager Stephen B. Story and Public Works Commissioner Harold W. Baker were mobilizing all the city's engineering forces in their defenses today.

Republican organization forces within the City Council have declared open war on both. City Councilman Nelson A. Milne, in the regular weekly meeting of municipal legislators last night, mentioned Mr. Story and Mr. Baker as "this city manager and his incompetent commissioner of public works, who must go."

Furthermore, Mr. Milne declared that he and his Republican associates on the City Council would see to it that they "go" at the first opportunity. Mr. Milne charged that even at the price Booth and Flynn, the successful contractors, were awarded the contract for a new Ridge Road bridge, the city would waste \$700,000 on granite facing. He said he had made an investigation and was satisfied of this, because of figures supplied by contractors. He said granite is not needed at all for the bridge, and was added to swell the fee of the engineer in charge.

We would like to have Mr. Milne tell us where he got anything like such an outrageous figure as \$700,000 for granite for this bridge," said Mr. Story today. "He won't tell us that. The figure is the rankest kind of exaggeration. We shall have something to say, probably by the next council meeting."

Booth and Flynn plan to spend on granite. The bid of this firm was a lump sum for the whole bridge. It was not an itemized bid. "The estimate for the granite facing was \$400,000. Granite was accepted after a public hearing, where public sentiment approved it as an item worth the estimate. It will add to the life of the bridge as well as beautify it."

Indications are that Frank P. McKibben, engineer in charge, will be on hand to defend the use of granite. It may be shown that Booth and Flynn bid exceptionally low, to get a foothold on bridge work in this section, and be on the ground for future construction.

Mr. Milne said that to disclose the source of his \$700,000 "waste" figure for granite would be unfair to the contractor who supplied them to him and other Republican organization members of the Council.

GUZZETTA JOINS ATTACK Both Mr. Milne and Councilman Joseph L. Guzzetta attacked the city manager for the Ridge Road bridge contract. "One-third of the cost of this bridge will go for ornamentation," declared Mr. Guzzetta. "It is plain extravagance and the people are criticizing the Council."

Mr. Milne charged that Commissioner Baker deliberately refused to supply him or Councilman William P. Duran with plans and specifications before the contract was awarded.

"Not hiding the secrecy which marked the preparation of these plans, I myself asked that before the bridge ordinance was voted upon each councilman be supplied with a copy of the plans and specifications," said Mr. Milne. "Mr. Baker refused to supply us with the plans and specifications."

Both Mr. Milne and Mr. Guzzetta were of the old City Council which voted for a Ridge Road bridge with granite facing. Mr. Milne said that the City Council would see to it that they "go" at the first opportunity. Mr. Milne charged that even at the price Booth and Flynn, the successful contractors, were awarded the contract for a new Ridge Road bridge, the city would waste \$700,000 on granite facing. He said he had made an investigation and was satisfied of this, because of figures supplied by contractors. He said granite is not needed at all for the bridge, and was added to swell the fee of the engineer in charge.

Story Preparing Reply To Councilman On Manager Making Ridge Road Bridge Charges Exhaustive Review Of Work On Project

Refuses to Make Preliminary Statement on His Plans—Contract Still Unsigned—Milne Maintains Cost of Stone Facing Was Underestimated.

City Manager Stephen B. Story was preparing today a smash back at Councilman Nelson A. Milne and other Republican members of City Council at the council meeting Monday night with a reply to charges that deception was practiced in the engineer's estimate of costs for the proposed Ridge Road bridge.

Mr. Story was at his desk today preparing an exhaustive review of the bridge project, plans of construction, and preliminary engineering expenses.

The city manager refused to make any preliminary statement on a counter attack. "My answer will be complete," was all that he would say.

Lively interest is being shown in the controversy. Frank P. McKibben was retained by the city to draw plans and supervise construction of the bridge. A fee was fixed at 6 per cent of the cost of construction. This is the rate now under the first of a Republican organization committee.

Contract Not Signed The contract for construction was led to Booth & Flynn, of Pittsburgh, on their low bid of \$2,494,012. The city's estimate was \$2,948,000. But this contract has not been signed as yet by the city manager, who has until a week from today to act.

CITY BOND SALE REVEALS CREDIT AT RECORD PEAK

Buyers Pay Premium of \$21,418.61 To Obtain Issue

REMARKABLE, SAY FINANCE EXPERTS

Demand for Securities Regarded Weak, but Not Rochester's

By HIRAM MARKS

Spirited bidding by forty of the leading banks, bond and investment houses in the United States developed yesterday afternoon in the sale by Comptroller Clarence E. Higgins of \$4,465,000 in Rochester bonds, reflecting the credit of the city was the low rate of 4.19 per cent on the issue, which representatives of the banking houses that gathered in Comptroller Higgins' office declared to be a "remarkable sale, representing the top of the market, and a price of which Rochester may justly be proud."

Meanwhile, the contract is scheduled to be signed Friday. It is now undergoing legal study by Corporation Counsel Clarence M. Platt. Mr. Platt said that in view of the fact that the city has awarded the contract to Booth & Flynn, low bidders, it must be executed to a heavy lawsuit.

The bond market is rather soft, and sales are not at the best at the present time, bond buyers declared, but Rochester obligations are always in sharpest demand. Mr. Poole said that obligations of the city of St. Louis are regarded as the most elastic on Jan. 30, that city sold \$9,000,000 in bonds at a rate of 4.45 per cent, being compelled to pay 4 1/2 per cent interest, compared with 4 1/4 for Rochester.

Beat St. Louis Rate

In other words, said Mr. Higgins, St. Louis got the same premium for a 4 1/2 per cent bond that we got for a 4 1/4 per cent bond. Other recent sales of bonds by municipalities, which indicate the favorable credit of Rochester, and which Comptroller Higgins declares means something to this city "in dollars and cents," are as follows: Jan. 9, Mount Vernon, \$1,545,000, 4.28 per cent; Jan. 13, Akron, Ohio, \$1,507,000, 4.528 per cent; Jan. 22, Utica, \$334,000, 4.37 per cent; Xenon, \$2,900,000, 4.35 per cent; Feb. 7, White Plains, \$2,000,000, 4.53 per cent.

When Mr. Poole was told by other bond representatives that his syndicate paid "too high a price for the bonds," he remarked that "you never can tell, because of the keen demand for Rochester bonds."

Attending the sale were City Manager Stephen B. Story, Vice-Mayor Isaac Adler and Councilman Nelson A. Milne, members of the Finance Committee, Louis B. Cartwright, deputy comptroller and auditor for the city, and about 25 bankers and bond house representatives. As the bids were being opened, one representative declared that "Rochester's credit is the best, despite its subway," and Vice-Mayor Adler, who was standing beside Councilman Milne, added "in spite of the Ridge Road bridge."

Several of the bond buyers declared that "you will have something for your money in the bonds." The price obtained by Rochester is said to be all the more remarkable because of the sale yesterday of \$5,000,000 in West Virginia bonds and the sale tomorrow of \$14,900,000 in the state of Arkansas bonds.

The bidders were divided into five syndicates, each depositing a certified check with the city for \$80,300 with their bid, representing 2 per cent. The average maturity of the bonds is eleven years, five months.

The syndicate that was second composed of Harris, Forbes & Company; Bankers Company of New York; National City Company of New York; Marine Trust Company; Rothschild; Hanna. Its bid was \$4,474,331.85. The group that was third was made up of Chase Securities Company; Keen, Taylor & Company; B. J. Van Ingen & Company; Baconmerica; Blatt Corporation; A. E. Leach, Batchelder; Edward Laube, Stokes; \$4,472,093.25.

The fourth group of the First National Bank of New York; White, Weld & Company; Barr Brothers & Company; Kissel, Kissel & Company; Phelps, Fenn & Company; Salomon Brothers & Hutzler; Detroit Company; Sage, Wolcott. The fifth syndicate was headed by the Guaranty Company of New York and bid \$4,466,696.70.

Premium Pays Expenses

Comptroller Higgins said that the premium paid for the bonds will pay all the expenses of printing them; legal expenses and all items relating to the sale, giving a net return to Rochester. None of the bids were on the 4 1/2 per cent basis, which was provided in the advertising. Mr. Higgins pointed out that the city got the same rate as the last sale, even though conditions in the bond market are regarded as about 30 per cent, below that of a year ago. At the time of the last sale, Rochester's rate was much more advantageous than other comparable sales at that time.

FIRST TROLLEY RIDGE BRIDGE CONFERENCE OPENED SITE INSPECTED BY ENGINEERS

First conference of city officials and New York State Railways receivers over terms for a new service-cost contract began at 2 p. m. today in the office of Corporation Counsel Clarence M. Platt in the City Hall.

Benjamin E. Tilton, operating receiver for the railways, asked the Public Utilities Committee, headed by R. Andrew Hamilton, and City Manager Stephen B. Story to frame a list of modifications desired in the old contract. These in turn, he said, would be met by a statement of what limits the receivers may go to meet the demands.

"It is all question of just what the Rochester properties' earning power can stand," said Mr. Tilton. "The contract appears to have been good for the service, the convenience of the public and the protection of the railways. We hope to have a new contract which will be a mutually beneficial."

Councilman Hamilton said the city would insist on a 5 cent fare for school children and the sale of tickets on cars and buses.

The present contract officially expires on August 1. It could have been terminated on December 31 when the railways went into a receivership, and is continued only to permit the city to consider plans for a new agreement.

Mr. Baker said the contract was ready for signing on the part of the city and probably would be signed tomorrow.

After their inspection of the bridge site, the contractors were to consider the location for a construction plant.

Mr. Hockensmith will direct the construction of the Ridge Road bridge, though he will not be here all the time, he said.

An inspection today of the site for the Ridge Road bridge by the senior partner and chief engineer of Booth and Flynn of Pittsburgh, the engineers who are to build it, pointed to a signing of the contract within twenty-four hours.

Rex Flynn, senior partner, and John Hockensmith, chief engineer, who directed the construction of the Memorial Peace Bridge at Washington, refrained from discussion of construction plans until after the contract is signed.

They would not intimate what estimate they placed on the item of granite facings for the bridge in their bid of \$2,494,012. They said theirs was a lump bid and not a unit bid calling for any disclosure of item estimates.

This did not ease the political situation for either city officials or the Republican organization councilmen who have attacked the plans and specifications as providing for expenditure of \$700,000 on granite alone.

"The bid is \$450,000 below the total estimate and the estimate for granite alone is under this total. Talk of \$700,000 is ridiculous," said Public Works Commissioner Harold W. Baker, after talking with the contractors.

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Assistant in Education Named to Staff of Municipal Museum

Work Is To Supply Growing Demand from Schools and Other Educational Organizations for Loan Exhibits Illustrative of History and Other Studies

In keeping with the increasing efforts of the Municipal Museum of Arts and Sciences at Edgerton Park to serve the community far beyond its doors, Mrs. Annie Olmstead Peet, a graduate in museum training at the museum in Buffalo, has come to be assistant in education.

Mrs. Peet returns to her former home as she lived in Rochester as a girl with her parents, Rev. Dr. and Mrs. Edwin B. Olmstead, when her father was minister of Ashbury Methodist Church. She married Mortimer Peet, a Rochesterian and graduate of the University of Rochester. Mr. Peet died last Spring. Their home was in Utica.

Mrs. Peet was a member of the first class of East High School, and she took a course at the Pratt Normal school in art work.

one must know that the building in Edgerton Park is not large enough to permit display at one time of all the Museum's exhibits. They are in closets, storerooms, or elsewhere out of sight, but waiting to serve the community and its visitors at call.

When a school teacher wants to give her pupils a visual demonstration of the story of Troy, it may be, she telephones to Mrs. Peet for the articles to illustrate life in ancient Greece. Another teacher may telephone, "Let us have something on China." Mrs. Peet immediately gets out a Mandarin robe, fancy slippers, and other articles exemplifying life in that country. It interests or other nature life is being explained by a teacher, she asks Mrs. Peet for specimens. If history in this country is the order of the day, examples of how Colonial men and women furnished their houses or busied themselves are at once packed up for the school.

Clubs and missionary societies as well as schools may have material in keeping with their work, if they will notify Mrs. Peet.

FACING TO COST OVER \$700,000, MILNE ASSERTS

Says Expert Told Council Expense Would Be Less Than \$400,000

The statement of Councilman Milne with reference to the bridge facing, which he presented formally by reading so that, as he explained, there would be no misunderstanding about its contents, is as follows:

At this time I wish to call the attention of the people of Rochester to the facts connected with the Ridge Road bridge plans and specifications. I believe they indicate one of the rankest deals that ever marred the record of any city, but I do not know what prominence will be given what I say in the press, but I do know that the withholding of the facts would be an outrage on the public.

Guzzetta Charges Extravagance

Councilman Joseph L. Guzzetta took an active part in the discussion, charging that one-third of the cost of the bridge was being spent for ornamentation; that it was extravagant, and people "justly are criticizing the council," and he asked Deputy Corporation Counsel Irving L. Geiser if the contract could be stopped. Mr. Geiser answered that the contract has not been signed, but has been awarded; and he gave as his opinion that the city could stop the contract only under the possibility of facing a suit for damages from the successful contractor.

In response to Councilman Guzzetta's claims, Mr. Story said that the stone facing was not entirely for ornamentation, although there was considerable sentiment expressed in favor of beautification because of the natural attractiveness of the lower Genesee gorge. He said that the granite would preserve the life of the concrete surface of the bridge and "double the life of the structure."

Councilman Milne said that he favored the bridge; wanted it to go ahead as rapidly as possible; that he had been working for it for years; that he favored the stone facing at the estimate of \$400,000 given by Mr. McKibben at the informal session of the Council considering bridge plans and at the public hearing held in conjunction with the bridge ordinance.

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Late last year this Council met informally with Mr. McKibben, bridge expert employed by City Manager Story. Mr. McKibben furnished us with a number of plans and sketches of concrete and steel bridges. We were told that the facing should be of granite, and that the cost would be less than \$500,000. This was presented at that time. Subsequently, at an open Council meeting Mr. McKibben repeated the statement that the facing would cost less than \$500,000. It was upon his statement and upon his recommendation that we proceeded. We took his cost declaration as correct. He was recommended to us as an expert by Mr. Story. Our judgment was based upon what he told us. A contractor tells me that the granite alone is to cost over \$500,000, and that the total cost of the granite facing will be over

To Cite Conditions In Recommendation To Continue Pact

Decision Follows Hearing of Federal Receivers and Counsel For Bondholders' Committees - City Council to Get Report Next Monday.

It Makes a Difference City Manager Stephen B. Story stated yesterday that he is preparing a detailed reply to the assertions of Councilman Nelson A. Milne regarding the cost of granite facing for the Ridge Road bridge. It is expected that this statement will be submitted to the City Council at its next meeting.

Councilman Milne at the council's session Monday evening claimed figures which he obtained from contractors show the stone itself will cost at least \$530,000, and that expenses in connection with setting it in place will raise the total cost of the facing to \$700,000. He contrasted this with an estimated cost of \$400,000 submitted to the council at the time it had the matter under consideration, and charged the city administration and its bridge expert with either deliberate misrepresentation or gross incompetence in giving that estimate.

The bridge contract has been awarded to Booth & Flynn, of Pittsburgh, on their low bid of \$2,494,012, but has not yet been signed. The city's estimate was \$2,948,000. The bid was for the bridge complete, with facing included.

It will not do to wave aside Councilman Milne's charges as being actuated solely by political hostility to the present city manager administration. He has made definite statements, in his capacity as a member of the City Council, which require careful consideration.

If Mr. Milne's figures are correct the facing amounts to 28 per cent. of the cost of the bridge, whereas it was reckoned at only 14 per cent. of the cost in the estimate submitted to the council.

This is a wide difference. It might easily affect decision for or against use of facing, especially as not all engineers agree with Mr. McKibben that stone facing is necessary for a wholly adequate structure.

Mr. Milne claims that he has obtained his information from men acquainted with this line of work. If it is, in fact, so difficult to estimate the cost that men who are supposed to be well informed regarding bridges can differ widely in their estimates, then bids should have been asked both with and without facing.

By Robert Daniel Burns

After hearing the federal receivers of New York State Railways and counsel for the several bondholders' committees, the Public Utilities Committee, City Council, stood pat today on its demands for a school fare of five cents and the sale of tickets aboard trolley cars and busses.

Chairman R. Andrew Hamilton said today his committee would report to City Council next Monday that the city give its consent to continue the service-at-cost contract to Aug. 1 only on these two conditions. The committee, he said, had been prepared to report so to the council, Feb. 3, but was delayed because of the ancillary receivership named by Federal Judge Simon L. Adler to control the Rochester properties of the company.

It was deemed advisable to give the new receivers an opportunity to confer with the committee. This conference was held yesterday, and today Mr. Hamilton declared the prior conclusions reached by his committee had not changed.

"No valid reason why these concessions should be made to the car riders of Rochester was developed," said Mr. Hamilton. "On the contrary good reason why the receivers should consent to our demands has been shown. Rochester is the only city in the state where tickets are not sold on the street cars. In this city the rate is six tickets for 50 cents, but these tickets are not obtainable on the cars, although the company maintained some 267 ticket stations in the city, and has agents at big transfer points during the evening rush hours.

Cites Syracuse Rate "In contrast with our apparently modest demand is the fact that in Syracuse, where the same company is operating, six tickets for 45 cents are sold by the conductors on the cars. Syracuse gets not only a lower ticket rate, but the convenience of purchase aboard the cars.

As to the reduced fare for pupils going to and from school, the financial reports of operations in this city show that the receivers can afford to make this concession. Commissioner Charles R. Barnes has informed the committee that his annual report for the year just ended will show a surplus of \$159,000 after the company has received a net profit amounting to some \$1,200,000 for 1923. This report indicates the prosperous condition of the trolley properties here.

The Barnes report, it was said, will be made to the city authorities within a few weeks. The receivership, it was explained, delayed this report. The surplus of \$159,000 goes to the company in addition to the return, to help out a deficit reported in past years.

BRIDGE EXPERT DEFENDED BY H. C. GOODWIN

Former Councilman Says Milne's Attack on McKibben for Political Reasons.

Harry C. Goodwin, former councilman, today came forcefully to the support of Frank McKibben, city consultant on estimates for the new Ridge Road bridge.

Asserting that people would do well to pay more attention to engineers than politicians, Mr. Goodwin said he had thoroughly gone into Mr. McKibben's qualifications before he voted in favor of his being retained by the city, and rebuked Councilman Nelson A. Milne sharply for attacks on Mr. McKibben's work.

When I was a member of the council I went into the qualifications of Mr. McKibben before I voted to permit the City Manager to engage him. Mr. Goodwin said Mr. Milne evidently voted without doing so. His remarks before Council Monday night are so unfair that they deserve attention. When he says the figures are an outrage to the public pocketbook, it gives me the privilege of suggesting that Mr. Milne's statements are an insult to public intelligence.

In the first place, the contractor who gave him the figures refuses to allow his name to be used. It is like stabbing a man in the back. Mr. Milne says the fact that the bid was 84 per cent. of the estimate is a reflection on Mr. McKibben's ability. I have taken the estimates on 13 state jobs picked at random. The contracts were let for 74 per cent. of the estimates. Mr. McKibben's estimates are ten per cent. more accurate than those of the state engineers.

Here's another point. No public work done under the city manager administration has gone beyond the estimate. The best answer to Mr. Milne, however, is the statement made by Edison on his last birthday. People will do well to read the question and answer and keep in mind Mr. Milne's qualifications and those of Mr. Story, Mr. Baker and Mr. McKibben whom Mr. Milne attacks for political purposes only.

The question put to Mr. Edison: "What is the biggest thing the American people can accomplish during the next year and why?" Mr. Edison's answer: "Pay more attention to engineers than politicians."

Another group of New York bondholders was represented by Paul W. McQuillen, of Sullivan & Cromwell, New York City. The Rochester representative of this committee is Roland B. Woodward, executive vice-president of the Rochester Chamber of Commerce. This second group is headed by Harris, Forbes & Co., bankers, some of whose directors, it was said today, are also directors in the Associated Gas & Electric Company, reputed owners of New York State Railways.

DEMAND FAIR WAGES ON BRIDGE

A program for wholesale invasion of the City Council meeting Monday night to condemn City Manager Stephen B. Story for the Ridge Road bridge contract and to call on the council to order all trolley cars of the New York State Railways from the city streets, was announced today.

The Central Trades and Labor Council, headed by Henry D. O'Connell, president, is to lead the attack on the bridge contract for its failure to specify a prevailing rate of wages for labor employed on the construction of the bridge.

John G. White, business agent of the Bricklayers' and Plasterers' Union, is to lead the attack on the New York State Railways. Mr. White is the originator of the five-cent fare for school children plan, which the Public Utilities Committee of the City Council would make a condition for continuance of the service-at-cost contract to August 1.

"I don't know just who will lead the attack on the Ridge Road bridge contract," said Mr. O'Connell, "but some of us will. Here is the biggest job the city has ever let and there is no provision for paying the prevailing rate of wages required by the state on construction work, nor anything to stop the contractors from bringing outside labor here to build the bridge."

City officials are wasting a lot of time checking on the legal end of the contract but they are not at all interested in whether Rochester labor will be employed at fair wages.

"The city is now in the hands of dreaming engineers who think only in terms of gigantic projects and monuments to their calling. There is no thought for the workers."

Mr. White said he will demand that the City Council compel the New York State Railways to show what they have done with the \$11,000,000 taken from Rochester under the service at cost contract's guaranteed 6 per cent. return.

"I shall call on the Council to chase the street cars now operating on tracks off the streets and substitute busses everywhere," Mr. White said. "There is no need for further fooling. The company can do something for the riders and eventually it will be done with busses."

CITY MUST ACT "I have been making a personal study of street and car and bus operations. It is a crying shame what the people who depend upon mass transportation are being carried more than thirty-two passengers in a bus, but the New York State Railways carries as many as forty-seven in its Rochester busses.

The Worm Will Turn

After so long a time, it appears that the question of continuing until Aug. 1, next, the service-at-cost contract with the New York State Railways again will come before the City Council. The Public Utilities Committee announced yesterday that next Monday it will recommend continuation of the contract on condition that the five-cent fare for school children be established and sales of tickets be resumed on street cars and busses.

As Councilman Hamilton, chairman of the committee says, there is no valid reason why the street car company should not accede to this request. Rochester is the only city in the state where tickets are not sold on cars. The company has claimed in the past that the reason for not selling tickets on cars was that it slowed up transportation.

We have no hesitancy in saying we believe that assertion to be a rank inexcusable. If that were true, why has the company suddenly, quietly and without notice, resumed the practice of having ticket agents at prominent intersections? We observe that this practice was renewed only after agitation—in which The Times-Union has taken a leading part—for resumption of ticket selling on cars. We observe also that suspension of the practice in the first place did not speed up transportation.

In all sincerity, we do not believe suspension of ticket sales on cars was conceived so much in the interest of better service as for increasing the profits of the company and reducing the financial gain to patrons who bought tickets in small blocks. Of course we understand that it is first nature with this public utility corporation to promote its profits, but it is only natural also that the lowly customer should get a little benefit now and then.

The company should be aware that people do not ride roaring, deafening street cars because they want to, but because they cannot afford a better means of transportation. But even if the majority cannot afford automobiles, or thus far have preferred to use the cars in winter driving on slippery streets, the company would do well to consider the small request that tickets be sold on the cars. Street car patrons have never asked much, but they have endured a good deal, and it must be remembered that eventually even the worm will turn.

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"It is high time the city officials of Rochester did something besides create new bus stops for the local transportation company. The buses monopolize Chili Avenue in rush hours, and they will soon have other streets to themselves, all because they are going to limit in getting routes away from streets which have their track cars.

WILL BE PAID AT WAGE RATE SET BY STATE

Baker's Announcement Stills Fears of Leaders; Will Invade Council Meeting

Rochester labor will be used exclusively in the construction of the new Ridge Road bridge and will be paid "prevailing rates," established by the State Department of Labor.

This news was announced last night by Public Works Commissioner Harold W. Baker to dispel doubts of organized labor leaders who announced an invasion of the City Council meeting tomorrow night to demand contract provision to safeguard Rochester workmen.

"We have had a thorough understanding of the labor feature of the Ridge Road bridge with Rex Flynn, senior partner of Booth & Flynn, the contractors who will build the bridge," Mr. Baker said.

"Mr. Flynn said that except for engineers and a few superintendents and foremen, who are a part of the Booth & Flynn permanent organization, all the bridge labor will be recruited here.

SMALL ARMY OF MEN "Just how many men will be needed I cannot say but it will mean a small army.

"As for the rate of wages to obtain for this Rochester labor, there is a provision in the contract fixing the schedule as that set down by the State Department of Labor. There will be no controversy about wages."

Despite the assuring statements of Mr. Baker, organized labor leaders planned to carry out their program for a council invasion tomorrow night.

"There shall be there to talk about the bridge, anyway," said Henry D. O'Connell, president of the Central Trades and Labor Council. "It is fine to see that Mr. Baker is now protecting Rochester labor after years of refusing to pay the prevailing rate of wage to city employes or to use skilled workmen on city work.

The Whites Of Their Eyes

When the City Council meets tonight it should settle, for the present, the question of continuing the service-at-cost contract with the New York State Railways.

We believe the council should not hesitate to demand, and bend every energy to obtain, better terms for street car patrons. The two conditions upon which the Utilities Committee of the Council will recommend continuation of the contract, should be insisted upon. It is not too much for the street car company to grant a 5-cent fare for children going to and from school, and provide for sale of tickets on busses and cars. The claims of the company that these changes will make heavy inroads on its revenues are not, we believe, well founded. Instead, we'd rather believe the company suffers from an ingrowing nature.

We are quite well aware that the bondholders of the New York State Railways are in an anxious position. They have many millions invested in bonds of the company, bonds which they had been told were "as good as gold." But as the day of payment draws nigh, the railways would have everyone believe that the lines are junk, that the bonds are secured by trash, and that the responsible persons have been swallowed up in a hole in the ground.

To us that sounds like a boogyman story intended to frighten little children. What is the purpose of this camouflage? It used to be the saying when a stench filled the air that there was something fermenting in Denmark. As we contemplate this situation, especially in the light of the Albany hearings last week, we are inclined to think that perhaps times have not changed so much as we fondly had hoped.

Who owns the New York State Railway, anyway? The Public Service Commission would like to know, and so would a multitude of Rochesterians. What has become of the money taken in by the Rochester lines, valued at more than \$19,000,000? Certainly the money has not been spent in Rochester. The long-distance and shielded control of these lines probably holds the answer, and we hope the Public Service Commission will be able to smoke the officials out into the open. And when we can see the whites of their eyes—that will be time enough to talk of a long-term renewal of the contract for street car service.

uses glass for Order

It Makes a Difference
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It is to be hoped that Mr. Story's statement will give accurate information on this matter. It should be submitted before the contract is closed.

A Municipal Misnomer

Sometimes we wonder if procrastination is not a germ or a contagious disease instead of just a petty thief. We have seen its operation expanding day by day, with particular reference to the city's financial condition.

Advertisement for clothing items: Rason Stripes, Raven Madras, Daquard Madras, Colored Rayon, Cheviots. Price: \$1.55 (3 for \$4.50). Location: SHOP-STREET FLOOR.

council should stand firmly for fairer treatment of street car patrons. There is no good reason why Rochester should be the only city in the state where tickets are not sold on the cars. We are not at all keen about setting up the service-at-cost contract for a long period. We do believe that the council should renew this contract until Aug. 1. When that has been done, unless this disease of delaying business to the last possible minute completely downs the city administration, it should work out a permanent plan more in keeping with our needs and means.

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After hearing the federal receivers of New York State Railways and counsel for the several bondholders' committees, the Public Utilities Committee, City Council, stood pat today on its demands for a school fare of five cents and the sale of tickets aboard trolley cars and busses.

Chairman R. Andrew Hamilton said today his committee would report to City Council next Monday that the city give its consent to continue the service-at-cost contract to Aug. 1 only on these two conditions. The committee, he said, had been prepared to report so to the council, Feb. 3, but was delayed because of the ancillary receivership named by Federal Judge Simon L. Adler to control the Rochester properties of the company.

It was deemed advisable to give the new receivers an opportunity to confer with the committee. This conference was held yesterday, and today Mr. Hamilton declared the prior conclusions reached by his committee had not changed. "No valid reason why these concessions should not be made to the car riders of Rochester has developed," said Mr. Hamilton. "On the contrary good reason why the receivers should consent to our demands has been shown. Rochester is the only city in the state where tickets are not sold on the street cars. In this city the rate is six tickets for 50 cents, but these tickets are not obtainable on the cars, although the company maintained some 267 ticket stations in the city, and has agents at bi-transfer points during the evening rush hours.

Cites Syracuse Rate
"In contrast with our apparently modest demand is the fact that in Syracuse, where the same company is operating, six tickets for 45 cents are sold by the conductors on the cars. Syracuse gets not only a lower ticket rate, but the convenience of purchase aboard the cars.

"As to the reduced fare for pupils going to and from school, the financial reports of operations in this city show that the receivers can afford to make this concession. Commissioner Charles R. Barnes has informed the committee that his annual report for the year just ended will show a surplus of \$150,000 after the company has received a net profit amounting to some \$1,200,000 for 1929. This report indicates the prosperous condition of the trolley properties here.

The Barnes report, it was said, will be made to the city authorities within a few weeks. The receivership, it was explained, delayed this report. The surplus of \$150,000 goes to the company in addition to the return, to help out a deficit incurred in past years.

This matter will be passed up to the United States court. William T. Plumb, one of the local receivers, said in his opinion the report would not be bound by the wording of the contract. The city's

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BRIDGE EXPERT DEFENDED BY H. C. GOODWIN

Former Councilman Says Milne's Attack on McKibben for Political Reasons.

Harry C. Goodwin, former councilman, today came forcefully to the support of Frank McKibben, city consultant on estimates for the new Ridge Road bridge.

Asserting that people would do well to pay more attention to engineers than politicians, Mr. Goodwin said he had thoroughly gone into Mr. McKibben's qualifications before he voted in favor of his being retained by the city, and resenting the attack on Mr. McKibben by Councilman Nelson A. Milne, sharply for attacks on Mr. McKibben's work.

"When I was a member of the council I went into the qualifications of Mr. McKibben before I voted to permit the City Manager to engage him," Mr. Goodwin said. "Mr. Milne evidently voted without doing so. His remarks before Council Monday night are so unfair that they deserve attention. When he says the figures are an outrage to the public pocketbook, it gives me the privilege of suggesting that Mr. Milne's statements are an insult to public intelligence."

In the first place, the contractor who gave him the figures refuses to allow his name to be used. It's like stabbing a man in the back.

Mr. Milne says the fact that the bid was 81 per cent. of the estimate is a reflection on Mr. McKibben's ability. I have taken the estimates on 13 state jobs picked at random. The contracts were let for 74 per cent. of the estimates. Mr. McKibben's estimates are ten per cent. more accurate than those of the state engineers.

Here's another point. No public work done under the city manager administration has gone beyond the estimate. The best answer to Mr. Milne, however, is the statement made by Edison on his last birthday. People will do well to read the question and answer and keep in mind Mr. Milne's qualifications and those of Mr. Story, Mr. Baker and Mr. McKibben whom Mr. Milne attacks for political purposes only.

The question put to Mr. Edison: "What is the biggest thing the American people can accomplish during the next year and why?" Mr. Edison's answer: "Pay more attention to engineers than politicians."

Opposes Earnings Reduction
Another group of New York bondholders was represented by Paul W. McQuillen, of Sullivan & Conwell, New York City. The Rochester representative of this committee is Roland B. Woodward, executive vice-president of the Rochester Chamber of Commerce. This second group is headed by Harris, Forbes & Co., bankers, some of whose directors, it was said today, are also directors in the Associated Gas & Electric Company, reputed owners of New York State Railways.

Mr. McQuillen introduced a letter written by Charles S. Thrasher, an engineer and president of the Greater Chicago Lake Water Company who has been in Rochester looking over the trolley property. Mr. Thrasher gave his opinion that the service-at-cost contract should be continued without conditions which would reduce the revenue. This letter was addressed to Mr. Woodward to whom Mr. Thrasher wrote that acceptance by the receivers of conditions for a reduced school fare and the purchase of tickets on the cars would result in a reduction of from \$275,000 to \$300,000 a year in earnings in Rochester.

Councilman Louis S. Foulkes in his examination of the attorneys brought out the big annual earnings of the company and again inquired as to the disposition of the millions of dollars which the company received as profits from operations in Rochester in the last nine years.

DEMAND FAIR WAGES ON BRIDGE

A program for wholesale invasion of the City Council meeting Monday night to condemn City Manager Stephen B. Story for the Ridge Road bridge contract and to call on the council to order all trolley cars of the New York State Railways from the city streets, was announced today.

The Central Trades and Labor Council, headed by Henry D. O'Connell, president, is to lead the attack on the bridge contract for its failure to specify a prevailing rate of wages for labor employed on the construction of the bridge.

John G. White, business agent of the Bricklayers' and Plasterers' Union, is to lead the attack on the New York State Railways. Mr. White is the originator of the five-cent fare for school children plan, which the Public Utilities Committee of the City Council would make a condition for continuance of the service-at-cost contract to August 1.

"I don't know just who will lead the attack on the Ridge Road bridge contract," said Mr. O'Connell, "but some of us will."

"Here is the biggest job the city has ever let and there is no provision for paying the prevailing rate of wages required by the state on construction work, nor anything to stop the contractors from bringing outside labor here to build the bridge."

DEMAND FAIR WAGE
"City officials are wasting a lot of time checking on the legal end of the contract but they are not at all interested in whether Rochester labor will be employed at fair wages."

"The city is now in the hands of 'dreaming engineers' who think only in terms of gigantic projects and monuments to their calling. There is no thought for the workers."

Mr. White said he will demand that the City Council compel the New York State Railways to show what they have done with the \$11,000,000 taken from Rochester under the service at cost contract's guaranteed 6 per cent. return.

"I shall call on the Council to chase the street cars now operating on tracks off the streets and substitute buses everywhere," Mr. White said. "There is no need for further fooling. The company can do something for the riders and eventually it will be done with buses."

CITY MUST ACT

"I have been making a personal study of street and car and bus operations. It is a crying shame that the people who depend upon mass transportation have to contend with. The law prohibits carrying more than one passenger on a bus, but the New York State Railways in Rochester buses

"It is high time the city officials of Rochester did something besides create new bus stops for the local transportation company. The buses monopolize Chili Avenue in rush hours, and they will soon have other streets to themselves, all because they are going the limit in getting routes away from streets which have their track cars."

"The Council needs more than terms for a new service-at-cost contract. It needs officials who stop a complete railways' grab of the city."

The Worm Will Turn

After so long a time, it appears that the question of continuing until Aug. 1, next, the service-at-cost contract with the New York State Railways again will come before the City Council. The Public Utilities Committee announced yesterday that next Monday it will recommend continuation of the contract on condition that the five-cent fare for school children be established and sales of tickets be resumed on street cars and busses.

As Councilman Hamilton, chairman of the committee says, there is no valid reason why the street car company should not accede to this request. Rochester is the only city in the state where tickets are not sold on cars. The company has claimed in the past that the reason for not selling tickets on cars was that it slowed up transportation.

We have no hesitancy in saying we believe that assertion to be a rank inexcusable attitude. If that were true, why has the company suddenly, quietly and without notice, resumed the practice of having ticket agents at prominent intersections? We observe that this practice was renewed only after agitation—in which The Times-Union has taken a leading part—for resumption of ticket selling on cars. We observe also that suspension of the practice in the first place did not speed up transportation.

In all sincerity, we do not believe suspension of ticket sales on cars was conceived so much in the interest of better service as for increasing the profits of the company and reducing the financial gain to patrons who bought tickets in small blocks. Of course we understand that it is first nature with this public utility corporation to promote its profits, but it is only natural also that the lowly customer should get a little benefit now and then.

The company should be aware that people do not ride roaring, deafening street cars because they want to, but because they cannot afford a better means of transportation. But even if the majority cannot afford automobiles, or thus far have preferred to use the cars in winter to driving on slippery streets, the company would do well to consider the small request that tickets be sold on the cars. Street car patrons have never asked much, but they have endured a good deal, and it must be remembered that eventually even the worm will turn.

WILL BE PAID AT WAGE RATE SET BY STATE

Baker's Announcement Stills Fears of Leaders; Will Invade Council Meeting

Rochester labor will be used exclusively in the construction of the new Ridge Road bridge and will be paid "prevailing rates," established by the State Department of Labor.

This news was announced last night by Public Works Commissioner Harold W. Baker to dispel doubts of organized labor leaders who announced an invasion of the City Council meeting tomorrow night to demand contract provision to safeguard Rochester workmen.

"We have had a thorough understanding of the labor feature of the Ridge Road bridge with Rex Flynn, senior partner of Booth & Flynn, the contractors who will build the bridge," Mr. Baker said.

"Mr. Flynn said that except for engineers and foremen, who are a part of the Booth & Flynn permanent organization, all the bridge labor will be recruited here."

SMALL ARMY OF MEN
"Just how many men will be needed I cannot say but it will mean a small army."

"As for the rate of wages to be paid for this Rochester labor, there is a provision in the contract fixing the schedule as that set down by the State Department of Labor. There will be no controversy about wages."

Despite the assuring statements of Mr. Baker, organized labor leaders planned to carry out their program for a council invasion tomorrow night.

"We shall be there to talk about the bridge, anyway," said Henry D. O'Connell, president of the Central Trades and Labor Council. "It is fine to see that Mr. Baker is now protecting Rochester labor after years of refusing to pay the prevailing rate of wage to city employees or to use skilled workmen on city work."

Advertisement for clothing items: Broadcloths for Coats \$1.96, Broadcloths for Coats \$1.88, Suits \$1.75 Yd.

MONOPOLIZE CHILI AVENUE

"It is high time the city officials of Rochester did something besides create new bus stops for the local transportation company. The buses monopolize Chili Avenue in rush hours, and they will soon have other streets to themselves, all because they are going the limit in getting routes away from streets which have their track cars."

"The Council needs more than terms for a new service-at-cost contract. It needs officials who will stop a complete railways' grab of the city."

Formal signing of the Ridge Road bridge contract is scheduled for tomorrow, when representatives of the contractors are expected to announce a site for the construction plant, and just when operations will get under way.

It is expected that machinery for the plant will be shipped from Pittsburgh this week.

The Whites Of Their Eyes

When the City Council meets tonight it should settle, for the present, the question of continuing the service-at-cost contract with the New York State Railways.

We believe the council should not hesitate to demand, and bend every energy to obtain, better terms for street car patrons. The two conditions upon which the Utilities Committee of the Council will recommend continuation of the contract, should be insisted upon. It is not too much for the street car company to grant a 5-cent fare for children going to and from school, and provide for sale of tickets on busses and cars. The claims of the company that these changes will make heavy inroads on its revenues are not, we believe, well founded. Instead, we'd rather believe the company suffers from an ingrowing nature.

We are quite well aware that the bondholders of the New York State Railways are in an anxious position. They have many millions invested in bonds of the company, bonds which they had been told were "as good as gold." But as the day of payment draws nigh, the railways would have everyone believe that the lines are junk, that the bonds are secured by trash, and that the responsible persons have been swallowed up in a hole in the ground.

To us that sounds like a booga-man story intended to frighten little children. That is the purpose of this camouflage. It is used to be the saying when a stench filled the air that there was something fermenting in Denmark. As we contemplate this situation, especially in the light of the Albany hearings last week, we are inclined to think that perhaps times have not changed so much as we fondly had hoped.

Who owns the New York State Railway, anyway? The Public Service Commission would like to know, and so would a multitude of Rochesterians. What has become of the money taken in by the Rochester lines, valued at more than \$19,000,000? Certainly the money has not been spent in Rochester. The long-distance and shielded control of these lines probably holds the answer, and we hope the Public Service Commission will be able to smoke the officials out into the open. And when we can see the whites of their eyes—that will be time enough to talk of a long-term removal of the contract for street car service.

Classes Made by Order

CITY SAID READY TO FORCE ISSUE WITH TROLLEYS

Forecast Council Will Insist Tickets Be Sold on Cars

BOTH RECEIVERS OPPOSE CHANGE

Matter Likely To Go to Federal Court For Decision

As a condition for the extension of the service-at-cost contract until August 1, the public utilities committee of the City Council will insist that the sale of tickets on the trolley cars and buses be directed, and that a five-cent fare for all school children be put in effect.

This was made clear last evening by Councilman R. Andrew Hamilton, chairman of the committee. Although Mr. Hamilton was not certain whether the committee's findings would be ready for this evening's session of the Council, he said that "out of courtesy to William T. Plumb, co-receiver of the Rochester property" effort will be made to have a final conference today and the report filed this evening, so that the matter will be expedited as much as possible.

Thoroughly Discussed Several conferences between the Council committee, railway officials, and representatives of the bondholders have taken place, and the matter has been discussed so thoroughly that nothing further toward reconciling opposite views will be gained by additional negotiations. Councilman Hamilton feels. He said that several questions remain in the minds of members of the public utilities committee, who are, besides Mr. Hamilton, Councilmen Louis S. Foulkes and William F. Durman, regarding the question of sale of tickets on the buses and trolley cars.

As the matter now stands, Benjamin E. Tilton, president of the New York State Railways, and Mr. Plumb, co-receiver of the Rochester property, are willing to recommend to the Federal Court having jurisdiction over the receivership that a five-cent fare for school children of all ages be put into effect, but are strongly opposed to a recommendation for the sale of tickets on the cars and buses.

It is estimated that the sale of tickets on the cars and buses will mean a shrinkage of \$225,000 in revenues, by reason of the increased use of tickets, representing a fare of 8-13 cents, as compared with the cash fare of ten cents. The position of the operating officials of the railways is that the occasional user of trolleys should be compelled to pay the ten-cent cash fare, the argument being advanced that with nearly three hundred agencies in the city, and tickets sold at important street intersections in the rush hours, there is ample opportunity for regular patrons to purchase the tickets, which are sold at twelve for one dollar. The railway officials point out that there is a concession here, as the contract provides that with a ten-cent cash fare only eleven tickets can be sold for a dollar.

The committee has taken for the five-cent fare for school children, and for street cars and buses, and reasonable decision, we committee in presenting its a

The shrinkage of revenue is based on the experience in Syracuse, where the tickets are sold on the cars and buses. Councilman Hamilton said that Rochester is the only city in the state where the tickets or tokens are not sold on the cars, and that in his opinion not one sound argument has been advanced to show why Rochester should be the only exception. He also points out that even if the tickets are sold on the cars here, the railways will receive fifty cents for six of them, while in Syracuse they receive forty-five cents for six, and it will mean larger revenue here. He said that unquestionably it might mean a loss in some revenue; and then again, he asserted, it might induce riding, and on the basis of the five months remaining after the expiration of the contract, the railways may obtain some valuable experience by permitting the sale of the tickets on the cars and buses, upon which to formulate their attitude toward a new contract. While the reduced fare for school children means a loss of approximately \$75,000 a year, the railway officials are inclined to grant this request, it is said, but it is believed that there will have to be a direct mandate from the Federal Court before the other condition of the public utilities committee is accepted.

Bondholders Protest

The bondholders have become a factor in the negotiations and the group represented by Harris, Bondholders of Woodward, executive vice-president of the Chamber of Commerce, is serving, has expressed its opposition to the sale of tickets on cars and buses and the reduced fares, because of the jeopardy to the bondholders' interests in the loss of revenue. Other groups of bondholders are organized by J. S. Lisman & Company of New York, with Sutherland & Dwyer of Rochester as attorneys; and still another group is headed by Robert C. Watson, president of the Rochester Trust & Safe Deposit Company, and John H. Gregory, president of the Central Trust Company, with Howman & Van Schaick as attorneys. The Security Trust Company is interested as trustee with Harris, Bond, Folger & Bacon as attorneys.

While it is regarded as certain that the public utilities committee will recommend that the two conditions be imposed for the renewal of the contract, which terminated as a consequence of the receivership, and that the Council will sustain the committee's findings, the specific instructions to the receivers open many legal ramifications. Directly responsible to the Federal Court, the matter is passed along for judicial consideration. Then arises the question as to whether the two changes result in a new contract, rather than extension of the existing document, and whether this compels approval by the Public Service Commission; also whether, if the entire negotiations fail and under the franchise provisions the five-cent fare provision of forty years ago is evoked, whether there are Federal statutes that bear on the subject.

Councilman Hamilton has been directing his time almost exclusively to the subject with Councilman Durman and Foulkes, and he said that the inquiry to date has only been with reference to the period of the contract up to July 31, when the original agreement will expire, and that no study has been given to the question beyond that.

A paragraph in the report is a suggestion worthy of consideration has just been issued by Director Arthur C. Parker of the Rochester Municipal Museum of Arts and Sciences and Charles C. Adams, director of the Division of Science and the State Museum of the University of the State of New York. The writers deal with the possibility of creating an educational center of enduring value by correlating the activities of the Rochester Museum with a proposed exhibit of Indian relics and other educational features at the park.

Letchworth Park already has a small museum of Indian relics, but the plan proposed by the two writers mentioned embraces a great deal more than a few neatly arranged cases of stone age artifacts. It proposes the building of an Iroquois bark dwelling, and perhaps a palisaded Indian village similar to those burned by French invaders of the Seventeenth Century.

It might be possible, it is suggested, to persuade modern descendants of the valiant warriors of the Six Nations to act as caretakers, and through an arrangement with the Rochester Museum, exhibits could be arranged in a manner to make the long centuries of Indian occupation in the Genesee Country to live again through scenes and objects recalled from the dim past.

It is not sufficiently realized by the present inhabitants of Western New York that the people who occupied this soil until a century and a half ago once dominated North America from Alabama to New England, and from the Mississippi to the Hudson, exacting tribute from scores of tribes less able than their own. Moreover, their descendants today are said to be no fewer in numbers than were the Six Nations of Washington's time.

Too little has been done to bring home to the people of this century the story of the first residents of the Genesee Country. Perhaps Director Parker and Director Adams may find friends who will make possible the plan they propose, or some way equally good to develop the possibilities of Letchworth Park as a museum center of history brought to life.

Would Extend Power To Sign City Bonds

Albany Bureau, Democrat and Chronicle Albany, Feb. 17.—Clarification of the general city law in relation to the issuance and validation of municipal bond or note issues is sought in a bill introduced tonight by Assemblyman Richard L. Saunders and Senator Cosmo A. Cilano.

The bill among other things would include the vice-mayor or acting mayor of a city among officers empowered to execute and issue such bonds and also would add the deputy financial officer of the city to the present stipulated controller or treasurer. The bill was drawn by Corporation Counsel Clarence M. Platt and aims to carry out changes in the law found advisable by him.

COST CONTRACT SUSPENSION THREATENED

City Council action declaring unanimously for a five-cent fare for school children and the sale of tickets on trolley cars and buses was tantamount today to an ultimatum to the New York State Railways receivers, to either grant these concessions or be prepared for suspension of the service-at-cost contract March 1.

Benjamin E. Tilton, one of the ancillary receivers, said the demand would be submitted to the United States District court and his course would be directed by the court.

"Our course will be dependent altogether on what the court orders," he said. Should the receivers elect to contest any attempt to restore the old five-cent fare contract which obtained before the service-at-cost contract, it was expected it would be through an order from the Federal court against any change in fare until the whole question of the merits of the old contract is again threshed out.

UPHELD BY STATE

The state courts have upheld the five-cent fare contract as binding, and only suspended during the life of the service-at-cost contract. The United States Court has not passed upon it.

The Council voted unanimously for a five-cent fare for school children and the sale of tickets on the cars.

The Public Utilities Committee, consisting of R. Andrew Hamilton, Joseph L. Guzzetta and Louis S. Foulkes reported unanimously for the concessions.

The report also provided for the rate at which tickets must be sold. It fixed twelve for one dollar, and stipulated this rate should be made a part of the contract.

HAMILTON AGREED

The resolution, adopted by the Council recites that James F. Hamilton, when he was president of the Railways in December, and just before the Rochester lines were placed in receivership, agreed to grant a five-cent fare for school children and the sale of tickets on the cars and buses.

The report further recites that both Mr. Hamilton and Railways Commissioner Charles R. Barnes reported that the Rochester lines were so improved in net earnings that a 9-cent fare would soon be possible.

Major business transacted by the City Council last evening included: Debated in hectic session the granite facing of the Ridge Road bridge, with Councilman Nelson A. Milne and Joseph L. Guzzetta maintaining that facing will cost in excess of \$650,000, and City Manager Story and Frank B. McKibben, bridge specialist, defending figures as being in close proximity to estimates. Adopted unanimously a resolution by Councilman Guzzetta, recommended by public utilities committee, giving receivers of New York State Railways until March 1 to accept city's conditions of sale of tickets on cars and buses and five-cent fare for school children for continuance of service-at-cost contract, with school children for termination of service-at-cost contract, with school children for termination, returning general five-cent fare, unless conditions are accepted.

Heard requests of labor leaders, headed by Henry D. O'Connell, president of the Central Trades and Labor Council, for preference to be given on the Ridge Road bridge to Rochester labor, and that there be strict compliance with the state statutes relating to payment of prevailing wage scale on public improvements, with declaration by City Manager Story that city would cooperate in the fullest degree and contractors have promised to hire Rochester labor, with exception of few foremen.

Major Items Before Council

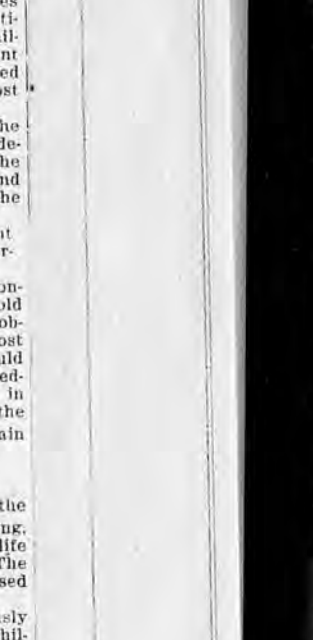
Adopted resolution by Councilman Guzzetta for the establishment of a relief bureau, to cooperate with Community Chest and private agencies; provided for payment of \$125,000 to Bartholomew Company, Inc., for land required for Smith Street bridge approach; transacted large volume of routine business. Vice-Mayor Isaac Adler thanked the largest attendance Council has had in recent years, approximating one thousand persons, for their presence, and urged them to attend future Council sessions.

Will Aid Other Agencies in Rochester in Solution of Unemployment Problem

The unemployment situation was in for consideration last evening by the City Council, under resolution of Councilman Joseph L. Guzzetta, when by unanimous action the Council adopted a resolution directing City Manager Story to establish at once an emergency employment and relief bureau to handle all new cases which present themselves to the private agencies, which will in turn refer them to this bureau for work and relief.

GRANITE FACING FOR RIDGE BRIDGE DEFENDED BY STORY; TROLLEY ULTIMATUM GIVEN

Contract for Ridge Road Bridge Formally Signed



City Manager Stephen B. Story (seated at left) and W. J. Wiseman, secretary and treasurer of Booth & Flynn, Inc., contractors, signing the contract for the Ridge Road bridge yesterday afternoon. Looking on, standing from left, are Harold W. Baker, commissioner of public works; Irving L. Gelsler, deputy corporation counsel; Comptroller Clarence E. Higgins; Wendell E. Andrews, city purchasing agent; Lester Fisher, representing the bonding company; Edwin A. Fisher, former city engineer.

The contract between the city and Booth & Flynn, Inc., contractors of Pittsburgh, Pa., for the Ridge Road bridge over the Genesee River was signed yesterday afternoon in the office of City Manager Stephen B. Story.

More than two hours was consumed in checking over the details and form of the contract, before the signatures were applied. W. J. Wiseman, secretary and treasurer of Booth & Flynn, Inc., one of the largest contracting firms in the world, and Mr. Story were the principal signatories to the document, which provides for the payment of \$494,022 for completion of the bridge upon the specifications prepared by Frank B. McKibben, bridge specialist.

The contract was approved as to form by Deputy Corporation Counsel Irving L. Gelsler, and Comptroller Clarence E. Higgins approved the bond of \$1,250,000 furnished by a surety company, with Lester Fisher and H. Douglas Jones attending the insurance company. Wendell E. Andrews, city purchasing agent, signed the contract, as provided by Charter provisions, and attending the ceremonies were Harold W. Baker, commissioner of public works, in charge of the bridge construction for the city, and Edwin A. Fisher, former city engineer, who has been connected with the bridge project for years. Mr. Fisher will be 83 years old in July, and Mr. Story introduced him to Mr. Wiseman as the "grand old man of the city government."

While two years are provided in the contract for the time limit on construction, Mr. Wiseman said that his company prides itself on its record of completing work well within the specified time. Mr. Fisher, who is familiar with contracting firms all over the country, said that Booth & Flynn, Inc., is one of the most reputable firms in the country and its acceptance of the contract "assures the city of having the bridge completed without difficulties."

Before the debate on the bridge facing, the Council unanimously adopted a resolution by Councilman Guzzetta, recommended by the public utilities committee, giving receivers of the New York State Railways until March 1 to accept the city's conditions of sale of tickets on cars and buses and a five-cent fare for school children for continuance of the service-at-cost contract. The resolution provided that the contract will be terminated, returning a general five-cent fare, unless the conditions are accepted.

Discussion of the bridge facing came up under the heading of "miscellaneous business," and when Vice-Mayor Isaac Adler, presiding officer, reached this part of the program, it was very apparent that the expected conflict between City Manager Stephen B. Story and Councilman Nelson A. Milne, with Councilman Joseph L. Guzzetta, as his ally, was the attraction for the crowd.

While the preponderance of the cheers, jeers, shouting and applause that greeted the discussion evidenced support for the contentions of Councilman Milne and Guzzetta that the granite facing of the bridge to cost \$700,000, was not justified, the position of City Manager Story, supported by Frank B. McKibben, bridge engineer, was not without friends in the audience. Explanations and analyses of figures and bids had proceeded for an hour when Councilman Durman asked if the contract had been signed in the afternoon. Mr. Durman asked if this was not undue haste, in view of the public discussion, Mr. Story replied that he was advised by the corporation counsel's office that the awarding of the contract, which was done before Mr. Milne presented his memorandum last Monday evening, was tantamount to signing the contract, and city would be just as liable for damages in case of any withdrawal.

COUNCIL VOTES FOR WORK AND RELIEF BUREAU

Ticket Sale on Cars 5-Cent School Fare Are Demanded

W'KIBBEN BACKS STORY VIEWPOINT

Big Crowd Listens to Argument at Session of City Council

Support for Both Sides Discussion of the bridge facing came up under the heading of "miscellaneous business," and when Vice-Mayor Isaac Adler, presiding officer, reached this part of the program, it was very apparent that the expected conflict between City Manager Stephen B. Story and Councilman Nelson A. Milne, with Councilman Joseph L. Guzzetta, as his ally, was the attraction for the crowd.

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The discussion opened with a memorandum read by Mr. Story in which he categorically took up the arguments against the stone facing and the circumstances surrounding the preparation of the specifications, raised by Councilman Milne in a statement read to the Council last Monday evening. Mr. Story charged that Mr. Milne fell into an "obvious error" in taking as a difference in cost of granite facing the difference between the engineer's estimate on the bridge with and without the facing. Mr. Milne charged that the granite alone cost \$535,000 at the lowest figure, that it would cost \$200,000 to put the stone in place, and that the lowest possible figure for the granite facing would be \$650,000; and in face of Mr. McKibben's estimate that it would add only \$100,000 to the cost of the bridge.

Mr. McKibben was present and defended his own figure, pointing out how closely they approximated the average bids. He said that his estimate of the cost of the granite facing in place was \$506,000, which was based on the actual contractual drawings. He pointed to wide discrepancies in the contractors' bids, and that he did not feel that he was far wrong. He cited the bids for the concrete and the granite extras.

In response to an inquiry by Councilman Milne, Mr. Story said that he did not deny that the granite would cost in excess of \$500,000, but pointed to the difference as representing the saving that would be made in the cost of concrete facing, if granite was applied. The discussion was carried on with many ramifications, the all being filled with figures, estimates approximate costs and savings if granite was used, and did not follow any seemingly logical course. Mr. McKibben said that he was here to see that an honest bridge was erected, and asserted that if at the end of two years there was a figure in the black on his ledger from the engineering fee he would consider himself fortunate. He said that the preliminary plans cost him \$25,000 to prepare, and that the blueprints cost him \$1,000 for the preparation of alternate plans so that there would be no question of the granite costs. He charged that the evidence that granite facing will cost \$700,000 has not been refuted, and said the city could not afford to make any such expenditure, and asserted that it would increase the life of the bridge 35 years, and asserted that the \$700,000 at interest in that period would pay for two bridges. Mr. McKibben gave as the lowest estimate that it would prolong the life of the bridge 75 years.

Councilman William F. Durman questioned Mr. McKibben about facing the arches, and asked whether they were exposed as much as the rest of the bridge. Mr. McKibben said that the exposure was not so great where the concrete was protected from moisture, explained where the facing was placed, and said that there would be a material addition to the cost if the granite was placed over the entire surface. He said that the granite was placed on all sides visible to persons, except directly under an arch, and that it had an aesthetic advantage.

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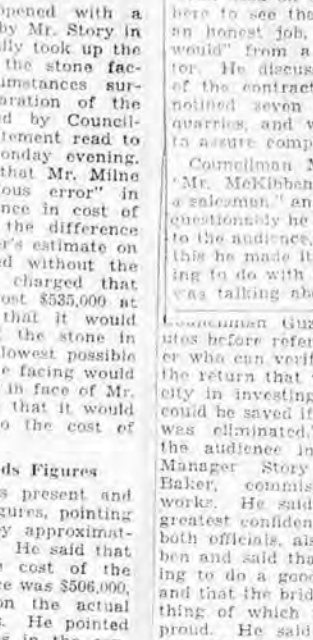
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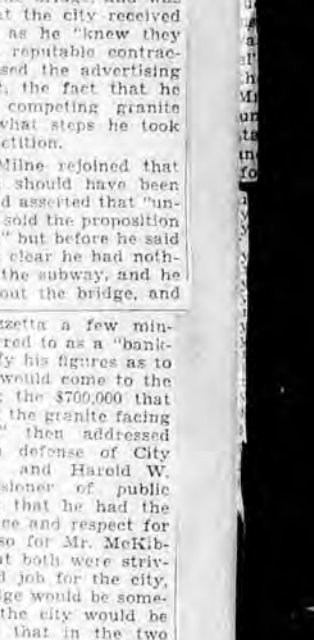
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CITY SAID READY TO FORCE ISSUE WITH TROLLEYS

Forecast Council Will Insist Tickets Be Sold on Cars

BOTH RECEIVERS OPPOSE CHANGE Matter Likely To Go to Federal Court For Decision

As a condition for the extension of the service-at-cost contract until August 1, the public utilities committee of the City Council will insist that the sale of tickets on the trolley cars and busses be directed, and that a five-cent fare for all school children be put in effect.

This was made clear last evening by Councilman R. Andrew Hamilton, chairman of the committee. Although Mr. Hamilton was not certain whether the committee's findings would be ready for this evening's session of the Council, he said that "out of courtesy to William T. Flumb, co-receiver of the Rochester property" effort will be made to have a final conference today and the report filed this evening, so that the matter will be expedited as much as possible.

Thoroughly Discussed Several conferences between the Council committee, railway officials, and representatives of the bondholders have taken place, and the matter has been discussed so thoroughly that no further toward reconciling opposite views will be gained by additional negotiations. Councilman Hamilton feels, he said that several questions remain in the minds of members of the public utilities committee, who are, besides Mr. Hamilton, Councilmen Louis S. Foulkes and William F. Durman, regarding the question of sale of tickets on the busses and trolley cars.

As the matter now stands, Benjamin E. Tilton, president of the New York State Railways, and Mr. Flumb, co-receiver of the Rochester property, are willing to recommend to the Federal Court having jurisdiction over the receivership that a five-cent fare for school children of all ages be put in effect, but are strongly opposed to a recommendation for the sale of tickets on the cars and busses. It is estimated that the sale of tickets on the cars and busses will mean a shrinkage of \$225,000 in revenues, by reason of the increased use of tickets, representing a fare of 8-13 cents, as compared with the cash fare of ten cents. The position of the operating officials of the railways is that the occasional user of trolleys should be compelled to pay the ten cents cash fare, the argument being advanced that with nearly three hundred agencies in the city, and tickets sold at important street intersections in the rush hours, there is ample opportunity for regular patrons to purchase the tickets, which are sold at twelve for one dollar. The railway officials point out that there is a concession here, as the contract provides that with a ten-cent cash fare only seven tickets can be sold for a dollar.

ties Committee has taken for the five-cent fare for school children, and for street cars and busses. The reasonable decision, we believe in presenting its findings to the Council.

The shrinkage of revenue is based on the experience in Syracuse, where the tickets are sold on the cars and busses. Councilman Hamilton said that Rochester is the only city in the state where the tickets or tokens are not sold on the cars, and that in his opinion not one sound argument has been advanced to show why Rochester should be the only exception. He also points out that even if the tickets are sold on the cars here, the railways will receive fifty cents for six of them, while in Syracuse they receive forty-five cents for six, and it will mean larger revenue here. He said that unquestionably it might mean a loss in some revenue; and then again, he asserted, it might induce riding, and on the basis of the five months remaining after the expiration of the contract, the railways may obtain some valuable experience by permitting the sale of the tickets on the cars and busses, upon which to formulate their attitude toward a new contract. While the reduced fare for school children means a loss of approximately \$75,000 a year, the railway officials are inclined to grant this request, it is said, but it is believed that there will have to be a direct mandate from the Federal Court before the other condition of the public utilities committee is accepted.

Bondholders Protest The bondholders have become a factor in the negotiations and the work presented by Harris, Forbes & Company, upon which Roland B. Woodward, executive vice-president of the Chamber of Commerce, is serving, has expressed its opposition to the sale of tickets on cars and busses and the reduced fares, because of the jeopardy to the bondholders' interests in the loss of revenue. Other groups of bondholders are organized by J. S. Lisman & Company of New York, with Sutherland & Dwyer of Rochester as attorneys; and still another group is headed by Robert C. Watson, president of the Rochester Trust & Safe Deposit Company, and John H. Gregory, president of the Central Trust Company, with Rowman & Van Schaek as attorneys. The Security Trust Company is interested as trustees with Harris, Beach, Folger & Bacon as attorneys.

While it is regarded as certain that the public utilities committee will recommend that the two conditions be imposed for the renewal of the contract, which terminated as a consequence of the receivership, and that the Council will sustain the committee's findings, the specific instructions to the receivers open many legal ramifications. Directly responsible to the Federal Court, the matter is passed along for judicial consideration. Then arises the question as to whether the two changes result in a new contract, rather than extension of the existing document, and whether this compels approval by the Public Service Commission, also whether the entire negotiations fall under the franchise provisions the five-cent fare provision of forty years ago is evoked, whether there are Federal statutes that bear on the subject.

Councilman Hamilton has been directing his time almost exclusively to the subject, with Councilmen Durman and Foulkes, and he said that the inquiry to date has only been with reference to the period of the contract up to July 31, when the original agreement will expire, and that no study has been given to the question beyond that.

Historic Museum and Museum A paper published in the investigation work of the State Council issued by Director Arthur C. Parker of the Rochester Municipal Museum of Arts and Sciences and Charles C. Adams, director of the Division of Science and the State Museum of the University of the State of New York. The writers deal with the possibility of creating an educational center of enduring value by correlating the activities of the Rochester Museum with a proposed exhibit of Indian relics and other educational features at the park.

Letchworth Park already has a small museum of Indian relics, but the plan proposed by the two writers mentioned embraces a great deal more than a few neatly arranged cases of stone age artifacts. It proposes the building of an Iroquois bark dwelling, and perhaps a palisaded Indian village similar to those burned by French invaders of the Seventeenth Century. It might be possible, it is suggested, to persuade modern descendants of the valiant warriors of the Six Nations to act as caretakers, and through an arrangement with the Rochester Museum, exhibits could be arranged in a manner to make the long centuries of Indian occupation in the Genesee Country to live again through scenes and objects recalled from the dim past.

It is not sufficiently realized by the present inhabitants of Western New York that the people who occupied this soil until a century and a half ago once dominated North America from Alabama to New England, and from the Mississippi to the Hudson, exacting tribute from scores of tribes less able than their own. Moreover, their descendants today are said to be no fewer in numbers than were the Six Nations of Washington's time.

Too little has been done to bring home to the people of this century the story of the first residents of the Genesee Country. Perhaps Director Parker and Director Adams may find friends who will make possible the plan they propose, or some way equally good to develop the possibilities of Letchworth Park as a museum center of history brought to life.

Would Extend Power To Sign City Bonds

Albany Bureau, Democrat and Chronicle Albany, Feb. 17—Clarification of the general city law in relation to the issuance and validation of municipal bond or note issues is sought in a bill introduced tonight by Assemblyman Richard L. Saunders and Senator Cosmo A. Cilano.

The bill among other things will recommend that the vice-mayor or acting mayor of a city among officers empowered to execute and issue such bonds and also would add the deputy financial officer of the city to the present stipulated comptroller or treasurer.

The bill was drawn by Corporation Counsel Clarence M. Platt and aims to carry out changes in the law found advisable by him.

CITY COUNCIL ACTION DECLARING UNANIMOUSLY FOR A FIVE-CENT FARE FOR SCHOOL CHILDREN AND THE SALE OF TICKETS ON TROLLEY CARS AND BUSES

City Council action declaring unanimously for a five-cent fare for school children and the sale of tickets on trolley cars and busses was tantamount today to an ultimatum to the New York State Railways receivers, to either grant these concessions or be prepared for suspension of the service-at-cost contract March 1.

Benjamin E. Tilton, one of the ancillary receivers, said the demand would be submitted to the United States District court and his course would be directed by the court.

Our course will be dependent altogether on what the court orders," he said.

Should the receivers elect to contest any attempt to restore the old five-cent fare contract which obtained before the service-at-cost contract, it was expected it would be through an order from the Federal court against any change in fare until the whole question of the merits of the old contract is again threshed out.

UPHELD BY STATE The state courts have upheld the five-cent fare contract as binding, and only suspended during the life of the service-at-cost contract. The United States Court has not passed upon it.

The Council voted unanimously for a five-cent fare for school children and the sale of tickets on the cars.

The Public Utilities Committee, consisting of R. Andrew Hamilton, Joseph L. Guzzetta and Louis S. Foulkes reported unanimously for the concessions.

The report also provided for the rate at which tickets must be sold. It fixed twelve for one dollar, and stipulated this rate should be made a part of the contract.

HAMILTON AGREED The resolution adopted by the Council recites that James F. Hamilton, when he was president of the Railways in December, and just before the Rochester lines were placed in receivership, agreed to grant a five-cent fare for school children and the sale of tickets on the cars and busses.

The report further recites that both Mr. Hamilton and Railways Commissioner Charles R. Barnes reported that the Rochester lines were so improved in net earnings that a 5-cent fare would soon be possible.

Major Items Before Council

Major business transacted by the City Council last evening included: Debated in hectic session the granite facing of the Ridge Road bridge, with Councilmen Nelson A. Milne and Joseph L. Guzzetta maintaining that facing will cost in excess of \$650,000, and City Manager Story and Frank B. McKibben, bridge specialist, defending figures as being in close proximity to estimates.

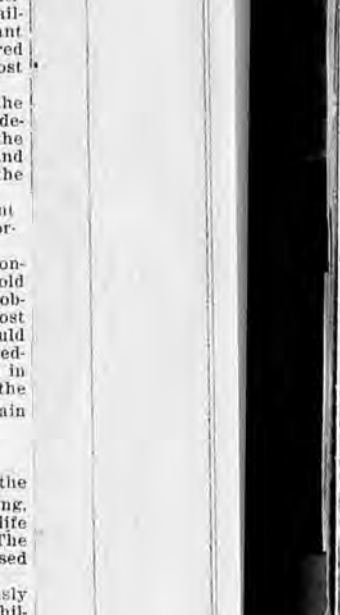
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Heard requests of labor leaders, headed by Henry D. O'Connell, president of the Central Trades and Labor Council, for preference to be given on the Ridge Road bridge to Rochester labor, and that there be strict compliance with the state statutes relating to payment of prevailing wage scale on public improvements, with declaration by City Manager Story that city would cooperate in the fullest degree and contractors have promised to hire Rochester labor, with exception of few foremen.

Adopted resolution by Councilman Guzzetta for the establishment by City Manager Stephen B. Story of emergency employment relief bureau, to co-operate with Community Chest and private agencies; provided for payment of \$125,000 to Bartholomew Company, Inc. for land required for South Street Bridge approach; transacted large volume of routine business.

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Ticket Sale on Cars 5-Cent School Fare Are Demanded

M'KIBBEN BACKS STORY VIEWPOINT

Big Crowd Listens to Argument at Session of City Council

By HIRAM MARKS

Granite facing of the Ridge Road bridge was debated in a stormy session of the City Council, last night, which attracted an audience of approximately one thousand persons, filling all available space in the Council chambers and overflowing into the corridors.

A large delegation of labor leaders, headed by Henry D. O'Connell, president of the Central Trades and Labor Council, and George F. McNaughton, president of the Building Trades Council, helped swell the attendance.

Councilman Guzzetta, in introducing the resolution, said: "The unemployment situation is so serious that we are willing to admit, especially the industrial leaders, private agencies open to under the Community Chest, that we cannot cope with the situation, by their furnishing adequate relief. As there seems no immediate relief, and in view of the fact that unemployed are organizing to have a mass meeting, of which may lead to dire results such as have occurred in other cities, it is essential that we do something to help them."

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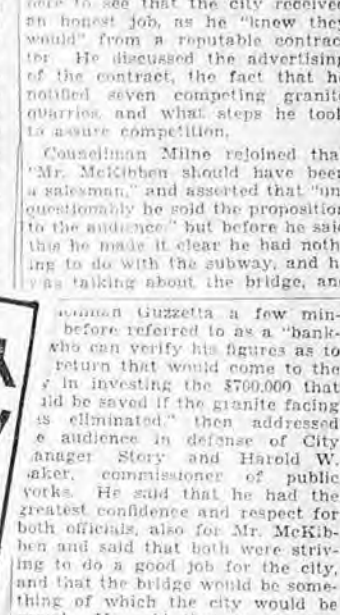
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CITY SAID READY TO FORCE ISSUE WITH TROLLEYS

Forecast Council Will Insist Tickets Be Sold on Cars BOTH RECEIVERS OPPOSE CHANGE Matter Likely To Go to Federal Court For Decision

As a condition for the extension of the service-at-cost contract until August 1, the public utilities committee of the City Council will insist that the sale of tickets on the trolley cars and busses be directed, and that a five-cent fare for all school children be put in effect.

This was made clear last evening by Councilman R. Andrew Hamilton, chairman of the committee. Although Mr. Hamilton was not certain whether the committee's findings would be ready for this evening's session of the Council, he said that "out of courtesy to William T. Plumb, co-receiver of the Rochester property" effort will be made to have a final conference today and the report filed this evening, so that the matter will be expedited as much as possible.

Thoroughly Discussed Several conferences between the Council committee, railway officials, and representatives of the bondholders have taken place, and the matter has been discussed so thoroughly that nothing further toward reconciling opposite views will be gained by additional negotiations Councilman Hamilton feels.

As the matter now stands, Benjamin E. Tilton, president of the New York State Railways, and Mr. Plumb, co-receiver of the Rochester property, are willing to recommend to the Federal Court having jurisdiction over the receivership that a five-cent fare for school children of all ages be put into effect, but are strongly opposed to a recommendation for the sale of tickets on the cars and busses. It is estimated that the sale of tickets on the cars and busses will mean a shrinkage of \$225,000 in revenues, by reason of the increased use of tickets, representing a fare of 8 1/3 cents, as compared with the cash fare of ten cents. The position of the operating officials of the railways is that the occasional user of trolleys should be compelled to pay the ten cent cash fare, the argument being advanced that with nearly three hundred agencies in the city, and tickets sold at important street intersections in the rush hours, there is ample opportunity for regular patrons to purchase the tickets, which are sold at twelve for one dollar. The railway officials point out that there is a concession here, as the contract provides with a ten-cent cash fare, only eleven tickets can be sold for a dollar.

The committee has favored the five-cent fare for school children, and from school, and for on street cars and busses. A reasonable decision, we believe, is in presenting its findings to the Council.

The shrinkage of revenue is based on the experience in Syracuse, where the tickets are sold on the cars and busses. Councilman Hamilton said that Rochester is the only city in the state where the tickets or tokens are not sold on the cars, and that in his opinion not one sound argument has been advanced to show why Rochester should be the only exception. He also points out that even if the tickets are sold on the cars here, the railways will receive fifty cents for six of them, while in Syracuse they receive forty-five cents for six, and it will mean larger revenue here. He said that unquestionably it might mean a loss in some revenue; and then, again, he asserted, it might induce riding, and on the basis of the five months remaining after the expiration of the contract, the railways may obtain some valuable experience by permitting the sale of the tickets on the cars and busses, upon which to formulate their attitude toward a new contract. While the reduced fare for school children means a loss of approximately \$75,000 a year, the railway officials are inclined to grant this request, it is said, but it is believed that there will have to be a direct mandate from the Federal Court before the other condition of the public utilities committee is accepted.

Bondholders Protest The bondholders have become a factor in the negotiations and the group represented by Harris, Forbes & Company, upon which Roland B. Woodward, executive vice-president of the Chamber of Commerce, is serving, has expressed its opposition to the sale of tickets on cars and busses and the reduced fares, because of the jeopardy to the bondholders' interests in the loss of revenue. Other groups of bondholders are organized by J. S. Lisman & Company of New York, with Sutherland & Dwyer of Rochester as attorneys, and still another group is headed by Robert C. Watson, president of the Rochester Trust & Safe Deposit Company, and John H. Gregory, president of the Central Trust Company, with Bowman & Van Schalk as attorneys. The Security Trust Company is interested as trustee with Harris, Bench, Folger & Bacon as attorneys.

While it is regarded as certain that the public utilities committee will recommend that the two conditions be imposed for the renewal of the contract, which terminated as a consequence of the receivership, and that the Council will sustain the committee's findings, the specific instructions to the receivers open many legal ramifications. Directly responsible to the Federal Court, the matter is passed along for judicial consideration. Then arises the question as to whether the two changes rest in a new contract, rather than extension of the existing document, and whether this compels approval by the Public Service Commission; also whether, if the entire negotiations fall under the franchise provisions the five-cent fare provision of forty years ago is evoked, whether there are Federal statutes that bear on the subject.

Councilman Hamilton has been directing his time almost exclusively to the subject, with Councilmen Duran and Foulkes, and he said that the inquiry to date has not been with reference to the period of the contract up to July 31, when the original agreement will expire, and that no study has been given to the question beyond that.

Art and Museum A part of the collection of historical writings... issued by Director Arthur C. Parker of the Rochester Municipal Museum of Arts and Sciences and Charles C. Adams, director of the Division of Science and the State Museum of the University of the State of New York. The writers deal with the possibility of creating an educational center of enduring value by correlating the activities of the Rochester Museum with a proposed exhibit of Indian relics and other educational features at the park.

Letchworth Park already has a small museum of Indian relics, but the plan proposed by the two writers mentioned embraces a great deal more than a few neatly arranged cases of stone age artifacts. It proposes the building of an Iroquois bark dwelling, and perhaps a palisaded Indian village similar to those burned by French invaders of the Seventeenth Century. It might be possible, it is suggested, to persuade modern descendants of the valiant warriors of the Six Nations to act as caretakers, and through an arrangement with the Rochester Museum, exhibits could be arranged in a manner to make the long centuries of Indian occupation in the Genesee Country to live again through scenes and objects recalled from the dim past.

It is not sufficiently realized by the present inhabitants of Western New York that the people who occupied this soil until a century and a half ago once dominated North America from Alabama to New England, and from the Mississippi to the Hudson, exacting tribute from scores of tribes less than their own. Moreover, their descendants today are said to be no fewer in numbers than were the Six Nations of Washington's time.

Too little has been done to bring home to the people of this century the story of the first residents of the Genesee Country. Perhaps Director Parker and Director Adams may find friends who will make possible the plan they propose, or some way equally good to develop the possibilities of Letchworth Park as a museum center of history brought to life.

Would Extend Power To Sign City Bonds

Albany Bureau, Democrat and Chronicle Albany, Feb. 17.—Clarification of the general city law in relation to the issuance and validation of municipal bond or note issues is sought in a bill introduced tonight by Assemblyman Richard L. Sanders and Senator Cosmo A. Cilano. The bill among other things would include the vice-mayor or acting mayor of a city among officers empowered to execute and issue such bonds and also would add the deputy financial officer of the city to the present stipulated controller or treasurer.

The bill was drawn by Corporation Counsel Clarence M. Platt and aims to carry out changes in the law found advisable by him.

Major Items Before Council Major business transacted by the City Council last evening included: Debated in hectic session the granite facing of the Ridge Road bridge, with Councilmen Nelson A. Milne and Joseph L. Guzzetta maintaining that facing will cost in excess of \$650,000, and City Manager Story and Frank B. McKibben, bridge specialist, defending figures as being in close proximity to estimates.

COSTLY CONTRACT SUSPENSION THREATENED

City Council action freezing unannounced for a five-cent fare for school children and the sale of tickets on trolley cars and busses was tantamount today to an ultimatum to the New York State Railways receivers, to either grant these concessions or be prepared for suspension of the service-at-cost contract March 1.

Benjamin E. Tilton, one of the ancillary receivers, said the demand would be submitted to the United States District court and his course would be directed by the court. "Our course will be dependent altogether on what the court orders," he said.

Should the receivers elect to contest any attempt to restore the old five-cent fare contract which obtained before the service-at-cost contract, it was expected it would be through an order from the Federal court against any change in fare until the whole question of the merits of the old contract is again threshed out.

UPHELD BY STATE The state courts have upheld the five-cent fare contract as binding, and only suspended during the life of the service-at-cost contract. The United States Court has not passed upon it. The Council voted unanimously for a five-cent fare for school children and the sale of tickets on the cars.

The Public Utilities Committee, consisting of R. Andrew Hamilton, Joseph L. Guzzetta and Louis S. Foulkes reported unanimously for the concessions. The report also provided for the rate at which tickets must be sold. It fixed twelve for one dollar, and stipulated this rate should be made a part of the contract.

HAMILTON AGREED The resolution adopted by the Council recites that James F. Hamilton, when he was president of the Railways in December, and just before the Rochester lines were placed in receivership, agreed to grant a five-cent fare for school children and the sale of tickets on the cars and busses.

The report further recites that both Mr. Hamilton and Railways Commissioner Charles R. Barnes reported that the Rochester lines were so improved in net earnings that a 5-cent fare would soon be possible.

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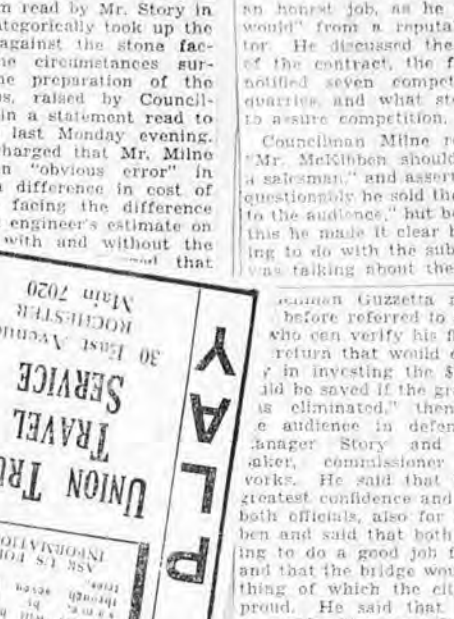
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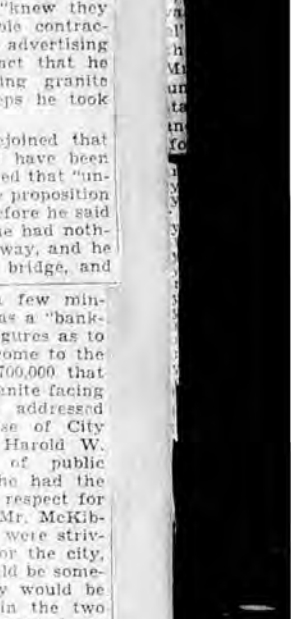
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Statement on History of Ridge Road Bridge Negotiations Made by City Manager

City Manager Stephen B. Story last night filed with the Common Council the following statement of facts concerning the history of negotiations for the building of the proposed Ridge Road bridge. This detailed explanation was prepared by the architect in charge of the design, Harold W. Baker with regard to proposals to face the bridge with granite.

WANT BRIDGE CONSTRUCTED BY CITY LABOR

Union Men Seek Assurances That Employment Law of State Be Observed

Labor leaders of Rochester, headed by Henry D. O'Connell, John G. White, George F. McNaughton, John Heiden, and flanked by scores of others, including representatives of the stone cutters and the laborers, crowded the councilman's chambers last evening to obtain assurance from the city officials that state laws would be observed on the Ridge Road bridge.

RECEIVERS EXPRESS DISAPPOINTMENT BUT SAY INTERESTS OF PUBLIC AND SECURITY HOLDERS BEST SERVED BY COMPLIANCE WITH DEMANDS

MATTER WILL NOW GO TO FEDERAL JUDGES FOR THEIR CONFIRMATION

The campaign that was instituted more than a year ago by Councilman William F. Durnan to obtain concessions from the New York State Railways in the service-at-cost contract under which the Rochester lines are operated, yesterday received the approval of Benjamin E. Tilton and William T. Plumb, co-receivers of the Rochester property, and some time before March 1 it is expected that the fare for school children of all ages will be fixed at five cents, and tickets will be sold on the cars and busses at twelve for one dollar.

THURSDAY, FEBRUARY 20, 1930

WE COULD AFFORD TO BUY IT

STORY WILL URGE BIGGER BEACH PARK

A definite program for the acquisition of Terry Park to enlarge Ontario Beach Park, westward along Beach Avenue and the lakeshore, is expected to follow tomorrow night's City Council meeting.

UP TO FEDERAL JUDGES

RECEIVERS 'DISAPPOINTED'

RECEIVERS 'DISAPPOINTED'

This ultimatum to the receivers resulted in acceptance of the city's conditions. The following statement was issued by Mr. Tilton, president of the New York State Railways, and Mr. Plumb:

RECEIVERS 'DISAPPOINTED'

RECEIVERS 'DISAPPOINTED'

RECEIVERS 'DISAPPOINTED'

While we are disappointed that the old contract could not have been continued during the term of its original life, we nevertheless feel that the interests of the public and the security holders, whose interests are, after all, mutual, would be served by recommending the acceptance of the amendments as proposed by the city, and we are in both districts for consent to accept the ordinance as passed by the City Council.

Table with 4 columns: Bidder, Percentage, Bid Amount, and Remarks. Lists various contractors and their bids for the bridge project.

Table with 4 columns: Bidder, Percentage, Bid Amount, and Remarks. Continuation of contractor bids.

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SPLENDID BRIDGE

FEW FOREMEN EXEMPTED

CONCERNING THE PAYMENT OF PREVAILING RATE OF LABOR

HAMILTON FAVORED

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VOTE \$125,000 FOR LAND FOR SMITH BRIDGE

COUNCILMEN ALLOW THAT SUM TO BARTHOLOMEW, INC., FOR ITS PROPERTY

WE COULD AFFORD TO BUY IT

STORY WILL URGE BIGGER BEACH PARK

UP TO FEDERAL JUDGES

Statement on History of Ridge Road Bridge Negotiations Made by City Manager

City Manager Stephen B. Story last night filed with the Common Council the following statement of facts concerning the history of negotiations for the building of the proposed Ridge Road bridge. This detailed explanation was made in answer to criticisms by Councilman Nelson A. Milne of the conduct of Mr. Story and Commissioner of Public Works Harold W. Baker with regard to proposals to face the bridge with granite.

Last Monday evening Councilman Milne read a prepared statement purporting to contain "facts" concerning the Ridge Road bridge and the preparation of its plans.

Divesting his statement of a demand for the removal of the City Manager and the Commissioner of Public Works and a carefully worded characterization of the history of the bridge, his statement reads as follows:

1. A contractor has told him that the granite for the bridge will cost \$300,000 and that the total cost of the facing will exceed \$700,000.
2. That the engineer, Mr. Frank P. McKibben, is to be paid \$50,000 in cost of the job and that by virtue of the bridge cost of \$700,000 the fee of the engineer is increased by over \$40,000.
3. That secrecy marked the preparation of the plans and that the proposal to face the bridge was "put through by deception" or the "holding of facts."
4. That the Councilman tried to obtain a copy of the plans and specifications but these were refused by the Commissioner of Public Works.

I propose to outline first the steps taken in connection with this bridge leading up to the present time. The first discussion of the bridge at a public hearing took place in 1820. Now, a hundred and ten years later, we are about to begin construction of this important structure. For the past fifteen years the discussion has increased in intensity and in the last six or seven years demands for its erection have been more and more insistent. It is a well known fact that the problem out of the "talk" stage and are on the way to making it a realization. Now we see efforts to stall and delay the matter still further.

During the summer of 1929, Mr. Frank P. McKibben was engaged by the City Manager as the engineer to prepare studies, designs, plans and specifications for the Ridge Road bridge. Mr. McKibben engaged Gehron and Ross, architects, of New York City, to do the preliminary work. A large force of engineers and architects immediately started designs and estimates and began to make plans made by the City of Rochester about 1921.

Some slight different preliminary studies and estimates were made and submitted to the City Manager and Commissioner of Public Works early in the Fall of 1929. Following this an informal meeting of the Council with the City Manager, the Commissioner of Public Works, the Director of Design and Construction, Consulting Engineer Peole, Frank P. McKibben, engineer, and Sidney Ross, architect was held in the City Manager's office. The Council was represented by Councilmen Foulkes, Adler, Flynn, Peake, Milne and myself.

All answered Yes. Mr. McKibben and Mr. Ross explained the designs and estimates of concrete single and double deck bridges, steel single and double deck bridges and an informal discussion followed on the subjects of choice of design, the feasibility of the facing and probable cost, a plaza or underpass at St. Paul Street to relieve the probable traffic congestion. The preliminary estimates were as follows:

1. Solid spandrel arch, concrete with granite facing	\$3,088,187
2. Solid spandrel arch, concrete with granite facing	2,667,187
3. Open spandrel arch, concrete with granite facing	2,426,532

At the conclusion of the informal meeting, the following questions were asked: Those present: a. "Which design are you in favor of?" All answered in favor of the solid spandrel arch. b. "Are you in favor of facing the bridge with granite?" All present stated that they were in favor of granite facing. c. "Are you in favor of including some provision for the traffic congestion which would occur at the intersection of St. Paul Street?" All present answered "Yes."

The Commissioner of Public Works then asked those present as follows: "As I understand the designs expressed here this afternoon, we are to proceed with the design of a concrete arch bridge faced with granite and are to include the best solution we can find of the St. Paul Street traffic congestion?" All answered "Yes" to this statement.

The next Monday evening, Oct. 7, 1929, following this conference, the designs, drawings and specifications on exhibition in the Council Chamber. Mr. McKibben and Mr. Ross were present and during the recesses of the Council Mr. McKibben explained the designs and specifications, and participated in a lengthy public discussion of various designs, proposed costs, etc. The Council then reconvened and passed a resolution directing the Commissioner of Public Works to prepare for introduction in the Council an ordinance for the construction of the Ridge Road bridge.

Tried It on Subway

The City tried this on the construction of the subway and the result cannot be considered at all satisfactory. Contracts 1, 2 and 3 covered the major portion of the subway construction. These contracts totaled in all \$7,452,946. The engineering costs totaled \$442,517. This figure is 5.94% of the cost of the work done under the contracts. This is within .03 per cent. of the 6 per cent. Mr. McKibben will receive.

The subway design was a simpler engineering problem than the Ridge Road bridge and the architectural element so necessary and desirable in the bridge was totally lacking in the subway. There should be a difference in the fee bases of the two projects of 1 per cent. for architectural design alone. It should also be recalled that for city library buildings, bathhouses and school buildings which have been designed and carried out under architectural supervision the uniform fees paid by the city have been 6 per cent. so there is nothing unusual or out of line in the 6 per cent. fee to be paid Mr. McKibben.

But let us examine a bit more closely into the results of designing and engineering the subway projects with city forces recruited especially for the work and engaged upon a type of construction with which they are not familiar.

Contract No.	Price	Cost	Pct. of final over Contract
1	\$1,183,780.00	\$1,630,547.21	137.74
2	1,654,765.00	3,365,537.16	203.38
3	1,937,511.25	2,457,864.70	126.81
Total	\$4,776,056.25	\$7,453,949.07	156.06

It is this sort of over-run of contract price by granting or ordering extras of the contractor which we are seeing to overcome by engaging a reputable and competent engineer and paying him a fee which is not exorbitant. If we can prevent a recurrence of this over-run of contract price which marked the construction of the subway the engineer's fee would be well worth the money to this Council. It is worth while noting that even such routine engineering work as the city does at local improvements costs more than 6 per cent.

Question of Secrecy. Now let us look into the question of secrecy in the preparation of the plans and specifications. I state that I never was in any way connected with the preparation of the plans and specifications of the City of Rochester in which as much effort was made to get the Councilman interested as I to let the public know what was being discussed.

From the inception of the work on preliminary plans on the Ridge Road bridge a consistent effort has been made to acquaint the Council with the facts and figures of cost as far as they have been available. The plans and specifications have been on file in the office of the Commissioner of Public Works and they have been open to inspection by any and all persons interested. A copy of the specifications and a set of the blue prints have been made for public inspection in the Purchasing Agent's Office ever since this job was first advertised to bidders.

On the final point relating to the refusal of the Commissioner of Public Works to give plans to the Councilman, I can only state that such refusal was never made because no request was made. Had he been seriously interested he could have requested the plans and specifications at any time and they would have been directly available. There was no desultory talk made by the Councilman about furnishing a set of the plans and specifications to each Councilman in order that they might be assured that there was going to be no competition on this bridge. A direct request was never made either to me or to Mr. Baker.

Granite Competition. Before I sign off I want to take up the question of competition in granite stone to be used in the facing. There was a lot of loose talk about large sums but I cover only those who were in the running and that Mr. McKibben had an interest in the granite facing. From information available in the office of the architect it was found that satisfactory granite could be obtained from any one of the following seven companies:

WANT BRIDGE CONSTRUCTED BY CITY LABOR

Union Men Seek Assurances That Employment Law of State Be Observed

Labor leaders of Rochester, headed by Henry D. O'Connell, John G. White, George F. McNaughton, John Heiden, and flanked by scores of others, including representatives of the stone cutters and the laborers, crowded the council chamber last evening to obtain assurances from the city officials that state laws would be observed on the Ridge Road bridge. Mr. O'Connell, president of the Central Trades and Labor Council, said that the workers of Rochester are vitally interested in the employment of Rochester labor in preference to all others, and the payment of the prevailing wage scale on public work, as provided by state statute.

City Manager Story pointed out, and Mr. O'Connell agreed, that it was illegal to incorporate in the specifications any provision about preference to labor, but he said that both Commissioner Baker and himself were informed by Booth & Finn's representatives that except for a few foremen, all of the labor would be hired from among people of this community.

Concerning the payment of prevailing rate of labor, which has been the subject of much controversy in Rochester, Mr. Story read the two paragraphs in the contract which provide for the provision of the prevailing scale of wages as carried out and he said that if Mr. O'Connell, Mr. White or anybody else had a complaint they would receive prompt co-operation from either himself or Commissioner Baker.

Mr. O'Connell said that "while we never got it before," he "would like to see the future produced with reference to the bridge."

VOTE \$125,000 FOR LAND FOR SMITH BRIDGE

Councilmen Allow That Sum to Bartholomay, Inc., for Its Property

The payment of \$125,000 to the Bartholomay Company, Inc., for land required for the east approach to the Smith Street bridge was approved last evening by the City Council by unanimous action after a resolution by Councilman William F. Durman received the recommendation of the Finance Committee.

A resolution by Councilman Milne providing for the purchase of land in Gardiner Avenue, formerly occupied by the Plantation, from Frederick J. Weider for \$39,000 was referred to Finance Committee. The land is to be used as a playground.

Councilman Milne introduced ordinances authorizing that repairs to Stutton Street bridge be done without competitive bidding; Councilman Peake introduced a resolution for a sewer in Laxon Court; Councilman Milne's ordinance granting permission to Comptroller Higgins to renew \$60,000 in municipal notes were passed. Councilman Foulkes ordinance authorizing the purchase of relics for the Municipal Museum was passed. Local improvement ordinances for "Caring Street widening" and "Boxart Street widening" were adopted. A hearing was conducted on the concrete pavement in Norton Street, and Councilman Durman filed a petition for fire property owners favoring concrete, instead of asphalt.

Five Cent Fare for School Children, Council Demands

Negotiations that have been conducted between the city and the receivers of the Rochester lines of the New York State Railways with reference to the continuation of the service at cost contract until Aug. 1 was crystallized last evening by the adoption of a resolution directing Benjamin E. Tilton and William T. Plumb, auxiliary receivers, to accept before March 1 the city's conditions for the continuation of the agreement, or the contract will be terminated. The city directs that the receivers provide for the sale of tickets on buses and cars; the 5 cent fare for all school children, and the sale of twelve tickets for one dollar.

This action was recommended by unanimous report of the public utilities committee, signed by Chairman R. Andrew Hamilton, chairman; Louis S. Foulkes and William F. Durman, Councilmen; Joseph L. Guzzetta introduced the resolution. The receivers will refer the matter to Federal Court.

If the contract is terminated a general 5-cent fare provision prevails in Rochester, with the railways required only on many lines under the same franchise requirements that are contained in the ordinance. Both sides are anxious to avoid a chaotic situation that would likely develop from a 5-cent fare provision, the city agreeing that adequate service could not be provided at that figure.

In its report the Public Utilities Committee claim that both James F. Hamilton, former president of the New York State Railways, and Charles R. Barnes, commissioner of railways, consented to the provisions that are contained in the city's proposal for the extension of the contract until Aug. 1, its original termination date. The present negotiations are necessary because of the provision of the contract which provides for its termination in the event of the appointment of a receivership.

The report of the Public Utilities Committee follows: Your Public Utilities Committee, to which was referred the ordinance introduced by Councilman Guzzetta on Jan. 13, 1930, entitled "Election and Agreement to continue service-at-cost contract and amend said contract, has carefully considered the same.

Hamilton Favored It. Your committee reports that prior to the appointment of auxiliary receivers, the former president of the New York State Railways and the commissioner of railways stated that the New York State Railways was willing to amend the contract so as to provide that tickets should be sold on the street cars and the fare for school children should not be more than 5 cents. They also stated prior to the appointment of the auxiliary receivers, that the company was willing to accept the amendment to the contract so as to provide that the rate of fare for the sale of tickets shall be twelve tickets for one dollar, the same price at which they are now being sold. Your committee also includes in the ordinance a provision that the contract shall terminate if the auxiliary receivers do not execute and deliver said agreement on or before March 1, 1931, in place of the ordinance your committee recommends.

The Times-Union has consistently argued for these changes since the question of continuing the contract first arose. We do not feel that the company will lose anything through acceptance of the conditions. The gain for the patrons of the service will go a long way toward re-establishing the good will that formerly existed between the car-riding public and the company.

But the work of the Council Utilities Committee is not ended. It is pledged (1) to survey the company's business, (2) to examine the question of municipal ownership and (3) to consider the possibility of an entirely new deal with the company. The Times-Union takes this occasion to reiterate its stand against hasty renewal for a long period of the service-at-cost contract. We believe that a thorough examination of the affairs of the street car company might reveal interesting possibilities of municipal ownership. If the company persists in its arguments to security holders that the lines are "junk" and worth only a fractional part of the \$19,000,000 plus valuation, then the city could well afford to buy in the system.

READY TO SELL TICKETS ON CARS, GRANT SCHOOL CHILDREN 5-CENT FARE

Receivers Express Disappointment but Say Interests of Public and Security Holders Best Served by Compliance With Demands

MATTER WILL NOW GO TO FEDERAL JUDGES FOR THEIR CONFIRMATION

The campaign that was instituted more than a year ago by Councilman William F. Durman to obtain concessions from the New York State Railways in the service-at-cost contract under which the Rochester lines are operated, yesterday received the approval of Benjamin E. Tilton and William T. Plumb, co-receivers of the Rochester property, and some time before March 1 it is expected that the fare for school children of all ages will be fixed at five cents, and tickets will be sold on the cars and buses at twelve for one dollar.

These were the conditions that the public utilities committee of the City Council in a unanimous report, signed by Councilmen R. Andrew Hamilton, chairman; Councilman Louis S. Foulkes, and Councilman Durman placed on the unanimous action of the Council, by resolution of Councilman Joseph L. Guzzetta, who called himself in Councilman Durman's fight for concessions to the car riders, was passed, giving the railway receivers until March 1 to accept, or to terminate the service-at-cost contract.

Receivers 'Disappointed'. This ultimatum to the receivers resulted in acceptance of the city's conditions. The following statement was issued by Mr. Tilton, president of the New York State Railways, and Mr. Plumb: "While we are disappointed that the contract could not have been continued during the term of its original life, we nevertheless feel that the interests of the public and the security holders, whose interests are, after all, mutual, would be served by recommending the acceptance of the amendments as proposed by the city, and we are in both districts for consent to accept the ordinance as passed by the City Council."

Up to Federal Judges. The matter will be submitted to Federal Judge Bryant in the Northern District of New York and Federal Judge Simon L. Adler in the Western District, having jurisdiction over the receivership. With the recommendation of the receivers, approval of the ordinance is expected to follow tomorrow night's City Council meeting.

City Manager Stephen B. Story said yesterday that a communication would be submitted to the council, advising the members that the city has options on 93 per cent. of the easements against Terry Park, and hopes to have the remaining 7 per cent. within ten days. Once this park is acquired, the council will be advised that the city should be ready to move speedily with the construction of a new, single-unit bath house to replace the present tottering cottages.

If a new bath house is to be erected at the lakeside, the city must move fast, as the bathing season may arrive as early as Decoration Day. Mr. Story said in recent years the warm weather has arrived that early. Last year the bathers stormed the cottages before the city was ready to open the season.

The Ontario Beach bathing plant has been self-sustaining the last years, and Mr. Story said, returns from municipal bathing at this resort would be sufficient to carry a large investment there. It is planned to build a new bath house along the line now separating Terry and Ontario Beach Parks, with the new building in the old park. The owners of Terry Park easements have stipulated in their agreements to sell that the city shall not build on the property within fifteen years after the purchase.

Councilman Hamilton and his committee took a firm stand and declared that the interests of the car riders had to be paramount to those of the bondholders and that they felt that no substantial argument would be raised against the position of the city. It was contended that previous to the receivership, both James F. Hamilton, former president of the New York State Railways, and Commissioner of Railways had consented to the two changes and had made such commitments not only to the interested councilmen, but in conferences in which Harry J. Farnham, chairman of the Monroe County Republican Committee, was in charge. Active also in the campaign for the five-cent fare for school children was John G. White, business agent of the masons' union.

the correct color



STORY WILL URGE BIGGER BEACH PARK

A definite program for the acquisition of Terry Park to enlarge Ontario Beach Park, westward along Beach Avenue and the lakeshore, is expected to follow tomorrow night's City Council meeting.

SCHOOL CHILDREN WILL PAY 5-CENT FARE AFTER MARCH 1; UNEMPLOYED ASK CITY AID

Ticket Sale on Cars To Be Effective at Same Time

ANNOUNCEMENT IS MADE TO COUNCIL City Transportation of Future Will Be Considered Next

By HIRAM MARKS

The five cent car fare for school children and the sale of tickets on busses and trolley cars will go into effect next Saturday morning.

Agreement Signed

The agreement was signed by Benjamin E. Tilton and Wallace Pierce as general receivers for the New York State Railways and by Mr. Tilton and William T. Plum as ancillary receivers.

The railway officials and Charles R. Barnes, commissioner of railways, asserted that the two concessions to the car riders will mean a shrinkage of revenue on the Rochester property approximating \$300,000 a year.

Lakedale Loses The effort of a group of property owners in Lakedale to induce the city to acquire an open plot fronting in Lake Avenue as a municipal playground was lost when the public welfare committee in a report read by Councilman Foulkes, chairman, recommended adverse action on the proposal at this time because there was no immediate

Business Handled by City Council

Business transacted by the City Council last evening included the following items:

Received announcement by Councilmen R. Andrew Hamilton, William F. Duran, and Louis S. Foulkes that all former have been complied with in extension of service-at-cost contract to Aug. 1 and five-cent fare for school children, and that sale of tickets on cars and busses will be effective Saturday morning.

Defeated by vote of five to three proposal to acquire parcel of property in Lakedale for playground purposes, and public welfare committee recommended favorable action on \$75,000 appropriation for branch library at Norton Street and Hudson Avenue, Vice-Mayor Adler sending measure to finance committee.

Adopted unanimously grade crossing elimination program for Hague, Child, Ames, Colvin, and York Streets, as proposed by City Planning Board and passed resolution by Councilman Milne urging action by Public Service Commission.

Authorized Comptroller Clarence E. Higgins to borrow \$125,000 for municipal land purchases; received resolution for closing of Henry Street to provide site for addition to Washington Junior High School, received communication from welfare committee of Socialist Party relating to unemployment, and from Dr. Franklin W. Bock with reference to patronage gossip in the South district which will be considered at next session.

Authorized Corporation Counsel Clarence M. Platt to appear before Legislature in behalf of adoption of measures that will permit cities to share in distribution of gasoline tax moneys, and transmit a large volume of business before an audience that filled Council chambers to capacity.

After passage of the resolution, difficulty arose over what constitutes "curb on hand." Contractors claim that it is property which they had contracts with the quaries for large amounts of curbing to be cut and dressed at quarries, and that they should be permitted to use all curbing for which they had contracts. One contractor claimed to have a contract for 20,000 feet of curbing, one for 50,000 feet, and one claimed to have a contract for 90,000 feet. In the view of the committee's report was stated by the votes of Vice-Mayor Adler; Councilmen Foulkes, Char Stanton, Chester Peake and Nelson A. Milne, William F. Duran and R. Andrew Hamilton voted for the purchase of the land for which \$30,000 was asked.

The appropriation of \$75,000 sought by Councilman Duran for a branch library at Norton Street and Hudson Avenue was recommended by the public welfare committee and the ordinance was referred to the Finance Committee. Councilman Foulkes reported that the branch library should be established as soon as the funds are available, and the matter is now before the finance committee, which will make a recommendation. Councilman Duran said that the branch library is needed in the northeast corner of the city.

The public welfare committee also submitted a favorable report on the resolution declaring intention to acquire lands for a Waverly Place playground and Vice-Mayor Adler referred this also to the finance committee.

'BOOTLEG CURB' IN CITY PAVING, ATTORNEY SAYS

Asks Square Deal for Local Stonecutters, Suggests Municipal Stone Yard

An extended argument was made yesterday by George S. van Schaick, attorney, before the public works committee of the City Council, Councilman Chester A. Peake, chairman, urging employment of Rochester stonecutters on city work and the establishment of a municipal stone yard.

"The stone cutters of Rochester are in a sad plight," Mr. Van Schaick said. "They are industrious, but most of the time there is no work for them. The city uses much dressed curbing every year. Most of this curbing is dressed at quarries and brought here ready to be set. There are 67 stone cutters in Rochester. The number who have adequate work is negligible."

Phrase Bothersome After passage of the resolution, difficulty arose over what constitutes "curb on hand." Contractors claim that it is property which they had contracts with the quaries for large amounts of curbing to be cut and dressed at quarries, and that they should be permitted to use all curbing for which they had contracts. One contractor claimed to have a contract for 20,000 feet of curbing, one for 50,000 feet, and one claimed to have a contract for 90,000 feet.

These stonecutters of Rochester are a whole, are citizens of the very best. Out of a list of 50 I found 31 to be direct taxpayers, 47 married, 46 with dependents, 34 with children in school, 30 having had less than six months' work in 1929, and 22 having had less than three months' work in 1928.

compromise that will not be a credit to Council or the administration. If the city government means to exert its superiority over the contractors and enforce its requirements as to curbing being cut and dressed in the city, how can it do so? It is absurdly apparent that difficulties are in the way. Nevertheless, a firm and resolute policy would show two courses open. The first would be effective in bringing the contractors to book.

In the first place, some teeth should be put into the contracts for pavement and curbing whereby contractors will violate the provision as to where curbing is cut and dressed. The second course would be to provide that a violation of this particular specification shall subject the contractor to the penalty of removing "bootleg" curb and replacing it with city-cut curb. Why not provide that the contractor is to furnish the contract violation thereof to be ground for cancellation of the contract? Why not specifically provide that a violation of this particular specification shall subject the contractor to the penalty of removing "bootleg" curb and replacing it with city-cut curb?

Then, in order that there may be no possibility of a contractor's violation of the resolution, the resolution of Councilman Guzzetta now before the public works committee should be amended so that a municipal stone yard should be approved and passed. Why not? It is a large and important contract, has been in existence for Rochester government. When the city could not get satisfactory contracts, especially in the matter of delays, Rochester did not hesitate to build a model for other cities. A profitable and successful venture, as well as a model for other cities.

Advocates City Yard "There is no difference in fundamental principle between an asphalt plant and a stone yard. The city has determined as a matter of public policy that it wants and requires city-cut and city-dressed curb rather than curb dressed at the quarries. It has given the contractors every opportunity to furnish what the specifications call for. The alternative is just as in asphalt repairs, for the city to do its own work in order to get what it requires."

Who cut and dressed this large amount of curb which is now on hand? Where was it cut and dressed? How is it possible to have cut and dressed it without employing stone cutters? The only answer is obvious when one considers that it takes one man a whole day to dress from 13 to 20 feet of curb.

The City Engineer says he has investigated the matter and that no adequate investigation has been made by the City Engineer as to fact that would stir someone to get dressed within the City of Rochester. The fact that it is on hand in view of the amount of city cut curb which his company has been required to use on its contracts in the last two years, and in view of the small amount of curb which is now on hand, questions as to whether the curb which is now on hand is city cut, or less the Council acts, because the only answer the City Engineer gives is that the demand for curb-stone cutters is the situation.

Would Equalize Labor If the contractors would accept resolution of the Council and abide by it, they would necessarily stock up on curbing during the winter by employing Rochester stonecutters to do the work. This would mean that the stonecutters during the off season and greatly relieve the distress. On the contrary, most of the contractors do not stock up on curbing, but in the summer curb shortage exists. This then becomes one of the excuses for not cutting and dressing the stone to city-cut curb. It would be interesting to know how many of the contractors who were offered by the very contractor who now claims to have a vast amount of city-cut curb on hand which has accumulated over a period of years.

It is plain to anyone who looks into the situation that the contractors have practically nullified Council's resolution. The city administration is faced with the alternative of conceding the contractors are more powerful than the government, or else taking effective action to enforce the resolution of May 14, 1929. Any middle ground will be a weak

Registration of Jobless Crowds Council Room To Present Demands

SOCIALISTS ALSO SUGGEST PROGRAM

Dr. Bock Asks Probe of Patronage Gossip in South District

Proceedings of the City Council last evening were conducted before another capacity audience, even standing room being unavailable.

Attendance was swelled by a large delegation from the Unemployed Council of Rochester, and at the conclusion of the regular session the privilege of the floor was extended to Samuel Essman, representing the council, who talked for ten minutes about an industrial revolution; possibility of a war between the United States and Great Britain; the speeding up of production in American industries; the uprising of American workers to control government; and economic factors as in the Soviet Union. Charges were hurled against capitalists; and against members of the City Council as being representatives of the capitalist groups in the community.

Asks Aid for Unemployed Mr. Essman was seeking, in behalf of the committee of nine, representing the Unemployed Council, the co-operation of the councilmen in assisting in the unemployment situation in Rochester.

"The speaker asserted that in the best country in the world work is scarce and starvation. He said that the capitalists of Europe and America are competing for the world markets and are interested in bigger profits and greater dividends. He said what the workers wanted was 'work or wages' and gave warning to the council that the workers would carry on their fight against the present economic structure.

The Council had before it the demands of the Unemployed Council, which Vice-Mayor Isaac Adler read as a preface to the discussion by Mr. Essman. The unemployed want from the city the payment of \$15 a week to every unemployed worker, with \$5 additional for each dependent; that there be no shutting off of gas or light for failure to pay bills on account of unemployment, no evictions for nonpayment of rent for the same cause, abolition of all vagrancy laws, and a seven-hour day, five-day week for workers with no overtime.

Limited by Laws Mr. Essman addressed himself primarily to a general economic discussion, and made only slight reference to conditions in Rochester. At the conclusion of his talk Vice-Mayor Adler said that it is the seriousness of the unemployment situation in Rochester was apparent to all councilmen, but they were limited in what could be done by the administration of the commissioner.

When the people of Rochester voted to adopt the city manager form of government, it was presumed that all councilmen, but they were limited in what could be done by the administration of the commissioner.

It is believed by the people in general that the city manager is a device solely because of the fact that the council is a body of men who are not interested in the public welfare. The one man who is interested in the public welfare is the city manager, and he is the one who should be elected to the office.

The Council had before it a communication from the public welfare committee of the Socialist Party, relating to unemployment, signed by R. M. Elizer, secretary, but no action was taken on it because it was received by City Clerk Thomas P. O'Leary later than Friday afternoon, when the Council meets in informal session to frame a program for the coming Monday evening. Action on the communication will be taken next Monday evening.

Socialist Party Suggestions

This communication, which outlines a course of action that the city may take to be helpful, is as follows:

We recognize unemployment to be an inevitable result of the competitive system of industry whereby the workers never receive wages enough to buy the equivalent of what they produce. We believe that the prevention of unemployment will only be possible through the elimination of the profit motive from industry and the substitution of the motive of service to the consumer. As long as the industry runs for private profit, the workers will always produce a surplus of goods for which there can be no market, since their wages will never equal the value of what they produce.

We recognize that this situation can only be corrected by a complete revision of the industrial system beyond the scope of the municipal government of Rochester. Any relief afforded by this Council can only afford a temporary and partial relief of unemployment. With these things in mind, we propose the following immediate relief measures:

1. The creation of an unemployment conference composed of representatives from the following bodies: labor unions and other economic organizations; the city government; the workers; employers and business organizations; the public and private; the existing public employment agencies, and from any other organizations representing unemployed which may be formed.

2. The city government shall use all its powers and influence to inaugurate a plan of unemployment insurance similar to the scheme used in Great Britain wherein the insurance fees are paid 1-3 by the workers, 1-3 by the employer, and 1-3 by the government.

3. The city government shall also use all its powers and influence to distribute the available work by cutting down on the number of employees in the public service.

4. We recommend the abolition of all private agencies which employ agencies, these to be replaced by the public agency described above.

Asks Municipal Stores 5. We recommend the establishment of stores by the city to supply the needs of the unemployed workers at cost or less than cost.

6. We condemn the eviction of unemployed workers because of inability to pay rent; we recommend the city to purchase apartments for the unemployed workers by the city and by the organizations of the workers to rent them as they have vacant apartments.

7. We recommend that the city should own their own homes shall be free of rent, as they have vacant apartments.

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CITIES AFTER NEW DIVISION OF GAS TAX

Backing Bill Which Would Provide for Fifty-fifty Division With State

ROCHESTER IN LINEUP County Authorities Also Favor Hickey-Borkowski Measure; Hearing Set

Albany Bureau Democrat and Chronicle Albany, Feb. 24.—The organized strength of New York State cities was not behind the move for a new distribution of the gasoline tax money today when the State Conference of Mayors approved the Hickey-Borkowski bill, which proposes that cities shall get 50 per cent. of the gas tax proceeds.

Approval was granted to the bill on condition that it be amended so as to apply to all cities and incorporated villages of the state. As drawn, the bill proposed that 50 per cent. of the moneys go to cities of 100,000 population or more, and the other 50 per cent. to the state.

Cities Excluded Under the present method of distribution of the gasoline tax, upstate cities get none of the proceeds. New York City gets 5 per cent. of the total.

The Rochester city administration took steps last week to get behind the Hickey-Borkowski bill, and the Council tonight is expected to instruct Clarence M. Platt, corporation counsel, to amend and speak in favor of the bill at a hearing at the Capitol Wednesday.

The Monroe County Republican Committee also proposes to back the Hickey-Borkowski measure, originally drawn and supported powerfully by the Buffalo city administration. The Monroe committee has drawn bills similar in purport to the measure now under consideration, and in view of this fact a decision was virtually reached last week to swing the support of Monroe County to the Hickey-Borkowski proposition. It is expected that James E. Cuff, county attorney, will be here also for the Wednesday hearing.

No Action on Thistlethwaite Bill The State Conference of Mayors today took no action on the Thistlethwaite bill, which proposes to add another cent to the gasoline tax and distribute the bulk of the proceeds to the rural sections for farm-to-market roads. This bill, which carries out the principle of the existing system of distribution of the gasoline tax, under which the rural sections get the lion's share of proceeds, is hotly opposed by upstate cities.

Proposing Proposal To Provide School Space Raises Serious Problem

A proposal to close a portion of Henry Street so as to provide needed facilities for Washington Junior High School, today promised to become a serious problem for the city administration.

An ordinance, introduced in the City Council at the request of the Board of Education, met with considerable opposition from property owners in the portion of the street affected, when the ordinance was called up for a public hearing in the City Council last night.

Municipal Rights Held Surrendered Under Present Plan

Correction of Current Difficulties Aim of Group Headed by Corporation Counsel Platt—Mayors' Conference to Get Report on March 5.

Holes in the City Home Rule Law are to be plugged in an effort to conserve legislative powers of Rochester and other municipalities in the state, according to present plans of the New York State Mayors' Conference which will have its mid-winter session, March 5, in Albany.

At this meeting the Corporation Council, Clarence M. Platt, as chairman of a special committee named to study and report on certain amendments to the Home Rule Law, will submit recommendations.

Section 12 of the City Home Rule Law prohibits a city from superseding by local law an emergency act of the Legislature. Mr. Platt and his colleagues on the mayors' committee propose to amend Sections 11 and 12 of the Home Rule Law.

There appear certain theories which should be considered before any amendment can be formulated," Mr. Platt said today. "One theory is that by adding words to the City Home Rule Law the difficulty can be solved. Another theory is that by omitting words of restriction in the City Home Rule Law relief may be had. A third theory is that it is necessary each time to cover the situation in each emergency act."

Section 2 of Article 12 of the Constitution prohibits the Legislature from passing any law relating to the property, affairs or government of cities which shall be special or local either in its terms or in its effect. This section of the Constitution states how the Legislature shall act in relation to the property, affairs or government of any city and says that it shall not act only by general laws which shall in terms and effect apply alike to all cities except on message from the Governor declaring that an emergency exists and the concurrent action of two-thirds of the members of each house of the Legislature.

"As a practical matter we should keep in mind first the case where a city requests an emergency act because of a doubt of Home Rule power based on the question whether the subject matter is within the constitutional grant under Section 3, or the legislative grant under Section 5. Secondly

"Rochester would get upwards of \$250,000 by this apportionment the first year," said Mr. Platt. "It might require \$500,000 to the city against nothing under existing laws."

"Not alone should the Council petition Monroe County legislators to support this bill, but the people of the city should petition all legislators at Albany to support this bill."

"Of course, \$250,000 or even \$500,000 may appear insignificant in a grand total of \$20,000,000 which Rochester's government costs but it is something and a beginning towards lifting some of the burden now on the shoulders of property owners."

"The bill is assured the support of Monroe County legislators according to a statement of Harry J. Baram, Monroe County Republican leader. He said it is the best of those so far presented at Albany, and second only to one of its own. Rochester would be prepared but is not expected to be introduced."

"In case the Rochester bill is presented we'll support it but indicate that we support the Buffalo bill," said Mr. Baram. "It appears to have a chance." The Buffalo bill will be the subject of a legislative hearing next Wednesday. Mr. Platt, with the Council's authorization, will attend the hearing.

MORE MONEY FOR CITY, HE EXPLAINS

First stand of the city government for a gasoline tax bill at Albany was announced today by Corporation Counsel Clarence M. Platt in a communication to the City Council.

In this communication to be read at the Council meeting next Monday night, Mr. Platt calls upon the councilmen and all property owners to support a gasoline tax bill sponsored by Buffalo legislators as a means of providing funds for the city government.

The Buffalo measure would raise the share of gasoline and automobile tax moneys most distributed to the counties from 25 to 50 per cent. of the total, and apportion a part to the cities.

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SCHOOL CHILDREN WILL PAY 5-CENT FARE AFTER MARCH 1; UNEMPLOYED ASK CITY AID

Ticket Sale on Cars To Be Effective at Same Time ANNOUNCEMENT IS MADE TO COUNCIL City Transportation of Future Will Be Considered Next

By HIRAM MARKS The five cent car fare for school children and the sale of tickets on buses and trolley cars will go into effect next Saturday morning, March 1, according to announcement made to the City Council last evening by Councilman R. Andrew Hamilton, Louis S. Foulkes and William F. Durman, members of the public utilities committee. The receivers of the railways yesterday afternoon signed the agreement extending the service at cost contract until August 1 on the two conditions that were demanded by Councilman William F. Durman who started the fight for them a year ago, and Councilman Joseph L. Guzzetta, who allied himself in the campaign. Agreement Signed The agreement was signed by Benjamin E. Tilton and Wallace Pierce as general receivers for the New York State Railways and by Mr. Tilton and William T. Plumb as ancillary receivers. All legal formalities are complied with their action carries the approval of Federal Judge Bryant of the Northern District of New York and Federal Judge Simon L. Adler of the Western District of New York who have jurisdiction over the receivership. The railway officials and Charles T. Barnes, commissioner of railways, asserted that the two concessions to the car riders will mean a shrinkage of revenue on the Rochester property approximating \$300,000 a year, but the public utilities committee contended that the two concessions were in the interest of the car riders and the transportation system would benefit.

Business Handled by City Council Business transacted by the City Council last evening included the following items: Heard speech by Samuel Essman, representing the Unemployed Council of Rochester. Received announcement by Councilman R. Andrew Hamilton, William F. Durman, and Louis S. Foulkes that all formalities have been complied with in extension of service-at-cost contract to Aug. 1 and five-cent fare for school children, and that sale of tickets on cars and buses will be effective Saturday morning. Defeated by vote of five to three proposal to acquire parcel of property in Lakedale for playground purposes, and public welfare committee recommended favorable action on Councilman Durman's ordinance for \$75,000 appropriation for branch library at Norton Street and Hudson Avenue, Vice-Mayor Adler sending measure to finance committee.

Adopted unanimously grade-crossing elimination program for Hague, Child, Ames, Colvin, and York Streets, as proposed by City Planning Board and passed resolution by Councilman Milne urging action by Public Service Commission. Authorized Comptroller Clarence E. Higgins to borrow \$125,000 for municipal land purchases; received resolution for closing of Henry Street to provide site for addition to Washington Junior High School, refer communication from welfare committee of Socialist Party relating to unemployment, and reference to patronage gossip in the South district, which will be considered at next session.

Authorized Corporation Counsel Clarence M. Platt to appear before Legislature in behalf of permit cities to share in distribution of gasoline tax moneys, and transacted a large volume of business before an audience that filled Council chambers to capacity. After passage of the resolution, difficulty arose over what constitutes "curb on hand." Contractors claim they had contracts with the quarries for large amounts of curbing to be cut and dressed within city limits, and that they should be permitted to use all curbing for which they had contracts. One contractor claimed to have a contract for 20,000 feet of curbing, one for 50,000 feet, and one claimed to have a contract for 80,000 feet. In considering the validity of these contracts it appears nothing was a perfunctory examination was made. It was assumed that each in each instance bona fide, although no one seems to know the details of any obligation on the part of contractors to take any specified amount of curbing.

need for the matter." In the view of the committee's report was sustained by the votes of Vice-Mayor Adler; Councilmen Foulkes, Charles Stanton, Chester Peake and Joseph L. Guzzetta. Councilman Nelson A. Milne, William F. Durman and R. Andrew Hamilton voted for the purchase of the land for which \$30,000 was asked. The appropriation of \$75,000 sought by Councilman Durman for a branch library at Norton Street and Hudson Avenue was recommended by the public welfare committee and the ordinance was referred to the Finance Committee. Councilman Foulkes reported that the committee felt that the branch should be established as soon as the funds are available, and the matter is now before the finance committee, which will make a recommendation. Councilman Durman said that a branch library is needed to care for a large area in the northeast corner of the city. The public welfare committee also submitted a favorable report on the resolution declaring intention to acquire lands for a Waverly Place playground and Vice-Mayor Adler referred this also to the finance committee.

Lakedale Losses The effort of a group of property owners in Lakedale to induce the city to acquire an open plot fronting in Lake Avenue as a municipal playground was lost when the public welfare committee in a report read by Councilman Foulkes, chairman, recommended adverse action on the proposal at this time because there was "no immediate

'BOOTLEG CURB' IN CITY PAVING, ATTORNEY SAYS

Asks Square Deal for Local Stonecutters, Suggests Municipal Stone Yard

An extended argument was made yesterday by George S. van Schaick, attorney, before the public works committee of the City Council, Councilman Chester A. Peake, chairman, urging employment of Rochester stonecutters on city work and the establishment of a municipal stone yard. "The stone cutters of Rochester are in a sad plight," Mr. van Schaick said. "They are industrious, but most of the time there is no work for them. The city uses much dressed curbing every year. Most of this curbing is dressed at quarries and brought here ready to be set. There are 67 stone cutters in Rochester. The number who have adequate work is negligible."

The city government took cognizance of the situation at Council meeting May 14, 1928. At that meeting the following resolution was passed: "Resolved, that the city manager be directed to insert in all contracts for curbing within city limits, a clause providing for the employment of stone cutters, for which proposals for bids have not been made, a clause reading: 'The curbing to be cut and dressed within city limits, shall be cut and dressed within city limits, and also providing that within the jurisdiction of the city manager such clause may be omitted from contracts if the demand for curbing cannot be supplied by such cutting and dressing within city limits.'"

Phrase Bothersome After passage of the resolution, difficulty arose over what constitutes "curb on hand." Contractors claim they had contracts with the quarries for large amounts of curbing to be cut and dressed within city limits, and that they should be permitted to use all curbing for which they had contracts. One contractor claimed to have a contract for 20,000 feet of curbing, one for 50,000 feet, and one claimed to have a contract for 80,000 feet. In considering the validity of these contracts it appears nothing was a perfunctory examination was made. It was assumed that each in each instance bona fide, although no one seems to know the details of any obligation on the part of contractors to take any specified amount of curbing.

Would Equalize Labor If the contractors would accept the resolution of the Council and abide by it, they would naturally be stock up on curbing during the winter by employing Rochester stonecutters to have plenty of curbing on hand for operations during months when paving is laid. This would work for the benefit of the stonecutters during the off season and greatly relieve the distress. On the contrary, most of the contractors do no such thing, with the result that in the summer curb shortage exists. This becomes one of the excuses offered for violating the provision of the respective contracts relating to city curbing. It would be interesting to know whether the Socialist party, whose resolution was adopted, is taking any steps to enforce the resolution of May 14, 1928. Any middle ground will be a weak

compromise that will not be a credit to Council of the administration. If the city government means to exert its superiority over the contractors and enforce its requirements as to curbing being cut and dressed in the city, how can it do so? It is already apparent that difficulties are in the way. Nevertheless, a firm and resolute policy would show some courage, open curbing will be effective in bringing the contractors to book.

the first place, some teeth should be put into the contracts for pavement and curbing whereby contractors will violate the provision as to curbing only at risk of real penalty. Why not provide that the contractor who violates the provision and dressed in the essence of the contract, violation thereof will be ground for cancellation of the contract? Why not specifically provide that a violation of this particular specification shall subject the contractor to the penalty of removing "bootleg" curb and replacing it with curbing cut and dressed in accordance with the terms of the contract? Will the contractor in violation of the terms of the contract will render the contractor ineligible for future contracts for public works? The Department of Law of the city can advise on this point. Why not imperatively impose an obligation on contractors that no contractor who carelessly violates the provision will dare violate it. It is time for timidity in handling the situation.

There is no difference in fundamental principle between an asphalt plant and a stone yard. The city has determined as a matter of public policy that it will not permit city-cut and city-dressed curbing to be cut and dressed at quarries, and that it will give every opportunity to furnish what the specifications call for. The alternative is to permit asphalt repairs to be made by contractors for the city to do it. The city has determined as a matter of public policy that it will not permit city-cut and city-dressed curbing to be cut and dressed at quarries, and that it will give every opportunity to furnish what the specifications call for. The alternative is to permit asphalt repairs to be made by contractors for the city to do it.

Sold Large Contracts "In 1928 this firm had a large contract for one city street which took 17,000 feet of curbing. In 1929 the same contractors used on its contract approximately 40,000 feet of dressed curbing. The city council resolution should have been cut and dressed in Rochester. When cut and dressed this large amount of curbing was cut and dressed within city limits, and also providing that within the jurisdiction of the city manager such clause may be omitted from contracts if the demand for curbing cannot be supplied by such cutting and dressing within city limits."

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Delegation of Jobs to Jobless Crowds Council Room To Present Demands

SOCIALISTS ALSO SUGGEST PROGRAM Dr. Bock Asks Probe of Patronage Gossip in South District

Proceedings of the City Council last evening were conducted before another capacity audience, even standing room being unavailable. Attendance was swelled by a large delegation from the Unemployed Council of Rochester, and the conclusion of the regular session the privilege of the floor was extended to Samuel Essman, representing the council who spoke for ten minutes about an industrial revolution; possibility of a war between the United States and Great Britain; the speeding up of production in American industries; the uprising of American workers to control government and all economic factors as in the Soviet Union. Charges were hurled against capitalists; and against members of the City Council as being representatives of the capitalist groups in the community.

Asks Aid for Unemployed Mr. Essman was seeking in behalf of the committee of nine, representing the Unemployed Council, the co-operation of the councilmen in assisting in the unemployment situation in Rochester. The speaker asserted that in the next country in the world workers are facing starvation. He argued that the capitalists of Europe and America are competing in the world markets and are interested in bigger profits and greater dividends. He said what the workers wanted was "work or wages" and gave warning to the council that the workers would carry on the fight against the present economic structure.

Patronage Gossip The Council had before it the demands of the Unemployed Council, which Vice-Mayor Isaac Adler read as a preface to the discussion by Mr. Essman. The unemployed want from the council a week to every unemployed of \$15 a week with \$5 additional for each dependent; that there be no shutting off of gas or light for failure to pay bills on account of unemployment, no evictions for nonpayment of rent for the same cause, abolition of all vagrancy laws, and a seven-day, five-day week for workers with no overtime.

Limited by Laws Mr. Essman addressed himself primarily to a general economic discussion, and made only slight reference to conditions in Rochester. At the conclusion of his talk, Vice-Mayor Adler said that the seriousness of the unemployment situation in Rochester was apparent to all councilmen, but they were limited in what could be legally done. He suggested that if the Unemployed Council would frame a program in the light of the legal phases of the situation, the Council would be glad to give it earnest consideration.

This brought from Mr. Essman the response that the Unemployed Council was not concerned with legal technicalities, and that this was the city's problem, as what they wanted was work or wages. The Council had before it a communication from the public welfare committee of the Socialist Party relating to unemployment, signed by R. M. Buzge, secretary, but no action was taken on it because it was received by City Clerk Thomas P. O'Leary later than Friday afternoon, when the Council meets in informal session to frame a program for the following Monday evening. Action on the communication will be taken next Monday evening.

Socialist Party Suggestions This communication, which outlines a course of action that the city may take to be helpful, is as follows:

The Socialist Party issues to the City Council and to the citizens of Rochester the following declaration on unemployment: We recognize unemployment to be an inevitable result of the competitive profit system of industry whereby the workers never receive wages enough to buy the products of what they produce. We realize that the prevention of unemployment will only be possible by eliminating the profit motive from industry and the substitution of the motive of service to the community. So long as industry is run for private profit, the workers will always produce a surplus of goods for which there can be no market, since their wages will never equal the value of what they produce.

We recognize that this situation can only be corrected by a complete revision of the industrial system of a nation. This is clearly beyond the scope of the municipal government of Rochester. Any measures adopted by this Council can only afford partial and temporary relief of unemployment. With these limitations in mind, we propose the following measures: 1. The formation of an unemployment conference composed of representatives from the following bodies: Trade unions, public economic and political organizations, representing the workers; employers and business organizations of the city; the organized public and private; the existing public employment office; and from any other organizations of the unemployed which may be formed.

2. The city government shall use all its powers and influence to inaugurate a plan of unemployment insurance similar to the existing one in Great Britain wherein the insurance fees are paid 1-3 by the workers, 1-3 by the employer and 1-3 by the government. 3. The city government shall also use all its power to influence manufacturers and other employers to distribute the available work by cutting down hours rather than by laying off men.

4. We recommend the abolition of all private employment agencies, these to be replaced by the public job agency described above. 5. We recommend the establishment of stores by the city to supply the unemployed with necessities of life. The plan proposed is to have a public store for the unemployed. The plan proposed is to have a public store for the unemployed. The plan proposed is to have a public store for the unemployed.

Street Closing Proposal To Provide School Space Raises Serious Problem A proposal to close a portion of Henry Street so as to provide needed facilities for Washington Junior High School, today promised to become a serious problem for the city administration. An ordinance, introduced in the City Council at the request of the Board of Education, met with considerable opposition from property owners in the portion of the street affected, when the ordinance was called up for a public hearing in the City Council last night. George E. Eddy, principal of the school, said that the closing of Henry Street, from Weeger to Clifford Avenue, was necessary to provide facilities for the school and to enable the school authorities to relieve the present congested condition. "There are 1,900 children crowded into the building which originally was intended to be a grammar

school," he said, "and it is to provide the facilities that are needed for the school, that we are asking for the closing of this portion of the street." Property owners who objected to the ordinance inquired as to whether the city would be liable for damages in the event that the closing of the street interfered with the benefits they have been receiving in the form of sewage disposal. They were informed that the closing would not affect the sewer. Several of them voiced objections to the ordinance on the ground that it would shut off their connection with Clifford Avenue, while others were opposed to the proposal because of their fear that it might have a tendency to decrease the value of their properties. The ordinance was referred to the City Planning and Zoning Committee.

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In preparing his report for the Mayors' Conference Mr. Platt was assisted by Walter Caughlan, assistant corporation counsel of New York City, and Charles E. Van Auken, corporation counsel of New Rochelle, who are members of the special committee. "There appear certain theories which should be considered before any amendment can be formulated," Mr. Platt said today. "One theory is that by adding words to the City Home Rule Law the difficulty can be solved. Another theory is that by omitting words of restriction in the City Home Rule Law relief may be had. A third theory is that it is necessary each time to cover the situation in each emergency act."

Section 2 of Article 12 of the Constitution prohibits the Legislature from passing any law relating to the property, affairs or government of cities which shall be special or local either in its terms or in its effect. This section of the Constitution states how the Legislature shall act in relation to the property, affairs or government of any city and says that it shall so act only by general laws which shall in terms and effect apply alike to all cities except upon message from the Governor declaring that an emergency exists and the concurrent action of two-thirds of the members of each house of the Legislature. "As a practical matter we should keep in mind first the case where a city requests an emergency act because of a doubt of Home Rule powers on the question whether the subject matter is within the constitutional grant under Section 3, or the legislative grant under Section 5. Secondly

First stand of the city government for a gasoline tax bill at Albany was announced today by Corporation Counsel Clarence M. Platt in a communication to the City Council. In this communication to be read at the Council meeting next Monday night, Mr. Platt calls upon the councilmen and all property owners to support a gasoline tax bill sponsored by Buffalo legislators as a means of providing funds for the city government. The Buffalo measure would raise the share of gasoline and automobile tax moneys now distributed to the counties from 25 to 50 per cent of the total, and apportion a part to the cities. "Rochester would get upwards of \$250,000 by this apportionment the first year," said Mr. Platt. "It might bring \$500,000 to the city, as against nothing under existing laws."

Not alone should the Council petition Monroe County legislators to support the Buffalo bill, but the people of the city should petition all legislators at Albany to support this bill. "Of course \$250,000 or even \$500,000 may appear insignificant in a grand total of \$20,000,000 which Rochester's government costs but it is something and a beginning towards lifting some of the burden now on the shoulders of property owners." The bill is assured the support of Monroe County legislators according to a statement of Harry J. Braham, Monroe County Republican leader. He said it is the best of those so far presented at Albany, and second only to one of its own Rochester bill has been prepared but is not expected to be introduced. "In case the Rochester bill is presented we'll support it but indications are we shall support the Buffalo bill," said Mr. Braham. "It appears to have a chance."

The Buffalo bill will be the subject of a legislative hearing next Wednesday. Mr. Platt, with the Council's authorization, will attend the hearing. The ordinance was referred to the City Planning and Zoning Committee.

Phone Main 898

RETSO

Street Closing Proposal To Provide School Space Raises Serious Problem

A proposal to close a portion of Henry Street so as to provide needed facilities for Washington Junior High School, today promised to become a serious problem for the city administration. An ordinance, introduced in the City Council at the request of the Board of Education, met with considerable opposition from property owners in the portion of the street affected, when the ordinance was called up for a public hearing in the City Council last night. George E. Eddy, principal of the school, said that the closing of Henry Street, from Weeger to Clifford Avenue, was necessary to provide facilities for the school and to enable the school authorities to relieve the present congested condition. "There are 1,900 children crowded into the building which originally was intended to be a grammar

A Just Concession

Street car riders have won a concession to which they are justly entitled in the decision of the New York State Railways to sell street car tickets on cars and to grant a 5-cent fare to school children of all ages.

The sale of street car tickets on the cars should never have been discontinued. The company's contention that it faces a loss of revenue of \$300,000 a year under the changes it has now granted, cannot be taken too seriously.

The acceptance by the street car officials of the city's terms in these matters indicates their desire to continue the service-at-cost contract, which has undoubtedly been a profitable arrangement for the company.

The Trolley Contract

Final action by the City Council Monday night in concluding negotiations with the receivers for the New York State Railways for continuing the service-at-cost contract was a perfunctory vote.

The contract will become effective on March 1 and continue to Aug. 1. It contains the two conditions made by the Utilities Committee and which The Times-Union has urged.

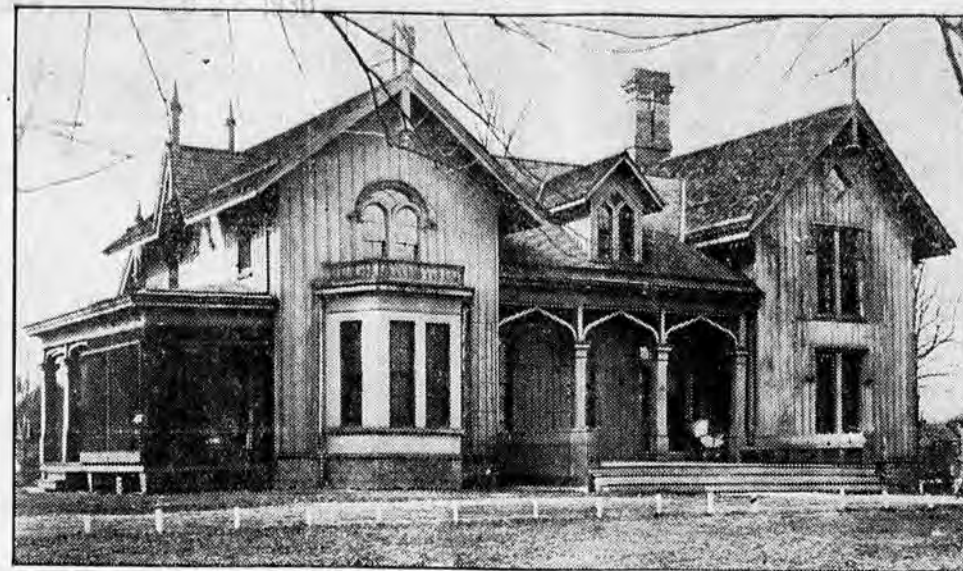
Because there is no money in the company's cash box in Rochester, as asserted by officials, is no sign that it never was there. If the council could get at the long-distance and involved control of the lines, it might learn what became of the money.

The railroad men have promised us to have spurs to both plants," said Mr. Hockensmith. "It may take two days to work out how the connection is to be made on the west side.

With the consent of the Eastman Kodak Company, a connection could be made over Lake Avenue. This would mean traffic complications but city officials said it would be better than having a plant somewhere west of Dewey Avenue off Lewiston Avenue, with constant trucking through Lewiston Avenue.

A crowd of men gathered at the bridge site early today, looking for jobs. No officials were on hand, however, so there were no jobs to give out.

Purchase of Plantation Property by City Would Solve Traffic, Playground Puzzles, Says Story



Site of former Fagan's Plantation in Gardiner Avenue which city may purchase for playground and street.

Purchase of a parcel of property on the west side of Gardiner Avenue, formerly Ray Fagan's Plantation, for a consideration of \$30,000 is being considered by the city.

Property for several reasons, the principal being to permit the extension of Grover Street, to meet Gardiner Avenue, eliminating the necessity for a left turn by incoming motorists at West Avenue and Buffalo Road, and a right turn at Gardiner Avenue and West Avenue.

ground, provide for a small neighborhood street and for the extension of Grover Street, to meet Gardiner Avenue, eliminating the necessity for a left turn by incoming motorists at West Avenue and Buffalo Road, and a right turn at Gardiner Avenue and West Avenue.

RIDGE BRIDGE CONSTRUCTION HEADS HERE

Six superintendents of the Booth & Flynn contracting organization arrived in Rochester today and immediately began plans for the construction of the \$3,000,000 Ridge Road bridge over the lower river.

The superintendent in charge, under George Hockensmith, chief engineer, is Patrick Dorsey of Pittsburgh. Mr. Hockensmith is to return to Pittsburgh tonight and will not return for a week.

With Mr. Hockensmith, the superintendents spent most of the day with New York Central Railroad engineers, arranging for spurs to the two construction plants, to be located one on the East and the other on the West side of the bridge site.

"The railroad men have promised us to have spurs to both plants," said Mr. Hockensmith. "It may take two days to work out how the connection is to be made on the west side.

"On the east side there will be a spur from the 'hojack' branch of the Rome, Watertown & Ogdensburg division of the New York Central.

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A crowd of men gathered at the bridge site early today, looking for jobs. No officials were on hand, however, so there were no jobs to give out. The first load of lumber arrived at the site this morning.

BARTHOLOMEW TO EXPLAIN DETAILS

First public announcement of the civic center section of the city plan, revealing an expert's opinion as to how municipal buildings should be located over the river, with boulevards constructed along its banks in the heart of the city, will be made tomorrow noon at the Chamber of Commerce.

Harland W. Bartholomew, St. Louis planning expert in charge of the preparation of a general city plan, will explain the civic center development scheme which he believes will be best for Rochester. His talk will be illustrated with maps and drawings.

Mr. Bartholomew arrived here today. At 4 p. m. in Mr. Story's office, he was to explain the scheme to members of the City Council. The City Planning Commission has approved it. Development would take place between Court Street and Central Avenue.

FINAL CHAPTER The public announcement tomorrow will be to members of the Civic Improvement Association who have assumed the task of educating the people to the value of a plan, and of the worth of meeting the expense its development will entail. Newspapers will be represented.

This announcement is the final chapter in a civic center survey begun seven years ago, when the city purchased land between Fitzhugh, Broad and Spring Streets, and Irving Place for a new municipal office building.

Prominent citizens protested against constructing a municipal building or city hall anywhere until the merits of a plan for a civic center over the river were studied.

The city called in John R. Freeman, noted hydraulic engineer, to determine if construction over the river would be safe against floods. He finally presented a favorable report, but recommended a deeper channel and new bridges in the heart of the city.

NO ESTIMATE GIVEN No estimate of the probable cost of the new buildings is given in connection with the six maps and illustrations submitted today by Mr. Bartholomew. One of these is a bird's eye conception of the whole Civic Center development.

THREE BUILDINGS There would be three municipal buildings and an expansive plaza in the center.

The city hall would be located between Broad and Court Streets, and the other buildings on the east and west side of the river between Broad and Main Streets.

The other buildings would consist of police station and city court building on one side and a memorial art gallery and museum on the other.

The city hall would be a composite municipal office building, municipal auditorium and library. The city hall office building would be a central tower of at least twenty stories, commanding views to the north and south.

The municipal auditorium would occupy the east wing of the main municipal building, with the municipal library the identical size of the auditorium building as a west wing.

Surrounding all three buildings would be the plaza, with entrances from Broad, Court, Main and Exchange Streets and South Avenue.

Mr. Bartholomew said his engineers had considered a number of alternate sites for a Civic Center, among them Franklin Square, but all were quickly eliminated as not for the best Rochester development.

Mr. Bartholomew predicted that the Civic Center, after fifty years, would pay for its development through the increased values of business property about it. He outlined a program for moderate development to avoid any immediate financial burden.

Embracing present land values of upwards of \$8,000,000, Rochester's new Civic Center plan, infinitely more beautiful, more convenient and more compact than any that has gone before, was made public this afternoon by Harland Bartholomew, St. Louis expert who also prepared the new street plan, at a meeting of the Civic Improvement Association in the Chamber of Commerce.

As previously announced in this newspaper, the plan calls for the bridging of the Genesee River, between Main Street and Court Street only, and is not designed for realization short of twenty years from now, and possibly will require fifty years for completion.

It provides for acquisition of all property on both banks of the river and on both the north and south sides of the Main Street bridge.

Still a fourth building for the center or just on the fringe of it was suggested by Mr. Bartholomew. But it would be a state building for all state department offices now scattered in Rochester.

The suggested location was the corner of South Avenue and Court Street.

The civic center section, like the major street section of the city plan, now remains to be approved by the City Council.

Early submission is predicted. Mr. Bartholomew's civic center section of the plan is predicted on the recent reports of John R. Freeman, noted hydraulic and flood-prevention engineer, that it would be safe to cover the river between Court and Main Streets.

Legal representatives of Syracuse, Buffalo and other cities joined with Rochester. But against them were representatives of farm bureaus and the New York State Automobile Association.

Mr. Platt spoke for the gasoline tax bill which originated in Buffalo, and also for a new distribution of franchise tax moneys. He said neither now has any chance of passing because of farm opposition.

"The cities are being squeezed to death," Mr. Platt told the legislators. "New demands are becoming more serious."

CIVIC CENTER PLAN MADE PUBLIC

BRIDGES RIVER WITH THREE BUILDINGS Surrounding Plaza and State Building Among Addenda to Scheme.

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Civic Center Plan's Main Features Announced

Salient features of the Civic Center plan announced today are: Location between Main Street on the north, Court Street on the south, South Water Street on the east, and Graves Street on the west side of the river.

Municipal buildings suggested: Central City Hall and general government administration building, between Court and Broad Streets, overlooking the Barge Canal harbor to the south and a plaza over the river to the north, to Main Street.

The central administration building would include a tower municipal auditorium and a central library.

On both the east and west sides of the plaza would be municipal buildings, one for a police station and city courts, and the other for an art gallery and museum.

Present land values embraced by plan are upwards of \$8,000,000.

said would cover the cost of land and buildings now on both sides of the river was based on present assessed values. It covers all land on the east side of Graves Street, which would be the western boundary of the center and the west side of South Water Street, which would be the easterly boundary of the center.

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Mr. Platt told the committees the Rochester Council was unanimously for both bills. Rochester has made every effort to restrain its expenses, he said, but the last three administrations, as well as the present one, have been face to face with an acute financial problem.

FARM SECTIONS OPPOSE GAS TAX CHANGE

The determination of rural Republican legislators against sharing any part of automobile tax moneys with cities, promised to defeat legislation advocated by Rochester at Albany, Corporation Counsel Clarence M. Platt, announced on his return from the capital today.

Mr. Platt said he doubted if any modification of gasoline or other automobile tax laws would be possible this year.

A statement by C. R. White of Ionia, chairman of the Farm Conference Board, that he was "almost pleased to see the cities suffering as agriculture has suffered for years," is typical of the sentiment of all legislators from farm districts.

"They are against the cities even to the point of further prolonging their own distress," he added.

"The Hickey-Borowski bill which I advocated, would return 50 percent of 25 percent of automobile tax revenue to the counties. This would mean more for the rural districts, and would give the cities just a little. But the farm legislators were solidly against it simply because it meant something for the cities."

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"The cities are being squeezed to death," he said. "They are continually undertaking new obligations, and the demands upon them are continually becoming more serious."

Platt Asks Relief He said the Department of Public Works of Rochester had extended its services in various ways and had made every effort to keep down costs, and he held out to the committee that the two bills under consideration opened a way to cities to assist them in meeting their continually enlarging obligations.

"I would be glad to sit down with the state authorities," he said, "and figure out new and sound methods of increasing city revenues. But in the meantime, I am here to appeal for passage of these bills as designed to give immediate and essential relief."

NEARING END OF TAX ROPE, CITIES SAY

Ask Legislators at Albany Hearing for Share in Gas and Franchise Revenues

PLATT ONE OF SPEAKERS

Charges Municipalities Are Being 'Squeezed to Death,' Buffalo, New York Heard

By JOSEPH R. MALONE Staff Correspondent, Democrat and Chronicle

Albany, Feb. 26—Cities of New York State had their day in court today, when Rochester, New York, and the State Conference of Mayors came to the aid of Buffalo, in demanding that the municipalities be given a greater share of gasoline and franchise tax moneys.

Corporation Counsel Clarence M. Platt of Rochester, charging that the "cities are being squeezed to death," joined with Mayor Charles E. Roesch of Buffalo and other officials in demanding favorable action on the Hickey-Borowski and Hickey-Gimbrone bills, embodying the Buffalo program for a new method of distribution of gas and franchise tax moneys.

Mayor Roesch asserted the need for city relief is alarming and imperative. The future growth of Buffalo and other cities is imperiled and the depression of real property values will become a catastrophe unless aid is forthcoming, he said. He was backed by Corporation Counsel Charles L. Feldman, who asserted that "we are not here because of any frivolous desire to create political sentiment, but because the cities need financial oxygen."

John McF. Howie of the Delaware Avenue Association told the committees that another 17 percent burden upon realty in Buffalo would mean the single tax was in effect in that city.

Members of the Senate taxation committee, conducting the hearings, gave no expression of opinion, but left the impression that the Hickey-Gimbrone bill, which proposes to give cities all of the franchise tax on business corporations, is destined for the scrap heap while the Hickey-Borowski bill to increase to 50 percent the cities' share of gas tax revenues, has only a slim chance.

New York for Gas Tax Bill New York City, through Walter S. Caughlan, assistant corporation counsel, said his city was not in entire accord with the franchise tax bill, but he urged immediate passage of the gas tax measure. Edward P. Doyle of the New York City Real Estate Boards urged both bills, as did Supervisor John I. Staebel, chairman of the finance committee of the Erie County Board of Supervisors. Representatives of Buffalo business men's organizations urged the two bills as a needed relief.

The opposition from the New York State Automobile Association came somewhat as a surprise to proponents of the bills, as it was said certain officials of the Buffalo Automobile Club had promised to appear for the gasoline tax bill.

Motorists Oppose Bill Opposition to the gas tax bill came from Oscar Brown of Syracuse, representing the New York State Automobile Association and from C. R. White of Ionia, chairman of the Farm Conference Board and representing the grange and other agricultural agencies of the state. Mr. White said he "was almost pleased to see the cities suffering now as agriculture has been suffering for years."

Mr. Platt told the committees the Rochester Council was unanimously for both bills. Rochester has made every effort to restrain its expenses, he said, but the last three administrations, as well as the present one, have been face to face with an acute financial problem.

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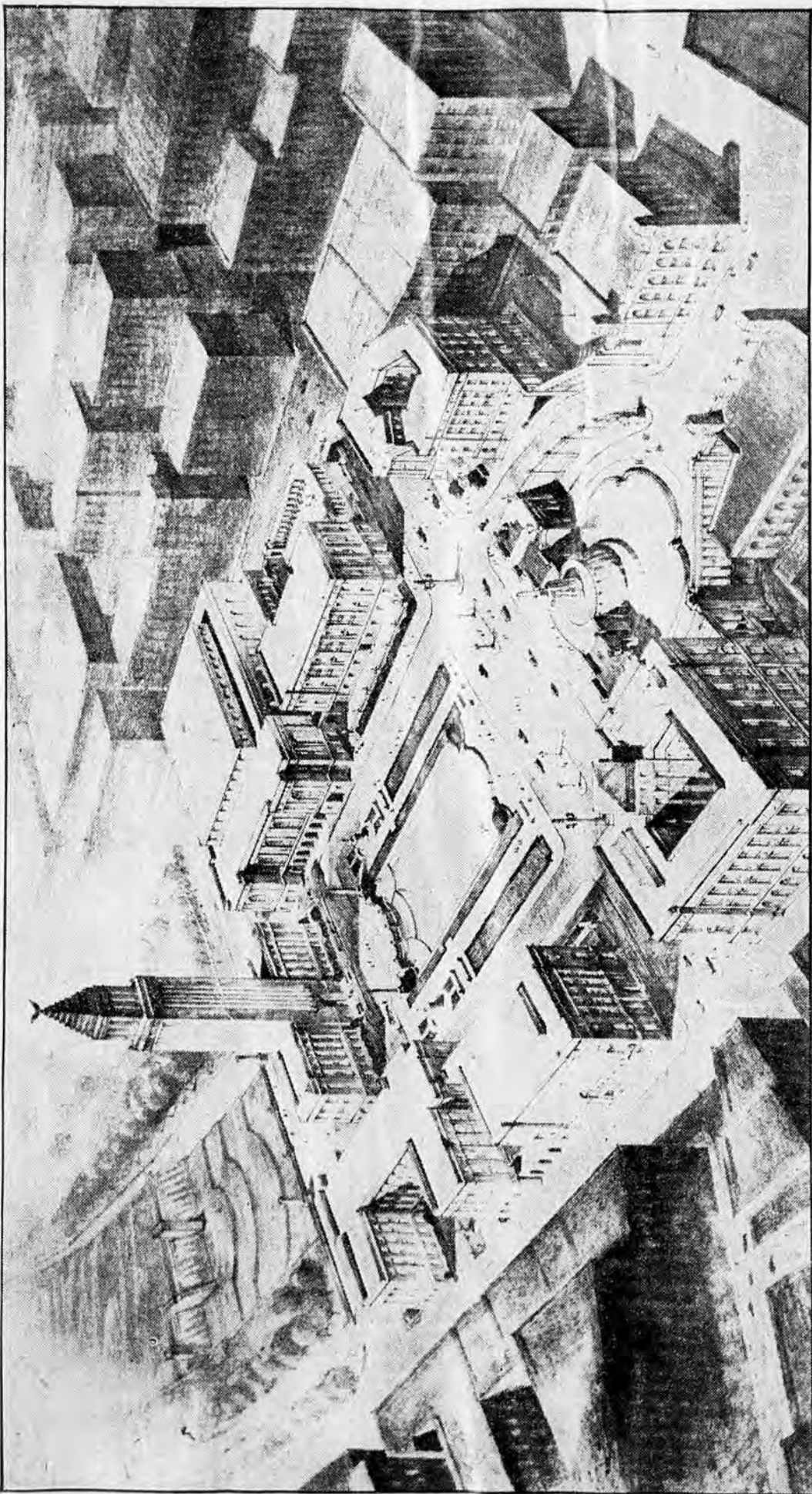
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SITE FOR CIVIC CENTER APPROVED

County today... (small text)

Imaginary Air View of Proposed Civic Center over River



Above is an artist's rendition of the civic center for Rochester proposed by Harland Bartholomew, city planning consultant, to be developed between Court Street and Main Street over the Genesee River. In this view the artist has taken an air view from about the site of the present Security Trust building looking southwest. In the center of the left background of the open space is the proposed City Hall, erected over the river just north of the Court Street bridge. In front of the proposed plaza is twenty feet above the level of Main Street is a fountain. Since the level of the proposed plaza is twenty feet above the level of Main Street, the fountain in Mr. Bartholomew's view, can be made a beautiful feature in the vista looking south from Main Street to the new City Hall. At the right of the City Hall, in the picture is the proposed auditorium; to the right of that is the proposed Public Welfare Building, to house the Health Bureau and related agencies, and still further to the right, north of Broad Street, which is shown crossing the plaza, is the proposed City Courts building. At the left of the City Hall, facing both the plaza and South Avenue, is the proposed City Museum, and to the right of that a proposed building. It is proposed to erect the City Hall, library and auditorium first.

Description of Proposed Civic Center Plan

Mr. Bartholomew's description of the civic center plan he proposes is as follows:

In the civic center plan here proposed, five of the seven buildings are located between Broad Street, Court Street, South Avenue, and Exchange Street. Immediately north of Broad Street on either side of the river are two additional buildings. There is an entrance to the group from Main Street, but no building sites are proposed on the Main Street frontage. Plate Number 2, on the opposite page, shows the arrangement of buildings, while Plate Number 3 is a birds-eye view of the completed building group looking southwestwardly from a point just north of Main Street and east of South Avenue.

City Hall at End of Vista

The City Hall, the dominant building of the group, is built over the river immediately north of the Court Street Bridge, away from the tall commercial structures on Main Street, which would eventually dwarf it and detract not only from the appearance of the City Hall but of the entire Civic Center. This is a commanding and ideal location. It affords opportunity for a building of exceptional design that could be seen for great distances from the north and particularly from the south. The site for the City Hall is immediately available without cost for acquisition of ground. The library occupies a site on the east bank of the river immediately north of the Court Street Bridge. The site is ample in size and particularly well suited to a building of this character. It would have the advantage of frontage upon South Avenue. Like the City Hall, it could be entered from the Court Street Bridge as well as from the central plaza. The auditorium would be built immediately west of the City Hall on the west bank of the river, just north of the Court Street Bridge, and extending west to Exchange Street. The site is ample in size and exceptionally well suited to a building of this character. The building would face upon the Central Plaza but would have entrances and exists on all of the other three sides.

Police and Justice Building

Immediately north of the library would be the Museum, facing the Central Plaza, but also accessible from South Avenue or from Broad

Street. Facing the Museum on the opposite side of the Central Plaza would be the Public Welfare Building, also accessible from Broad Street and the Central Plaza. On the north side of Broad Street and on the west bank of the river would be the Police and Justice Building, while opposite thereto, i.e., north of Broad Street and on the east bank of the river, would be the State Building. The Police and Justice Building would have its principal frontage upon the Central Plaza, but it would also be accessible from Broad Street and from Aqueduct Street. The State Building would have its principal frontage upon the Central Plaza but would also be accessible from Broad Street, from South Avenue, and from Water Street South.

Broad Street would be the only thoroughfare traversing the civic center. It would have to be straightened from Exchange to South Street in order to make possible a satisfactory composition of buildings between Broad and Court. One of the most difficult features of design encountered in the development of this plan was the necessity of adjusting the north and south axis of the group, resulting from the pronounced variation in the alignment of Main Street, Broad Street, and Court Street.

Beauty in Design Possible

The buildings of the civic center are grouped about a common open space or plaza created by covering the river from Court Street to Main Street. From Court to Broad the plaza thus created would have the same elevation as the present Broad Street viaduct. From Broad Street north the two roadways of the plaza would converge into a single entrance from Main Street, having a width of 100 feet. Since the Broad Street viaduct is 21 feet higher than the Main Street bridge, these roadways would have a maximum grade of five (5) per cent. Between these roadways would be a large fountain, as shown in Plate Number 4.

The plan thus proposed possesses exceptionally fine opportunities for design. The City Hall would be a low, somewhat massive building, with a prominent tower, dominating the group at the southern terminus of the principal axis. The Auditorium and Library, being the two largest buildings of the group, are placed opposite each other on either side of the City Hall, while immediately north of these two structures are the Public Welfare Building and the Museum, somewhat smaller in size but similar in height to the Auditorium and Library, all four buildings preserving the same cornice line as the City Hall. The massive effect thus created is quite inspiring, especially when seen from the lower elevation of the Main Street entrance with the fountain in the foreground and the facades of the buildings on each side culminating in the tower of the City Hall. The lower elevation of Main Street, or conversely the greater elevation of the buildings between Court and Broad, instead of constituting a handicap thus becomes a highly desirable and beneficial element in the creation of an imposing architectural feature.

Fountain Architectural Focus

At the time the property is acquired for the Main Street entrance to the civic center, the city should give some consideration to the possibility of securing the right to control the architectural design of

buildings on each side of the entrance. It is likely that the property owners would enter into an agreement to submit their building plans for approval and co-operate with the city in erecting structures that would be in harmony with or at least not detract from the civic center. Such arrangements have been worked out in other cities, notably in Sacramento, Cal., around the State Capital grounds.

There are numerous incidental advantages in the civic center plan. Each building possesses a site well suited to its particular purpose. There is no substantial break in the continuity of business development upon Main Street. Broad Street, the only thoroughfare to traverse the center, increases accessibility and adds just enough traffic to give life and action to the scene. The fountain can become an architectural and aesthetic masterpiece. The principal portion of the central plaza between Broad Street and the City Hall offers numerous opportunities for design about the location of monuments, while the reflecting pool in the center will serve to enhance the architectural effect. A spot of unusual interest and beauty can be created at the corner of Exchange and Broad in the form of an outdoor garden as a part of the parklike character of the civic center, which could also be used to advantage between acts of performances in the Municipal Auditorium. Between this open space and the Municipal Auditorium, as well as beneath the Central Plaza, is ample room for automobile storage, if desired. Entrance to the garage is shown on Plate Number 2.

Site and Plan Seen Ideal

The civic center site and plan here proposed are thus seen to be ideal in almost every respect. No more central location could be secured, either for present or future relation to the business district. Plate Number 1 shows that site to be more nearly at the center of the future central traffic district, as defined by the Major Street Plan, than any other site which has been suggested. It will cause very little change in the location of present municipal activities and will thus be a great convenience to lawyers and others having offices in the immediate vicinity of the present City Hall and Court House. It brings the Auditorium close to the hotels. Access by vehicle and by street car would be better at this location than at any other site. The library and Museum would be available to large numbers of people having business in the stores and shops of the central business district or in other public buildings composing the group. It would be impossible to find such central and

convenient locations for all of these buildings if there were to be no civic center or if separate sites throughout the business district were to be considered for each individual building.

Not the least of the great many advantages of the plan here proposed is the rehabilitating effect which it would have upon surrounding property and upon the business district as a whole. The river has always been a barrier between the east and west sides of the city and constitutes a break in the continuity of business, which has been overcome only along Main Street. Rochester has now reached the point where it can no longer afford to extend its business district along one main thoroughfare. There must be additional east and west streets developed with commercial property, thus effecting a "rounding out" of the business district instead of a further shoestring development. Remedies for this situation are suggested in the Major Street Plan in the form of certain additional east and west streets. The open space created by the river, however, will continue to be more or less a vacuum, unless it can be overcome in some such form as suggested by this civic center plan. Without this plan the river will continue to be both a barrier and to some degree an encumbrance. Through the execution of this plan, a liability would be transformed into an asset of incalculable worth. It should bring those portions of the business district on each side of the river from Main to Court much closer together. The presence of a splendid group of public buildings such as this should indeed stimulate development on either side of the river south of Main Street. It will create an improved market for much property which has heretofore had very little incentive for substantial improvement.

prohibitive or especially difficult to make adjustments for. The incalculable advantages of accessibility, availability, effect upon the development of the business district, and aesthetic merit of the plan here proposed, constitute an opportunity which the City of Rochester should grasp as quickly as possible.

Civic Center Plan

American cities are somewhat tardily realizing that both utility and beauty demand grouping of public buildings around a common center.

We have outgrown the stage when Court House, City Hall and Postoffice represented the sum total of such structures. The modern city requires also a library, a museum, and other public buildings, each of which should be given a location which is central, readily accessible by motor and traction routes, and offers an attractive setting.

The most satisfactory and economical way of meeting these requirements is to deal with the buildings collectively, instead of individually. They need not be erected at one time, indeed, that would rarely be financially feasible, but a plan should be worked out into which future construction will fit.

The name "Civic Center" is modern, the idea of such grouping is old and solidly founded on precedents laid down by the great city builders of all ages.

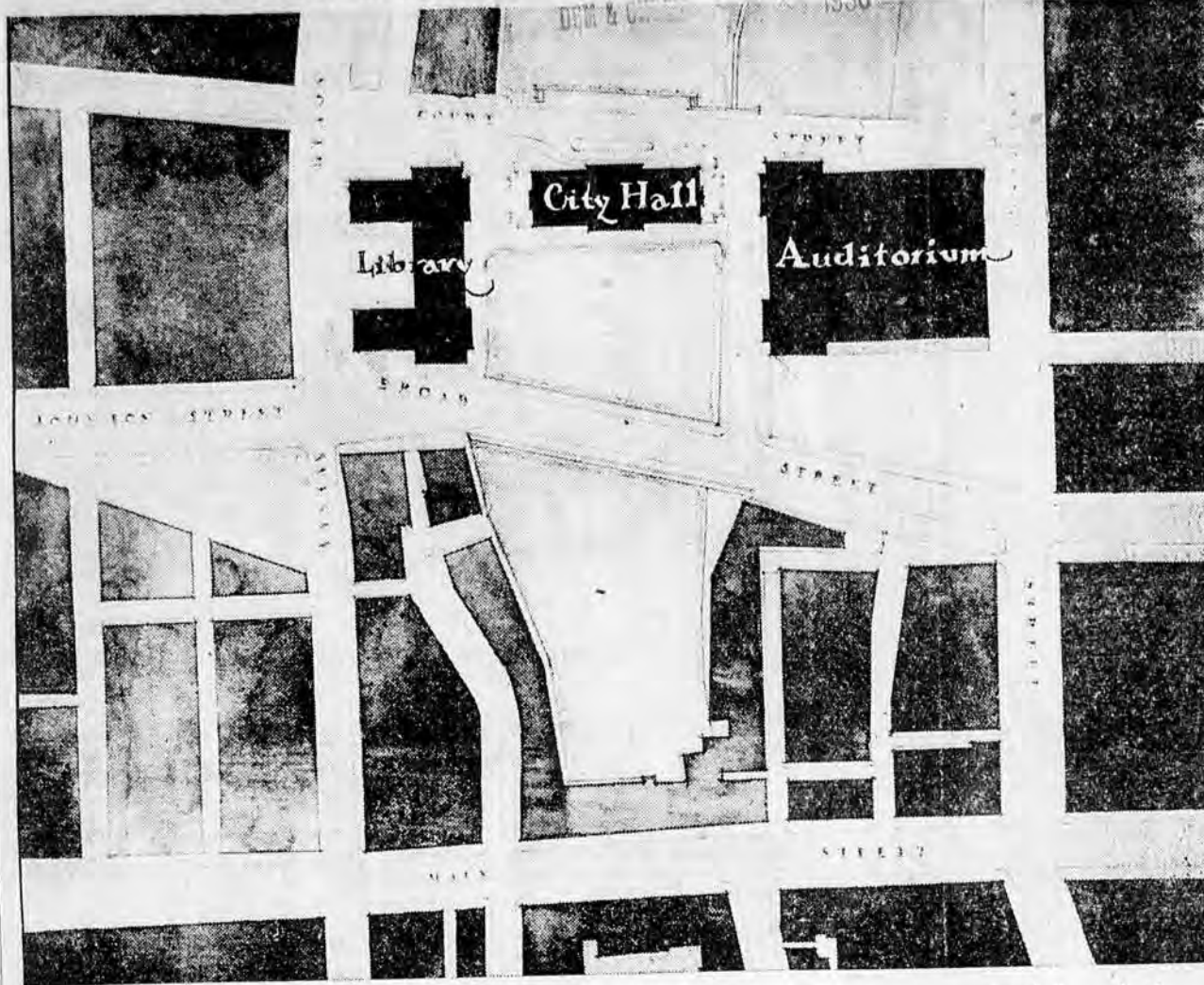
On another page of this issue will be found the plan for a Rochester Civic Center, issued as a section of the general City Plan.

Rochester conditions have long pointed to the river site as most suitable. This conclusion is sustained by the report of Harland Bartholomew, expert in city planning.

It should be noted that sites are immediately available for the buildings most needed, Central Library and new City Hall, without cost to the city. The cost of covering the river from Court Street to Broad Street with a suitably embellished plaza is estimated at only \$703,000, less than most persons have supposed. Other portions of the plan can be carried out gradually.

Rochester is fortunate in having a central and readily accessible site where public buildings can be grouped in a manner which will be almost ideally impressive and convenient.

First Section of Center Needed Now



In this map are shown the City Hall, Library and Auditorium, which would be built first if Mr. Bartholomew's plan was adopted. Broad Street, which in the complete plan would be deflected somewhat to the north, is shown here unchanged.

ent alignment of Broad Street to the site of the future State Building. Broad Street would then be straightened and extended, as shown on Plate Number 2, which represents the final stage of development of the civic center.

Straightening of Broad Street

If, for reasons of expediency or economy, it is desired to extend Broad Street more or less directly eastward from its present terminus at South Avenue, sufficient additional property should be acquired by excess condemnation to provide for the future alignment. When the final alignment is completed, a substantial tract of ground between South Avenue and Stone Street, having a frontage of approximately 300 feet on the south side of the new Broad Street, could then be sold for a figure which would make the future alignment no more expensive and possibly less expensive than the direct projection eastward from the present terminus of Broad Street heretofore contemplated and shown in the Major Street Plan. This problem is largely a question of whether sufficient funds would be available in the first instance for the acquisition of all the necessary property for the straightening of Broad Street through the civic center, and the diagonal connection to Johnson between South and Stone, estimated at \$1,158,015.00 (Assessor's Value). This, however, would not be any more expensive than the cost of acquiring all the property needed between South Avenue and Stone Street for both present and future connection, estimated at \$1,241,000.00 (Assessor's Value). On the accompanying Plate Number 8 are shown the direct eastward projection of Broad Street from its present terminus at South Avenue (Plan Number 1), the future alignment of Broad Street between South Avenue and Stone (Plan Number 2), and a small triangle of ground "A" to be acquired by excess condemnation. When Plan Number 2 finally came into use, Plan Number 1 would be abandoned, and the excess property, consisting of Plan Number 1 plus Triangle "A" less Triangle "B", would then be sold as a consolidated parcel with appropriate restrictions. The cost of Plan 1 and Plan 2 is as follows:

Table with 2 columns: Plan/Item, Assessor's Valuation. Includes Plan 1, Plan 2, and Excess cost.

Final Stage

In the final development of the civic center plan Broad Street has been straightened, the Public Welfare Building and the Museum have been constructed on the south side of Broad Street, the Justice and Police and State Buildings on the north, the Main Street entrance has been opened, the river has been completely covered, and the principal aesthetic features, the fountain and the pool, have been constructed. In this final stage of development, the additional costs necessary for land acquisition for completing the plaza which covers the river, and for those features which make the plaza a completely satisfactory aesthetic asset, depend upon the plan followed in the second stage of development.

If Scheme "A" is followed in the second stage of development, the additional costs would be as follows: Completion of plaza over the river, \$876,025.00; Fountain, pool, and final improvement of plaza, \$400,000.00. Total, \$1,276,025.00. If Scheme "B" is followed in the second stage of development, the additional costs would be as follows: Completion of plaza over the river, \$1,062,225.00; Fountain, pool, and final improvement of the plaza, \$500,000.00. Total, \$1,562,225.00.

Special Additional Considerations

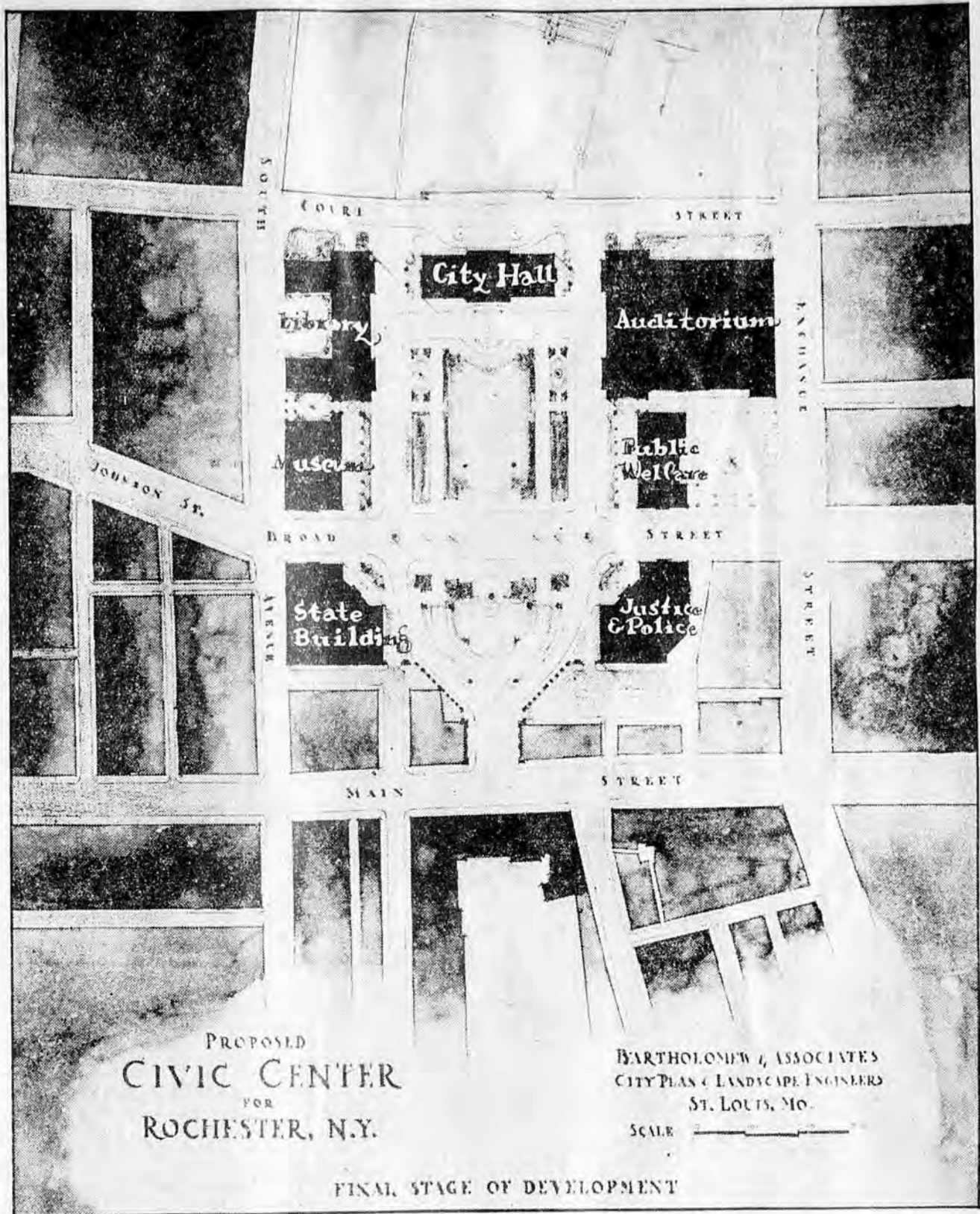
There are certain additional con-

on Page Four... Considerations which have arisen in connection with the preparation of the present plans. Among the most important of these has been the possible opportunity for enlargements to proposed buildings or for additional new buildings. The plan has been so drawn as to permit of certain enlargements to the City Hall in the form of wings on the south side, facing Court Street. These enlargements would be decidedly advantageous to the appearance of the building if constructed. In fact, it may be said that the City Hall has two well designed frontages, i. e., north and south. Several advantageous sites for future buildings could be secured by use of the river banks from Court Street to the State Dam if needed. This would, of course, anticipate the removal of the present railroad stations, which has often been suggested. Such expansion would be extremely advantageous if it ever becomes necessary. The question of the removal of the railroad stations on either bank of the river immediately south of Court Street will be given consideration in the Transportation Report of the Comprehensive City Plan. Preliminary consideration of this problem, however, indicates that it would be altogether possible to locate an underground passenger terminal under the civic center plaza and lying chiefly north of the present Broad Street aqueduct. The approaches, of course, would be secured via the municipally owned tracks in the bed of the old Erie Canal. Were such a passenger station to be created, it would have a more central location than could be secured by any individual railroad. It could be so constructed as not to interfere with the civic center plan or the plans for flood control in the river. Entrances to the station could be secured close to the Main Street entrance to the civic center. They would be on either side of the main fountain, although such indication implies merely the possibility of such entrances rather than indicating that this passenger station is an integral part of the civic center plan.

River Deepening Essential

The present Court Street Bridge is not an attractive structure. It will have many years of usefulness but will some day have to be reconstructed. Whenever this time comes, whether twenty, thirty or forty years from now, it is suggested that it be straightened slightly in order to harmonize somewhat better with the present design of the civic center and any future developments that might take place on the river banks to the south. To those who may feel a sense of disappointment in the loss of the open space and the rugged beauty now afforded by the river, especially between Court Street and Broad Street, it may be said that much attention was given to this subject in the preparation of the present civic center plans. First, it was found that flood control plans demand the deepening of the river, the removal of the rocks in the present bed of the river, and the construction of a dam which will virtually create a pool from Central Avenue to the foot of the State Dam just south of Court Street. Thus in any event, one of the most attractive characteristics of the river is to be removed. In the second place, it would be exceedingly difficult to divert the entire civic center design between Court and Broad Streets, with buildings widely separated on opposite banks of the stream, twenty-five or thirty feet above a pool of water. The effect would be most unfortunate. It is to be noted that the bed of the river from the State Dam extending very nearly to Court Street where the pool begins. This can be done quite easily as the time to now that has intervened upon present appearances and enhance the effect of any extension of the civic center southward from Court Street.

Plan of Civic Center Fully Developed



Plan of civic center as worked out by Harland Bartholomew and associates, looking south from Main Street. Locations of the City Hall, Auditorium, Public Welfare Building, City Courts building, Library, Museum and State Building are indicated by lettering on the sites. The reflecting pool and fountain, and the opening into Main Street also should be noted.

Early in his report Mr. Bartholomew discusses the need for new public buildings in Rochester as follows:

Rochester is in need of several public buildings. One of the most important buildings which will have to be constructed within the next few years is a new city hall. This has been under discussion for a long time and several sites have been suggested for it. The need for a new city hall was partially responsible for the preparation of the first civic center plan, published in Rochester in 1911. There have been suggestions that two buildings might be erected, one a utilitarian structure to house the various city departments, and the other a smaller building or monument type to afford accommodation for the council chamber and the more important executive offices. It is not believed that resort to the erection of two separate buildings would be justified, except in the most unusual circumstances. With certain exceptions discussed below, practically all of the city's activities could be concentrated in one building without necessarily creating a structure of unusual size or prohibitive expense. A city hall will be the dominant building in a civic center and should consequently have a location of comparative importance.

finding intensive use for buildings of this character. A city possessing no auditorium is handicapped on many occasions, not only in attempting to hold large public gatherings of community importance but also in attempting to secure state and national conventions. Such a structure should possess a large hall seating from six to eight thousand persons, one or two smaller halls, and numerous rooms where committees or smaller groups may gather. A building of this character will require an unusually large site (approximately 200x250 feet). Rochester needs a new central library. Present quarters are inadequate. The city is fortunate in having an unusual request for library purposes, amounting to approximately \$1,500,000, from the Reynolds Estate. While the library will not require as large a site as the public auditorium, a site of ample proportions is essential, first, because a comparatively low spreading structure is the accepted form of library design, and, secondly, because the combined collections of the city and of the Reynolds Library will make a substantial collection that will greatly increase the

health and also be given accommodation in this building. It will be referred to heretofore as the Public Welfare Building. It will not require a particularly large site, and its construction can be deferred until certain of the other public buildings previously referred to can be completed.

It is thus seen that the building three or four stories in the not only include

Progressive Development of the Plan

The manner in which the plan may be progressively developed as the city's financial resources make it possible is outlined by Mr. Bartholomew in his report as follows:

First Stage

The new buildings most needed by Rochester at the present time are a Public Library, Museum, City Hall, and Public Auditorium. The City Hall and Public Library should be started almost immediately no property need be acquired. The house museum exhibits in until such time as both a museum collections be for the library be so constructed come sufficiently large to warrant separate buildings, as contemplated by the final civic center plan. The city now possesses a lease upon certain of the property required for the municipal auditorium, and it is suggested that all of the property from Court to Broad and from the river to Exchange be acquired in the near future, either by purchase or condemnation. New buildings now most needed could consequently be constructed at an early date, constituting what might be termed the first step in the development of the civic center plan. Plate Number 5 (here reproduced) illustrates how these buildings would be constructed and adjusted to existing conditions. The cost of the first stage of development would be as follows: Real estate, including the two races, \$1,238,000; Retaining walls and other work incidental to flood control, 300,000. Total, \$1,538,000.

and, in fact, would be of some advantage in the placement of machinery with which to handle serious jams of driftwood.

Second Stage

The second stage of the development of the comprehensive plan will depend upon the sequence of the demand for the four remaining buildings, namely, Museum, Public Welfare, State, and Justice and Police Buildings. Two alternative plans, Schemes "A" and "B", have been prepared to illustrate definitely how the second stage of development could be accomplished.

SCHEME "A" (SECOND STAGE)

If the Museum and Public Welfare Buildings are to follow the erection of the City Hall, Library, and Auditorium, the five buildings would all be located south of Broad. This would involve the straightening of Broad Street and the covering of the river from the City Hall to the new Broad Street extension. The costs for this second stage of development would be as follows: Additional real estate required, \$1,421,580; Straightening of Broad Street and covering of Genesee River, 790,000; Embellishment of plaza, including reflecting pool, 250,000. Total, \$2,461,580.

SCHEME "B" (SECOND STAGE)

In the event that the need for the Justice and Police Building or State Building should precede the Museum and Public Welfare Buildings, Scheme "B" indicates how these buildings could be erected in conformity with the final comprehensive seven-building plan. Both of these buildings are to be back of the flood walls along the river and north of Broad Street, and in fact, immediately north of the proposed realignment of Broad Street. It is dependent upon the completion of buildings or river work south of Broad Street. Sites for these buildings could be acquired at any time convenient to the City and State. The earlier the acquisition, how-

State Building Seen in Future

There are numerous federal government and state government activities in Rochester requiring considerable office space. Most important, of course, is the post office, which will have to be a separate building located in close proximity to the railroads for purposes of expeditious handling of mail. An office building to house state activities will probably be required at a not distant date for such a structure has been acquired by the State in cooperation with the building plans in that city. It is thus seen that the building three or four stories in the not only include

1. City Hall
 2. Public Auditorium
 3. Central Library
 4. Public Museum
 5. Justice and Police Building
 6. Public Welfare Building
 7. State Building
- Few cities have opportunity to

erect so many public buildings within a short space of time. Rochester is consequently confronted with an unusually favorable opportunity to create a civic center comprised of these seven buildings.

Advantages of Various Sites Proposed

Relative advantages of various civic center sites that were considered are evaluated by Mr. Bartholomew as follows:

A. BRUNNER AND OLMSTED PLAN, 1911
This plan, the subject of an excellent report by well known national authorities, in 1911, proposes to locate the civic center at the intersection of Main and Broad Streets. Its principal advantage is its commanding location and reasonably good accessibility both by vehicle and by street car. It might have a beneficial influence upon surrounding property, although its cost would be somewhat high. The principal deficiencies are that it is located at the extreme west edge of the central traffic district; it affords rather poor sites for the various buildings comprising the group; and still more important, it is so cut up with main thoroughfares, present and proposed, as to make impossible a satisfactory self-contained group of buildings.

B. GORDON PLAN, 1915
This plan, prepared by Mr. Edwin S. Gordon in 1915, takes advantage of the river site and the vista afforded by the Court Street bridge. Its advantages are dominant location, and relatively low cost, while the character of surrounding property is well suited to the location of the civic center. This site is not altogether satisfactory from the standpoint of access by street car, and it has serious disadvantages of size and shape. It precludes the westward extension of Court Street from Exchange Street, an important part of the Major Street Plan.

C. THOMPSON, HOLMES AND CONVERSE PLAN
This plan has numerous advantages with an unusually favorable opportunity to create a civic center comprised of these seven buildings.

D. WASHINGTON SQUARE
This plan was proposed in 1928 but there is no record of the author. It takes advantage of the present open space known as Washington Square and makes use of property owned by the city and occupied by the old Convention Hall. The site is fairly low in cost and fairly accessible by vehicle and street car. It does not afford particularly good sites for individual buildings nor for a grouping plan of outstanding merit or dominant location in the city plan.

E. FRANKLIN SQUARE
This plan was proposed by Foster, Gade & Graham in 1920. The site is low in cost and fairly central as to location. It is not altogether satisfactory for access by vehicle and by street car. The neighborhood should be benefited by the presence of a civic center. The site, however, offers no particular strategic advantage in dominant location and only a fair opportunity for composition of buildings and for individual building sites. The plan, of course, takes advantage of the existence of the present open space, Franklin Square, as the central plaza or mall.

F. ANDERSON SQUARE
This plan was proposed by Mr. James Sibley Watson in 1928. It takes advantage of an existing open space which would be used largely for a building astride Main Street, similar to that of the Brunner and Olmsted Plan of 1911. The site is quite accessible by both vehicle and street car, but has the disadvantage of being at the eastern edge of the central traffic district. A more central location would be preferable. This site has the further disadvantage of being within an area of rising land values which might contribute substantially to its cost, although assessed valuations are fairly low at the present time. While adequate sites for individual buildings would be possible, the site is rather cut up with main traffic thoroughfares and a well co-ordinated design would be difficult.

G. CITY PLAN COMMISSION PLAN, 1929
This site corresponds with that of Plan "C" by Thompson, Holmes and Converse, and is popularly known as the "River Site" and has long been considered a logical place for a civic center. It is most central as to location, both present and future. It is most accessible by vehicle and by street car and affords excellent opportunity for dominant location of buildings, for good composition, and for good individual building sites. A civic center at this site should have a beneficial influence upon surrounding property. While the cost of such property is higher than that of other locations, it has the outstanding advantage of being able to make use of the area over the river and certain other property now owned by the city.

H. CITY PLAN COMMISSION PLAN, 1929
The treatment of the Franklin Square site as suggested in Plan "H" is more extensive than the plan originally prepared by Foster, Gade and Graham, in 1920, for this same area, and consequently the costs are correspondingly higher. To be sure, this site has many advantages. In addition to being situated near both of the city and population centers of the city, the New York Central passenger terminal, which is the principal gateway to the city, could also be included in the scheme. Further, the building sites are both ample and adequate, and the opportunity for architectural treatment and development of this area, however, would necessitate the use of all the property from Clinton Avenue to North Street and from Pleasant to a point north of Central Avenue. This would involve the acquisition of some expensive property which would make the cost of this site comparatively high. After weighing the comparative merits of Schemes "G" and "H" with regard to costs, accessibility, and influence upon surrounding property, site "G" is recommended as the best location, and site "H" the next most satisfactory area available.

Mr. Fisher Commends
Edwin A. Fisher, former city engineer, who has been engaged in city planning activities in Rochester for upwards of twenty-five years, commended the plan suggested by Mr. Bartholomew and said that it was the best that could be developed on the location. He commended himself as wholeheartedly in favor of the conclusions reached by Mr. Bartholomew in his investigation into civic center sites.

Immediate expenditure of \$2,500,000 will be necessary for the preparation of the sites for three of the main structures—the city hall, the municipal auditorium and the central library. The site suggested for the city hall, overlooking the north of Court Street, fronting on the plaza that will be formed by bridging the river to Broad Street.

CONVINCED IT IS BEST

Bartholomew Says All Other Sites Lack Advantages of One Selected

MAIN STREET OPENING

Vista South to City Hall North of Court Street Plan's Main Feature

By HIRAM MARKS

Construction of the civic center on the Genesee River site at Court and Broad Streets, with an approach 100 feet wide from the south side of Main Street, is proposed by Harland Bartholomew, city planner, in the second section of the comprehensive city plan that he is preparing under the direction of the City Planning Board. Mr. Bartholomew explained his civic center proposal at a luncheon meeting yesterday at the Chamber of Commerce at which were present a group of city officials, headed by City Manager Stephen B. Story; Harold W. Baker, commissioner of public works; directors of the Rochester Civic Improvement Association, and representatives of the Rochester newspapers.

The first public discussion of the plan will take place this noon when Mr. Bartholomew will explain it to members of the Rochester Engineering Society at their luncheon at the Sagamore Hotel. Utilization of the river site was determined in Mr. Bartholomew's study, he pointed out, after numerous sites had been examined and approximately 50 tentative sketches and designs were prepared to ascertain the best possibilities. The Genesee River site recommended itself as squaring most adequately, virtually ideally, Mr. Bartholomew declared, with the various standards by which the civic center site is to be gauged, to be economical and practical.

As has been the experience of such cities as Cleveland, Denver, San Francisco and St. Louis where civic centers are being developed the plan embraces construction covering a period of twenty years. After explaining his plan in answer to direct questions propounded by Herman Russell, president of the Civic Improvement Association, which has been formed from among leading citizens to further the interests of the city plan, Mr. Bartholomew said that approximately \$8,500,000 would be necessary for the acquisition of property; bridging of the channel to prevent flood damage. Roughly the buildings were estimated to cost \$13,000,000, making a total expense of approximately \$21,500,000. This would cover everything, Mr. Bartholomew pointed out that unquestionably the buildings proposed in the civic center would come eventually, and if they were developed on separate sites they would cost more than the grouping in the civic center.

Mr. Fisher commended the plan suggested by Mr. Bartholomew and said that it was the best that could be developed on the location. He commended himself as wholeheartedly in favor of the conclusions reached by Mr. Bartholomew in his investigation into civic center sites.

Immediate expenditure of \$2,500,000 will be necessary for the preparation of the sites for three of the main structures—the city hall, the municipal auditorium and the central library. The site suggested for the city hall, overlooking the north of Court Street, fronting on the plaza that will be formed by bridging the river to Broad Street.

Operating officials and the revenues of the New York State railways will co-operate in the direct decree to carry out the intention of the City Council in providing for a five-cent fare for school children and the sale of tickets on cars and busses, according to announcement made last evening by Charles R. Barnes, commissioner of railways.

Normal announcement of the two agencies were made in behalf of the other Lines of the New York State Railways yesterday by Bertie M. Wilson, freight and passenger agent, and for forty years affiliated with the Rochester traction property.

"Beginning Saturday March 1," Mr. Wilson, "street car tickets will be available on all street cars and busses. Conductors and bus operators will sell twelve tickets for \$1.

Effective Monday, March 3, school children over 12 years of age will, by purchasing the special tickets at the school, be permitted to ride for five cents. These tickets are good between 7:30 a. m. and 3 p. m. on regular school days, but not good on Saturdays, Sundays, school holidays, or during vacation.

For College Students, Too
Commissioner Barnes said that arrangements with the State Board of Education the tickets can be purchased in any quantities at the public schools, also at all school children, he said that a school child is regarded as any person under 21 years of age, and tickets will be available to University of Rochester students. Children between 5 and 12 years of age will ride for half fare.

CENT PARE TO APPLY TO ALL SCHOOLS

Railways Will Consider as School Child Any Pupil Under 21 Years Old

PARTY STRIFE LOOMS FOR CITY G. O. P.

By J. CODY WALLER

Determination of Harry J. Barham, Monroe County Republican leader, to make Adolph H. Spiehler, postmaster, to succeed John B. Mullan March 11, today promised to leave many political scars both within the Republican organization, and elsewhere.

Mr. Mullan, still fighting to hold his job, was rallying big business men to his aid. He called on Congressman James L. Whitley at Washington yesterday but received no assurances that there is even a possibility of renaming him for a third term.

A movement to demand the re-election of Mr. Mullan was taking form today, with W. Dewey Crittenden, former president of the Automobile Club of Rochester, in command.

But neither Mr. Mullan nor Mr. Crittenden appeared to carry any weight within the Republican organization.

"FELL DOWN"
Mr. Mullan was charged with aiding the campaign of William MacFarlane, prohibition enforcement candidate, against Mr. Whitley for Congress, in 1928. Mr. Crittenden was charged with "falling down" when the party organization desired him to run for city councilman last fall.

Mr. Crittenden was said to have given pressure of business as his reason for declining to run. Republican leaders said back of his hand in the MacFarlane-Whitley campaign, as the contest was in the Thirty-eighth District and not the Thirty-ninth, in which Mr. Mullan resides.

Mr. Mullan got little satisfaction out of his conference with Mr. Whitley at Washington, according to advisers received today. Mr. Whitley said the choice of a new postmaster rested with the Republican organization of Monroe County, and that he and Congressman Archie D. Sanders of the Thirty-ninth District could only make whatever recommendation the organization asked.

Mr. Whitley said no recommendation would be made for at least a week when Mr. Sanders returns to Washington.

Meanwhile there is opposition within the Republican organization to naming Mr. Spiehler, Charles E. Bostwick, leader of the Tenth Ward, is opposed to such a choice, and favors appointing Charles Schaner, executive committeeman of the Eighteenth Ward.

POLITICAL GESTURE
This stand by Mr. Bostwick is considered a political gesture. Other leaders said if Mr. Bostwick believed there was a chance of anybody but Mr. Spiehler getting the place he would find a candidate in his own ward with its 15,000 enrolled Republican voters.

Leo A. MacSweeney, a Republican leader at large, is advocating naming Charles E. Blackwood, executive committeeman of the Third Ward.

COUNCIL TO GET PROPOSAL NEXT MONTH

Construction of a modern dam, equipped with sluices, at Central Avenue, and deepening of the Genesee River had so that it can carry 30,000 cubic feet of water a second, between Court Street and the upper falls, will be recommended to the City Council early next month, as a safety measure against possible floods, following completion of plans and estimates now under way.

This announcement was made today by Edwin A. Fisher, veteran city engineer, now employed in a consulting capacity, who was in charge of the original deepening project in 1912.

He said the current plans are being worked out according to suggestions made by John R. Freeman, nationally known hydraulic engineer of Providence, R. I.

The river bed, now able to carry from 50,000 to 60,000 cubic feet of water a second, is to be deepened from five to six feet between Court and Broad Streets, and from three to four feet from Broad Street to Central Avenue.

PRECEDENT CENTER PLAN
The work, Mr. Fisher declared, must precede the Civic Center project as protection for the ambitious construction program outlined by Harland Bartholomew, St. Louis city planning expert.

Deepening of the river bed, Mr. Fisher said, will not require the tearing up of the Main Street bridge and the buildings on it, as reported in another newspaper.

Mr. Fisher explained that the bridge and buildings over the river at Main Street will not have to go until—and if—the third phase of the Civic Center project is executed, forty years hence. Then a new bridge may be built.

FLOOD PROTECTION
The purpose of the sluices in the new dam, Mr. Fisher said, is to provide protection against floods, additional to the deepening of the river, by permitting them to be opened if and when an overflow is threatened.

"Although Rochester has not experienced a flood of the Genesee River higher than the existing river bed is able to carry," Mr. Fisher said, "the deepening is nevertheless a project of first concern to the city."

"The high water mark, so far as I can recall, was in 1865 when 55,000 cubic feet of water a second surged through the Genesee River and flooded the business section."

March 3 on page 171

Story to Confer on Lake Ontario Water Proposal

The margin of safety of its water supply and with proposals for extension of the supply by the addition of Honeoye Lake at an estimated expenditure of \$25,000,000 spread over a number of years, the water problem is one of the most serious before the city, Mr. Story asserted. It is possible that Vice-Mayor Adler may join in the conference in New York.

Councilman Milne said that many people are complaining to him with reference to the use of Lake Ontario Water and that more than a year ago he brought the matter to Manager Story's attention with the suggestion that consideration be given either to the acquisition of the Rochester and Lake Ontario Water Company, or for the city to purchase the water in wholesale quantities and meter it out to residences as it does the Hemlock water.

The Federal Water Company faces the question of expansion and is not desirous of making large expenditures, it is declared, if the city is to acquire its property.

Bill for Norton Street Asphalt Passes Council

The ordinance for a asphalt pavement in Norton Street from Waring Road to the city line, proposed by Councilman William F. Durran, was passed unanimously by the City Council last evening.

Local improvement ordinances for Hinchey Street sewers, walks and grading and for Harwood Street asphalt pavement and walks were also unanimously passed following favorable report by the Local Improvements Committee, read by Councilman Milne, chairman.

Upon the favorable report of the finance committee the Council by unanimous action approved the price of \$39,000 for the Plantation property in Gardiner Avenue required for the extension of Grover Street and for the establishment of a playground and small neighborhood park. The Council also authorized repairs to Stutson Street bridge to be made without competitive contract. Upon the favorable report of the Public Works and Engineering Committee, read by Councilman Chester A. Peake, authority was given to the Sergeant Motor Company to erect a sign in Scio Street.

An adverse report by the city planning and zoning committee, read by Councilman Charles Stanton, chairman, resulted in unanimous defeat of two ordinances providing for the change of zone of property in Saratoga and Clifford Avenues.

Councilman Guzzetta introduced a petition changing the name of Carter Street park to Pulaski Park, also a remonstrance against this action. Councilman Foulkes filed a petition for a concrete pavement, sewer and walks in Gabriel Place, and Councilman Milne filed an amendment to Minder Street concrete pavement ordinance, and Councilman Peake filed an ordinance for a concrete pavement in Castleman Road. Councilman Stanton filed an ordinance for the care and embellishment of a number of residential streets during 1930.

Councilman Guzzetta introduced a resolution declaring the intention of the city to acquire land at the northeast corner of Bay and Rohr Streets for library purposes and it went to the public welfare committee. A resolution for the paving of Schiller Alley was passed after introduction by Councilman Foulkes. A communication was received from the receivers of the New York State Railways relative to accepting the service at cost contract as amended.

Payment of bills for the care of injured police and firemen by George J. Nier, commissioner of public safety, was authorized by resolution of Councilman Durran. George S. Van Schaick spoke in favor of the stone cutters' ordinance, which is before the Public Works and Engineering Committee for report, and Councilman Guzzetta was informed by City Manager Story that the ambulance for the northeast section of the city will be in service this week.

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 6. Public Welfare Building
 7. State Building
- Few cities have opportunity to

Advantages of Various Sites Proposed

Relative advantages of various civic center sites that were considered are evaluated by Mr. Bartholomew as follows: Various proposals have previously been made for the development of a civic center in Rochester. In addition to sites heretofore suggested, numerous other areas were considered as a part of the present study but only the Genesee River site and the Franklin Square site were found to meet the requirements.

Of the eight sites here shown all have some obvious advantages, and in each case numerous studies and plans were prepared to determine the relative possibilities of a satisfactory group plan at each site. As a result of these studies, certain conclusions have been reached and are herewith briefly discussed with respect to each location.

A. BRUNNER AND OLMSTED PLAN, 1911

This plan, the subject of an excellent report by well known national authorities, in 1911, proposes to locate the civic center at the intersection of Main and Broad Streets. Its principal advantage is its commanding location and reasonably good accessibility both by vehicle and by street car. It might conceivably have a beneficial influence upon the surrounding property, although its cost would be somewhat high. The principal deficiencies are that it is located at the extreme west edge of the central traffic district; it affords rather poor sites for the various buildings comprising it, it is so cut up with main thoroughfares, present and proposed, as to make impossible a satisfactory self-contained group of buildings.

B. GORDON PLAN, 1915

This plan, prepared by Mr. Edwin S. Gordon in 1915, takes advantage of the river site and the vista afforded by the Court Street bridge. Its advantages are dominant location, and relatively low cost, while the character of surrounding property is well suited to the location of the civic center. This site is not altogether satisfactory from the standpoint of access by street car, and it has serious disadvantages of size and shape. It precludes the westward extension of Court Street from Exchange Street, an important part of the Major Street Plan.

C. THOMPSON, HOLMES AND CONVERSE PLAN

This plan has numerous advantages...

D. WASHINGTON SQUARE

This plan was proposed in 1928 but there is no record of the author. It takes advantage of the present open space known as Washington Square and makes use of vacant property owned by the Convention Hall. The site is fairly low in cost and fairly accessible by vehicle and street car. It does not afford particularly good sites for individual buildings nor for a grouping plan of outstanding merit or dominant location in the city plan.

E. FRANKLIN SQUARE

This plan was proposed by Foster, Gade & Graham in 1920. The site is low in cost and fairly central to location. It is not altogether satisfactory for access by vehicle and by street car. The neighborhood should be benefited by the presence of a civic center. The site, however, offers no particular strategic advantage in dominant location and only a fair opportunity for composition of buildings and for individual building sites. The plan, of course, takes advantage of the existence of the present open space, Franklin Square, as the central plaza or mall.

F. ANDERSON SQUARE

This plan was proposed by Mr. James Sibley Watson in 1928. It takes advantage of an existing open space which would be used largely for a building astride Main Street, similar to that of the Brunner and Olmsted Plan of 1911. The site is quite accessible by both vehicle and street car, but has the disadvantage of being at the eastern edge of the central traffic district. A more central location would be preferable. This site has the further disadvantage of being within an area of rising land values which might contribute substantially to its cost, although assessed valuations are fairly low at the present time. While adequate sites for individual buildings would be possible, the site is rather cut up with main traffic thoroughfares and a well co-ordinated design would be difficult.

G. CITY PLAN COMMISSION PLAN, 1930

This site corresponds with that of Plan "G" by Thompson, Holmes and Converse, and is popularly known as the "River Site" and has long been considered a logical place for a civic center. It is most central as to location, both present and future. It is most accessible by vehicle and by street car and affords excellent opportunity for a dominant location of buildings, for good composition, and for good individual building sites. A civic center at this site should have a beneficial influence upon surrounding property. While the cost of such property as needs to be acquired is somewhat higher than that of other locations, it has the outstanding advantage of being able to make use of the area over the river and certain other property now owned by the city.

PLANNER IS CONVINCED IT IS BEST

Bartholomew Says All Other Sites Lack Advantages of One Selected

MAIN STREET OPENING

Vista South to City Hall North of Court Street Plan's Main Feature

By HIRAM MARKS

Construction of the civic center on the Genesee River site at Court and Broad Streets, with an approach 100 feet wide from the south side of Main Street, is proposed by Harland Bartholomew, city planner, in the second section of the comprehensive city plan that he is preparing under the direction of the City Planning Board. Mr. Bartholomew explained his civic center proposal at a luncheon meeting yesterday at the Chamber of Commerce at which were present a group of city officials, headed by City Manager Stephen B. Story, Harold W. Baker, commissioner of public works; directors of the Rochester Civic Improvement Association, and representatives of the Rochester newspapers.

The first public discussion of the plan will take place this noon when Mr. Bartholomew will explain it to members of the Rochester Engineering Society at their luncheon at the Sagamore Hotel. Utilization of the river site was determined in Mr. Bartholomew's study, he pointed out, after numerous sites had been examined and approximately 50 tentative sketches and designs were prepared to ascertain the best possibilities. The Genesee River site recommended, virtually ideally, Mr. Bartholomew declared, with the various standards by which the civic center has to be gauged, to be economical and practical.

As has been the experience of such cities as Cleveland, Denver, San Francisco and St. Louis where civic centers are being developed covering a period of twenty years, after explaining his plan in answer to direct questions propounded by Herman Russell, president of the Civic Improvement Association, which has been formed from among leading citizens to further the interests of the city plan, Mr. Bartholomew said that approximately \$5,500,000 would be necessary for the acquisition of property; bridging of the river and the deepening of the channel to prevent flood damage. Roughly the buildings were estimated to cost \$13,000,000, making a total expense of approximately \$21,500,000. This would cover everything, Mr. Bartholomew pointed out, that unquestionably the buildings proposed in the civic center would cost more than the grouping in the civic center.

Mr. Fisher Commends

Edwin A. Fisher, former city engineer, who has been engaged in city planning activities in Rochester for upwards of twenty-five years, commended the plan suggested by Mr. Bartholomew and said that it was the best that could be developed on the location. He committed himself as wholeheartedly in favor of the conclusions reached by Mr. Bartholomew in his investigation into civic center sites.

Immediate expenditure of \$2,500,000 will be necessary for the preparation of the sites for three of the main structures—the city hall, the municipal auditorium and the central library. The site suggested for the city hall is over the river, north of Court Street, fronting on the plaza that will be formed by bridging the river to Broad Street.

The auditorium is suggested for the site now occupied by the City Hall annex, extending to Exchange Street and occupying the entire block, with provision for a public garden or open space at Broad and Exchange Streets. The library site is on the east side of the river, at Court Street and South Avenue.

Sites Now Available

The city hall can be erected on the piers of the Court Street bridge extended to the north. Mr. Bartholomew pointed out, and the preparation of the foundation over the river would not be more costly than if it was erected on a site other than over the river. He pointed out that the river plan suggested itself more advantageously than any of the others because the City Hall and library sites are available now without cost to the city.

Five of the buildings would be erected south of Broad Street, and the other two, making the seven that are suggested for the completed project, would be erected north of Broad Street. They would be accessible not only from Broad Street; and the two thoroughfares that are constructed over the river to converge to make an entrance into Main Street; but also from the Aqueduct and South Water streets.

In the discussion that followed the presentation of the civic center section of the city plan, Mr. Russell pointed out that the subway cost \$12,000,000, and financing of the civic center plan, though it involved the expenditure of about \$20,000,000, is not impracticable, spread over a period of 20 years.

ONE-CENT FARE TO APPLY TO ALL SCHOOLS

Railways Will Consider as School Child Any Pupil Under 21 Years Old

EFFECTIVE ON MONDAY

Sale of Adult Tickets on Cars and Busses Will Begin Tomorrow

Operating officials and the receivers of the New York State railways will co-operate in the highest degree to carry out the intention of the City Council in providing for a five-cent fare for school children and the sale of tickets on cars and busses, according to announcement made last evening by Charles R. Barnes, commissioner of railways.

Formal announcement of the two changes were made in behalf of the receiver lines of the New York State railways yesterday by Bertram E. Wilson, freight and passenger agent, and for forty years affiliated with the Rochester traction property.

"Beginning, Saturday March 1," said Mr. Wilson, "street car tickets will be available on all street cars and busses. Conductors and bus operators will sell twelve tickets for \$1."

Effective Monday, March 3, school children over 12 years of age will, by purchasing the special tickets at the school, be permitted to ride for five cents. These tickets are good between 7:30 a. m. and 4 p. m. on regular school days, and are good on Saturdays, Sundays, school holidays, or during vacation.

For College Students, Too

Commissioner Barnes said that through arrangements with the Board of Education the tickets can be purchased in any quantities at all of the public schools, also at all of the parochial schools. He said that a school child is regarded as any person under 21 years of age, and tickets will be available to University of Rochester students, children between 5 and 12 years of age, and to half fare.

He said that representatives of state schools, including business institutions, can make arrangements to obtain the reduced fare tickets at the advantage he extended to them. He said that it may take a few days to work out all the details; the aim of the operating officials, including Benjamin E. Tillman and William T. Plumb receivers, is to make the two changes a success in every way.

Commissioner Barnes said that as the patrons of the cars and busses get accustomed to purchasing tickets from the operators, the agencies will be discontinued. The sale of tickets at the important stops downtown will be stopped in the rush hours, effective tomorrow.

The two changes will mean a reduction of approximately \$300,000 in revenues to the railways, and were concessions obtained for the car operators through persistent efforts by Councilman William T. Durman and Joseph L. Guzzetta.

Mr. Mullan, still fighting to hold his job, was rallying big business men to his aid. He called on Congressman James L. Whitley at Washington yesterday but received no assurances that there is even a possibility of renaming him for a third term.

PARTY STRIFE LOOMS FOR CITY G. O. P.

By J. GODY WALLER

Determination of Harry J. Barham, Monroe County Republican leader, to make Adolph H. Spiehler, postmaster, to succeed John E. Mullan March 11, today promised to leave many political scars both within the Republican organization, and elsewhere.

Mr. Mullan, still fighting to hold his job, was rallying big business men to his aid. He called on Congressman James L. Whitley at Washington yesterday but received no assurances that there is even a possibility of renaming him for a third term.

A movement to demand the reelection of Mr. Mullan was taking form today, with W. Dewey Crittenden, former president of the Automobile Club of Rochester, in command.

Mr. Mullan was charged with aiding the campaign of William MacFarlane, prohibition enforcement candidate, against Mr. Whitley for Congress, in 1928, Mr. Crittenden was accused of "falling down" when the party organization desired him to run for city councilman last fall.

Mr. Crittenden was said to have given pressure of business as his reason for declining to run. Republican leaders said lack of his action was a personal friendship with City Manager Stephen B. Story, and a desire to avoid the possibility of being a party to any movement to oust the boss of the city government.

Republican leaders said Mr. Mullan went out of his way to take a hand in the MacFarlane-Whitley campaign, as the contest was in the Thirty-eighth District and not the Thirty-ninth, in which Mr. Mullan resides.

Mr. Mullan got little satisfaction out of his conference with Mr. Whitley at Washington, according to advices received today. Mr. Whitley said the choice of a new postmaster rested with the Republican organization of Monroe County, and that he and Congressman Archie D. Sanders of the Thirty-ninth District could only make whatever recommendation the organization asked.

Mr. Whitley said no recommendation would be made for at least a week when Mr. Sanders returns to Washington.

Meanwhile there is opposition within the Republican organization to naming Mr. Spiehler. Charles E. Bostwick, leader of the Tenth Ward, is opposed to such a choice, and favors appointing Charles Schoener, executive committeeman of the Eighteenth Ward.

POLITICAL GESTURE

This stand by Mr. Bostwick is considered a political gesture. Other leaders said if Mr. Bostwick believed there was a chance of anybody but Mr. Spiehler getting the place he would find a candidate in his own ward with its 15,000 enrolled Republican voters.

Story to Confer on Lake Ontario Water Proposal

In response to an inquiry from Councilman Nelson A. Milne as to what steps are being taken to relieve the large section of population in Rochester which are compelled to pay higher rates for Lake Ontario water than those using the Hemlock system, City Manager Stephen B. Story said that after a year of preliminary negotiation and discussion he and Harold W. Baker, commissioner of public works, will have a conference in New York on Friday with the officials of the Federal Water Company, which controls the Rochester & Lake Ontario Water Company at which he "understood a definite proposal was to be made to the city."

Manager Story said that he did not know what the proposal was but was invited to this conference for the purpose of getting down to a definite proposition. He suggested after the proposition was made it be "gone over by a fine comb by the city's engineers" to determine what was in it and what advantage it was to the city.

With Rochester already close to the margin of safety of its water supply and with proposals for extension of the supply by the addition of Honeoye Lake at an estimated expenditure of \$25,000,000 spread over a number of years, the water problem is one of the most serious before the city, Mr. Story asserted. It is possible that Vice-Mayor Adler may join in the conference in New York.

Councilman Milne said that many people are complaining to him with reference to the use of Lake Ontario Water and that more than a year ago he brought the matter to Manager Story's attention with the suggestion that consideration be given either to the acquisition of the Rochester and Lake Ontario Water Company, or for the city to purchase the water in wholesale quantities and meter it out to residences as it does the Hemlock water.

The Federal Water Company faces the question of expansion and is not desirous of making large expenditures, it is declared, if the city is to acquire its property.

Bill for Norton Street Asphalt Passes Council

The ordinance for an asphalt pavement in Norton Street from Washing Road to the city line, proposed by Councilman William E. Durman, was passed unanimously by the City Council last evening.

Local improvement ordinances for Hinchey Street sewers, walks and grading and for Harwood Street asphalt pavement and walks were also unanimously passed following favorable report by the Local Improvements Committee, read by Councilman Milne, chairman.

Upon the favorable report of the finance committee the Council by unanimous action approved the price of \$39,000 for the Plantation property in Gardiner Avenue required for the extension of Groves Street and for the establishment of a playground and small neighborhood park. The Council also authorized repairs to Stuten Street bridge to be made without competitive contract. Upon the favorable report of the Public Works and Engineering Committee, read by Councilman Chester A. Peake, authority was given to the Sergeant Motor Company to erect a sign in Scio Street.

An adverse report by the city planning and zoning committee, read by Councilman Charles Stanton, chairman, resulted in unanimous defeat of two ordinances providing for the change of zone of property in Saratoga and Clifford Avenues.

COUNCIL TO GET PROPOSAL NEXT MONTH

Construction of a modern dam, equipped with sluices, at Central Avenue, and deepening of the Genesee River bed so that it can carry 90,000 cubic feet of water a second, between Court Street and the upper falls, will be recommended to the City Council early next month, as a safety measure against possible floods, following completion of plans and estimates now under way.

This announcement was made today by Edwin A. Fisher, veteran city engineer, now employed in a consulting capacity, who was in charge of the original deepening project in 1912.

He said the current plans are being worked out according to suggestions made by John R. Freeman, nationally known hydraulic engineer of Providence, R. I.

The river bed, now able to carry from 50,000 to 60,000 cubic feet of water a second, is to be deepened from five to six feet between Court and Broad Streets, and from three to four feet from Broad Street to Central Avenue.

PRECEDUE CENTER PLAN

This work, Mr. Fisher declared, must precede the Civic Center project as protection for the ambitious construction program outlined by Harland Bartholomew, St. Louis city planning expert.

Deepening of the river bed, Mr. Fisher said, will not require the tearing up of the Main Street bridge and the buildings on it, as reported in another newspaper.

Mr. Fisher explained that the bridge and buildings over the river at Main Street will not have to go until—add it—the third phase of the Civic Center project is executed, forty years hence. Then a new bridge may be built.

FLOOD PROTECTION

The purpose of the sluices in the new dam, Mr. Fisher said, is to provide protection against floods, additional to the deepening of the river, by permitting them to be opened if and when an overflow is threatened.

"Although Rochester has not experienced a flood of the Genesee River higher than the existing river bed is able to carry," Mr. Fisher said, "the deepening is nevertheless a project of first concern to the city."

"The high water mark, so far as I can recall, was in 1866 when 34,000 cubic feet of water a second surged through the Genesee River and flooded the business section."

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CITY PLANS TO TAKE STEPS TO RELIEVE UNEMPLOYMENT, JOBLESS, SOCIALISTS DEBATE

Unemployed Council Disapproves Aid Suggestions

CHARGES GROUP WITH POLITICS Practical Relief, Not 'Preposterous Scheme,' Aim, Socialist Reply

Principal Items of Business Transacted by Council

Business transacted by the City Council last evening included the following items:

Initiated definite steps toward assisting in the solution of the unemployment situation in Rochester by the reference to the Public Welfare Committee of a communication by City Manager Stephen B. Story graphically sketching the conditions confronting the Public Welfare Bureau of the city and outlining several courses of action that can be taken to meet the suggestion of Councilman Joseph L. Guzzetta for the establishment of a special bureau to handle cases of unemployment. The committee will study the proposal and make an early recommendation.

Heard George S. Van Schaick make argument in favor of use of stone cut within Rochester limits and urged that teeth be put in existing ordinance. Passed unanimously ordinance by Councilman William F. Durnan for asphalt pavement in Norton Street from Waring Road to city line, and transacted a large volume of routine business.

The program proposed by the public relations committee of the Socialist Party of Monroe County for relief of the unemployment situation in Rochester did not meet with the approval of the Unemployed Council of Rochester, which is made up largely of workers affiliated with the Communist organization, and the views of both groups were aired before the City Council last evening.

The views of the public relations committee were presented by its three members, James L. Brewer, Richard M. Briggs, and Hyman Lipshutz; but before the committee had an opportunity to complete the presentation of its case to the Council, Samuel Essman read a resolution by the Unemployed Council of Rochester, charging that the plan of the Socialist Party was reactionary, and asserting that "it was nothing else but an effort on the part of that party to make political capital out of the suffering of the unemployed workers of Rochester."

Practical Relief Sought

Answering the assertions of Mr. Essman it was charged by Mr. Lipshutz that the Socialist Party is interested in some practical relief to the unemployment of Rochester, not a "preposterous scheme" suggested by the Unemployed Council, which would cost the city \$20,000,000 a year and would bankrupt Rochester, even if it was legally possible to put it into effect. Mr. Lipshutz said that the program outlined by Mr. Brewer was fashioned after the plan worked out in Milwaukee, which is under Socialist administration, and has been successful. During the year there were 99,515 registrations. Orders for 75,483 men and 24,022 women. Orders from employers for help to the number of 87,417 were accepted, and 79,597 filled.

Mr. Lipshutz asserted that the councilmen were all actively interested in the situation and the suggestions with reference to the Milwaukee plan were used as a basis for starting something to relieve the conditions. He said that the public relations committee did not contend that it was the best or the only solution, but the matter was presented as a suggestion, and he said that the Socialist Party is before the City Council not to criticize, but with the fullest confidence that something would be done and to express its willingness to cooperate with any Council committee.

Referred to Committee

Mr. Briggs asserted that the situation was such that immediate attention was necessary, and that his committee would cooperate with the committee of the City Council. Vice-Mayor Adler referred the communication to the public welfare committee, which will study the proposals and confer with the public relations committee of the Socialist Party in an effort to work out a constructive program to be presented to the Council.

City Manager Story announced in response to inquiry by Councilman Nelson A. Milne that a conference will be conducted in New York on Friday with Federal Water Company looking by the city, if this is desirable.

In its study of the unemployment situation and the efforts made by the City of Milwaukee to meet it, the public relations committee obtained the seventh annual report of the Citizens' Committee on Unemployment and the Public Employment Office of Milwaukee for the year ended June 30 and the essence of this report was prepared for the Council committee's consideration. The summary presented last evening followed:

This committee owes its existence to a resolution adopted by the Common Council Aug. 14, 1911. It provided for a committee of five, appointed to act in conjunction with the committees of the County Board of Supervisors, the Merchants and Manufacturers' Association and the Federated Traders Council for the purpose of studying the unemployment problem.

On Sept. 1, 1911, the Industrial Commission assumed the public office and Wisconsin Free Employment Bureau and an agreement was entered into with the Citizens' Committee for the maintenance of the Milwaukee Employment Office.

In the Spring of 1918 the United States Employment Service, Department of Labor, arranged to cooperate with the committee.

The Industrial Commission supervises the work of the office and pays the salaries of the personnel who are all under state civil control. The Citizens' Committee acts as an advisory board and directs the expenditure of funds locally supplied, and maintains in connection with the Milwaukee Employment Office a division for disabled persons.

The chairman of the Citizens' Committee is representative of the business community, while the vice-chairman comes from the Trades Council group.

For the 1928-1929 fiscal year the sum of \$7,000,000 was appropriated by both the city and the county for the use of the committee. During the year there were 99,515 registrations. Orders for 75,483 men and 24,022 women. Orders from employers for help to the number of 87,417 were accepted, and 79,597 filled.

The following letter, dated Feb. 27, 1930, from Mayor Daniel W. Hoan of Milwaukee, gives a glance at the recent workings of the bureau:

Replying to your inquiry of re- late will say that we have a public employment bureau here, and it works admirably. The financial come through individual appropriation from the city, county and state.

While governed by the State Industrial Commission, there is also an advisory committee of the city and county governments, manufacturers and trades unions.

Work Fund for 60,203

The employment bureau itself, during 1928, placed 49,263 persons to positions at a cost of 46 per cent. This is indeed a very small cost, considering what is ordinarily charged by private agencies, particularly so when the charge is very generally made that private agencies frequently collect for obtaining positions and do not find work for the applicants.

The citizens committee also functions to attempt to get employment to support out the work to a great number during times of unemployment and at times has secured a great deal of co-operation in this respect. More than this, it gives out public statements requesting people to undertake cleanup and other jobs of work when times are slack. I am sending you herewith a copy of the report of the employment bureau.

Today, as a result of the unemployment, part-time employment, wages have reached new low levels. To suggest further reduction for any purpose, every worker can only consider as another attack upon his wages. Furthermore, to discuss the wages of the unemployed to relieve a situation for which the workers are not responsible and for which the Socialist Party holds the capitalist system to blame, is only an act of treachery.

Counter Suggestions

As against the proposals of the Socialist Party, the Unemployed Council of Rochester proposes:

- 1-Complete insurance against unemployment, to be provided by the government, financed by taxes on income, inheritance, and profits providing wages \$15 per week for each unemployed worker, with \$5 additional for each dependent with-out exception of disabled veterans.
- 2-Administration of unemployment benefits to be in the hands of the workers electing their own unemployed organizations, with absolute equality of Negro and white workers.

The Unemployed Council wishes especially to warn all workers against the idea that the capitalists or their government can be prevailed upon, through the medium of recommendations such as made by the Socialist Party, to legislate the above named demands into force. The capitalist class has never granted the working class its demands, except after a long, bitter struggle. The brutality with which the efforts of the unemployed for relief from the capitalist government, the police clubbing, blackjacking, imprisonment, and jail sentences eloquently testify to the determination of the ruling class and its state to crush the workers' movements, and continue unhampered to ride roughshod over the whole working class. Even in the Socialist-administered cities of Rochester and New York, the part of the unemployed to present their demands to the Socialist city fathers was met with mass brutality, clubbing and arrests.

The city and county governments for several years past have been considerably influenced by Socialist activities in promoting a large amount of public work which has taken up a great deal of the slack. The consequence is that, while the unemployment has been reduced, the conditions are better than in most other large cities in this country.

The February issue of the Survey Graphic contains an article showing what is being done in Philadelphia. The Philadelphia experiment referred to in the article has been undertaken on an sweeping scale in organization of an institute for the development of employment, to be developed through a period of years. Its immediate plans, however, are aimed at to offer direct relief to the unemployed as Rochester has. The Board of Education is called upon for census figures as to unemployment. The State Employment Bureau is looked to for co-ordination of all desirable employment agencies and its services expanded. A system of labor exchanges is being set up to provide complete lists of unemployed and of open positions. Public work reserves are called upon to regularize employment and to fill in depression periods.

The resolution of the Unemployed Council of Rochester, which "condemns the program for unemployment presented by the Socialist Party," charges that "even in the Socialist-administered city of Milwaukee, the attempt on the part of the unemployed to present their demands to the Socialist city fathers was met with mass brutality, clubbing and arrests."

Resolution by Unemployed

The resolution read by Mr. Essman follows:

The unemployed Council of Rochester condemns the program for unemployment presented by the Socialist Party, and charges that the attempt on the part of the unemployed to present their demands to the Socialist city fathers was met with mass brutality, clubbing and arrests.

The resolution read by Mr. Essman follows:

The unemployed Council of Rochester condemns the program for unemployment presented by the Socialist Party, and charges that the attempt on the part of the unemployed to present their demands to the Socialist city fathers was met with mass brutality, clubbing and arrests.

The unemployed Council considers this program as reactionary, which, even if adopted and put into force will bring no relief to the mass of unemployed, but will serve instead to retard and crush the efforts of the unemployed workers for relief. Though the Socialist Party declares in its program that the capitalist system is responsible for the prevailing unemployed and suffering of the workers, the effect of its proposals, if carried out, is the formation of an unemployed conference constituted principally of the business men, the government, and its relief and employment agencies, would be a surrender of the demands of the unemployed to the mercies of the very class responsible for the present unemployment and the general attack on the wage and working conditions of the whole working class. How considerate the present city administration is for the interests of the workers has already been demonstrated when it proceeded to employ for painting and carpenter work workers at the rate of wages of the common laborer.

The Socialist proposal to establish an unemployment fund, one-third of which is to be taken from the wages of the workers is nothing else but an open support by the Socialist Party of the present wage slashing campaign of the employing class. The Socialist Party is fully aware of the fact that the wages of the workers, even in New York State, have never reached the standards for decency and comfort declared essential by many governmental depart-

Graphic Sketch Given of Charity Load City Carries

'VALUABLE DATA' GIVEN BY STORY

Many Seek Work of Him, Says Guzzetta, in Plea for Bureau

By HIRAM MARKS

Constructive steps toward relieving as much as possible the unemployment situation in Rochester will be taken by the City Council as the consequence of the action by Vice-Mayor Isaac Adler in referring to the Public Welfare Committee a communication from City Manager Stephen B. Story which outlined the activities by the Bureau of Public Welfare of the city and which was prepared in response to a resolution by Councilman Joseph L. Guzzetta, which provided for the establishment of an Emergency Unemployment and Relief Bureau.

City Manager Story graphically sketched in his communication the responsibilities that are falling on the city in meeting the situation, pointing to the large increases in expenditures in charities; he set up a number of matters that have to be considered in the establishment of the bureau suggested by Councilman Guzzetta.

Not Arguing About It

He said that he did not present his communication in an argumentative way, and Councilman Guzzetta said that he appreciated this and was grateful for the report of the city manager. Guzzetta said that the situation was acute and required immediate attention. Vice-Mayor Adler said that City Manager Story had collected in his communication "much valuable data" and suggested that the Public Welfare Committee go into the subject and make a recommendation to the Council. This was satisfactory to Councilman Guzzetta, who is a member of the committee. Councilman Louis S. Foulkes is chairman and Vice-Mayor Adler is the third member of the committee.

Vice-Mayor Adler said that the problem is serious, as is known to all members of the Council, but he expressed confidence that the Public Welfare Committee would make some constructive program to relieve, if only partially, the situation. Councilman Guzzetta said that the employment situation has grown to such proportions that the private agencies will not cope with it and while it has not been the practise of these agencies to handle what is known as temporary cases, but to direct attention more urgently to the so-called chronic cases, many of the unemployed have been without revenue for so prolonged a period that their cases may be regarded as chronic.

Councilman Guzzetta said that he is probably confronted more so than any other councilman with the seriousness of the unemployment situation because of the large number of persons who visit him and seek assistance and he said that the unemployment bureau might sift out the cases, take those that are most acute, endeavor to obtain employment for them; work in co-operation with the Department of Public Works in the granting of employment in municipal enterprises and in general make itself valuable. He said that there were possibilities for assistance and felt that the expenditure by the city would be justified.

The information gathered by City Manager Story will be considered by the committee. Councilman Foulkes announced and an early report will be made.

Outlines Factors That Must Be Met In Relief Work

City Manager Stephen B. Story last night submitted the following report to the Common Council, bearing upon the proposal that the city establish an emergency unemployment bureau:

Two weeks ago you adopted a resolution directing me to establish an "Emergency Unemployment and Relief Bureau." The wording of the resolution was as follows:

"Resolved, That the City Manager and he hereby is requested to establish at once an Emergency Unemployment and Relief Bureau to handle all new cases which present themselves to the City Manager which will in turn refer them to this bureau for work and relief."

And he it further resolved, That a copy of the daily record of this bureau be sent to the Bureau of Public Welfare, the Community Chest and the Citizens' Committee in order that all may cooperate to solve the unemployment situation.

"Adopted unanimously."

More Facts Needed

I have seriously considered the instructions contained in the resolution. Under the wording of the resolution the city is to take over and handle "all new cases which present themselves to the private agencies." This is a large order and it means that private agencies must concern themselves solely with the cases which they have on their books. I do not know whether or not the private agencies are willing to turn over all new cases to the city to handle, but I have an idea that they would be reluctant to do this even if the city were carrying unusual burdens at the present time. The resolution does not contemplate the private agencies to handle any cases other than those which present themselves to the private agencies. The total budget for the Bureau of Charities has increased nearly 145 per cent. in the past five years.

It is probable that the title "Emergency Unemployment and Relief Bureau" contemplates the creation of a municipal agency to find employment for the persons presenting themselves to the private agencies. Also, it is apparent from the title that the granting of relief in the form of temporary employment work of the private agencies, is to be taken over and carried on through this Emergency Bureau.

Unusual Proposal

If there are to be the functions that the new Bureau is to assume, may I respectfully request that the Council give the most serious consideration? I make this request because the proposal to undertake these two activities is quite unusual. It is a long established custom to work in the social field. It may not be amiss to call to the attention of the Council some factors which should have consideration in its deliberation upon this matter.

Duplications

If the city is to create an employment service it will duplicate the work already being carried on at public expense by this state agency.

Second, if this bureau is to have as part of its function the duty of "relief" it will duplicate an agency already established in the city government organization, namely, the Bureau of Public Welfare. The Public Welfare Law requires that all public funds (funds for charitable or welfare purposes) be made in accordance with the requirements of the law. These requirements are deemed necessary to protect the public funds from fraudulent administration. No relief could be given through any of these agencies without the consent of the city without the fulfillment of these legal requirements. It is quite probable that the new agency which would present themselves to the private agencies would not meet these requirements.

While we are on the subject may I add some further information which is of general interest and which is of all pertinent to the subject? If no private or semi-private agencies existed in the city the city government would find it necessary to carry the whole burden. However, there is a group of agencies, which, because of the inability or the unwillingness of the city to assume the full burden have undertaken to supply part of the needs of the people who have required charitable assistance. I do not mean to ascribe the entire onus of reason for the existence of these agencies to the city because there have been other forces which have helped their creation but their work has been, in the main, supplementary to that which the city has done. The fact that the city has been so made that the city and the private agencies those which were temporary in nature but which have taken place as to whose responsibility a case was. For the past two years the city has been carrying the full share of responsibility for charitable work. We have recognized that the city could not obtain the amount of money which could be obtained to finance the private agencies by voluntary contributions. It is generally agreed that this limit has about been reached. As a consequence, it has been necessary to turn over to the city and immediate relief to the city.

When the 1929 budget was submitted to the Council the message which accompanied it called attention to the increases in appropriations for charitable purposes. If we add together items for the G. A. R. Relief, World War Relief, Hospital Care for Indigent Sick and the Bureau of Public Welfare, we find that in 1927 the expenditure for these items was \$274,431. The expenditure for the same items has grown to \$1,062,492 in the 1930 budget. Between the 1929 budget and the 1930 budget the growth was \$788,061. In discussing the activities of the Bureau of Public Welfare we find a situation in which cases that ordinarily are temporary in nature and which, under normal circumstances, could be cared for by Chest supported agencies have become "chronic" and are now the city's burden. Once these cases are ours they are more important, what is other agency because we are the final recipients. This condition boasts our charity load.

The Department of Labor of the State of New York has conducted in the City of Rochester a public employment bureau for the purpose of providing a free emergency service to persons seeking work. It has been in operation here in Rochester for fifteen months and has a complete organization as to personnel, records, equipment and what is more important, what is established contacts with employers.

Charity Budget Trebles

Then, too, we are doing a complete job, for the Chest supported agencies are contemplating the discontinuance of aid and cases which the city aids are wholly ours. Many city cases formerly received supplementary assistance from the agencies. The total budget for the Bureau of Charities has increased nearly 145 per cent. in the past five years.

Bureau of Charities Expenditure:	1925	1926	1927	1928	1929
.....	\$187,053.60	197,781.51	222,278.74	298,580.22	450,244.32

The following tabulations present interesting information relative to the growth of the charity work:

Increase in Families Cared for by Bureau of Charities:	1926	1927	1928	1929
.....	571 Families	624 Families	728 Families	872 Families

Outdoor Relief by Bureau of Charities:	1926	1927	1928	1929
.....	\$126,129.58	158,307.99	247,522.07	395,344.00

.....	1926	1927	1928	1929
.....	380 Families	472 Families	542 Families	672 Families

The principal reasons for this latter increase are:

- 1-Increase in case load.
- 2-Increase in cases. As a result of the increase in cases, it is possible to secure work as long as the unemployed are physically able to take care of himself, we are assisting him (or her) at home rather than in the almshouse. We have time to looking after our old people. On Dec. 31, 1928, we were assisting 329 old aged persons, in 1929, we had 409 old aged cases on our books. These cases it would have to carry the private agencies who would carry these cases.
- 3-Increase in case load.
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(d) In many of our old age cases it has been necessary to make a home for them where herebefore an old man (over 60 years) was able to get a little work now and then. This has practically been made impossible on account of the age limit and the physical examinations now required.

(e) General living conditions have been improved by moving families into better and bigger living quarters and out of overcrowded health and morals.

Helping Children

Of over 22,000 of the increase in the fact that we paid for the home care of children in 1929, either because of the illness of parents or because the children were orphaned from the County. These children and had reached the age of 16 were no longer eligible for assistance from the County. These children were unable to acquire work or were not from the County.

More for Widows

Appropriation to Widows with Dependent Children-The Bureau of Charities is now carrying a total of 122 cases of widows with dependent children as supplemented by 107 cases of widows with dependent children. The entire cost is borne by the Bureau. This burden of care is borne by the private agencies.

These increased demands have doubled the number of cases which the Municipal Board of Charities is carrying. The impossible burden of 230 cases we have reduced to 222 cases. The Municipal Board is more reasonable and which enables the case worker to do a better job.

The relief work done by the World War Relief and the G. A. R. Relief has been very effective in making the relief to be administered without waste. At the Municipal Board charges for infectious and communicable cases cannot properly be carried as an indirect but the result of these cases is estimated at about 21 per cent of the hospital's operating cost. In 1928, the occurrence of these cases was estimated at 124.6 per day and in 1929 166.8 patients per day and for the first six months of the year 1930, the patient day load is highest during the winter months.

Every activity of the city which touches upon service of relief to the poor, the unfortunate or the sick, should be shared by the additional cost and this data is being supplied to the Board of Charities. This has not been unimportant of the charitable needs of the community.

Must Have Money

If the Council desires to enter the unemployment relief field I shall endeavor to do what I can do as soon as a piece of work as possible. The Council must make an appropriation to enable us to do the work.

I present to you three proposed methods of carrying into effect the resolution. These methods necessitate varying numbers of increased personnel and are estimated as follows:

(a) The creation of an entirely new bureau for the purpose of administration this bureau would necessarily be attached to an existing department. The estimated additional personnel requirements would be as follows: One head of bureau, one secretary of clerk, one stenographer, estimated appropriation necessary, \$3,000.

(b) The existing Bureau of Public Welfare. No present additional appropriation for personnel required. Then if "relief" is to be granted we must have an additional appropriation for it. The extent to which the Council desires us to grant relief will be determined only by the scope of the work appropriated for such purposes.

(c) The creation of a new department within an existing bureau of department which could possibly fund the requirements of the resolution with somewhat less cost than that outlined in method (a). Estimated personnel requirements, one or two clerks; estimated appropriation necessary, \$3,000.

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Milk-Increase in milk is due to the closer supervision of health which is given by our Visitors, Public Health School and Clinic Nurses, as well as health workers given our foreign mothers as to the entire care of their children. Milk is considered a part of the budget and is given as supplementary to the income of our cases of insufficient income.

Shoes-Increase due to the large number of new cases; also to the fact that the city and the private agencies those which were temporary in nature but which have taken place as to whose responsibility a case was. For the past two years the city has been carrying the full share of responsibility for charitable work. We have recognized that the city could not obtain the amount of money which could be obtained to finance the private agencies by voluntary contributions. It is generally agreed that this limit has about been reached. As a consequence, it has been necessary to turn over to the city and immediate relief to the city.

(b) In many instances we have cases turned over to us by private agencies. These families are about to be evicted and immediate relief is necessary. We have recognized that the city could not obtain the amount of money which could be obtained to finance the private agencies by voluntary contributions. It is generally agreed that this limit has about been reached. As a consequence, it has been necessary to turn over to the city and immediate relief to the city.

A City Employment Bureau

In asking the city to establish a municipal relief and unemployment bureau, the City Council has made a "quite unusual" proposal, as City Manager Story says, and he naturally needs more explicit instructions as to the kind of bureau contemplated, the appropriation to be made for it, and the precise nature of the duties to be entrusted to it.

That the Council is sincere in its desire to do something practical for the relief of the unemployed and their families, and that City Manager Story is equally sincere in his desire to give the Council what it asks, need not be questioned. Citizens in general realize the distress caused by unemployment and the importance of relieving it.

The practical problems in the way of a municipal employment bureau are clearly outlined in City Manager Story's statement to the Council. The city is already carrying an exceedingly heavy burden in the way of charity relief. Since 1925 the budget of the Bureau of Charities has risen from \$187,053 to \$456,244 in 1929, or more than a threefold increase. This is entirely aside from the agencies helped by the Community Chest.

The city manager lists some of the more important forms of relief work which the city gives. They make an impressive showing, and the load is increasing upon "every activity of the city which touches upon service or relief to the more unfortunate of our citizens."

A new bureau for the relief of the unemployed would commit the city to an entirely new activity, which would be compelled to create its own precedents. That it would overlap the functions of the state employment agency seems likely; that it would be unable to provide work for every applicant is certain. Should it be a separate department, with a separate appropriation, or should it be an appendage of some department already in existence?

In undertaking so radical a function, the city should have a clear picture of the course it wishes to pursue. There must be more than a well meaning desire to help the unemployed; there must be some reasonable assurance that the attempt will succeed.

STORY TO FIGHT FOR LOWER WATER RATES

Negotiations to obtain fairer water rates will be undertaken by City Manager Stephen B. Story and Public Works Commissioner Harold W. Baker who are to leave for New York tonight to confer with officials of the Federal Water Company.

This company owns and operates the Lake Ontario Water Company which supplies water to the east and north side districts of the city. These negotiations, Mr. Story declared, will not include bidding of the water company's plant or service to adjacent towns.

"We are interested only in supplying water to city consumers at a rate comparable with that which the city charges for Hemlock lake water," said Mr. Story. "Some time ago, we were told the operator of the Lake Ontario Water Company were making a survey to ascertain just what could be done in the way of selling water wholesale to the city, for the city in turn to retail it."

This may involve the city taking over a part of the company within the city. We shall know what to offer when we hear what value the company places on its service."

Both Mr. Story and Mr. Baker were instructed by the City Council to negotiate with the Federal Water Company for a new deal, that company along the north and eastern borders of the city may get fairer rates.

MAYOR JOSEPH C. WILSON DIES

1851--Joseph C. Wilson--1930



MAYOR JOSEPH C. WILSON
Rochester's fifty-first mayor died today at the home of his daughter, Mrs. Maude Crandall, No. 405 Wellington Avenue, after a long illness, at the age of seventy-eight.

Last Act as Mayor Day Before Death

Mayor Wilson performed his last official act within twenty-four hours of his death when, yesterday afternoon, he signed a certificate of authority extending the powers of his office to Vice Mayor Isaac Adler for another sixty days.

Under the City Manager charter, the Council must appoint a successor within sixty days. Until then Vice Mayor Adler will continue to serve as mayor.

Mayor Wilson's mind was clear to the end. At his bedside were his two daughters, Mrs. Trafton M. Crandall and Mrs. Lillian Howell and their husbands; his son, J. Richard Wilson, the latter's wife and son, Joseph C. Wilson 2d.

He recognized all his children a few minutes before his death, mumbling faint phrases which became almost inaudible as the end approached. When death came he was clasping the hand of his daughter, Mrs. Howell.

The mayor evidently knew the end was near yesterday afternoon, when his secretary, Miss Ploy S. Benham, paid him a final visit.

When told that Vice-Mayor Adler,

SUCCUMBS AFTER LONG ILLNESS

Fifty-first City Government Head, 78. Failed Rapidly in Past Two Days.

Mayor Joseph C. Wilson, "grand old man" of the Republican party, undoubted leader of the largest ward in the city more than twenty years and fifty-first in line of succession to the highest official position in the city of the municipality, died peacefully in his Wellington Avenue home early this afternoon.

In his seventy-eighth year and confined to his bed almost continuously more than six months, the political patriarch of the Nineteenth Ward had been growing weaker steadily, and his death was not unexpected.

It came at 12:15 p. m., with members of the Mayor's immediate family at his bedside. They had been watching the end for two days.

Not since last July, when he returned from his vacation on Cape Cod, a desperately sick man, had Mayor Wilson set foot in his office at City Hall.

HATED TO BE IDLE

Stricken with a stomach ailment, the Mayor had not been in the best of health for three years. He was able to attend to his official duties and look after business affairs, however, until his return from Cape Cod and July 16, when he realized that the Mayor was falling rapidly, but it was with extreme reluctance that he consented to rest.

Only after he had been specifically ordered by attending physicians to remain in bed, would he "break" give up all idea of appearing at City Hall.

Service to the city he loved so well and politics—it was his whole existence, even to the end. Those closest to him firmly believed that nothing but his resolute determination to "return to business" as Mayor had kept him alive the past few weeks.

After retiring to his home at No. 405 Wellington Avenue, where he lived with his daughter, Mrs. Maude Crandall, Mayor Wilson's only outside appearance since last July 16, was on an infrequent automobile ride, when his doctors permitted.

Mayor Wilson was born in Binghamton, October 11, 1851.

After a primary education in the public schools of that city, he entered the jewelry business as an apprentice, learning the rudiments of the trade from his father, who was a skilled craftsman.

WATCHED TAMMANY

His work in this line carried him to Syracuse and New York where he observed the first workings of the powerful Tammany political machine. After short stays in these cities he came to Rochester in 1878 to establish a jewelry business here.

The J. C. Wilson Company was then founded at No. 33 Main Street, East in the heart of the city's business section and but a short distance from the City Hall where the young man from Binghamton was

destined to write political history for nearly half a century.

In his later years Mayor Wilson still took an active interest in the company which he established, although he devoted the major part of his time towards guiding the financial destinies of Rochester as city treasurer and later comptroller. At the time of his death, he was secretary-treasurer of the concern which dealt in jewelry, pawn brokerage and money lending.

In 1880, Mayor Wilson married Miss Alice Van Hutten of Syracuse. They had three children, Joseph R., Mrs. Lillian Howell and Mrs. Maude Crandall. After forty years of marital happiness, Mrs. Wilson died in 1920. Since that time, the mayor has lived with his daughter at No. 405 Wellington Avenue.

FIRST RUN FAILURE

Mayor Wilson's first venture into the political field came in 1893 when he ran for alderman of the Nineteenth Ward on an insurgent ticket. Two candidates opposed the future mayor and the regulars won the election. Mayor Wilson's first run in politics had been a failure.

The following year he transferred his affiliations to the regulars and worked earnestly for the success of the ticket. In 1896 he made his first run as a regular Republican and was elected alderman of the Nineteenth Ward. In 1898, he was re-elected to the office.

The voters of the Nineteenth Ward took a strong liking to "Joe" Wilson and every election day returned a substantial plurality for the Republican party. Mayor Wilson's personal magnetism and political ideals soon earned him the reputation as Monroe County's best vote getter.

In 1900, Alderman Wilson became City Assessor Wilson. He held this office for seventeen years, gaining a thorough knowledge of the city's finances.

POTENT FACTOR

For the two year period between 1917 and 1919, Mayor Wilson was chosen city treasurer, and in 1919 Binghamton's jeweler became a potent factor in the city government on his election to the office of comptroller.

During his term as comptroller, Mr. Wilson mastered every detail connected with his office. He won the confidence and respect of the people, who returned him to office by substantial majorities on three different occasions.

The crisis in Mayor Wilson's

MAYOR'S DEATH DELAYS WATER COMPANY DEAL

Because of the death of Mayor Joseph C. Wilson, a conference which was scheduled for today between City Manager Stephen E. Story, Harold W. Baker, commissioner of public works, and officials of the Federal Water Company in New York has been postponed until next week.

The Federal Water Company controls the Rochester and Lake Ontario Water Company, which serves a part of the population of Rochester. Announcement of the conference was made by Mr. Story Monday in response to a question by Councilman Nelson A. Milne asking what was being done to relieve the citizens who are paying more for Lake Ontario water than are those using Hemlock water.

Mr. Story explained that the conference had been arranged to listen to a proposition which the New York company says it will make, but details of which have not been announced. After the proposition is received, its merits will be investigated rigidly.

NO FIGHT ON FAIR TAXES, SAYS TAYLOR

Rochester Assessor Tells Albany Conference of Rochester's System

INDUSTRY TAKES HAND Country-wide Desire for Economy in Government Cited by Washingtonian

Albany Bureau Democrat and Chronicle Albany, March 4—The belief that the American public pays taxes willingly when it feels that the money is equitably collected and wisely spent, was expressed by George S. Taylor, city assessor of Rochester, who addressed the late afternoon session of the seventh state conference of assessors and the fourteenth state tax conference of state and local taxing officials now in session here under the joint sponsorship of the New York State Tax Commission and the State Tax Association.

Equitable assessments can be met only in the assessors' office and this makes the assessor and his office most important, makes him an essential link in the chain of understanding and confidence that should bind a city administration to the people it serves, said Assessor Taylor.

Have Right to Accuracy

"The taxpayers have a right to demand that their assessments be on an equitable basis and that they be based on something more than mere guesses," said Mr. Taylor.

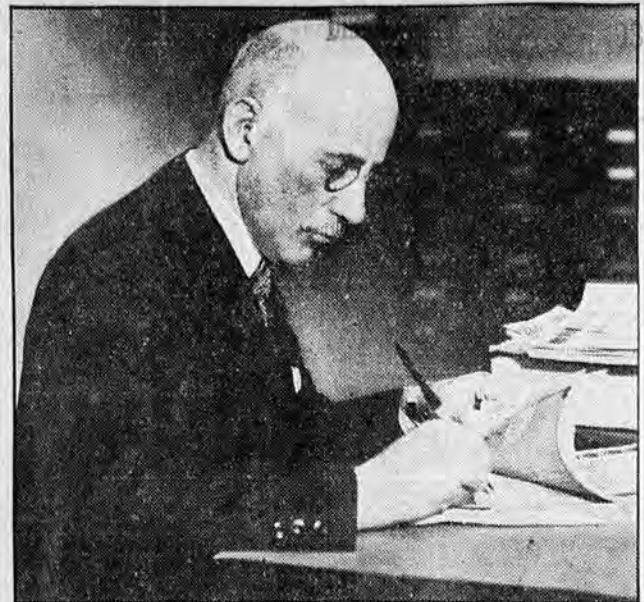
For several years the board of assessors of his city had recognized the need for a reassessment of property along more scientific lines, he said, and it was early apparent that the application of some common principles to all properties would tend to eliminate discrimination between individual taxpayers and help convince the taxpayer that he was paying his proper share of taxes, and no more.

The speaker then outlined the work done in Rochester, starting with the preparation of tax maps. The next step was appraisal of some 55,000 parcels of residential property, and this was followed by classification. Then followed appraisal of business properties and railroad facilities. Under the new system now in use in Rochester, which is the application of base prices to certain definite types of property, property owners do not have to wait until the assessor goes past before painting the house or planting the lawn, for these improvements are not penalized.

Monroe Men at Meeting Those registered for the seventh state conference of assessors and the fourteenth state tax conference included the following from Monroe County: John Morgan, assessor, Ogdenville; Charles Sherman, assessor, West Henrietta; C. F. Klason, assessor, Henrietta; Gifford Lawton, assessor, Clarkson; George S. Taylor, assessor, and John M. Glosser, deputy assessor, Rochester; John A. Ferguson, supervisor, John Bagin, assessor, Webster; W. C. Deming, town clerk, Greece; Fred Leverenz, supervisor, Hamlin; Milo J. Adams, assessor, Ogdenville; Robert M. Fleming, assessor, Greece; C. T. Spring, Lester Bullard, assessors, Hamlin; W. C. Bray, Fred E. Howard, assessors, Pointon; Vincent Brody, assistant land and tax agent, Rochester; Caleb Clothier, land and tax agent; Fred P. Shafer, Fred B. Clarke, assessors, Sweden; Fred B. Millner, Frank F. Bonn, assessors, Fairport; C. H. Nellis, assessor, Clarkson; A. P. Kinsella, assessor, Parma; E. L. Kenyon, assessor, Walker; W. W. Allen, deputy purchasing agent, Rochester; Frank E. Fitch, Peter V. Paul, assessors, Brighton; A. L. Benedict, assessor, Perinton; George Balmer, assessor, Penfield; Allen R. Dayton, assessor, Penfield; Lewis M. Cole, supervisor, Mendon; George Beadie, supervisor, Sweden.

Others here for the conference, for allied meetings of city, village and county officers being held this week are Clarence Smith, clerk of the Monroe County Board of Supervisors; James E. Cobb, Monroe County attorney; members of the good roads committee of the Board of Supervisors, and other city and county officials. The State Conference of Mayors will have its mid-winter meeting tomorrow and will have a joint session with the assessors and taxing officials tomorrow night, when Governor Roosevelt will be the chief speaker.

Vice-Mayor Adler Speedy Writer



The bond issue of \$4,465,000 by the City of Rochester has been completed with the signature of each of the \$1,000 bonds by Vice-Mayor Isaac Adler, acting for Mayor Joseph C. Wilson, under authority of a unanimous resolution of the City Council; Comptroller Clarence E. Higgins and City Treasurer James Kane. The bonds will be delivered in New York today by the three officials. Vice-Mayor Adler proved himself to be a rapid writer in signing the bonds. It took him seven hours of actual writing to sign the 4,465 bonds. Comptroller Higgins required nearly twelve hours, and City Treasurer Kane slightly less.

Regards County as Unit Most Concerned in Port Activity

Chairman Stevenson of Harbor Committee Tells of Surveys Made in Preparing to Attack Development Task

Development of harbor facilities on a large scale embraces Monroe County, and as a consequence, the Monroe County Port Authority legislation is on sound ground, according to Harry C. Stevenson, president of the Rochester Folding Box Company and chairman of the Harbor Advisory Committee appointed by City Manager Stephen B. Story to make an investigation into harbor requirements for Rochester.

The committee made an interim report, in which it recommended the purchase of the blast furnace property, and this has been acquired by unanimous action of the City Council. For the last year it has been making a survey of the entire waterfront of Monroe County and will be ready in about two weeks to make its report.

Survey Ponds and Bay

The ponds west of the Genesee River, as well as Irondequoit Bay, have been surveyed by the Harbor Advisory Committee, with the view of making a comprehensive finding, and the chairman, Mr. Stevenson, who has wide business interests, including chairmanship of the board of the First National Bank Trust Company, will recommend the site which is considered in the best interests of the city and county to develop for harbor purposes.

The legislation pending in Albany, Mr. Stevenson pointed out is different from the proposal made last year, which was vetoed by Governor Roosevelt at the request of its sponsors, who desired to study it further. The present bill, he said, represents the views of members of the Chamber of Commerce interested in harbor development. He added that the chamber authorities have so-operated in the measure, and he personally feels that it is "very constructive legislation." Mr. Stevenson said that the Harbor Advisory Committee has not taken any stand on the Monroe County Port Authority and as a committee holds "no brief for it," but he feels, and he pointed out, that the forward-looking measure that has been proposed for the general development of Monroe County, including Rochester for some years, Mr. Stevenson said that either

Rochester must, or must not, soon take aggressive steps to stimulate industrial activities, and he said that one of the most advantageous avenues is in harbor development that will attract greater diversity of manufacturing endeavor here. He said that the city can not wait ten years to start and see the large vessels that will soon ply Lake Ontario go by and then expect to attract the business by harbor development. Already Oswego is preparing to give Rochester genuine competition for the business, he said.

Attention is directed by Mr. Stevenson to the fact that 24 of the 43 members of the Board of Supervisors, which appoints the majority of the members of the Port Authority Commission, are residents of Rochester and that the city actually controls the situation through its majority on the Board of Supervisors. There are no salaries to be paid, he said. Scores of business men in Rochester live in the towns adjacent to the city, and with the harbor development a large scale operation naturally involving sites in the county, Mr. Stevenson feels that the county property is the unit for the port authority development and that the legislation is predicated on good practical judgment and in the public interest. Other members of the Harbor Advisory Committee are Frank Macy, Moss Mosely, Lillian M. Todd and Captain William Graham.

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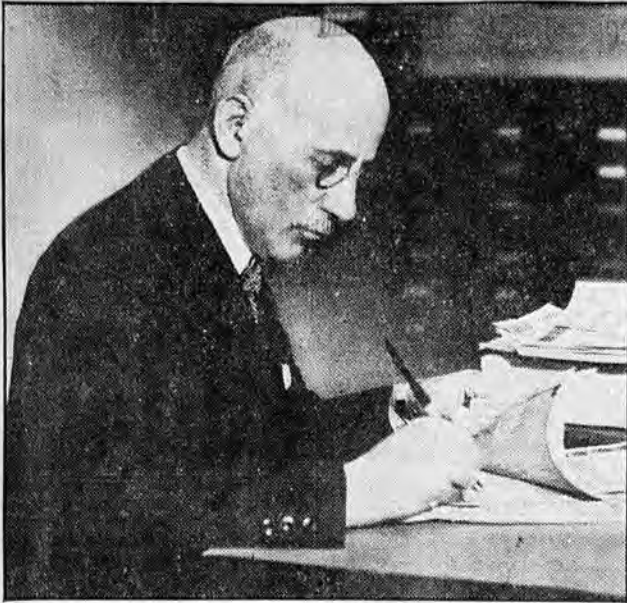
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Commerce of the United States, Washington, D. C., said that business men and their organizations are manifesting growing concern over increasing tax burdens. He asserted the work of nearly seven hundred business and trade organizations upon taxation problems was a tangible expression of the desire of commerce and industry to adapt the country's tax program to modern economic activities and to keep the level of public expenditures within the capacity to meet them. Results of work done by a supervisors' committee in Cattaraugus County in arriving at a more equitable equalization of real estate values in that county were described by Supervisor Leonard Swan of Salamanca.

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It came at 12:15 p.m., with members of the Mayor's immediate family at his bedside. They had been watching the end for two days. Not since last July, when he returned from his vacation on Cape Cod, a desperately sick man, had Mayor Wilson set foot in his office at City Hall.

HATED TO BE IDLE Stricken with a stomach ailment, the Mayor had not been in the best of health for three years. He was able to attend to his official duties and look after business affairs, however, until his return from Cape Cod last July. His intimates at City Hall realized then that the Mayor was falling rapidly, but he was with extreme reluctance that he consented to rest.

Only after he had been specifically ordered by attending physicians to remain in bed, would Mr. Wilson give up all idea of appearing at City Hall.

Service to the city he loved so well and politics—it was his whole existence, even to the end. These closest to him truly believed that nothing but his resolute determination to "return to harness" as Mayor had kept him alive the past few weeks.

After retiring to his home at No. 405 Wellington Avenue, where he lived with his daughter, Mrs. Maude Crandall, Mayor Wilson's only outside appearances since last July were an infrequent automobile ride when his doctors permitted.

Mayor Wilson was born in Binghamton, October 11, 1851. After a primary education in the public schools of that city, he entered the jewelry business at an early age, learning the rudiments of the trade from his father, who was a skilled craftsman.

WATCHED TAMMANY His work in this line carried him to Syracuse and New York where he observed the first workings of the powerful Tammany political machine. After short stays in these cities he came to Rochester in 1878 to establish a jewelry business here.

The J. C. Wilson Company was then founded at No. 25 Main Street, East in the heart of the city's business section and but a short distance from the City Hall where the young man from Binghamton was

destined to write political history for nearly a half century. In his later years, Mayor Wilson still took an active interest in the company which he established, although he devoted the major part of his time towards guiding the financial destinies of Rochester as city treasurer and later comptroller. At the time of his death, he was secretary-treasurer of the concern which dealt in jewelry, pawn brokerage and money lending. In 1880, Mayor Wilson married Miss Alice Van Hutten of Syracuse. They had three children, Joseph R., Mrs. Lillian Howell and Mrs. Maude Crandall. After forty years of marital happiness, Mrs. Wilson died in 1920. Since that time, the mayor has lived with his daughter at No. 405 Wellington Avenue.

SUCCESSFUL INSURGENT

The City Manager form of government, which was approved by the voters of Rochester in 1925 called for the selection of a new council in 1927. The regulars nominated a slate of prospective councilmen but Mr. Wilson's name was left out and the Citizens' Party of which he was a leader opposed the regulars with another slate.

For the third time, Mayor Wilson bolted the regulars and again he was successful. The entire citizens' group scored a victory both in the primaries and later in the regular election. Mayor Wilson won heavily in all precincts, especially in the Nineteenth Ward, which went solidly insurgent in the primaries and Republican in the election.

After the election, the victorious councilmen met to choose a mayor. The honor fell to Mr. Wilson, who, with City Manager Story, controlled the city government since January 1, 1928.

He was nominated councilman-at-large by both regulars and the city manager group prior to the November, 1929, election and was again re-elected, though the plurality he received was far below political forecasts.

There were charges that the regulars "knifed" him at the polls, but his waning health was known to the voters. To this was attributed his failure to show the strength he had shown in previous elections. He was unable to attend the reorganization meeting of the Council this year, and the result was a tie vote, regulars and city manager councilmen splitting 4 to 4, to keep the present administration in office.

For the two year period between 1917 and 1919, Mayor Wilson was chosen city treasurer, and in 1919 Binghamton's jeweler became a potent factor in the city government on his election to the office of comptroller. During his term as comptroller, Mr. Wilson mastered every detail connected with his office. He won the confidence and respect of the people, who returned him to office by substantial majorities on three different occasions.

The crisis in Mayor Wilson's

MAYOR'S DEATH DELAYS WATER COMPANY DEAL

City Manager Story Going to New York to Review Sale Proposal

Because of the death of Mayor Joseph C. Wilson, a conference which was scheduled for today between City Manager Stephen E. Story, Harold W. Baker, commissioner of public works, and officials of the Federal Water Company in New York has been postponed until next week.

The Federal Water Company controls the Rochester and Lake Ontario Water Company, which serves a part of the population of Rochester. Announcement of the conference was made by Mr. Story Monday in response to a question by Councilman Nelson A. Mine asking what was being done to relieve the citizens who are paying more for Lake Ontario water than are those using Hemlock water.

Mr. Story explained that the conference had been arranged to listen to a proposition which the New York company says it will make, but details of which have not been announced. After the proposition is received, its merits will be investigated rigidly.

Making Haste Slowly

Five months ago, just at the beginning of cold weather, City Manager Story announced he favored building a bus shelter of some kind at Broad Street and South Avenue where visitors to the city could wait in comfort for their cars.

When Mr. Story made his announcement, The Times-Union published this editorial (we quote verbatim): The plan of the city to erect shelters at Broad Street and South Avenue for the use of visitors, shoppers and others who use the bus service daily, is very commendable indeed.

Now nearly half a year has passed since Mr. Story first spoke of the bus shelter, and nothing has been done about it. Mr. Story seems to have forgotten all about the bus shelter plan.

We cannot longer ignore the bus traffic problem. This branch of transportation is increasing every month. In a few years it has sprung from nothing to an annual volume of many thousands.

The city may not be obligated to build a bus shelter. Mr. Story may regard it the duty of the bus companies to provide terminal facilities.

What About Jobs

Little importance is to be attached to the share of Communists in the demonstration at Washington Square yesterday. The fact that the majority of the 3,000 persons who assembled there left before the "orators" could work up much steam shows that their interest centered in something other than just a Communist demonstration.

Unemployment is the problem that is troubling them. It is a most serious problem. The condition is nation-wide, if not world-wide. In Rochester the condition is not so critical, nor the number of unemployed so great, as in other cities where industry is less diversified.

Yet unemployment in Rochester has reached the point where something must be done either by the city or individuals, or both, to provide relief. There is talk of a municipal employment bureau.

No thought seems to have been given the most important question. That question is: Where are the jobs coming from? The hundreds, or thousands, who are seeking work ask nothing more than a chance to earn a living.

Of course the city might begin a new construction program. But in this matter most of such work is done by contract. The city could, perhaps, have an understanding with contractors that labor supplied through the city employment bureau would be used.

So far as that goes it would be all right. But we must bear in mind that outdoor construction work would relieve only a limited class of labor.

The problem is not the city government's alone. It belongs to Rochester as a whole. All the people should think about it, and strive earnestly to solve this problem.

Project May Doom Main Street Span; Central Ave. Dam

Rocky Bed of Stream Will Have to Be Torn Up to Deepen Channel—Flood Control Walls Will Be Foundation For Center Buildings.

Plans for Rochester's Civic Center over the Genesee between Court Street and Main Street were well visualized today by the public, while engineers gave attention to problems of deepening the river which will be the first step in the development.

The old Main Street bridge and its unsightly buildings must go, it appeared today from talks with engineers.

Flood waters of the Genesee have ever been a menace to Rochester, it was explained. The river site, selected for the Civic Center by City Council, presents a flood problem which can be solved, according to hydraulic engineers. The work which must be done before the plans for the seven public buildings, the pools and plaza proposed for the site can be executed, involves ripping up the rocky bed of the river from Court Street to Central Avenue.

Edwin A. Fisher, now consulting engineer, chairman of the special committee on flood prevention which deepened the river bed between the old aqueduct and Central Avenue a decade ago, said an equal amount of rock excavation would be required to provide flood protection in the event of the Civic Center occupying the river site.

On the channel walls between Court and Broad streets may be constructed the City Hall, which is to dominate the Civic Center group. Likewise the flood channel walls north of Broad and extending beyond Main Street will provide bases for structures included in the plan.

STORY TO FIGHT FOR LOWER WATER RATES

Negotiations to obtain fairer water rates will be undertaken by City Manager Stephen B. Story and Public Works Commissioner Harold W. Baker who are to leave for New York tonight to confer with officials of the Federal Water Company.

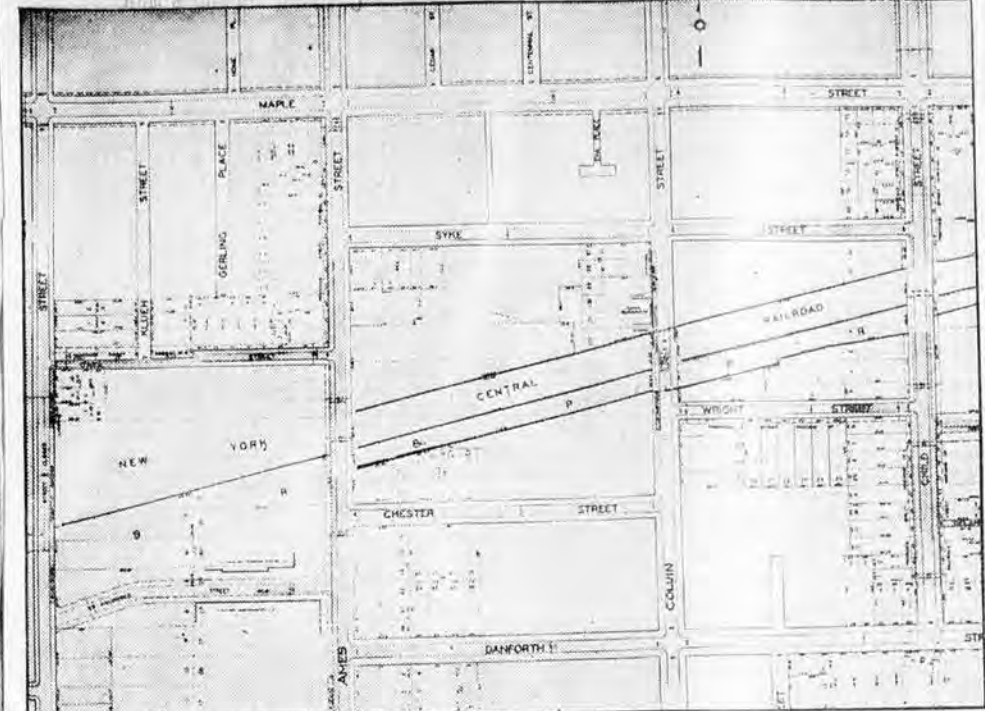
This company owns and operates the Lake Ontario Water Company which supplies water to the east and north side districts of the city.

"We are interested only in supplying water to city consumers at a rate comparable with that which the city charges for Hemlock lake water," said Mr. Story. "Some time ago, we were told the operators of the Lake Ontario Water Company were making a survey to ascertain just what could be done in the way of selling water wholesale to the city, for the city in turn to retail it."

"This may involve the city taking over mains of the company within the city. We shall know what to offer when we hear what value the company places on its service."

Both Mr. Story and Mr. Baker were instructed by the City Council to negotiate with the Federal company for a new deal, that consumers along the north and eastern borders of the city may get fairer rates.

Undertake Legal Steps Necessary to Get West Side Rail and Street Crossings Eliminated



Map showing proposed traffic subways under the New York Central tracks and new parallel street and widening plans approved by City Council.

Plan Approved Brought About by Years of Agitation

With the City Council in its approval of the subway elimination program for Hague, Colvin, Child, York and Ames Streets, worked out by the City Planning Board and several years of deliberation, City Manager Stephen B. Story will take steps to put into operation the necessary legal procedure before the Public Service Commission to get the work started.

The Council last Monday evening, by resolution of Councilman Nelson A. Milne, approved the findings of the City Planning Board, of which J. Foster Warner is chairman, which provides for subways for both pedestrian and vehicular traffic at Ames and Child Streets, with pedestrian underpasses at the other three streets.

All five streets are to be connected by a street paralleling the railroad, so that, in the opinion of the City Planning Board, there is the minimum amount of inconvenience to vehicular traffic.

The proposal for a playground on the Plantation site was said to have been advocated by land promoters more than people of the neighborhood. At the city clerk's office, it was said that no petition by property owners for a playground on this site was on file for the City Council.

City Councilman Chester A. Peake pointed out the property could be had at a bargain price now and might cost a big sum later on.

Most of the business scheduled for tonight's Council meeting was routine problems, begun at last week's session. Vice Mayor Isaac Adler, Comptroller Clarence E. Higgins and City Treasurer James E. Kane were behind closed doors all day, signing 4,000 bonds recently sold by the city.

BUYING OF LAND TO BE HALTED BY COUNCIL

More adverse reports on proposed land purchases for playground and library sites were promised for tonight's City Council meeting, after committee caucuses today.

The Finance Committee is committed to retrenchments in every case where spending money meant adding to current expenses for the maintenance of new branches of government. Additional playgrounds and branch libraries need organizations to maintain them.

The projects in question are a library for Hudson Avenue and a playground for Gardiner Avenue, on the site of The Plantation.

Incidentally, City Council members intimated there may be a general program to stop the promotion of real estate deals with the city.

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COUNTY'S PORT MEASURE AGAIN BEFORE SOLONS

Cilano and Searle To Introduce Bill in Legislature Tonight—No Opposition Is Seen Now.

The port authority bill, sponsored by Harry J. Baram, Republican county leader, will be reintroduced in the Legislature tonight by Senator Cosmo A. Cilano and Assemblyman Truman G. Searle. The bill was withdrawn last year by Mr. Baram because of opposition to the measure by the Chamber of Commerce and the city administration.

The bill to be reintroduced tonight creates a port authority and, if it is successful, the county will be able to proceed with a survey for a county port, probably at Irondequoit Bay. The bill already has been submitted to the Chamber of Commerce and it is not expected that it again will meet with opposition there.

City Manager Stephen B. Story opposed the bill last year because the county port plan conflicted with the city's harbor development program. While the city's survey is completed, no action has been taken yet to develop the harbor, which it is planned to establish near the mouth of the Genesee River.

The county port authority bill provides for creation of a commission of nine members who would have charge of the harbor survey and preliminary arrangements for a county port. Of the nine members seven would be appointed by the Board of Supervisors, one by the City Council and the other by the Governor.

Suggests Future Use Of City's Subway

Editor, Times-Union: Harking back 10 years to the time when this city was giving serious consideration to the construction of the subway, with a Street as a covering for part of it, I am now led, after the fruition of those efforts, to wonder what will be the use of the subway in the next 10 years.

All forms of transportation have undergone changes in the last 10 years. We have seen the wonderful strides made by the airplane, which give promise of still greater developments in the next decade. The question then naturally arises: How will air transport affect the subway? This is a very pertinent question at this time, especially when considering the erection of a new postoffice, which should be given serious thought by all interested in transportation.

The motor bus has fulfilled the predictions of some of its early sponsors that it would effect the gradual elimination of the trolley cars. That statement has been proved in many cases.

In Rochester we note the beginning of the end of trolley traction with the abandonment of the Exchange, Plymouth and City Hope lines, replacing them with buses, and the bus service to several sections of the city that has sorely needed transportation for several years.

The subway was built to furnish transportation facilities for both freight and passenger service, many millions of dollars were expended by the city to provide this service.

Has the industrial railroad helped the existing industries? Has it helped bring new industries to Rochester? Will the industrial railroad earn enough to pay the charges of the subway? If not, can the subway be adapted to other uses? These are all pertinent questions.

Mr. Bartholomew has not given this need of greater use of the subway his consideration. Can he offer any suggestions for the utilization of this expensive subway, either private or public? It would seem that someone should come forward with a plan for its future use.

Of interest at this time is the building of a new postoffice. We are told that the major portion of the mail comes over the New York Central lines. But will this always be so? In 10 or more years, will not the airplanes carry most of the mail? If so the postoffice of the future will need direct connection with an airport rather than a railroad. Speed is an important factor in the transportation of mail. Consequently the fastest method will always be used for this purpose.

If the airplane is to be a factor in mail and passenger transportation, then the airports must have quick and safe connection to the city. At the present time we have an airport that is not quickly reached from the center of the city, and we have a rapid transit railway that is of very little benefit. Why not make the airport on the western or eastern end of the subway to facilitate the movement of mail, passengers and freight from and to downtown.

J. LAWRENCE HILL. March 6, 1930.

'A Big Ticket For a Big Show, Mr. Story'



There'll be no doubt about City Manager Story's getting into the gala premiere of "The Vagabond King" at the Eastman Theater at 11 o'clock tonight under sponsorship of the Women's City Club. Here's the fancy ticket which will prove the key to the theater, being presented to him by Ralph H. Ayer, house manager of the Eastman Theater.

\$4,465,000 City Bonds Reach New York, But Mayor's Death Delays Payment Day



Associated Press Photo

City officials and detectives with trunk and packages containing city bonds photographed on their arrival in New York. From left, Detective Ambrose J. Armstrong, of Rochester; Vice-Mayor Isaac Adler, Comptroller Clarence E. Higgins, City Treasurer James E. Kane, Detective Edward F. Tracy, of New York.

Attorney Asks That Council Again Ratify Authority of Vice-Mayor to Act, and So Remove Any Possible Difficulty

By HIRAM MARKS

Staff Correspondent, Democrat and Chronicle

New York, March 5—Rochester bonds aggregating \$4,465,000 were delivered without mishap today to the banking syndicate that purchased them at the most advantageous rate any American municipality has sold its obligations in recent months, reflecting the high credit of Rochester.

Because of the death of Mayor Wilson, payment of the bonds was delayed to tomorrow.

Delivered by Officials

Delivery was made by Vice-Mayor Isaac Adler, acting for the Mayor under special authority of the City Council; Comptroller Clarence E. Higgins, and City Treasurer James E. Kane. They were accompanied by Detective Ambrose J. Armstrong of the Rochester Police Bureau. This is the first time the

Vice-Mayor has acted in this capacity.

The bonds were in a small trunk owned by Mayor Wilson, which in the last five years has conveyed the largest part of the \$25,000,000 in Rochester securities, which have been delivered to Wall Street banking houses. This year's entire issue was contained in the trunk and two packages, and from all appearances might have been an individual's luggage or a family washing.

The Rochester party was met by Detectives Edward F. Tracy and Bernard Dowd, of the New York police and escorted to the banking offices of George B. Gibbons & Company, 49 Wall Street in a police automobile.

The bonds were under the closest scrutiny from the time they were placed on the New York Central train by three members of the Rochester Detective Bureau. Detective Armstrong was locked in a drawing room with the bonds and remained awake all night.

At the banking house the bonds were checked by the Rochester officials and employees of the syndicate purchasing them, and after all formalities were complied with, a check for \$4,465,000 was drawn to be given to Comptroller Higgins to deposit with the Central Hanover Bank & Trust Company, and the proceeds to be used to meet notes of the city, maturing on March 11 and 12.

Asks for Delay

Before the check was actually turned over, news came that Mayor Wilson was dead, and Robert H. Reed of the law firm of Reed, Hoyt & Washburn, bond attorneys for Rochester and other municipalities, asked that payment be delayed to tomorrow. Mr. Reed took the position that while the specific instruc-

tions that Mayor Wilson signed Monday, empowering Vice-Mayor Adler to perform all duties as mayor until Friday, was sufficient to enable the city to pass good title to the bonds to the banking syndicates, he preferred to have every question removed. He called Irving L. Gelsler, deputy corporation counsel, and suggested a special meeting of the City Council to ratify Mayor Wilson's act again, so that all possibility of difficulty might be done away with. Mr. Gelsler got in communication with the Council members, and the special meeting resulted.

Mayor Wilson's delegation of authority to Vice-Mayor Adler was the consequence of specific action by the City Council, and the necessary local laws were passed at a special meeting several weeks ago.

All three officials were required under the Municipal law to sign the 4,465 bonds, and their presence in New York made it possible for them to add their signatures to any bond that might have been missed in the ordeal of signing so many securities. Before payment can be made, it is necessary that each bond be in correct form and a delay in sending one or two back to Rochester for a missing signature would be costly in delayed interest charges, in view of the large sum involved.

The banking group that purchased the issue this year is made up of George B. Gibbons & Company, Roosevelt & Son, Stone, Webster & Blodgett, E. H. Rollins & Sons, Dewey, Bacon & Company, and Emanuel & Company. The bonds were offered at 4.25 interest, but in the spirited bidding for them by groups of the leading financial houses in the country the premium offered Rochester brought the interest charge down to 4.19 per cent. The bonds were offered to the public at a price to yield 4.10 per cent.

Sale Shows City's Standing

Although the bonds were delivered today, the advanced sale of the securities has resulted, it was reported by M. V. Poole, representing the syndicate, in the sale of all but \$291,000 of the entire issue, which, Mr. Poole said, is "truly remarkable in view of the present status of the bond market."

ADLER ADVOCATES METHOD TO BREAK COUNCIL DEADLOCK

Suggests Selection of Outstanding Citizen Not Committed to Either Faction To Fill Vacancy

COULD ALIGN HIMSELF AFTER INSIDE STUDY OF SITUATION

Selection of an outstanding citizen who has not been identified with either of the groups in the City Council, and who will take office without any commitment as to his future action as between the opposing interests, and more especially with reference to the city manager appointment, is suggested by Vice-Mayor Isaac Adler as a means of solving the situation before the Council because of the death of Mayor Joseph C. Wilson.

Vice-Mayor Adler, who has been elected by the City Council to perform all the duties of mayor until March 25, suggests that a fair-minded, civic-spirited citizen, upon whom both groups can agree should be elected; and that he should take a few weeks, or even a few months, to study the present city government, and after viewing the developments in municipal administration from the inside, should determine whether City Manager Stephen B. Story should stay, or a new city manager be selected.

Fair Procedure, He Believes Vice-Mayor Adler says he believes that this procedure would be fair to both groups and would be in the interest of the city, and he expressed confidence that this suggestion for breaking the deadlock that apparently exists by reason of each group having four councilmen friendly to its interests, represents the views of the City Manager League representatives in the City Council. These councilmen are, besides Vice-Mayor Adler, Louis S. Foulkes, Chester A. Peake, and Charles Stanton.

Out of respect to the memory of Mayor Wilson it was the unanimous opinion of the eight councilmen that nothing be done about electing his successor at this evening's session of the Council.

Would Confine Choice to Council Election of Vice-Mayor Adler as acting mayor for eighteen days from last Friday carries this term over two more Council meetings besides this evening's, and it may be possible that an election will result before that time. Vice-Mayor Adler is not in sympathy with the opinion suggested that some person outside the Council should be elected mayor.

COUNCIL TO AGIT ON NEW LAW

A new home rule law to give the City Council the authority now vested in the office of city manager for fixing the salaries of employes in the city clerk's office will be submitted at tonight's Council meeting, Corporation Counsel Platt announced today.

CITY WILL ASK EQUALIZATION TAX RATE RAISE

City Assessor George S. Taylor and Irving L. Gelsler, deputy corporation counsel, will appear before the State Tax Commission at Albany tomorrow to petition for an equalization tax rate of more than 75 per cent.

City to Fly Flags Halfstaff for Taft

Mark of Respect Will Be Continued Thirty Days

At the direction of City Manager Stephen B. Story the flags on all city buildings will be displayed at halfstaff for thirty days in memory of William Howard Taft, former president and chief justice of the Supreme Court of the United States. Mr. Story's proclamation follows:

Lincoln-Alliance Bids Best City Notes Rate

In a spirited contest for \$1,980,000 in municipal notes, the Lincoln-Alliance Bank and Trust Company was low yesterday afternoon with a bid of 3.81 per cent, the best interest rate the city has obtained in some months and reflecting easing in the credit situation.

COUNCIL GROUP, RECEIVERS TO DISCUSS FARE

How far benefits of a 5-cent fare on Rochester lines of the New York State Railways are to be extended to school children will be determined by a conference of public utilities committee of City Council and receivers of the railroads company, according to announcement today by Councilman R. Andrew Hamilton.

The question of what classes of school children are receiving benefit of the 5-cent fare was put up to council last night by John G. White, business agent of the Stone Masons' and Bricklayers' Union, who was credited by Councilman Joseph L. Guzzetta with the nickel fare idea.

White questioned whether the railroads company is giving Rochester adequate service, and asked why Councilman Guzzetta was dropped from the public utilities committee. Vice-Mayor Adler replied appointments of council committees were made by the late Mayor Wilson.

N. Y. RAILWAYS ASKS REDUCED ASSESSMENT

Establishment of a municipal stone yard for the cutting of curbing in Rochester was deferred last evening by the City Council in accordance with a recommendation of the public works and engineering committee, advocating that City Manager Stephen B. Story and other city officials make a concerted effort to obtain the present ordinance to enforce the co-operation, if possible, of the contractors, and also to bring about award of municipal local improvement ordinances early in season to provide more steady flow of stone cutting activity.

Stonecutters Ask City Yard

Stonecutters, because of the diminishing employment in their trade, have been urging establishment of a municipal stone yard as a means of enforcing an ordinance that requires curbing to be trimmed in Rochester.

The Council committee points out that there is sufficient force to the present law, provided a sincere attempt is made by the contractors and stonecutters to cooperate, and recommends such a trial.

There were seven bids. F. S. Moseley of 39 Wall Street, New York, was second with a bid of 3.87 per cent. The notes run from three to eight months and are for school construction, local improvements and overdue taxes.

STONE YARD NEEDLESS IF PRESENT LAWS ENFORCED, COMMITTEE TELLS COUNCIL

Major Items Before Council

Business transacted by the City Council last evening included the following items: Deferred action on establishment of municipal stone yard upon recommendation of the public works and engineering committee that present ordinance is sufficient to grant stone cutters relief sought, provided there is rigid enforcement and co-operation between contractors and stonecutters.

Terry Park Purchase Authorized as Site for Bath House

SIMPSON URGED AS COUNCILMAN

Cash Fare for School Children Asked; New Meeting Days O. K.'d

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Recommendation That City Manager and Engineer See That Contractors Live Up to Terms of Agreement Made in Report of Council Committee.

Controversy between the Stone Cutters' Union and paving contractors over curbing used in street improvements appeared near settlement today. The situation was brought to a head last night when the public works and engineering committee of the City Council recommended that the city manager and city engineer see that contractors live up to the terms of contracts.

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Receivers Able to Meet From City; Expect Results Next Week

Street Railways Officials Unable to Meet City Council Committee This Week—Amicable Outcome Looked For—Would Limit Fare For Pupils.

Adjustment of differences over a five-cent cash fare for school children was postponed today when it was announced that the receivers of New York State Railways, William T. Plumb and Benjamin E. Tilton, will be out of town until Saturday, and therefore will be unable to meet with the public utilities committee of City Council this week.

It is expected an amicable settlement will be reached next week.

The five-cent cash fare is only one of the phases of the amended receivers contract which have been developed since the city and the receivers began operations under the modified agreement. Tickets are now being furnished pupils of the public and parochial primary and secondary schools in Rochester. The amended agreement provides that the fare shall never be more than five cents for children going to and from school.

Objection has been filed against the restriction that children purchase tickets. Claim has been made that the pupils should ride on a five-cent cash fare if they so elect, provided they display their identification cards.

Several councilmen have received complaints from parents alleging their children are forced to buy tickets in lots of 12 and that this works a hardship.

Complaint from another source, however, has been received by the councilmen. The heads of several commercial schools in Rochester have called attention to the fact that their pupils come in the class that is privileged to ride the cars and buses on a reduced rate. This claim of the private business schools is to be aired at the conference with the receivers.

Councilman R. Andrew Hamilton, chairman of the public utility committee, said it was his understanding that the five-cent cash rate would be in effect as well as the ticket alternative, and also that the commercial schools and other institutions with pupils are entitled to the privileges of the reduced rate.

Delayed Justice

The City Council has deferred establishment of a municipal stone yard for cutting curbing for streets. The stone-cutters of the city, because of lack of work, had urged a city stone yard as a means of bringing about enforcement of the ordinance requiring that stone for Rochester streets be cut in Rochester.

The council committee in recommending rejection of the proposal argued there is enough force to the ordinance to correct the situation complained of by the stone-cutters. The result was that the council decided to enforce the ordinance, "rigidly," rather than establish a city stone yard. Councilman Milne told the council the time has come to show the contractors that the city means business.

As a matter of fact, Councilman Milne's advice comes a bit late. The time already is past due for the city to assert itself to those contractors who have been violating the ordinance by having the stone used on their jobs cut elsewhere. But if the council means business now, it should not become necessary for the 67 stonecutters to renew their demands.

A municipal stone yard is not needed. The council acted with good judgment to the extent of rejecting the proposal. If the ordinance is adequate in scope to protect the local industry it should be enforced to the letter, and if it is not, it should be revised.

5-Cent Car Fare

Because the receivers for the New York State Railways are out of the city, the conference to iron out differences arising from application of the 5-cent fare for school children has been postponed by the City Council until Saturday. To some it may seem that here again the city and the receivers are unnecessarily delaying final adjustment of the service-at-cost contract as revised and continued to August 1. But it must be remembered that the principal demands of the city already have been met, and only minor phases remain unadjusted.

Some complaints against the manner in which the 5-cent fare is operating, however, have been received by several councilmen. Tickets are now sold pupils of public and parochial primary and secondary schools. The chief objection seems to be directed at the restriction requiring children to purchase tickets. The claim has been made that pupils should have the 5-cent cash fare privilege on merely showing their identification cards. Meanwhile, heads of commercial and other private schools of the city have objected to the exclusion of their pupils from the privilege of the 5-cent fare.

At the forthcoming conference these complaints and objections will be thoroughly aired. It is to be hoped the council will be able to secure a straight 5-cent cash fare, as well as tickets, for public and parochial school pupils. We see no reason why the receivers should not grant this.

As to the 5-cent fare for commercial and private school pupils, it must be left up to the council's judgment.

CITY SEEKS MORE FROM FRANCHISES

State Tax Commission Asked to Boost Equalized Rate Above 76 Per Cent.

CORPORATIONS OPPOSE

Rochester and Eastern Line To Be Abandoned in July, Commission Told

By JOSEPH R. MALONE Staff Correspondent of The Democrat and Chronicle

Albany, March 11.—On the ground that the City of Rochester assesses real property at a high approximation of its real value, Deputy Corporation Counsel Irvin L. Gelsler and Assessor George S. Taylor appeared today before the State Tax Commission to urge the commission to fix a higher equalized rate on special franchises of corporations operating in Rochester than the 76 per cent. tentatively made.

Mr. Gelsler argued that the 20 per cent. flat increase imposed on real property a couple of years ago, together with other increases made since, taken in connection with various other factors concerned with the state-wide slump in realty values, makes it obvious that Rochester assesses property at more than 76 per cent. of real value.

More Taxes Needed For this reason, the Rochesterians argued that the commission should raise the tentative equalized valuation rate from 76 per cent. to a higher figure, so the city would benefit in the shape of additional taxes in 1931.

Mark Graves, chairman of the tax commission, said it was true realty markets are less active, and Mr. Gelsler remarked: "The commission knows how the cities are suffering from tax conditions. They need every cent they can legally get."

Oscar Guelich, land and tax agent for the ancillary receivers, New York State Railways, said it was planned to abandon the Rochester and Eastern line about July, and he urged this should be taken into consideration by the commission in deciding the values of special franchises in Canaan, Genesee and Geneva. Mr. Graves said that if the railway is not in operation when the assessments go into effect, the valuations will be cancelled.

Arthur Gibson, for the Rochester Telephone Corporation, and Harry P. Gould, representing the Rochester Gas & Electric Corporation, filed protests against tentative valuations on special franchises of the corporations. S. E. Coombs appeared for the New York Central. He said the City of Rochester had increased the assessed valuation of New York Central property in Rochester a million dollars in recent years.

Esther Sicherman appeared on behalf of the Niagara, Lockport & Ontario Power Company and argued against tentative valuations on her corporation in Batavia, Oneida, Lackawanna and Salamanca.

The commission will fix final equalized rates in about two weeks. The commission this year has placed a total real valuation of \$29,148,800 on special franchises of Rochester operating corporations, the largest being Rochester Gas & Electric Corporation, \$15,480,000; New York State Railways, \$6,414,000; Rochester Telephone Corporation, \$3,429,000, and New York Central, main line, \$1,012,000.

COUNCIL HARMONY BASED ON STORY'S REMOVAL

G. O. P. HOLDS OFF NAMING CANDIDATE

Special Election Cost \$75,000 to \$100,000 and Bareham Would Avoid It.

By J. CODY WALLER

Unless City Manager League representatives are prepared to sacrifice City Manager Stephen B. Story and most of his department heads, there appeared little possibility of today's City Council conference breaking the deadlock over naming a successor to the late Joseph C. Wilson as councilman-at-large.

The Republican organization leaders reached a last minute decision to present no choice for the vacant place, and simply to send their council representatives into the conference this afternoon, to hear what Vice-Mayor Isaac Adler would offer for a political truce.

A special election to fill the Council vacancy, as suggested yesterday by Councilman William F. Durnan, would cost between \$75,000 and \$100,000, it was pointed out today by Elections Commissioner H. Alden Nichols.

Faced by the prospect of so heavy an expense, it was considered doubtful if the Republicans would force the issue to a vote of the people, except as a last resort.

When told what the cost would be, Councilman Durnan, who has asked Corporation Counsel Clarence M. Platt for an opinion as to how the charter may be amended or other provision made for such an election, declared his request for a ruling still stands. It is expected that Mr. Platt will have his opinion ready early next week.

WILSON FACES DEFEAT

Organization councilmen were to insist on carrying out their campaign promises of last Fall, for a new government in the City Hall as speedily as possible. This would mean the end of the Story regime.

The City Manager League councilmen were expected to advance Joseph R. Wilson, son of the late mayor, for the vacant council place. There was little possibility of his being accepted, unless there was a "long tail" to the political kite, which would be equal to organization control in City Hall.

A statement by Harry J. Bareham, Monroe County leader, that he was open minded on the suggestion that Mr. Wilson be accepted, was not taken as significant of the sentiment in the organization.

Mr. Bareham qualified his statement. He said that any choice by the councilmen must carry the endorsement of the organization, and before the Republican councilmen would agree on anybody, they would first seek the organization's approval.

DROPPED AS WARD LEADER

Mr. Wilson is still the accredited executive committee member of the Nineteenth Ward, to which place he was advanced on the recommendation of his father, when the latter was under fire for holding a place in the Republican City Council Committee, contrary to provision of the city charter, which held no city officer or employee should participate in party politics.

An executive committee member, he should be the recognized leader. Instead, Mr. Bareham recently selected Arthur L. Wilder, city court judge, to act as ward leader.

The present organization program is to elect Judge Wilder executive committee member, as soon as the ward committee meets. This would indicate Mr. Wilson would have difficulty winning the endorsement of his own ward.

G. O. P. MUST ENDORSE

"After Mayor Wilson's funeral, Mr. Adler said he was ready to sit down and settle everything," said R. Andrew Hamilton, speaking for the organization councilmen.

"We agreed on this conference to see what could be done."

Mr. Adler said his allies of the City Manager League group within the council had not agreed on anybody.

Mr. Bareham said any proposed action by the council must be ratified by the ward and county committees before it could be considered acceptable to the Republican organization.

700 REGISTER FOR 250 CITY SUMMER JOBS

With the Civil Service Commission asked to provide an eligible list of not more than 250 laborers for municipal employment this summer, it found today more than 700 registered for appointment.

The commission provides a list from a non-competitive examination, which entailed mostly of registering names, qualifications and desires.

Because of this heavy registration, Louis E. Lazarus, secretary of the commission, announced that the registration period would be closed Saturday.

Mr. Lazarus said that estimates provided by parks and public works department heads indicated not more than 250 laborers would be needed all summer, and probably not more than 200 would be employed at any one time.

"To register any more would be only holding out false hopes," said Lazarus.

Story and Baker Receive Water Company's Figures Will Check Them as Basis for Possible Proposal That Rochester Use Part of Lake Ontario Firm's Mains

General propositions with reference to development of Rochester's water works system in harmony with the interests of the Rochester & Lake Ontario Water Company were discussed in a three-hour conference yesterday in New York City between City Manager Stephen B. Story, Harold W. Baker, commissioner of public works, and officials of the Federal Water Company, which controls the Rochester company.

City Manager Story in response to a request telegraphed from New York last evening that the various engineering data that has been collected in a study of the last year was discussed at the meeting and an endeavor will be made to reach an agreement on a number of technical factors so that the Federal Water Company will have a definite proposal to make with reference to use of its facilities.

Will Check Data

The conference was along technical lines, Mr. Story wired, and as a result there will be a general checking of the data by the engineering staff of the city. With Rochester within the danger limit of water supply and the city confronting a \$25,000,000 program for expansion, City Manager Story felt that every possibility should be exhausted to determine which manner was most advantageous for the city to supplement its supply. Councilman Nelson A. Milne has been interested in behalf of the users of Lake Ontario water within the city.

"The Honeye project now under consideration by Rochester," Mr. Story wired, "cannot be undertaken without a study of its effect upon the Lake Ontario Company's system. The Federal people have spent a year working upon certain possibilities, and believe that they can present some proposals of great interest to Rochester. When certain basic figures are agreed upon by the city and the company, they will be in a position to work up their proposals in definite and concrete form."

Interests Aligned

"A large part of our time today was taken up with a general discussion of the situation. The only definite conclusion which we reached was that the expansion of the company's supply and the expansion of the city's supply were intimately allied, and should be considered jointly."

"The company submitted us certain figures in connection with the Hazen and Eddy report, which we brought away with us to check and study. If we cannot agree with these figures, we are to meet again to discuss our differences and endeavor to arrive at accord in respect to them. Once this is done, the company is then to go ahead and outline its suggestions."

The whole matter is exceedingly complicated. Engineers have worked a whole year to reach the present point at which we now find ourselves. It is a problem which cannot be answered by snap judgment or sleight of hand methods.

Work Goes Forward On Three Bridges Over Genesee River

Ridge Road Span Is Started—Smith Street Program Advances—Stutson Street Repair To Be Finished Within Month, Officials Predict.

Work was progressing today on three bridges across the Genesee River in Rochester, two new spans and one closed for repairs.

Three of the four piers for the new Smith Street bridge are nearly completed, and excavations have been made for the fourth, according to C. Arthur Poole, consulting city engineer. Erection of steel will begin next month, Mr. Poole predicted.

The Smith Street bridge must be completed by November, 1930, according to contract specifications, and the contractors believe they will be well within the limit. Reconstruction of the west span

of the Stutson Street bridge at the river outlet has begun and all the concrete has been poured. The bridge was closed when a heavy counterweight, governing the lifting of the bridge, fell into the river six weeks ago. It will be another month before the bridge is opened, Mr. Poole said.

Preliminary work on the construction of the Ridge Road bridge has been undertaken by Both & Flynn, contractors. Property on the west side of the river in Lake Avenue has been acquired for the approach, and City Manager Stephen B. Story and Harold W. Baker, public works commissioner, are planning traffic circles for the east approach of the bridge in St. Paul Street.

The traffic circle will be designed to eliminate confusion that will result from the heavy flow of vehicular traffic over the bridge and along St. Paul Street. The acquisition of several parcels of property, including houses, will be necessary on the east side of the river also.

Democrats, G. O. P. Organization May Join

Dailey, Mahoney Being Mentioned For Wilson Post

Failure of Democrats to Get Any Patronage Reported Back of Move—Bostwick Favors Proposal—Stand of Stanton Remains in Doubt.

By Charles E. Welch

Coalition of Republicans and Democrat regulars was seen as a possibility in the City Council situation today. Democratic leaders, who banked on the City Manager administration giving certain bits of patronage in exchange for Councilman Charles Stanton's support of Stephen B. Story, which enabled the latter to retain his office, today were interested in suggestions of a combination of Republican and Democratic forces to control the Council.

Whether this would bring the presentation of a Democrat for councilman-at-large to succeed the late Mayor Joseph C. Wilson could not be learned, although the names of both Donald A. Dailey and Austin J. Mahoney were mentioned. Mr. Dailey has frequently been mentioned as a choice of the Democrats for office in City Manager Story's cabinet.

There is no certainty the Democrats would be willing to sacrifice him, provided they could be satisfied there is a chance of landing him in a departmental post. Mr. Mahoney is Democratic leader of the Nineteenth Ward and his selection might answer the suggestion that a Nineteenth Warder succeed Mr. Wilson. Mr. Mahoney has also been mentioned as a possible candidate for an administrative office.

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Whether he will consent to vote with the Republican organization members and break the deadlock remains to be seen. Whatever the result may be in the council, it has practically been determined the next election for district councilman will produce a Nineteenth Warder as the Republican organization choice in the south district.

Peake to Face Opposition Having failed to enlist the support of Councilman Chester A. Peake in their efforts to get a majority of the councilmen, Republican leaders, it was learned today, have practically eliminated him not only from consideration as a possible addition to the organization's councilmanic forces but as a prospective nominee of the party in the next election.

Dr. Peake has lost the support of his own ward, the Third, according to William E. Blackwood, Republican leader, and the Eleventh Ward, under Frank W. Crouch's leadership, also is said to be prepared to oppose any consideration of him as a candidate for district councilman.

To Break Council Deadlock

City Seeks Permission to Equip Police Automobiles with Radio

Commissioner Nier Expects Plan Contemplated to Keep Headquarters in Better Touch with Men on Patrol; Cars to Send and Receive

By HIRAM MARKS

To provide for establishing radio communication between Police Headquarters and patrol cars in all sections of Rochester, application has been made to the Federal Radio Commission for a broadcasting permit for the Rochester Police Bureau. George J. Nier, commissioner of public safety, reports to headquarters that the police alarm or message has been received and to make reports on the progress of an investigation. Tuned so that the business will not be received either on amateur or commercial radios the messages will be confidential and will enable effective and efficient handling of investigations and crime complaints, Commissioner Nier said.

The matter has been thoroughly investigated by Commissioner Nier, in conjunction with City Manager Stephen B. Story and Curtis W. Barker, director of police, and Chief Andrew J. Kavanagh, and the expense involved in equipping the automobiles and the police headquarters is almost negligible, he said. The immediate advantage to the police is seen, Commissioner Nier said, in that at the present time three police automobiles are maintained at each of the six precincts, ready for response to calls. He said that these machines will be able to patrol through the city, in instant connection with headquarters, and more adequate police protection will be furnished the residential sections of Rochester.

Commissioner Nier said that the greatest feature of the system to be put in effect in Rochester is that the police on patrol duty call return the call. The figures were compiled by Mr. Burdick and City Engineer Henry H. Hoyle, who said that this sum will be spent on city and private building projects, construction of bridges, improvement of streets and installation of sewers. This includes the expenditure of \$5,655,000 by the Department of Public Works, \$2,750,000 on the Ridge Road Bridge, and \$2,000,000 on street improvements.

Public and private buildings will cost \$23,000,000. Of that amount, \$18,000,000 is to be spent in the city and \$5,000,000 in Brighton, Irondequoit and Greece. The payroll for all projects will amount to \$3,000,000—the balance of \$20,655,000 being spent for material, machinery and overhead.

A list of the major street and sewer improvements, prepared by Mr. Howe, includes the Elmwood Avenue sewer, between South and Mount Hope Avenues; Denmore Creek covering between Waring Road and east city line.

Payment and sewers between St. John's Park and Station Street, on Lake Avenue; sewer on Culver Road; South Avenue pavement reconstruction, from Main Street East to Court Street; Court Street widening and reconstruction of present pavement from South Avenue to Clinton Avenue South.

OTHER PROJECTS Monroe Avenue widening and reconstruction of present pavement, from near Field Street to the city line; Dewey Avenue widening and reconstruction of present pavement to the city line; opening of Cumberland Street extension, including the construction of sewers, pavement and walks from Clinton Avenue North to Franklin Street.

The buildings include the Colgate-Rochester Divinity School, \$1,200,000; J. Y. M. A., \$1,000,000; Monroe County Hospital, \$1,600,000; Holy Cross Church in Charlotte, \$135,000; addition to Hickey-Freeman plant, \$250,000; addition to Washington Junior High School, \$500,000; Genesee Hospital, \$400,000; School No. 46 at Rochester and Newcastle Road, \$300,000; Genesee Valley Trust Company's Bank Building, \$1,500,000 (during completion).

PROJECTS WILL PROVIDE WORK FOR 8,000 MEN

Pastors of Churches Will Assist Those Needing Help

Increased prosperity and relief of the unemployment situation was seen in the \$23,655,000 building and construction program scheduled for this Summer and providing work for 8,000 additional men, which was announced by William A. Burdick, secretary of the Community Conference Board, yesterday.

Meanwhile, pastors of all Protestant and Catholic churches in the city will make a personal appeal for their pupils today, asking members of the congregations to aid the unemployed by having necessary repairs and work to their homes and properties done at once. The appeal is to be made as the result of a letter to Protestant ministers from Kelly W. Ungerer, acting president of the Federation of Churches, and one to Catholic priests from the Rt. Rev. John Francis O'Hern, bishop of the Rochester diocese.

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A letter from Bishop O'Hern will be read today to 225,000 members in Roman Catholic churches in twelve counties of eastern New York, urging them to help the unemployed.

FIVE-CENT FARE TO BE DEBATED ON WEDNESDAY

Council Group and Receivers of N. Y. Railways To Discuss Differences Over Contract.

Receivers of New York State Railways will meet with public utilities committee of City Council at noon Wednesday in Rochester Club to iron out differences regarding fares on street cars and busses in Rochester under the recently amended service-at-cost contract.

Councilman R. Andrew Hamilton, chairman of the utility committee said today the city and receivers would seek to agree on a definition of what is a school child, and also on an interpretation of the clause in the amended contract which provides that the fare for a school child shall never be more than five cents.

Only parochial and public school children in primary and secondary schools are riding on the reduced rate, but students in private commercial schools seek the same right. Heads of these schools say their pupils are school children under the contract, and entitled to the lower rate.

School children now benefiting by the five-cent fare are asking a five-cent cash fare. Parents object to buying batches of tickets in one transaction, and claim they are entitled to ride on a cash fare on presentation of an identification card.

In this cash fare claim councilmen are inclined to side with the parents and pupils. The formation of the committee climaxes a series of conferences of industrial leaders and executives. Many of the first rank industries of the city are represented on the committee. The members present a most promising combination of financial, industrial, church and social service elements.

Among the organizations and industries represented are the Social Welfare League, Federation of Churches, various banks, Eastman Kodak Company, Sibley, Lindsay & Curr, Catholic Charities, Industrial Management Council, Chamber of Commerce, Clothiers Exchange, Council of Social Agencies, Central Trades and Labor Council, various city departments, Community Chest, Bureau of Municipal Research, Community Conference Board and Jewish welfare agencies.

It is the plan of the committee to ascertain what state, county, city, business and industrial work can be stimulated to provide jobs. The committee, it is understood, will urge all commercial and industrial plants and the governmental units to extend their operations as far as possible. This, it is hoped, will provide jobs for all classes of working men and women.

The committee has not mapped a definite program. Until it has had time to sound the situation it will not be able to decide exactly what should be done. Therefore, the restless and jobless who place confidence in the committee should not be impatient. It must be remembered that work done well must be done thoroughly.

Supreme Court Justice Marsh N. Taylor denied the writ on August 15, 1928, but granted an alternate writ permitting the issues to be tried before a jury. The case was appealed through the Appellate Division to the Court of Appeals where the contention that the issues should be heard before a jury was sustained.

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Pure Water Priceless

In an address to the radio audience of Station WHAM, Health Officer George W. Goler of this city directed attention to the fact that epidemic diseases which are spread by contaminated drinking water are held in check only by the purity of the water supply. Typhoid fever and cholera which formerly scourged Rochester disappeared with the installation of an adequate system for supplying pure water and of guaranteeing it against contamination.

As Dr. Goler pointed out, India, the home of cholera, still is scourged by that dread malady. The teeming millions who swarm like ants in the hot human hives of the peninsula live as their ancestors have lived for countless generations, with little thought of sanitation or cleanliness. At their great religious centers, the pilgrims congregate in great hosts to bathe in water foul with sewage and to carry away the sacred water for use elsewhere. Until India changes, cholera seems likely to remain.

But the great scourge no longer afflicts America, as it did for twenty-two years beginning in 1832. More than that, typhoid, which until a generation ago was a foe to be dreaded, has been brought under control in Rochester and other progressive American cities by constant watchfulness at the sources of supply.

Just how many human lives have been saved by the purity of Rochester's water supply since the installation of the present system is of course impossible to estimate with accuracy, but that the total is great cannot be denied, for without such a system, the horrors of the city's early years would be inescapable.

Unemployment Committee

It now appears that something will be done to relieve unemployment in Rochester. The Rochester Civic Committee on Unemployment has been formed to study the problem the jobless present, and if possible, to abate that problem.

The formation of the committee climaxes a series of conferences of industrial leaders and executives. Many of the first rank industries of the city are represented on the committee. The members present a most promising combination of financial, industrial, church and social service elements.

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SCHOOL FINANCE SURVEY ASKED IN TAX LIMIT CITIES

Educational, Municipal Authorities Join in Petitioning Governor To Name Board To Examine Into Difficult Situation

HOPE STUDY MAY REVEAL SOLUTION; GEORGE EASTMAN ONE OF SIGNERS

By JOSEPH R. MALONE

Albany, March 17—Five organizations of high standing in the state, including the Rochester Bureau of Municipal Research, today joined hands in a petition to Governor Roosevelt for the appointment of a commission to study the financing and administration of schools in the "tax limit" cities of the state.

SECOND WARD ELECTION CASE ON TOMORROW

Alleged Fraud Trial Held Over To Permit Attorney For Defense To Prepare

By agreement of the district-attorney's office and of lawyers for the defendants, the cases of the five persons indicted for fraud in the primary elections in the Second Ward last September will go to trial in County Court, criminal term, tomorrow morning before County Judge William C. Kohlmeier.

Scheduled to go to trial yesterday after many delays, the adjournment was granted to enable Charles K. Murphy, assigned Friday as counsel for Leo Palmisano of 386 State Street, to familiarize himself with the case. He announced that he would be ready by Wednesday.

More than twenty persons have been subpoenaed as witnesses for the prosecution. It was stated by Assistant District-Attorney Basil E. Moore. The five persons indicted are charged with having connived in an electoral fraud in falsely recording and canvassing votes in the First District of the Second Ward in the primary election for councilman-at-large.

Say Dead Man's Vote Recorded They are Louis Niccisia, 124 1/2 Allen Street; Mrs. Rose Della Ventura, 494 State Street; Arthur Belucci, 55 Jay Street, and Palmisano, all election inspectors, and Mrs. Niccisia, who is said to have assisted her husband during the election and to have taken part in the alleged frauds, which included recording the votes of several persons who did not live in the ward, and of one who had died some time before the election.

Charles B. Bechtold is attorney for the Niccisia, Murphy for Palmisano, and Robert E. Keels for Mrs. Ventura and Belucci.

MAN HURT IN FALL Frank Rannetta, 48, of 766 1/2 Smith Street, suffered injuries to his left side, and leg yesterday.

Your petitioners wish briefly refer to the reasons for this petition. As is well known, the subject to the 2 per cent. constitutional limitation on taxes. New York, Buffalo, Rochester, Syracuse, Utica, Albany, Yonkers, and probably within the year, Schenectady, have in general difficulty in financing their schools within this limitation. The fact has from time to time been pointed out in the excellent reports of the special committee on taxation and trenchment and of the Governor's commission on school finance administration.

Incomes Inadequate "During the last few months has been possible to study finances of these cities in the of the maximum return to be received under the Dick-Rice aid bill of 1927 and of possibly the maximum return in the immediate future under the present income tax. In the cases of both Buffalo and Rochester, studies made by the research bureaus of these cities show that the current income of the years immediately following 1930 will be entirely inadequate to finance anticipated current expenditures.

"For many years it has been pointed out by students of municipal finance that the budgets of tax limit cities could be lawfully balanced through the simple means of raising assessments on real property to the valuation. This belief is now seriously open to question, if not actually untenable.

"Even conceding scientific assessment methods, there is reason to believe that in many cases, the burden upon real property is unequal, if not surpluses, the ability of the average taxpayer to meet his obligation to the Governor with a further request that the proposed commission adequately represent the Legislature, the municipality, the school, and the public.

The petition has received the consideration and indorsement of the boards of directors or executive committees of each of the five organizations, Mr. Freeman said. "This petition," he added, "was the result of a preliminary study made during the past six months by the Buffalo Municipal Research Bureau, in conjunction with Earl Weller, director of the Rochester Bureau of Municipal Research and Harold E. Akerly of the Rochester School Board.

"The problem of properly financing education in all of the tax limit cities has become so serious that it deserves careful investigation and study from a state-wide viewpoint. The 2 per cent. constitutional limitation for maintenance and operation purposes for all city departments including that of education, is making it more and more difficult each year for the cities subject to that limitation to provide the funds necessary to efficiently conduct the various municipal operations.

"Some solution must be found for this vexing question, and it seems to us that the matter should be carefully looked into by such a commission as has been suggested to the Governor."

Study Field Outlined The petition to the Governor asks that the commission study: 1-The financing of public education within the "tax limit cities." 2-The administration of schools in the tax limit cities in their relationship with the schools in the immediately surrounding territory.

3-To secure from public or private sources, the provision of moderate but adequate appropriation for the financing of such a study.

Governor Roosevelt displayed lively interest in the proposal. Freeman said after the conference and asked a number of questions concerned with tax conditions.

Buffalo and other cities included in the group. He promised to take the petition under serious consideration and notify Mr. Freeman of his decision in the matter at an early date.

Mr. Freeman also went over the matter with Commissioner of Education Frank P. Graves before leaving Albany.

Democrats, G. O. P. Organization May Join

Dailey, Mahoney Being Mentioned For Wilson Post

Failure of Democrats to Get Any Patronage Reported Back of Move—Bostwick Favors Proposal—Stand of Stanton Remains in Doubt.

By Charles E. Welch

Coalition of Republicans and Democrat regulars was seen as a possibility in the City Council situation today. Democratic leaders, who banked on the City Manager administration giving certain bits of patronage in exchange for Councilman Charles Stanton's support of Stephen B. Story, which enabled the latter to retain his office, today were interested in suggestions of a combination of Republican and Democratic forces to control the Council.

'Clip' Favors Move

Charles E. "Clip" Bostwick, Tenth Ward Republican leader, is not averse to a coalition of members of the two major parties.

"When they wanted to get rid of the city manager of Cleveland and do something for the benefit of the taxpayers, the Republicans in the council combined with the Democrats and effected a change which should be more than satisfactory to every property owner in Cleveland. And if they can do it in Ohio, why can't they do it here. Let's have some action."

Democratic leaders said today that even with a representative in the City Council they had been unable to get "so much as a minor clerkship."

Councilman Stanton has spent considerable time in the last few weeks studying conditions in the City Hall. It is understood he has on repeated occasions endeavored to obtain positions for Democrats but, so far as is known, without success.

Whether he will consent to vote with the Republican organization members and break the deadlock remains to be seen.

Whatever the result may be in the council, it has practically been determined the next election for district councilman will produce a Nineteenth Ward as the Republican organization choice in the south district.

Peake to Face Opposition Having failed to enlist the support of Councilman Chester A. Peake in their efforts to get a majority of the councilmen, Republican leaders, it was learned today, have practically eliminated him not only from consideration as a possible addition to the organization's councilmanic forces but as a prospective nominee of the party in the next election.

Dr. Peake has lost the support of his own ward, the Third, according to William E. Blackwood, Republican leader, and the Eleventh Ward, under Frank W. Crouch's leadership, also is said to be prepared to oppose any consideration of him as a candidate for district councilman.

The council is not expected to take any action on candidates for the council vacancy or for mayor Monday night.

To Break Council Deadlock

City Seeks Permission to Equip Police Automobiles with Radio

Commissioner Nier Expects Plan Contemplated to Keep Headquarters in Better Touch with Men on Patrol: Cars to Send and Receive

By HIRAM MARKS

To provide for establishing radio communication between Police Headquarters and patrol cars in all sections of Rochester, application has been made to the Federal Radio Commission for a broadcasting permit for the Rochester Police Bureau. George J. Nier, commissioner of public safety.

Commissioner Nier says the broadcasting will be on a wave length between amateur and commercial stations, and will not interfere with either. He said the apparatus will be tuned so that reception will be confined exclusively to the police cars and the precinct stations, providing an instantaneous and complete communication system for the police.

One feature of the intended arrangement is that the police cars will be able to answer the radio messages, and they will on the same wave length have contact with headquarters by wireless telephones. Police broadcasting has been tried out in New York and Detroit, but one of the difficulties has been under the original equipment, in knowing whether the message was picked up.

The portable receiving as well as broadcasting equipment that will be provided the Rochester police automobiles will make it possible for the patrolmen to immediately

report to headquarters that the police alarm or message has been received and to make reports on the progress of the investigation. Tamed cars of the business will not be received either on amateur or commercial radios the messages will be confidential and will enable effective and efficient handling of investigations and crime complaints, Commissioner Nier said.

The matter has been thoroughly investigated by Commissioner Nier, in conjunction with City Manager Stephen B. Story and Curtis W. Barker, director of police, and Chief Andrew J. Kavanaugh, and the expense involved in equipping the automobiles and the police headquarters is almost negligible, he said. The immediate advantage to the police is seen, Commissioner Nier said, in that at the present time three police automobiles are maintained at each of the six precincts, ready for response to calls. He said that these machines will be able to patrol through the city, in instant connection with headquarters, and more adequate police protection will be furnished the residential sections of Rochester.

Commissioner Nier said that the greatest feature of the system to be put in effect in Rochester is that the police on patrol duty can return the call.

More Coming

An interesting letter urging location of an airport at either the eastern or the western end of the subway, "to facilitate the movement of mail, passengers and freight from and to downtown," was published in yesterday's issue of The Times-Union.

In this letter our correspondent, J. Lawrence Hill, after raising questions regarding the value and possible uses of the subway, says:

Mr. Bartholomew has not given the need of greater use of the subway his consideration. Can he offer any suggestions for the utilization of this expensive subway?

If a man as interested in civic affairs as Mr. Hill is not aware of the fact that the two sections so far made public do not represent the entire City Plan, it is likely that many others are under the same misapprehension.

The section on local transit and other transportation facilities has not yet been made public. We have no advance information regarding its recommendations, but is being made.

It can safely be assumed that the subway and its relation to other transportation facilities will receive attention in this section.

PROJECTS WILL PROVIDE WORK FOR 8,000 MEN

Pastors of Churches Will Appeal to Congregations to Assist Those Needing Help

Increased prosperity and relief of the unemployment situation was seen in the \$25,855,000 building and construction program scheduled for this Summer and providing work for 5,000 additional men, which was announced by William A. Burdick, secretary of the Community Conference Board, yesterday.

Meanwhile, pastors of all Protestant and Catholic churches in the city will make a personal appeal from their pulpits today, asking members of the congregations to aid the unemployed by having necessary repairs and work to their homes and properties done at once. The appeal is to be made as the result of a letter to Protestant ministers headed by H. Ungerer, acting president of the Federation of Churches, and one to Catholic priests from the Rt. Rev. John Francis O'Hern, Bishop of the Rochester diocese.

The figures were compiled by Mr. Burdick and City Engineer Henry L. Houghton, and that this work will be spent on city and private building projects, construction of bridges, improvement of streets and installation of sewers. This includes the expenditure of \$5,685,000 by the Department of Public Works, \$2,700,000 on the Ridge Road Bridge, and \$2,000,000 on street improvements.

Public and private buildings will cost \$23,000,000. Of that amount, \$18,000,000 is to be spent in the city and \$5,000,000 in Brighton, Irondequoit and Greece.

The payroll for all projects will amount to \$3,000,000—the balance of \$29,855,000 being spent for material, machinery and overhead.

A list of the major water and sewer improvements, prepared by Mr. Howe, includes the Elmwood Avenue sewer, between South and Mount Hope Avenues; Denmore Creek covering between Warburg Road and east city line.

Pavement and sewer between St. John's Park and Stinson Street, on Lake Avenue; sewer on Culver Road; South Avenue pavement reconstruction, from Main Street East to Court Street; Court Street widening and reconstruction of present pavement from South Avenue to Clinton Avenue South.

OTHER PROJECTS Monroe Avenue widening and reconstruction of present pavement, from near Field Street to the city line; Dewey Avenue widening and reconstruction of present pavement to the city line; opening of Cumberland Street extension, including the construction of sewer, pavement and walks.

Supreme Court Justice Marsh N. Taylor denied the writ on August 15, 1928, but granted an alternate writ permitting the issues to be tried before a jury. The case was appealed through the Appellate Division to the Court of Appeals where the contention that the issues should be tried before a jury were sustained.

Buildings \$250,000, 2,000 sq. ft. building in state street; two office buildings; seven factory units, and one power house extension; University of Rochester building program, \$7,000,000; carhouse at Western Wildwaters, \$100,000; boys dormitory, Rochester School for the Deaf, \$50,000; S. S. Kroger Building in Main Street East, and others. A letter from Bishop O'Hern will be read today to 225,000 members in Roman Catholic churches in twelve counties of Western New York, urging them to help the unemployed.

FIVE-CENT FARE TO BE DEBATED ON WEDNESDAY

Council Group and Receivers of N. Y. Railways To Discuss Differences Over Contract.

Receivers of New York State Railways will meet with public utilities committee of City Council at noon Wednesday in Rochester Club to iron out differences regarding fares on street cars and busses in Rochester under the recently amended service-at-cost contract.

Councilman R. Andrew Hamilton, chairman of the utility committee said today the city and receivers would seek to agree on a definition of what is a school child, and also on an interpretation of the clause in the amended contract which provides that the fare for a school child shall never be more than five cents.

Only parochial and public school children in primary and secondary schools are riding on the reduced rate, but students in private commercial schools seek the same right. Heads of these schools say their pupils are school children under the contract, and entitled to the lower rate.

School children now benefiting by the five-cent rate are asking a five-cent cash fare. Parents object to buying batches of tickets in one transaction, and claim they are entitled to ride on a cash fare on presentation of an identification card.

In this cash fare claim councilmen are inclined to side with the parents and pupils.

PAINTERS' PAY CASE REACHES COURT ACTION

The fight of the local painters' union to force the city to pay the same rate of wages on public jobs as current in the city, reached Supreme Court and a jury today.

The origin of the present action goes back to the Summer of 1927 when Harold W. Baker, public works commissioner, hired men to paint the Clarissa Street and Driving Park Avenue bridges. These men were carried on the city's payroll as "laborers" and were paid 65 cents an hour.

Subsequently, Edward Decker, 558 Seward Street, began an action as a taxpayer to obtain a writ of mandamus forcing the city to pay painters \$1.15 an hour, the prevailing rate for that class of workers. He maintained city officials were violating Section 220 of the Labor Law which holds that no workman "shall be paid a rate lower than the prevailing rate for a legal day's work in the same trade or occupation."

Supreme Court Justice Marsh N. Taylor denied the writ on August 15, 1928, but granted an alternate writ permitting the issues to be tried before a jury. The case was appealed through the Appellate Division to the Court of Appeals where the contention that the issues should be tried before a jury were sustained.

Pure Water Priceless

In an address to the radio audience of Station WHAM, Health Officer George W. Goler of this city directed attention to the fact that epidemic diseases which are spread by contaminated drinking water are held in check only by the purity of the water supply. Typhoid fever and cholera which formerly scourged Rochester disappeared with the installation of an adequate system for supplying pure water and of guaranteeing it against contamination.

As Dr. Goler pointed out, India, the home of cholera, still is scourged by that dread malady. The teeming millions who swarm like ants in the hot human hives of the peninsula live as their ancestors have lived for countless generations, with little thought of sanitation or cleanliness. At their great religious centers, the pilgrims congregate in great hosts to bathe in water foul with sewage and to carry away the sacred water for use elsewhere. Until India changes, cholera seems likely to remain.

But the great scourge no longer afflicts America, as it did for twenty-two years beginning in 1832. More than that, typhoid, which until a generation ago was a foe to be dreaded, has been brought under control in Rochester and other progressive American cities by constant watchfulness at the sources of supply.

Just how many human lives have been saved by the purity of Rochester's water supply since the installation of the present system is of course impossible to estimate with accuracy, but that the total is great cannot be denied, for without such a system, the horrors of the city's early years would be inescapable.

Unemployment Committee

It now appears that something will be done to relieve unemployment in Rochester. The Rochester Civic Committee on Unemployment has been formed to study the problem the jobless present, and if possible, to abate that problem.

The formation of the committee climaxes a series of conferences of industrial leaders and executives. Many of the first rank industries of the city are represented on the committee. The members present a most promising combination of financial, industrial, church and social service elements.

Among the organizations and industries represented are the Social Welfare League, Federation of Churches, various banks, Eastman Kodak Company, Sibley, Lindsay & Curr, Catholic Charities, Industrial Management Council, Chamber of Commerce, Clothiers Exchange, Council of Social Agencies, Central Trades and Labor Council, various city departments, Community Chest, Bureau of Municipal Research, Community Conference Board and Jewish welfare agencies.

It is the plan of the committee to ascertain what state, county, city, business and industrial work can be stimulated to provide jobs. The committee, it is understood, will urge all commercial and industrial plants and the governmental units to extend their operations as far as possible. This, it is hoped, will provide jobs for all classes of working men and women.

The committee has not mapped a definite program. Until it has had time to sound the situation it will not be able to decide exactly what should be done. Therefore, the restless and jobless who place confidence in the committee should not be impatient. It must be remembered that work done well must be done thoroughly.

SCHOOL FINANCE SURVEY ASKED IN TAX LIMIT CITIES

Educational, Municipal Authorities Join in Petitioning Governor To Name Board To Examine Into Difficult Situation

HOPE STUDY MAY REVEAL SOLUTION; GEORGE EASTMAN ONE OF SIGNERS

By JOSEPH R. MALONE Staff Correspondent, Democrat and Chronicle

Albany, March 17—Five organizations of high standing in the state, including the Rochester Bureau of Municipal Research, today joined hands in a petition to Governor Roosevelt for the appointment of a commission to study the financing and administration of schools in the "tax limit" cities of the state.

Those signing the petition and the organizations they represent are:

Raymond S. Jewett, president, associated school boards and trustees; George Eastman, president, Rochester Bureau of Municipal Research; Seymour P. White, president, Buffalo Municipal Research Bureau; R. E. McColl, president, Schenectady Bureau of Municipal Research; Frederick C. McLaughlin, president, New York State Conference of Mayors.

Freeman Presents Petition

Harry H. Freeman, director of the Buffalo Bureau, presented the petition to the Governor with a further request that the proposed commission adequately represent the Legislature, the municipality, the school, and the public.

The petition has received the consideration and endorsement of the boards of directors or executive committees of each of the five organizations, Mr. Freeman said.

"This petition," he added, "was the result of a preliminary study made during the past six months by the Buffalo Municipal Research Bureau, in conjunction with Earl Weller, director of the Rochester Bureau of Municipal Research and Harold E. Akerly of the Rochester School Board.

"The problem of properly financing education in all of the tax limit cities has become so serious that it deserves careful investigation and study from a state-wide viewpoint. The 2 per cent. constitutional limitation for maintenance and operation purposes for all city departments including that of education, is making it more and more difficult each year for the cities subject to that limitation to provide the funds necessary to efficiently conduct the various municipal operations.

"Some solution must be found for this vexing question, and it seems to us that the matter should be carefully looked into by such a commission as has been suggested to the Governor."

Study Field Outlined

The petition to the Governor asks that the commission study:

- 1—The financing of public education within the "tax limit" cities.
2—The administration of schools in the tax limit cities in their relationship with the schools in the immediately surrounding territory.
3—To secure from public or private sources the provision of a moderate but adequate appropriation for the financing of such a study.

Says the petition further: "Your petitioners wish briefly refer to the reasons for this study. As is well known, the subject of the 2 per cent. constitutional limitation on taxes in New York, Buffalo, Rochester, Syracuse, Utica, Albany, Yonkers, and probably within the year, Schenectady, have in general had difficulty in financing themselves within this limitation. It is equally well known, the difficulty in financing current expenditures has arisen largely from increased expenditures for education arising in general from public demands for a longer school year, longer school life and a highly trained professional staff. These facts have from time to time been pointed out in the excellent reports of the special committee on taxation and trenchment and of the Governor's commission on school finance administration.

Incomes Inadequate "During the last few months has been possible to study the finances of these cities in the of the maximum return to be received under the Dick-Rice act of 1927 and of possibly the maximum return in the immediate future under the present income tax. In the cases of both Buffalo and Rochester, studies made by the research bureaus of these cities show that the current income of the years immediately following 1930 will be entirely inadequate to finance anticipated current expenditures.

"For many years it has been the by students of municipal finance that the budgets of tax limit cities could be lawfully balanced through the simple means of raising assessments on real property to valuation. This belief is now seriously open to question, if not absolutely untenable.

"Even concerning scientific assessment methods, there is reason to believe that in many cases, the burden upon real property in equals, if not surpasses, the ability of the average taxpayer to meet his tax obligation.

"Current expenditures for education, while possibly not looming large as in the years 1920-1928, are of major significance in all tax limit cities. So long as the present constitutional limitation exists, educational burdens become municipal burdens are relief granted to education is ipso facto financial relief for the cities; hence the presentation of this petition as an educational project.

Larger Units Suggested

"During the last few years, the mobile and other means of transportation, there have grown up around our tax limit cities large areas distinctly urban in character. The residents of these areas have clearly evidenced a desire to build and maintain schools of a city type. The parents find, however, that these schools with a few exceptions cannot provide the same facilities that are afforded within the cities. It is a question whether the manifold problems of school administration within these areas are as efficiently and effectively carried out as within the cities.

This has given rise to inquiries to whether or not it is sound administratively and financially to create larger units of school administration about our tax limit cities, using the present city school district as a nucleus.

"The exact type of such a commission as is requested is left your judgment. If a suggestion would be pardoned, it might be well that such a commission should adequately represent the Legislature, the school, and the public, so far as this can be done without exchanging allegiance for numbers. It is hoped that should you decide to grant this petition, that the commission would be able to report the opening of the legislative session of 1931."

Governor Roosevelt displayed lively interest in the proposal. Freeman said after the conference and asked a number of questions concerning tax conditions. Buffalo and other cities included in the petition under serious consideration and notify Mr. Freeman of his decision in the matter at an early date. Mr. Freeman also went over the matter with Commissioner of Education Frank P. Graves before leaving Albany.

Sanford Contends Assessment Boost Would Not Be Wise

Chamber Committee Head Tells Engineers of Simple Financing Plan For Bartholomew Projects—Proposed 15% Tax Increase Would Be Heavy Burden.

Rochester's city plan now being formulated can be financed with the city's normal borrowing power in the next 50 years, Harold W. Sanford, managing editor of the Rochester Democrat and Chronicle, told the Engineering Society at a luncheon meeting in the Sagamore today.

Mr. Sanford, chairman of the municipal and county taxation committee of the Chamber of Commerce, said the proposed 15 per cent. assessment increase on city property is unwise from an administrative point of view and from the angle of the taxpayers, as the increase would add to heavy burdens now being carried by owners of small homes. He said the chamber's committee, in backing the city administration to curtail current expense borrowing, and eliminate it entirely by 1934 as the new charter provides, would have the support of the public.

"The city's situation with respect to its debt and the capital expenditure program now being prepared is one of the major problems of the city administration," Mr. Sanford said. "Rochester runs close to its debt limit at all times, and some taxpayers have begun to ask how the program being formulated by Mr. Bartholomew is to be financed.

Plan 'Logical Order' From estimates made by Mr. Bartholomew and the city comptroller, it is possible now to predict that the plan can be financed under the city's normal borrowing power in the next 50 years. This is based in part on the fact that the city has issued about \$70,000,000 worth of bonds in the last 20 years.

"What is being done, in fact, in the formulation of the city plan is just to arrange in logical order the major projects the city naturally would have to undertake in the

SAYS SPECIAL ELECTION IS NOT PRACTICAL

Corporation Counsel Platt Believes Wilson's Successor in Council Should Be Named by That Body

A special election to fill the vacancy in City Council, created by the death of Mayor Joseph C. Wilson, would not be practicable in the opinion of Corporation Counsel Clarence M. Platt.

Adoption of a local law to provide for such an election, Mr. Platt said, would make it mandatory to hold a referendum to give the voters an opportunity to voice their preference for or against the election.

The City Charter gives remaining members of Council the authority to name Mayor Wilson's successor as councilman, and were they to pass a local law calling for a special election they would be going directly against a state law relating to the transfer or curtailment of the powers of elected city officials, Mr. Platt said.

CITY MANAGER GROUP RUMORED TO REORGANIZE

May Form Permanent League, Perhaps Under New Name—Councilmanic Election in View.

Reorganization of the City Manager League, probably under a different name, on a year-round basis, is in the air.

Politicians in all the camps—Republican organization, Democratic and City Manager—have been keeping their ears to the ground for something of this sort since the last election, nor have they been disappointed, for the crop of rumors has been enough to satisfy anyone.

Immediately after the last Council election, when it became evident that, with Mayor Wilson desperately ill and not likely to live, the City Council would be dissolved four and four between the Republican organization members and City Manager adherents, there was much talk of League re-vamping of the City Manager League on a permanent basis.

Nothing came of the talk, but it was widely known several discussions of the matter were held by men closely identified with the October campaign and previous battles in which the League took a prominent part in 1925 and 1927.

The plan must have public approval and support, however, and the city authorities must be held to the program as outlined. The only power capable of doing that over so long a period of time is the power of enlightened public opinion.

Defend Tax Guarantees The speaker early in his address referred to the constitutional taxing and bonding limits as basic guarantees against the encroachment of the local taxing power on private property rights, and said the efforts of the Chamber of Commerce committees on taxation in the last five or six years had been directed at preventing these guarantees from being evaded or overridden.

"The city still continues its practice of borrowing for part of its current expenses," he said, "thus in spirit if not in letter overriding the state constitutional guarantees. The framers of the city charter recognized the public opinion opposing this practice and provided that no deficiency current expense notes should be issued after Jan. 1, 1934.

"It is now anticipated that, if contemplated salary increases are given city employees, a start must be made on putting the police and fire pension funds on a sound actuarial basis, and normal increases for schools and other purposes are made, it will be necessary in 1931 to borrow \$2,638,946, or almost as much as was borrowed in 1921 and 1924, the peak years before 1927.

By the end of 1932 the city will be obliged to borrow again close to half a million dollars, even if the suggested 15 per cent. assessment increase is put into effect."

The suggested 15 per cent. increase in assessments, the speaker said, is unwise from an administrative point of view since it would put the assessments so near the legal limit that fluctuations in real estate values might put them so high as to be illegal. He added it is unwise from the taxpayers' point of view, since it would add to the heavy burden already carried by the owners of small homes in the city.

Expects Public Support The Chamber committee, he said, has urged careful examination of all the expenditure increases proposed and would stand back of the city authorities in making any curtailments necessary to enable the city manager to continue to reduce current expense borrowing so as to eliminate it entirely by 1934, as the charter provides. The Chamber committee believes the public will support such a program of economy.

The speaker said the Chamber committee has considered the pending port bill and urged that it should "specifically provide that the bonds of the port district be set up and any general tax levied on its behalf shall be counted as part of the bonds allowed to the county under its 10 per cent. constitutional debt limit and the taxes the county can raise under its 2 per cent. constitutional tax limit."

UNION RATE FIGHT LOST BY PAINTERS

City Victorious in Suit Over Wages Paid for Painting Done on Public Jobs

COURT DIRECTS VERDICT

Workers Employed as Handy Men, Artisans Not Needed, Jury Told by Defense

Union painters of Rochester lost their fight to force the city to pay the same rate of wages on public jobs as the prevailing union rate for painters, when Supreme Court Justice Taylor directed a verdict in favor of the defendant city officials here yesterday.

The Court told the jury to find that the plaintiff, Edward Decker, of 558 Seward Street, had not established that the men employed on city jobs were doing work where skilled artisans were required, but that the work done was unskilled and that the workers employed by the city were engaged as handy men and paid the wage of handy men, 55 cents an hour.

Deputy Corporation Counsel George E. Draper asked the Court to direct the jury to answer "yes" to the question: "Is there an oath in the community knowledge as maintenance and repair men?" Justice Taylor so directed, and said that the men employed in the Building at the corner of Springfield and Fitzhugh Streets, remodelled to house certain city offices, were doing painting in the occupation of maintenance and repair men.

City's Methods Explained Commissioner of Public Works Harold W. Baker was called as witness for the city, and explained the methods followed in letting contracts for city jobs. One is a general contract, he said, and another by the labor order method, in which the contractor awards the bid lets contracts for plumbing, lighting and other individual parts of the work.

The third method of doing city's work is through a maintenance gang, he pointed out, which does any work that need to be done, such as sanding streets, repairing buildings, bridges and general municipal work.

Edward Rhodes, foreman of bridge repair, foreman of the maintenance gang's work included painting bridges, repairing walks and similar odd jobs. He made a point of not hiring skilled mechanics, he said, because they would not do general labor work.

Action Started in 1927 The action was brought first in 1927 after Commissioner Baker hired men to paint the Clarissa Street and Driving Park Avenue Bridges. These men were listed on the city pay roll as laborers, and the city pay roll as laborers, and the prevailing union rate for painter is \$1.15 an hour.

Under Section 229 of the Labor Law which states that "no workman shall be paid a rate lower than the prevailing rate for a legal day's work in the same trade or occupation," Edward Decker brought a writ of mandamus forcing the city to pay painters \$1.15 an hour, but the writ was denied by Justice Taylor in August, 1928. It then was taken to the Appellate Division, which held that the case should be tried before a jury.

William Degraff and John D. Sullivan, attorneys for the plaintiff, were denied a motion for a new trial by Justice Taylor yesterday, and announced they expected to appeal the verdict directed by him.

Parties Are Astray In City Government, Says Chicago Prof.

University Department Head Lauds Rochester Form—Pays High Tribute to Stephen B. Story.

By Betty Keifer

Party politics have no place in city government in the opinion of Dr. Charles E. Merriam, head of the political science department at University of Chicago, who arrived in Rochester this morning to deliver three lectures under the Cutler Foundation at the University of Rochester.

His first lecture was to be at 5 o'clock this afternoon at the Little Theater of Memorial Art Gallery on "The Written Constitution and the Unwritten Attitude." Tomorrow at the same time and place he will discuss "Nation, State and City Under the Constitution" and Friday he will speak on "The Constitution and the Party System."

City Manager Stephen B. Story considers "probably the best city manager in the country." His association with Mr. Story began when the latter headed the Bureau of Municipal Research.

Whether or not the city manager plan will prove eventually successful, Dr. Merriam hazards no guess. But it is decidedly worth trying out, he is convinced.

Raps Spoils Machines "There is no place for party government in a city," he explained. "Parties do not exist in cities except as spoils machines, and we are working our way out of the spoils system through civil service, which is better organized and better enforced than ever before."

"Bye said 40 years ago that our cities were the great failure in American government. But today our cities are improving rapidly, and no longer can be called failures."

National issues, Dr. Merriam points out, have no function in local government. "Try to govern a city on the basis of the tariff issue or the World Court, and there is going to be trouble," he continues.

"There is no party issue in the matter of street cleaning, collection of ashes, or the management of parks and playgrounds. You cannot tell me the difference between a Republican and a Democrat in Rochester politics. There is no party attitude on the regulation of traffic—no city wants a Republican or Democratic policeman."

"But how are you going to keep the party machine from controlling a city manager government?" Dr. Merriam was asked.

"It depends on the state of mind of the people of Rochester. If you have more independent voters, the machine will take control."

Mayor Thompson of Chicago is regarded by Dr. Merriam as an excellent example of the unfortunate results of introducing national issues into a political election.

"Big Bill" was elected on the wet-dry issue, campaigning as was Dr. Merriam points out.

As to the problems of his politically storm-tossed Chicago, Dr. Merriam is philosophical and wary of forecasts.

CITY MANAGER CONFERS WITH HARBOR EXPERT

City Manager Stephen B. Story was in Cleveland today for a consultation with John Sabin, head of the Great Lakes Harbor Association, on harbor development.

Mr. Story was accompanied by Councilman Chester A. Peake and William Roberts of the city engineering department.

Mr. Sabin is a former government engineer and had charge of construction of the Sault Ste. Marie Canal. The conference was arranged to get information on the development of the proposed municipal harbor here.

To Guide Improvement

That the City Plan is not intended to schedule calling for expenditure, but merely to outline the course to follow in necessary city improvements, was well brought out by W. Sanford, managing editor of the Rochester Democrat and Chronicle, in an address yesterday before the Engineering Society at the same time.

Mr. Sanford, who is chairman of municipal and county taxation committee of the Chamber of Commerce, said:

What is being done, in fact, in the formulation of the City Plan, is just to arrange in logical order the major projects the city naturally would have to undertake in the next half-century, and to make a plan for their financing, so the increases in the city's bonding power that naturally arise from growth and new construction can be used for the objects and at the time when they are most needed.

It might be added that without a plan what is undertaken at one time often fails to fit later requirements, so that money is wasted.

Workers Employed as Handy Men, Artisans Not Needed, Jury Told by Defense

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ESSER TO SEEK MANY CHANGES IN MEASURE

With the city rushing its preparation for an engineering recommendation on the construction of better harbor facilities at the Port of Rochester, there was much speculation today as to the fate of the Maurice County Port Authority bill, in committee at Albany.

Whereas the Chamber of Commerce was considered to have endorsed the new bill because of the insertion of a clause to keep port taxes within the state tax and bonded debt limits of the city and county, it has developed that this organization of business representatives may take no formal action at all.

Copies of the Port Authority bill are in the hands of Maurice Esser, general secretary of the Chamber of Commerce. Despite his refusal to predict what would be the chamber's action on the bill, his own study has brought much use of a red pencil for deletion of sections of the measure.

APPROVAL PENDING "After I make my recommendations, our harbor committee must set and then our trustees," he said.

"We didn't approve or disapprove the measure a year ago, but simply joined with others in making that it be withheld until the taxing features could be investigated."

The result of this suggestion of the chamber was that even the Republican organization joined in the movement for a recall of the port authority bill. It was too late to recall it so it was permitted to go to the Governor Franklin D. Roosevelt for his veto.

This bill is still in committee at Albany. Whether it will see the light of day for a vote in either the Assembly or Senate appeared to depend on what support it would receive from Rochester when brought out for a public hearing.

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DELAY ACTION ON CHILDREN'S TROLLEY FARE

O'Hern Says Board Will Act When Request Is Made—Councilmen Confer With Receivers.

Awaiting word from Charles R. Barnes, commissioner of city railroads, Joseph P. O'Hern, acting superintendent of public schools, said today the matter of selling single street car tickets to school children would be taken up by the Board of Education when such a request was made.

At present it appears that the 49 public schools are distributing the tickets in batches of ten to the pupils. The fact that a school child cannot buy a single ticket through the public schools, is working a hardship on a number of families, members of City Council have reported, and the Public Utilities Committee yesterday conferred with the receivers of New York State Railways in an effort to iron out the difficulties.

Pauline S. Foulkes, after the conference with the receivers yesterday agreed not to press the fight for a five-cent cash fare in view of the difficulties a single ticket was sold to the pupil who is not to be required to purchase these tickets in batches.

Benjamin E. Tison and William T. Plumb, receivers, said they were in accord with this principle and the commissioner of railroads was instructed to ask the further cooperation of the Board of Education in seeing that the public school children get single tickets.

Councilman Duran is insisting on the private business schools being accorded the five-cent rate for their pupils.

He Tells Our Troubles

When an educator of the rank of Dr. Charles E. Merriam, head of the political science department of the University of Chicago, speaks on the evils of party government in the cities, his opinions are not to be taken lightly. But another reason why we seriously regard Dr. Merriam's observations, as published in The Times-Union yesterday afternoon, is that they fit Rochester "like the paper on the wall."

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Workers Employed as Handy Men, Artisans Not Needed, Jury Told by Defense

Union painters of Rochester lost their fight to force the city to pay the same rate of wages on public jobs as the prevailing union rate for painters, when Supreme Court Justice Taylor directed a verdict in favor of the defendant city officials here yesterday.

The Court told the jury to find that the plaintiff, Edward Decker, of 558 Seward Street, had not established that the men employed on city jobs were doing work where skilled artisans were required, but that the work done was unskilled and that the workers employed by the city were engaged as handy men and paid the wage of handy men, 55 cents an hour.

Deputy Corporation Counsel George E. Draper asked the Court to direct the jury to answer "yes" to the question: "Is there an oath in the community knowledge as maintenance and repair men?" Justice Taylor so directed, and said that the men employed in the Building at the corner of Springfield and Fitzhugh Streets, remodelled to house certain city offices, were doing painting in the occupation of maintenance and repair men.

City's Methods Explained Commissioner of Public Works Harold W. Baker was called as witness for the city, and explained the methods followed in letting contracts for city jobs. One is a general contract, he said, and another by the labor order method, in which the contractor awards the bid lets contracts for plumbing, lighting and other individual parts of the work.

The third method of doing city's work is through a maintenance gang, he pointed out, which does any work that need to be done, such as sanding streets, repairing buildings, bridges and general municipal work.

Edward Rhodes, foreman of bridge repair, foreman of the maintenance gang's work included painting bridges, repairing walks and similar odd jobs. He made a point of not hiring skilled mechanics, he said, because they would not do general labor work.

Action Started in 1927 The action was brought first in 1927 after Commissioner Baker hired men to paint the Clarissa Street and Driving Park Avenue Bridges. These men were listed on the city pay roll as laborers, and the city pay roll as laborers, and the prevailing union rate for painter is \$1.15 an hour.

Under Section 229 of the Labor Law which states that "no workman shall be paid a rate lower than the prevailing rate for a legal day's work in the same trade or occupation," Edward Decker brought a writ of mandamus forcing the city to pay painters \$1.15 an hour, but the writ was denied by Justice Taylor in August, 1928. It then was taken to the Appellate Division, which held that the case should be tried before a jury.

William Degraff and John D. Sullivan, attorneys for the plaintiff, were denied a motion for a new trial by Justice Taylor yesterday, and announced they expected to appeal the verdict directed by him.

Sanford Contends Assessment Boost Would Not Be Wise

Chamber Committee Head Tells Engineers of Simple Financing Plan For Bartholomew Projects—Proposed 15% Tax Increase Would Be Heavy Burden.

Rochester's city plan now being formulated can be financed by the city's normal borrowing power in the next 50 years, Harold W. Sanford, managing editor of the Rochester Democrat and Chronicle, told the Engineering Society at a luncheon meeting in the Sagamore today.

Mr. Sanford, chairman of the municipal and county taxation committee of the Chamber of Commerce, said the proposed 15 per cent. assessment increase on city property is unwise from an administrative point of view and from the angle of the taxpayers, as the increase would add to heavy burdens now being carried by owners of small homes. He said the chamber's committee, in backing the city administration to curtail current expense borrowing, and eliminate it entirely by 1934, have the support of the public.

"The city's situation with respect to its debt and the capital expenditure program now being prepared is one of the major problems of the city administration," Mr. Sanford said. "Rochester runs close to its debt limit at all times, and some taxpayers have begun to ask how the program being formulated by Mr. Bartholomew is to be financed.

Plan 'Logical Order'
From estimates made by Mr. Bartholomew and the city comptroller, it is possible now to predict that the plan can be financed under the city's normal borrowing power in the next 50 years. This is based in part on the fact that the city has issued about \$70,000,000 worth of bonds in the last 20 years.

"What is being done, in fact, in the formulation of the city plan is just to arrange in logical order the major projects the city naturally would have to undertake in the

SAYS SPECIAL ELECTION IS NOT PRACTICAL

Corporation Counsel Platt Believes Wilson's Successor in Council Should Be Named by That Body

A special election to fill the vacancy in City Council, created by the death of Mayor Joseph C. Wilson, would not be practicable in the opinion of Corporation Counsel Clarence M. Platt.

Adoption of a local law to provide for such an election, Mr. Platt said, would make it mandatory to hold a referendum to give the voters an opportunity to voice their preference for or against the election.

The City Charter gives remaining members of Council the authority to name Mayor Wilson's successor as councilman, and were they to pass a local law calling for a special election they would be going directly against a state law relating to the transfer or curtailment of the powers of elected city officials, Mr. Platt said.

Nor is Corporation Counsel Platt satisfied that the provision of the City Manager Charter which directs that a vacancy in Council caused otherwise than by expiration of term or recall, must be filled within 30 days, necessarily means the vacancy must be filled within that time, Mr. Platt holds the opinion that this provision is only directory and that it does not compel the councilmen to fill the vacancy within that time specified.

CITY MANAGER GROUP RUMORED TO REORGANIZE

May Form Permanent League, Perhaps Under New Name—Councilmanic Election in View.

Reorganization of the City Manager League, probably under a different name, on a year-round basis, is in the air.

Politicians in all the camps—Republican organization, Democratic and City Manager—have been keeping their ears to the ground for something of this sort since the last election, nor have they been disappointed, for the crop of rumors has been enough to satisfy anyone.

Immediately after the last Council election, when it became official that, with Mayor Wilson desperately ill and not likely to live, the City Council would be divided four and four between the Republican organization members and City Manager adherents, there was much talk of a general revamping of the City Manager League on a permanent basis.

"Nothing came of the talk, but it is widely known several discussions of the matter were held by men closely identified with the October campaign and previous battles in which the League took a prominent part in 1925 and 1927.

It was generally accepted that those interested were resting on their laurels and waiting for the outcome of the Council election of 1931 in view.

See Deadlock Continuing
This viewpoint obviously is held to envisage a continuance of the present Council deadlock for an 18-month period. A break in the deadlock, however, is not believed sufficient to change such plans as may be under consideration.

The City Manager League was organized originally to work for adoption of the suggested City Manager charter. In this effort, with the assistance of the late Mayor Van Zandt, the late Joseph C. Wilson, and District Attorney William F. Love, through their split organization strength in 1925, it was successful.

For the next two years the executive committee of the League continued to function from time to time, watching the political situation and preparing more or less for the battle, which everyone could see was preparing, over the election of the first City Manager Councilman in the Fall of 1927.

The League failed to live up to the full expectations of city manager enthusiasts in the campaign, being largely pushed into the background by the aggressive tactics and financial strength of the Citizens' Republican Committee which won a smashing victory in the 1927 councilmanic primaries of the Republican party by a combination of heavy financing, clever campaign strategy, and the apparently hearty endorsement of the governmental ideals which had been enunciated by the City Manager League.

Revived with Difficulty
Following election of a "city manager group" Council, the League dropped more and more into the background. It was revived with difficulty last year, in styling, in following the Store for Men has asserted.

Expects Public Support
The Chamber committee, he said, has urged careful examination of all the expenditure increases proposed and would stand back of the city authorities in making any curtailments necessary to enable the city manager to continue to reduce current expense borrowing so as to eliminate it entirely by 1934, as the charter provides. The Chamber committee believes the public will support such a program of economy.

The speaker said the Chamber committee has considered the pending next bill and urged that it should specifically provide that the bonds of the port district to be set up and any general tax levied on its behalf shall be counted as part of the bonds allowed to the county under its 10 per cent. constitutional debt limit and the taxes the county can raise under its 2 per cent. constitutional tax limit.

UNION RATE FIGHT LOST BY PAINTERS

City Victorious in Suit Over Wages Paid for Painting Done on Public Jobs

COURT DIRECTS VERDICT Workers Employed as Handy Men, Artisans Not Needed, Jury Told by Defense

Union painters of Rochester lost their fight to force the city to pay the same rate of wages on public work as the prevailing union rate when an official for painters, when Supreme Court Justice Marsh N. Taylor directed removal of private employment agencies from the city to the state, verdict in favor of the defendant now pending at Albany. The measure city officials here yesterday after has a good chance of becoming law. But meantime, the council should turn its own attention toward eliminating the questionable agencies.

The Court told the jury to find that the plaintiff, Edward Decker, of 558 Seward Street, had not established that the men employed on city jobs were doing work where skilled artisans were required, but that the work done was amateurish and that the workers employed by the city were engaged as handy men and paid the wage of 35 cents an hour, that the city create a municipal employment bureau, City Manager Story, in Deputy Corporation Counsel George B. Draper asked the Court to direct the jury to answer "yes" to the question: "Is there an occupation in the community which requires maintenance and repair men?" Justice Taylor so directed, and also that the men employed in the Building at the corner of Sprain and Fitzhugh Streets, remodeling to house certain city offices, were doing painting in the occupation of maintenance and repair men.

City's Methods Explained
Commissioner of Public Works Harold W. Baker was called as witness for the city, and explained the methods followed in letting contracts for city jobs. One is to let a general contract, he said, and the other by the labor order method, in which the contractor awarded the bid lets contracts for plumbing, lighting and other individual jobs.

The third method of doing city work is through maintenance gangs, he pointed out, which does any work that needs to be done, such as sanding streets, repairing buildings, bridges and general municipal work.

Edward Rhodes, foreman of bridge repair, testified that the maintenance gang's work included painting bridges, repairing walks and similar odd jobs. He made a point of not hiring skilled mechanics, he said, because they would not do general labor work.

Action Started in 1927
The action was brought first in 1927 after Commissioner Baker hired men to paint the Charliss Street and Driving Park Avenue Bridges. These men were listed on the city pay roll as laborers, and the city pays an hour. The prevailing union rate for painter is \$1.15 an hour.

Under Section 220 of the Labor Law which states that "no workman shall be paid a rate lower than the prevailing rate for a legal day's work in the same trade or occupation," Edward Decker brought action as a taxpayer forcing the city to pay painters \$1.15 an hour, but the writ was denied by Justice Taylor in August, 1928. It then was taken to the Appellate Division, which held that the case should be tried before a jury.

William Degraff and John D. Sullivan, attorneys for the plaintiff, were denied a motion for a new trial by Justice Taylor yesterday, and announced they expected to appeal the verdict directed by him.

Parties Are Astray In City Government, Says Chicago Prof.

University Department Head Lauds Rochester For Adopting City Manager Form—Pays High Tribute to Stephen B. Story.

Party politics have no place in city government in the opinion of Dr. Charles E. Merriam, head of the political science department at University of Chicago, who arrived in Rochester this morning to deliver three lectures under the Cutler Foundation at the University of Rochester.

His first lecture was to be at 5 o'clock this afternoon at the Little Theater of Memorial Art Gallery on "The Written Constitution and the Unwritten Attitude." Tomorrow at the same time and place he will discuss "Nation, State and City Under the Constitution" and Friday he will speak on "The Constitution and the Party System."

His lectures are made possible by a fund established in 1920 by James G. Cutler, former university trustee and mayor of Rochester. "Something like the city manager form of government is inevitable," Dr. Merriam commented.

Raps Spoils Machines
"There is no place for party government in a city," he explained. "Parties do not exist in cities except as spoils machines, and we are working our way out of the spoils system through civil service, which is better organized and better enforced than ever before."

"Bryce said 40 years ago that our cities were the great failure in American government. But today our cities are improving rapidly, and no longer can be called failures."

National issues, Dr. Merriam points out, have no function in local government. "Try to govern a city on the basis of the tariff issue or the World Court, and there is going to be trouble," he continues.

"There is no party issue in the matter of street cleaning, collection of ashes, or the management of parks and playgrounds. You cannot tell me the difference between a Republican and a Democrat in Rochester."

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CITY MANAGER CONFERS WITH HARBOR EXPERT

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Mr. Story was accompanied by Councilman Chester A. Penke and William Roberts of the city engineering department.

Mr. Sabin is a former government engineer and had charge of construction of the Sault Ste. Marie Canal. The conference was arranged to get information on the development of the proposed municipal harbor here.

To Guide Improvement
That the City Plan is not intended to set up a schedule calling for extra expenditure, but merely to outline the best course to follow in necessary city improvements, was well brought out by Harold W. Sanford, managing editor of the Rochester Democrat & Chronicle, in an address yesterday before the Engineering Society. Mr. Sanford, who is chairman of the municipal and county taxation committee of the Chamber of Commerce, said:

What is being done, in fact, in the formulation of the City Plan, is just to arrange in logical order the major projects the city naturally would have to undertake in the next half-century, and to make a plan for financing the increases in the city's bonding power that naturally arise from growth and new construction can be used for the objects and at the time when they are most needed.

It might be added that without a plan what is undertaken at one time often fails to fit later requirements, so that money is wasted.

ESSER TO SEEK MANY CHANGES IN MEASURE

With the city rushing its program for an engineering recommendation on the construction of better harbor facilities at the Port of Rochester, there was much speculation today as to the fate of the Monroe County Port Authority bill, in committee at Albany.

Whereas the Chamber of Commerce was considered to have endorsed the new bill because of the insertion of a clause to keep port taxes within the state tax and bonded debt limits of the city and county, it has developed that this formalization of business representation may take no formal action at all.

Copies of the Port Authority bill are in the hands of Maurice Esser, general secretary of the Chamber of Commerce. Despite his refusal to predict what would be the chamber's action on the bill, his own study has brought much use of a red pencil for deletion of sections of the measure.

APPROVAL PENDING
"After I make my recommendations, our harbor committee must set and then our trustees," he said. "We didn't approve or disapprove the measure a year ago, but simply joined with others in asking that it be withheld until its taxing features could be investigated."

The result of this suggestion of the chamber was that even the Republican organization joined in the movement for a recall of the port authority bill. It was too late to recall it so it was permitted to go to the Governor Franklin D. Roosevelt for his veto.

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C. OF C. GROUP, BAREHAM TALK OVER PORT BILL

Trustees of Group To Take Action Following Discussion of Proposed State Legislation.

By Charles E. Welch
Harry J. Bareham, Monroe County Republican leader, conferred with members of the harbor committee of the Chamber of Commerce this afternoon, discussing provisions of the county port authority bill now before the Legislature.

Should the Chamber of Commerce O. K. the measure, which provides for a survey and the naming of a commission to study the project, it is not considered unlikely that the port authority proposal will become a reality. The only opposition that might be directed at the bill would come from the city administration and with the City Council divided it is almost a certainty that any attempt by the city government to secure the council's sanction to a protest, similar to the one voiced last year, would be defeated.

Another development which would strengthen the stand of Mr. Bareham and the Monroe legislators is represented in the possibility that the Republican organization may obtain control of the municipal machinery through the election of a Republican councilman to succeed the late Mayor Wilson.

According to Senators Fred J. Slater and Cosmo A. Cilano, the port authority bill is expected to have clear sailing through the Legislature and, in the absence of any opposition by either the Chamber of Commerce or the city administration, it is expected Governor Roosevelt would sign the measure.

To Ask Inquiry
Today's conference between Mr. Bareham and the Harbor Committee of the Chamber of Commerce assumed greater interest and importance in consequence of City Manager Stephen B. Story's conference with Lawrence C. Sabin, former United States government engineer, in Cleveland Thursday and his announcement yesterday that within the next two weeks he will ask the City Council to grant him authority to engage Mr. Sabin, who is head of the Great Lakes Harbor Commission, to make a survey of harbor needs and possibilities in connection with the city administration's plan to establish a harbor on the west side of the lower river, on land already acquired for that purpose, including the property formerly used by the McKinney Blast Furnace Company.

Whether Rochester is to have a municipal port or, eventually, a county port seemed to hinge today upon three possibilities:

Approval by the Chamber of Commerce of County Chairman Bareham's plans for a county port survey.

Success of the Republican organization in electing its own candidate to succeed the late Mayor Wilson as councilman which would give the party control of the city government, and possibility that the present city administration's plan for a harbor in the lower river would be discarded in favor of the county project.

WOULD ENGAGE HARBOR EXPERT FOR ROCHESTER

Returning today from Cleveland, City Manager Stephen B. Story announced that he intends to ask the City Council within the next two weeks for authority to engage Lawrence C. Sabin, chairman of the Great Lakes Harbor Commission, to make a survey of harbor facilities in the lower river.

"Mr. Sabin appears to be the best man available for devising a harbor for Rochester," Mr. Story said. "He is familiar with lake traffic, understands its possibilities and we believe he can tell us what size boats can be expected here and what accommodations should be provided for them in the lower river. I shall have a communication asking for the engagement of Mr. Sabin ready for presentation to the council within 10 days."

Mr. Story was accompanied to Cleveland, where he conferred with Mr. Sabin yesterday, by Councilman Chester A. Peake, chairman of the public works and engineering committee of the council, and William Roberts of the city engineer's office.

City Manager Plans Harbor Development

Goes to Talk Over Situation With Cleveland Engineer

In the furtherance of his plans for the development of the Port of Rochester through utilization of the blast furnace property, already acquired by action of the City Council, City Manager Stephen B. Story, accompanied by Councilman Chester A. Peake, chairman of the public Works and Engineering Committee, and William Roberts of the city engineer's staff, have gone to Cleveland to consult with John Sabin, head of the Great Lakes Harbor Association. They will return to Rochester this morning.

Most of the work in conjunction with the development of the blast furnace property will be done by the city, but the advice of a trained engineer in harbor development is sought by Mr. Story. Mr. Sabin is former government engineer and had charge of the construction of the Sault Ste. Marie Canal.

COUNCIL ACTS TO SAFEGUARD JOB SEEKERS

Tighter Agency Restrictions Proposed — Accused Head of Bureau Arraigned in City Court

Official action to protect jobless who seek positions through employment agencies came swiftly today with suspension of the Rochester Placement Service's license, and a City Council move to bring employment agencies under police control.

Commissioner of Public Safety George J. Nier last night explained to the Council the need for tighter restrictions in supervision of these agencies, and the public welfare and law committees were directed to prepare a more adequate license ordinance.

Today, the commissioner applied for and obtained from Acting Mayor Isaac Adler an order for suspension and seizure of the license of the Rochester Placement Service, 411 Temple Building.

Special Policeman Frank E. Willis served the order at the employment bureau, the manager of which is under arrest for inserting an alleged classified ad in a Rochester newspaper, and took the license, automatically closing the business, pending disposition of the case.

Soon afterward, the manager, Clarence W. Young of Goldwater, was arraigned in City Court, pleading not guilty on the advice of counsel, Ray F. Fowler and H. Douglass Van Duser. He was granted adjournment to April 2, and bail was reduced from \$100 to \$50.

Young was arrested yesterday on a warrant obtained by Policeman Willis, after investigating complaints made by the Better Business Bureau.

Job Filled Weeks Ago
He registered and paid the \$2 fee, and was told his prospective job was advertising solicitor for the Canandaigua Daily Messenger, Canandaigua newspaper. Willis went to Canandaigua and learned the position had been filled five weeks ago. The advertising manager of the paper declared the employment agency had no authority to advertise the position.

When police arrested Young, a youthful married man, with \$120 in his pockets, paid \$1 for a prospective chauffeur's job. The policemen forced Young to return the money.

"Teeth" is to be inserted in the ordinance that provides for the licensing of private employment agencies. This ordinance, in the opinion of Mr. Nier, is admittedly weak in that it gives the city practically no authority over these agencies other than the right to grant or refuse licenses or reject them in instances where evidence of illegal practices are proven.

Commissioner Nier said last year a total of 14 licenses were issued to private employment agencies in Rochester. This year only 10 such licenses have been issued. Only in cases where the agencies are "above suspicion" are such licenses granted, he declared.

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Adler's Term as Acting Mayor Extended for 22 Days

COUNCIL HOPES IN THAT TIME TO FILL VACANCY MAYOR'S DEATH CAUSED

Railways' Receivers Directed To Extend 5-Cent Fare to All School Children Within 17-Year Compulsory Limit

NORTHEAST LIBRARY AUTHORIZED; GUZZETTA REQUEST TURNED DOWN

By unanimous action, the City Council adopted a resolution by Councilman R. Andrew Hamilton extending the authority of Vice-Mayor Isaac Adler to serve as mayor for twenty-two days.

In this period it is hoped that a successor to the late Mayor Joseph C. Wilson as councilman at large will be elected. There is also pending before the Council a local law, which will be the subject of a hearing next Monday evening, directing that the vice-mayor shall automatically serve as mayor until such time as a chief executive officer of the city is elected. This will eliminate the necessity of extension of the vice-mayor's authority for brief intervals at a time.

No Candidates Discussed
There was no discussion on the floor, nor was the subject mentioned publicly, regarding the selection of a councilman at large, and the entire matter is still available for conference and negotiations between the various groups. No candidates were advanced formally and it is expected that no definite move will be made until decision is reached as to a candidate and the consent of the person selected has been obtained.

The Council by unanimous action adopted a resolution proposed by Councilman Hamilton, in behalf of the Public Utilities committee, of which he is chairman, directing the receivers of the Rochester lines of the New York State Railways to extend the five-cent fare to all school children within the compulsory school age of 17 years. The committee, made up of Councilmen Hamilton, William E. Durman and Louis S. Foulkes, conferred with the railways receivers, and requests from a number of schools, including Mechanics Institute, University of Rochester, and commercial institutions, have been received. At present the five-cent fare is accepted from children in public and parochial schools.

The committee recommended that he extension be made to include all children within the compulsory school age as fixed by the educational law of the state, without reference to any particular school that they may attend, and recommended that this change be made in the administration of the present contract. Attending the Council proceedings were John G. White, who was active in the five-cent fare fight, also Henry D. O'Connell, resident of the Central Trades and Labor Council.

Library Authorized
The establishment of a branch library at the southwest corner of Hudson Avenue and Norton Street at a cost of \$75,000, sought by Councilman William F. Durman of the northeast district, recommended by the finance committee in a report read by Councilman Nelson A. Milne, was approved, and authorization of the borrowing of these funds by Comptroller Clarence E. Higgins to pay for the construction was presented. The establishment of the library was also approved by the Public Welfare Committee.

Sub-branch Suggested
Councilman Guzzetta and Charles Wiltse, president of the library board, discussed the library needs of the vicinity. Mr. Wiltse suggested that a sub-branch library be established to feel out the requirements of the vicinity. He pointed out that the neighborhood was only half mile from two well established branches, and said that many places in the city were urgently in need of library service, being miles away from branches. He defended the location of the library sought by Councilman Durman, and said that through the wisdom and foresight of former Mayor Martin B. O'Neil, the site was acquired for \$10,000 several years ago, and that it was worth several times that now, and was strategically opposite the new northeast high school, costing \$2,500,000, and would serve a great need.

The discussion ended with the promise of Councilman Guzzetta and Mr. Wiltse to get together and work out some solution of the library needs for Bay and Rohr Streets, the councilman indicating his willingness to co-operate with Mr. Wiltse regarding the matter.

The Council received a communication from Dr. Franklin W. Beck with reference to enforcement of the state gambling laws in Rochester, and also a message of appreciation from Joseph R. Wilson, son of the late Mayor Joseph C. Wilson, for the sympathy and interest of the Council in his late bereavement.

City Manager Stephen B. Story presented a communication with reference to the purchase of lands from Mary Lippa for Smith Street bridge approach for \$6,150, and for the purchase of lands in Rabbitt Place for municipal purposes from William Wright for \$12,000. Harold W. Baker, commissioner of public works submitted through Mr. Story an estimate of \$14,200 for the improvement of Kilmar Street.

Claims Settlement Approved
Comptroller Clarence E. Higgins was authorized under a finance committee report to invest in securities of the City of Rochester, with municipal funds, and the settlement of a number of claims against the city by Corporation Council Clarence M. Platt was authorized.

Upon report of the public improvements committee, read by Councilman Milne, an amendment to the Midler Street concrete pavement ordinance was passed; also the concrete pavement ordinance for Chatterman Road, and the care and embellishment of other streets proposed by Councilman Stanton.

Upon report of the public works and engineering committee, read by Councilman Peake, permission was given to Leola E. Old Spain to erect a tile projection on a building in 1267 Avenue, the work to be done by Stewart & Bennett, Inc., contractors. Upon the report of the city planning and zoning committee, read by Councilman Stanton, resolutions of Dodge Street, Gleason Street, and Erie Alley were accepted, and the closing of portions of Henry Street and Utah Alley were approved.

Councilman Durman presented a petition urging that Midland Avenue be retained as a residential street and that the Zoning Advisory Board be advised of this request. Councilman Milne filed a petition from a group of property owners asking relief from a nuisance alleged to be caused by a steam exhaust of the American Laundry Machine Company, causing disturbance of sleep of a number of persons. The petition referred to George J. Nier, commissioner of public safety.

Want Kindergarten Law Changed
The Council unanimously adopted a resolution directing that Corporation Council Platt and the city endeavor to assist in bringing about passage of an amendment to the education law with reference to kindergartens. The resolution was presented by Councilman Durman at the request of the Board of Education. Councilman Durman presented the following communication from Joseph P. O'Hern, deputy superintendent of schools:

My dear Mr. Durman: At a meeting yesterday with the legislative representatives of Monroe County, the Board of Education requested favorable consideration of Assembly bill 1065, introductory 1025, by Mr. Rice, providing for an amendment to the Education law in relation to kindergartens and making an appropriation therefor. In short, this bill provided for placing the kindergarten under the regular teacher quota as now provided for the elementary grades. It means that a load of something over two hundred dollars will be taken from the real estate in Rochester and added as an equivalent amount from a state appropriation. Anything that you may do to secure the indorsement of this bill by the City Council will be deeply appreciated. We are enclosing a copy of the bill.

A resolution authorizing the extension of the trackless trolleys westward in Delving Park Avenue was presented by Councilman Hamilton and Vice-Mayor Adler referred it to the public utilities committee. Councilman Peake introduced a resolution authorizing the widening of River Boulevard to fifty-four feet, and it went to the local improvement committee. The Council transacted a large volume of routine business.

The Spider And The Fly
The action of Vice Mayor Adler in temporarily suspending the license of an employment agency whose local manager has been charged with fraudulent advertising, and a move in the City Council to place all employment agencies here under stricter regulation and police supervision, are promising indications that the city administration has taken up, in earnest, the welfare of the unfortunate jobless.

It is gratifying to find the council responsive to the increasing need of stricter supervision of these employment agencies. Of course not all employment agencies in Rochester are in the "questionable" class. There are some that strive to give a full measure of service—and there are a few that seem to be interested mostly in collecting registration fees.

These latter agencies are not needed or wanted here. If they can do nothing but take in registration fees, of what good are they? Why should the city, through its grant of a license, lend a (vague) stamp of approval to these operations? It may not be against existing law, as Commissioner Nier told the council on Monday night, for an employment agency to lure applicants into its office—like the spider lured the fly—through advertising positions it cannot give. Yet it evidently is being done, if complaints count for anything, and we believe the city can find a speedy way to bring the cruel farce to an end.

The applicant answering such advertisements expects a job, but does he get one? He is told that he will have to register, for which a \$2 fee is charged. What then? He is told that the job advertised has been taken, or, he is told that requests are "coming in all the time" and that he will be given the next job. He goes to and from these offices daily. Eventually he grows weary, hopeless, and begins a new gamble with some other agency, a gamble in which the cards, in some instances, are stacked against him!

The city could not turn its hand, at this moment, toward a more worthy work than cleaning out these unfair agencies. It seems ridiculous that crooked or swindling agencies should be permitted to operate in Rochester, and "get away with it."

Council Move To Urge Paving Cost Relief Proposal Dropped Following Caucus, C. A. Peake Reveals

Council Approved Similar Bill Introduced in Legislature in 1928—Resolution Provided For Levying of Paving Costs Against City - at - Large.

Efforts of several members of City Council to send Corporation Counsel Clarence M. Platt to Albany to advocate passage of the Thayer bill relieving street car companies of track paving costs, failed in councilmanic caucus, it was learned today from Councilman Chester A. Peake, who said he was in favor of Rochester joining other cities of the state in fighting the bill.

The Council is on record advocating enactment into law of a former Thayer bill similar in import to the pending measure, opposed yesterday by representatives of Buffalo and other municipalities of the state.

Similar Bill Approved The Rochester resolution advocating the enacting of Thayer bill was adopted two years ago by Council by a vote of 7 to 2. It provided that if the bill became a law, costs now borne by the Rochester trolleys be assessed on the city-at-large.

After three debates on the former Thayer bill in as many meetings in March, 1928, action was taken by Council. Councilman Harry C. Goodwin at the meeting March 5, 1928 introduced a resolution authorizing the corporation counsel to appear before any legislative committee to which "an act to amend the railroad law in relation to the paving obligations of street surface railroad corporations might be referred and advocate the passage of the same."

This resolution further provided that the members of the Legislature be requested to secure the passage of the bill, but it was defeated by a vote of 5 to 3. Those voting for the resolution were Councilmen Flynn, Foulkes and Goodwin. Those voting against it were Councilmen Adler, Durnan, Guzzetta, Milne and Peake.

The defeat followed a report by the public utilities committee which recommended that the resolution be adopted. On this committee

Goodwin Resolution

At the next meeting March 12, Councilman Goodwin introduced another resolution providing that the members of the Legislature representing the city be requested to vote for the paving relief bill. This was lost 5 to 4. Councilmen Peake, Durnan, Adler, Milne, and Guzzetta voted it down. Those in favor were the late Mayor Joseph C. Wilson, and Councilmen Flynn, Foulkes and Goodwin.

Third Bill Presented

The following week, however, March 20, 1928, the matter came up again on a resolution introduced by Councilman Nelson A. Milne declaring "the City Council advocates the passage and enactment into a law" of bills amending the Railroad Law and relieving the street car companies of track paving costs.

It was further resolved that if the Thayer bill became a law that such costs of paving "from which the railroad corporations may be relieved, shall be a charge against the city-at-large."

This resolution was adopted by a vote of 7 to 2. Councilmen Adler and Peake voting no, and Councilmen Durnan, Flynn, Goodwin, Guzzetta, Milne and Wilson voting for the bill.

For Trolleys Fails To Pass BRIDGE FIRM MEETS CITY WAGE RATES

Agreement With Labor Men Formulated at Conference Called by City Manager

STATE PROVISION MET One Thousand Men Apply for Employment at Ridge Road Structure in One Day

An agreement with reference to the wages to be paid by Booth & Flynn, Inc., on the Ridge Road bridge construction was reached yesterday at a conference in the office of City Manager Stephen B. Story.

The contracting firm, through its general construction superintendent, George Hocking, agreed to pay the prevailing rates of wages to all building trades employees engaged on the construction and the rates discussed were satisfactory to the labor representatives, whom City Manager Story summoned to his office.

Agrees to Rates Here Mr. Story on his own initiative arranged for the conference, to reach a definite understanding as to the rates that prevail here. The contracting firm agreed to meet the wages that were outlined and gave its assurances that there would be no deviations from the figures, despite the large surplus of building trades labor.

At the conference were Henry D. O'Connell, president of the Central Trades and Labor Council, and representative of the electrical workers; George McNaughton, president of the Building Trades Council; Frank Hartnett, representing the plumbers; John White representing the bricklayers, and others active in building trades circles.

The state law compels the payment of the prevailing scale of wages on all public work, but difficulty has been experienced here by the building trades in enforcing the measure. City Manager Story said that he was determined that the state law should be enforced, and that he was met with a spirit of complete co-operation by Booth & Flynn, Inc.

The schedules fixed in the agreements between the members of the Builders' Exchange and the building crafts.

Try to Make It Union Job The building trades representatives endeavored to bring about the employment of union labor on the building, and while Mr. Story said that he was in sympathy with their purpose, it was not a matter with which he could with propriety concern himself, as city manager, and it was something that must be worked out between the unions and the contractors.

However, he said that it was his duty to see that the state laws were obeyed, and he would do everything in his power to bring this about, and added that from the excellent feeling manifested at the conference he did not expect any difficulties would develop with reference to the bridge.

It was reported that on one day Booth & Flynn, Inc., had applications from more than one thousand persons for jobs on the bridge. Only a small supervisory force has been brought here from Pittsburgh, the rest of the workers on the \$3,000,000 project being recruited from people living within the municipal limits of Rochester.

Chairman Hamilton said if there was a difference of opinion, as to the resolution, the matter would be referred to Corporation Counsel Clarence M. Platt.

repaving. Busses perhaps are not as satisfactory for heavy traffic, but paving costs are avoided.

It is getting about time to face this question squarely and honestly. It is not right to ask car-riders to pay in full for pavements they use only part of the time and for some they do not use at all. Nor should busses be used where street cars are better.

The reason action has been delayed is that the connection between paving costs and fares is indirect.

When state laws were enacted requiring street railway companies to bear the cost of paving, not only between the tracks but for several feet in addition, the standard 5-cent fare was bringing in good returns. It was felt the street railways could absorb the paving cost without raising the rate of fare.

Later came the war and higher costs for everything, including operation of street railways. After fares had been raised to equalize advances in materials and wage rates, another difficulty developed in competition of private automobiles. This affected the street railways in two ways: it reduced the number of patrons and raised the quality and cost of pavements.

Cost of paving assessments became a burden on the car-riders, being a big item in advances in rates of fare. Bills were introduced in the Legislature to relieve street car companies of paving costs.

These bills failed, being pretty generally opposed by city governments. But they bobbed up again. One known as the Thayer bill is now before the Legislature.

City governments have a bureaucratic interest in opposing these bills, aside from their attitude as representing the citizens. It would involve raising by taxes or assessments money now paid by car-riders.

Many voters are only occasional car-riders. They are more interested in keeping down taxes than fares.

Yet cities must have traction lines, industrial leaders recognize that just as clearly as the street car patrons. And now street railway companies are substituting busses for rails when a street needs

Upper River Bridge Program Abandoned

Abandonment of a city program to bridge the upper Genesee River from Barton Street and Plymouth Avenue South on the west side to Oak Hill, the site of the new men's campus of the University of Rochester, on the east side, was revealed by a study of the major street section of the city plan today.

City officials have dropped all thought of ever building a bridge over the river at this point. City Manager Stephen B. Story declared, "There was no definite plan for such a bridge," said Mr. Story. "There was talk of a new bridge to the foot of Oak Hill outside of our engineering department, mostly because George Eastman bought the site of an old factory of the Genesee Bridge Company on the west side of the river."

"Mr. Eastman bought it not with an idea of clearing the way for a bridge, but simply to remove an eyesore, something which he considered detrimental to the outlook from the new university grounds."

Harland Bartholomew and his planning experts did consider the possible merits in a bridge connecting Plymouth Avenue South and Harbor Boulevard, formerly Wolcott Road, at the foot of Oak Hill, but not for long, Arthur L. Vedder, city superintendent of maps and surveys, pointed out.

"They couldn't see where a bridge at this point would mean anything to general traffic in Rochester and passed all consideration of it up quickly," said Mr. Vedder. "The planners have suggested general changes for the approaches to Elmwood Avenue bridge when the present structure will be ample for handling all Plymouth Avenue South traffic and providing conveniences for the university."

"There will be wider approaches swiveling down into the Plymouth Avenue section of the Genesee Valley Park on the west side of the river and into Harbor Boulevard and the university grounds on the east side."

FORECLOSURE ORDERED ON TROLLEY CO.

Adler Grants Application Of Security Trust

Action Taken to Secure Payment of \$16,457,000 in Bonds—Order Authorizing Examination of Company's Books and Accounts Also Signed.

By Robert Daniel Burns Foreclosure sale of the properties of New York State Railways, operating trolley and bus lines in Rochester and seven counties in the state, was ordered today by Judge Simon L. Adler in United States District Court in Rochester.

The order was issued on application of Edward S. Harris, attorney for the Security Trust Company of this city, trustee under a general mortgage executed in 1912 to secure payment of bonds amounting to \$16,475,000. Judge Adler also signed an order authorizing the engineering firm of Coverdale & Colpitta of New York City to make an examination and official audit of the books, accounts and properties of the trolley company. Both orders are in line with action taken last Monday in Utica by Federal Judge Frederick H. Bryant.

There was no opposition to the granting of the foreclosure order by counsel representing protective committees formed in the interests of holders of other bond issues.

The bill of complaint in the foreclosure proceedings will be filed in the courts of both the Western and Northern districts Tuesday, April 1. This delay follows the plan to have the receivers under the mortgage begin their work on an even date and permit them to close up their accounts and reports by midnight March 31.

On motion of the Security Trust Company's attorney, William T. Plumb and Benjamin E. Tilton, District in which are included the Wayne and Ontario Counties, will continue as receivers under the mortgage in the Northern District.

Judge Arthur E. Sutherland, counsel for the Lisman protective committee which represents some \$4,000,000 of the bonds under a consolidated mortgage now ordered foreclosed, argued long for Judge Adler to enlarge the scope of the

examination of the company's properties by the engineering firm. He declared that it was necessary for him to have a thorough examination of not only the books and accounts, but the operating history of the company.

Judge Sutherland did not press at this time for an order permitting his committee to intervene in the present action. Both Judge Sutherland and Mr. Harris made it clear that there would be a complete determination of the determination of properties included in the several mortgages.

It was on account of this pending conflict Mr. Harris explained to the court, that the Security Trust Company is also trustee for the second mortgage Rochester Railway bonds, amounting to \$1,500,000, now also in default, would appear as only the nominal plaintiff in the application of the second mortgage bondholders applying for action. He said the bondholders' protective committee would arrange and prosecute a foreclosure to take care of its claims. He said this agreement had been mutual.

\$25,000 for Examination Willis H. Mitchell, attorney for the receivers in both federal jurisdictions, said that the extent of the company examination by the engineers was at an expense, under the directions of Judge Bryant, not to exceed \$25,000.

Mr. Plumb and Mr. Tilton were both in court. Prior to convening court Judge Adler swore in Atorneys Harris, Mitchell, George S. Van Schaick, representing the protective committee for the first Rochester Railway mortgage bonds, and Frank E. Parker, of the law firm of Harris, Beach, Folger & Bacon, all taking part in the present action.

Work On West Leaf Nearing Completion; All Steel Replaced

Riveting Expected to Start Monday—Counterweight on East Half of Bridge to Get New Supports—Engineers Work Out Time Schedule.

For the first time since a huge counterweight splashed into the Genesee River last January, traffic will move over Stutson Street bridge April 19, if the city's schedule materializes.

In addition to installing a new counterweight on the west leaf, engineers repairing the span are also giving supports to the weight at the other end to forestall another similar accident.

Schedule Worked Out A time schedule was worked out yesterday in conference between Harold W. Baker, commissioner of public works; William Roberts, assistant engineer in the Department of Public Works, and Conrad C. Sparr, superintendent of erection for the Genesee Bridge Company.

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The new counterweight of 270 tons is in place, and the forms are to be removed Monday. The supports beneath it are scheduled for removal on April 7. The motor and electrical work will be replaced by April 10.

Supports for the counterweight at the east end of the bridge are intended to be in place by April 10. The engineers expect to have hanger castings on the east side replaced on April 17.

The job is well ahead of schedule, having moved much more rapidly than Commissioner Baker anticipated. At first, it appeared traffic would be forced to seek detour until sometime in May.

The old counterweight will remain at the bottom of the river. It is no obstacle to boat passage, as it fell between the west pier and the bank, clear of the main channel.

New York State Railways first consolidated mortgage covers property and holdings of the company in these seven counties of the state: Monroe, Ontario, Wayne, Oneida, Madison, Herkimer and Otsego.

Fred Hens, however, are the first and second mortgages executed by the old Rochester Railway Company to secure two bond issues, one for \$23,300,000 which matures next

Tuesday, and the second, for \$1,500,000 which will not become due until Dec. 1, 1933. These bonds were assumed by the railways. The sale of the property under the present foreclosure order, is to be made subject to the claims of the holders of these two Rochester bond issues.

Just how much of the present property of New York State Railways in Rochester and vicinity is free of claims of holders of Rochester Railway Company bonds is a moot question. There seems to be no dispute about including all extensions made by the old company, but there is a dispute over including extensions and betterments made by New York State Railways.

At any rate the Rochester bonds are protected by mortgages on that section of the street railway system which is operated in the heart of the city, and controls the transportation routes. Thus far nothing has developed in the proceedings to indicate friction among the holders of the many bond issues, although it is assumed by many that as far as the Rochester lines are concerned the consolidated bonds are secured here by only a third mortgage. There are nine outstanding mortgages on the entire system of New York State Railways.

Of interest at this time is the schedule of property which the Security Trust Company, as trustee, aims to sell for the benefit of consolidated bondholders. Real estate, stock in bus companies and trolley lines in Rochester, and vicinity which New York State Railways acquired since date of mortgages are included.

On the schedule are found 1,747 shares of stock (2,000 of which are outstanding) of the Rochester Electric Railway Company, sometimes known as the old Charlotte line running to Ontario Beach Park; 239 preferred shares and 1,465 common shares of East Avenue Bus Company, Inc.; 162 shares Rochester Interurban Bus Company, Inc.; 1,044 shares Darling Bus Lines; 1,500 shares Rochester Railway Co-Operated Bus Lines, Inc.; 145 shares of the Ontario Light & Power Company, the public utility operating in Canandaigua.

On Oct. 31, 1912, the Rochester and Suburban (the present Sea Breeze line) and the companies with the exception of the Schenectady Railway Company, were formally merged. In May, 1910, the entire capital stock of the Ontario Light and Traction Company was acquired, and in 1917 the lighting property of this company was sold to the Rochester Railway and Light Company. In August, 1919, was merged the property of the East Side Traction Company, the entire stock of which had been owned by New York State Railways since 1912.

Included also are all the trolley lines in Rochester and vicinity formerly known as the Rochester Railway Company; the line toodus Bay, the right to abandon which by the company is now pending in the Court of Appeals, and the Rochester & Eastern, which operates a trolley line between Geneva and Rochester, and also the line to Sea Breeze which was formerly the Rochester and Suburban.

It appears from the records that New York State Railways was organized March, 1909, through the consolidation of the Rochester Railway Company, the Rochester and Suburban Railway Company and the Rochester and Eastern Rapid Railway, and at the same time, through the Rochester and Eastern, acquired the entire stock of the Utica and Mohawk Valley Railway Company, nearly all the stock of the Oneida Railway Company, a majority of the stock of the Syracuse Rapid Transit Railway Company, and one-half the stock of the Schenectady Railway Company.

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Council Move To Urge Paving Cost Relief Proposal Dropped Following Caucus, C. A. Peake Reveals

Council Approved Similar Bill Introduced in Legislature in 1928—Resolution Provided For Levying of Paving Costs Against City - at - Large.

Efforts of several members of City Council to send Corporation Counsel Clarence M. Platt to Albany to advocate passage of the Thayer bill relieving street car companies of track paving costs, failed in councilmanic caucus, it was learned today from Councilman Chester A. Peake, who said he was in favor of Rochester joining other cities of the state in fighting the bill.

Similar Bill Approved

The Rochester resolution advocating the enacting of Thayer bill was adopted two years ago by Council by a vote of 7 to 2. It provided that if the bill became a law, costs now borne by the Rochester trolleys be assessed on the city-at-large.

After three debates on the former Thayer bill in as many meetings in March, 1928, action was taken by Council. Councilman Harry C. Goodwin at the meeting March 5, 1928 introduced a resolution authorizing the corporation counsel to appear before any legislative committee to which "an act to amend the railroad law in relation to the paving obligations of street surface railroad corporations might be referred and advocate the passage of the same."

This resolution further provided that the members of the Legislature be requested to secure the passage of the bill, but it was defeated by a vote of 5 to 3. Those voting for the resolution were Councilmen Flynn, Foulkes and Goodwin. Those voting against it were Councilmen Adler, Durnan, Guzzetta, Milne and Peake.

The defeat followed a report by the public utilities committee which recommended that the resolution be adopted. On this committee

signing the recommendation were Councilmen Harry C. Goodwin, chairman, and William F. Durnan and Dr. Joseph L. Gazzetta, although the Messrs. Durnan and Guzzetta voted against it when the vote was called.

The Council is on record advocating enactment into law of a former Thayer bill similar in import to the pending measure, opposed yesterday by representatives of Buffalo and other municipalities of the state.

Goodwin Resolution

At the next meeting March 12, Councilman Goodwin introduced another resolution providing that the members of the Legislature representing the city be requested to vote for the paving relief bill. This was lost 5 to 4. Councilmen Peake, Durnan, Adler, Milne, and Guzzetta voted it down. Those in favor were the late Mayor Joseph C. Wilson, and Councilmen Flynn, Foulkes and Goodwin.

Third Bill Presented

The following week, however, March 20, 1928, the matter came up again on a resolution introduced by Councilman Nelson A. Milne declaring "the City Council advocates the passage and enactment into a law" of bills amending the Railroad Law and relieving the street car companies of track paving costs.

It was further resolved that if the Thayer bill became a law that such costs of paving "from which the railroad corporations may be relieved, shall be a charge against the city-at-large."

This resolution was adopted by a vote of 7 to 2. Councilmen Adler and Peake voting no, and Councilmen Durnan, Flynn, Goodwin, Guzzetta, Milne and Wilson voting for the bill.

For Trolleys Fails To Pass Trolley Receivers Object To Council's 5-Cent Fare Request

Move to Get Reduced-Price Tickets For Pupils of 'Any School' in City Brings Protest—Mechanics and Business Institutions Affected.

By Robert Daniel Burns

Extension of the five-cent fare on buses and trolleys to pupils "attending any school in Rochester" was objected to today by receivers for the New York State Railways. This extension was directed by City Council last Monday, but there seems no prospect of the order being obeyed without recourse to the courts.

The resolution for the fare, as introduced by Councilman R. Andrew Hamilton, follows:

Resolved: That the commissioner of railways and receivers of the New York State Railways allow pupils under 17 years of age attending any school in the city of Rochester a fare of not more than 5 cents, going to and from said schools.

It was the intention of the Council to provide a five-cent fare for business school and Mechanics' Institute pupils. Both receivers of the trolley company, William T. Plumb and Benjamin E. Tilton, today directed attention to the exact wording of the amended contract under which the service-at-cost agreement was continued to Aug. 1 under the receivership.

Proceeding on this understanding, the receivers put in effect a rate of five cents for all children attending the public and parochial grammar and secondary schools, but fixed no age limit on the rider. They explained today that they included in the reduced rate all children attending school by reason of the compulsory education law.

The objection seemed to be on the fact the new terms would let down the bars and admit pupils attending dance, music, nurse and vocational schools, not sponsored by the public.

Chairman Hamilton said if there was a difference of opinion as to the resolution, the matter would be referred to Corporation Counsel Clarence M. Platt.

BRIDGE FIRM MEETS CITY WAGE RATES

Agreement With Labor Men Formulated at Conference Called by City Manager

STATE PROVISION MET

One Thousand Men Apply for Employment at Ridge Road Structure in One Day

An agreement with reference to the wages to be paid by Booth & Flynn, Inc., on the Ridge Road bridge construction was reached yesterday at a conference in the office of City Manager Stephen B. Story.

The contracting firm, through its general construction superintendent, George Hockensmith, agreed to pay the prevailing rate of wages to all building trades employees engaged on the construction and the rates discussed were satisfactory to the labor representatives, whom City Manager Story summoned to his office.

Agrees to Rates Here

Mr. Story on his own initiative arranged for the conference, to reach a definite understanding as to the rates that prevail here. The contracting firm agreed to meet the wages that were outlined and gave its assurances that it would not employ anyone on the project of building camps for

Warnings in connection with the on Aluminum Clubs

People Asked To Check

Continued from Page Seventeen

He said that the conference had an excellent result, in that it brought the contractors and the building trades representatives together in an understanding as to just what course would be followed. The contractors checked the rates sought and found that they were the schedules fixed in the agreements between the members of the Builders' Exchange and the building crafts.

Try to Make It Union Job

The building trades representatives endeavored to bring about the employment of union labor on the building, and while Mr. Story said that he was in sympathy with their purpose, it was not a matter with which he could properly concern himself, as city manager, and it was something that must be worked out between the unions and the contractors. However, he said that it was his duty to see that the state laws were obeyed, and he would do everything in his power to bring this about, and added that from the excellent feeling manifested at the conference he did not expect any difficulties would develop with reference to the bridge.

It was reported that on one day Booth & Flynn, Inc., had applications from more than one thousand persons for jobs on the bridge. Only a small supervisory force has been brought here from Pittsburgh, the rest of the workers on the \$3,000,000 project being recruited from people living within the municipal limits of Rochester.

Upper River Bridge Program Abandoned

Abandonment of a city program to bridge the upper Genesee River from Barton Street and Plymouth Avenue South on the west side to Oak Hill, the site of the new men's campus of the University of Rochester, on the east side, was revealed by a study of the major street section of the city plan today.

City officials have dropped all thought of ever building a bridge over the river at this point. City Manager Stephen B. Story declared.

"There was no definite plan for such a bridge," said Mr. Story. "There was talk of a new bridge to the foot of Oak Hill outside of our engineering department, mostly because George Eastman bought the site of an old factory of the Genesee Bridge Company on the west side of the river."

"Mr. Eastman bought it not with an idea of clearing the way for a bridge, but simply to remove an eyesore, something which he considered detrimental to the outlook from the new university grounds."

Harland Bartholomew and his planning experts did consider the possible merits in a bridge connecting Plymouth Avenue South and Harbor Boulevard, formerly Wolcott Road, at the foot of Oak Hill, but not for long, Arthur L. Vedder, city superintendent of maps and surveys, pointed out.

"They couldn't see where a bridge at this point would mean anything to general traffic in Rochester and passed all consideration of it up quickly," said Mr. Vedder.

"The planners have suggested general changes for the approaches to Elmwood Avenue bridge when the present structure is replaced. These changes will be ample for handling all Plymouth Avenue South traffic and providing conveniences for the university."

"There will be wider approaches swinging down into the Plymouth Avenue section of the Genesee Valley Park on the west side of the river and into Harbor Boulevard and the university grounds on the east side."

FORECLOSURE ORDERED ON TROLLEY CO.

Adler Grants Application Of Security Trust Action Taken to Secure Payment of \$16,457,000 in Bonds—Order Authorizing Examination of Company's Books and Accounts Also Signed.

Foreclosure sale of the properties of New York State Railways, operating trolley and bus lines in Rochester and seven counties in the state, was ordered today by Judge Simon L. Adler in United States District Court in Rochester.

The order was issued on application by Edward S. Harris, attorney for the Security Trust Company of this city, trustee under a general mortgage executed in 1912, to secure payment of bonds amounting to \$16,475,000. Judge Adler also signed an order authorizing the engineering firm of Coverdale & Colpitts of New York City to make an examination and official audit of the books, accounts and properties of the trolley company. Both orders are in line with action taken last Monday in Utica by Federal Judge Frederick H. Bryant.

There was no opposition to the granting of the foreclosure order by counsel representing protective committees formed in the interests of holders of other bond issues.

The bill of complaint in the foreclosure proceedings will be filed in the courts of both the Western and Northern districts Tuesday, April 1. This delay follows the plan to have the receivers under the mortgage begin their work on an even date and permit them to close up their accounts and reports by midnight March 31.

On motion of the Security Trust Company's attorney, William T. Plumb and Benjamin E. Tilton, ancillary receivers in the Western District in which are included the Wayne and Ontario Counties, will continue as receivers under the mortgage. Mr. Tilton and Wallace E. Pierce are also continued as receivers under the mortgage in the Northern District.

Judge Arthur E. Sutherland, counsel for the Lisman Protective Committee which represents some \$4,000,000 of the bonds under consolidated mortgage now ordered foreclosed, argued long for Judge Adler to enlarge the scope of the examination of the company's properties by the engineering firm. He declared that it was necessary for the establishment of a working basis to have a thorough examination of not only the books and accounts, but the operating history of the company.

Judge Sutherland did not press at this time for an order permitting his committee to intervene in the present action. Both Judge Sutherland and Mr. Harris made it clear that they would be a contingent of interests affecting the determination of properties included in the several mortgages.

Work On West Leaf Nearing Completion; All Steel Replaced

Riveting Expected to Start Monday—Counterweight on East Half of Bridge to Get New Supports—Engineers Work Out Time Schedule.

For the first time since a huge counterweight splashed into the Genesee River last January, traffic will move over Stinson Street bridge April 19, if the city's schedule materializes.

In addition to installing a new counterweight on the west leaf, engineers repairing the span are also giving supports to the weight at the other end to forestall another similar accident.

Schedule Worked Out A time schedule was worked out yesterday in conference between Harold W. Baker, commissioner of public works; William Roberts, assistant engineer in the Department of Public Works, and Conrad C. Sparr, superintendent of erection for the Genesee Bridge Company.

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Tuesday, and the second, for \$1,500,000 which will not become due until Dec. 1, 1935. These bonds were assumed by the railways. The sale of the property under the present foreclosure order, is to be made subject to the claims of the holders of these two Rochester bond issues.

Just how much of the present property of New York State Railways in Rochester is free of claims of holders of Rochester Railway Company bonds is a moot question. There seems to be no dispute about including all extensions made by the old company, but there is a dispute over including extensions and betterments made by New York State Railways.

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Included also are all the trolley lines in Rochester and vicinity formerly known as the Rochester Railway Company; the line to Sodus Bay, the right to abandon which by the company is now pending in the Court of Appeals, and the Rochester & Eastern, which operates a trolley line between Geneva and Rochester, and also the line to Sea Breeze which was formerly the Rochester and Suburban.

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Paving And Car Fares

When state laws were enacted requiring street railway companies to bear the cost of paving, not only between the tracks but for several feet in addition, the standard 5-cent fare was bringing in good returns. It was felt the street railways could absorb the paving cost without raising the rate of fare.

Later came the war and higher costs for everything, including operation of street railways. After fares had been raised to equalize advances in materials and wage rates, another difficulty developed in competition of private automobiles. This affected the street railways in two ways: it reduced the number of patrons and raised the quality and cost of pavements.

Cost of paving assessments became a burden on the car-riders, being a big item in advances in rates of fare. Bills were introduced in the Legislature to relieve street car companies of paving costs.

These bills failed, being pretty generally opposed by city governments. But they bobbed up again. One known as the Thayer bill is now before the Legislature. City governments have a bureaucratic interest in opposing these bills, aside from their attitude as representing the citizens. It would involve raising by taxes or assessments money now paid by car-riders.

Many voters are only occasional car-riders. They are more interested in keeping down taxes than fares.

Yet cities must have traction lines, industrial leaders recognize that just as clearly as the street car patrons. And now street railway companies are substituting busses for rails when a street needs

re-paving. Busses perhaps are not as satisfactory for heavy traffic, but paving costs are avoided.

It is getting about time to face this question squarely and honestly. It is not right to ask car-riders to pay in full for pavements they use only part of the time and for some they do not use at all. Nor should busses be used where street cars are better.

The reason action has been delayed is that the connection between paving costs and fares is indirect.

Board Advises Limited Development of River Port

G. O. P. SCORES IN BACKING OF AUTHORITY PLAN

Municipal Group's Survey Is Made Public by Storey; \$500,000 Will Be Enough

Only limited harbor development of the west shore of the lower Genesee River at Ontario Beach Park, for packet freight service exclusively, with extensive port development to be left to a Port Authority or some other body, is advocated in a complete report of the Municipal Harbor Advisory Board announced by City Manager Stephen B. Storey last night.

The report is regarded as a victory for proponents of the creation of a Port Authority, advocated by the Monroe County Republican organization.

The board, of which Harry C. Stevenson is chairman, recommended keeping all development of a municipal harbor within an expenditure of \$500,000.

The river is no place for a suitable port of Rochester, the board reported, and suggested that either the ponds west of the city, commonly known as Buck and Round ponds, or Irondequoit Bay be considered for development.

Either could be made a port by the construction of breakwater piers, the board declared.

Coincident with the announcement of these recommendations by the board, City Manager Storey announced that he will submit to the City Council tomorrow night a recommendation for the immediate employment of engineers to attend to developing a municipal harbor along the west shore.

BACKED BY EXPERTS
Mr. Storey said that all advice he received from inland water harbor experts confirmed the recommendations of the board, that a river harbor may do for packet freight service but would never contribute to the city's growth by accommodating large lake vessels.

The board presented a recommendation for immediate building of a small harbor at the mouth of the river, leaving the development of a major port to a Port Authority or some other commission after engineers have made a survey.

Strangely, the board backs development of ponds for consideration ahead of Irondequoit Bay, which is preferred by the Republican organization, sponsor of the Port Authority bill now at Albany.

The ponds are said to be more convenient to the city. Either the ponds or Irondequoit Bay would demand a lake breakwater.

The board reports that river harbors are out of date everywhere, and any big expenditures on the Genesee would be money wasted.

The board fixes \$400,000 as sufficient for river harbor development, freight service and maintenance of passenger boats. The cost of keeping the river free of anything greater would be on the board reported.

FEDERAL AID
The board advises that any development in anticipation of federal aid must be supported by a municipal program to spend almost as much as is expected from the federal government.

"We have the assurance of the United States War Department that the Federal government will match dollars with any port district in carrying out a practical commercial plan," the report states.

The federal authorities will look after the construction of breakwaters and piers, while the municipal government builds terminal docks, the board reports.

A harbor, either to the east or west of the present river piers, could be developed with the construction of breakwaters similar to those at Buffalo, Cleveland, Milwaukee and Oswego, the report advised. An important objection is raised that the development would be on land abutting residential and park areas.

The ponds west of the river are recommended for shore topography and adaptability for industrial use.

CHANNEL NEEDED
Except for the lack of a suitable entrance channel, Irondequoit Bay would make the ideal port, the report states.

The report is of particular importance to the Chamber of Commerce trustees Friday withheld action on a Monroe County Port authority bill at Albany to learn the nature of the report. The trustees are to act next Wednesday.

Meanwhile the County Port Authority bill may be reported out of committee for legislative action.

PORT ENGINEER TO BE ASKED

Following the Harbor Advisory Board's recommendation of the construction of a "packet service" harbor only in the lower Genesee River, City Manager Stephen B. Storey will ask the City Council tonight to authorize the employment of Lawrence C. Sabin, Cleveland engineer, to survey the situation.

Mr. Storey will report that Mr. Sabin, chairman of the Great Lakes Harbor Association and former federal engineer, is competent and ready to undertake the work.

The Harbor Advisory Board's recommendation fits in with Mr. Storey's plans for harbor development. He and city engineers agree that the river will never do for anything greater than a port of packet service and passenger boats must await an extensive engineering survey.

PACKAGE FREIGHT TRADE VIEWED AS FIRST OBJECTIVE

Possibilities of River, Bay, Lake Front and Ponds Canvassed in Port Evolution Survey Conducted Here

GENESEE IS CONSIDERED UNSUITED FOR MORE EXTENSIVE IMPROVEMENT

By HIRAM MARKS
The full report of the Harbor Advisory Board will be found on Page 20
Development of the lower Genesee River, including the blast furnace property, for package freighters and the more convenient accommodation for passenger boats, is recommended by the Harbor Advisory Committee in a report filed yesterday with City Manager Stephen B. Storey.

JUDGE WOULD HAVE FOUND ALL GUILTY

Thinks Democrats in Fraud Trial Culpable; Denies Republicans Retrial

If the County Court jury which convicted Leo Palmisano and Louis Nicosia, Republican election inspectors, guilty of fraud, had found the two Democratic inspectors tried with them also guilty, it would have been justified by the evidence, County Judge William C. Kohlmetz stated yesterday in denying the motions for new trials for Palmisano and Nicosia.

"I don't think the cases of these two men should be tried over again," he said. "In my opinion, there was sufficient evidence to predicate a verdict of guilty in the cases of all four."

Rose Della Ventura and Arthur Belucci, Democratic inspectors, were acquitted in their trial for fraud in the primary election last September in the first district of the Second Ward. Palmisano and Nicosia were members of the same board.

Date for sentencing the two men will be set next Tuesday morning at 10 o'clock when Judge Dutcher will hear the arguments of Charles E. Bechtold on his contention that the defendants are entitled to a new trial on the premise that the election was illegal because the Common Council had no authority to place the work of a non-partisan election upon regularly qualified election inspectors in a partisan election.

Judge Kohlmetz said that he would pass no opinion upon the constitutionality of the law, but would leave that to a higher court. A mistrial should have been declared when the jury reported it was deadlocked upon the question of the guilt of two of the inspectors, not specifying which two, Mr. Bechtold, attorney for Nicosia, said. Instead, Judge Kohlmetz directed the jurors to return a verdict of guilty or not guilty.

E. Moore prosecuted the cases.

BRIDGE MAY BE FINISHED BY APRIL 19

Plans Made To Open Stutson Street Thoroughfare Then; Riveting Tomorrow

Stutson Street bridge will be re-opened for traffic April 19 if the time schedule worked out by Harold W. Baker, Commissioner of the Department of Public Works; William Roberts, assistant engineer in the Department of Public Works, and Conrad C. Sparr, superintendent of erection for the Genesee Bridge Company, goes through as planned.

It is expected that riveting on the bridge which has been closed since January when a huge counterweight fell into the Genesee River will begin Monday.

In addition to installing a new counterweight on the west leaf, supports are being added to the weight at the other end of the bridge to forestall the occurrence of a similar accident.

Steel is back in place on the west leaf and riveting should be completed April 8 in accordance with time schedule. The flooring, which must be completely replaced while the bridge is in an upright position, is expected to be finished by April 12.

Forms supporting the new 270-ton counterweight are to be removed Monday. Supports beneath which are scheduled for removal April 7. Electrical work and motors will be replaced by April 10.

Supports for the counterweight at the east end of the bridge are intended to be in place by April 10. Hangar castings are scheduled for replacement on April 17.

The counterweight that fell into the river will not be raised. It fell between the west pier and the bank, clear of the main channel, and will be no obstacle for boat passage.

Would Spend \$400,000

The conclusion is reached that extensive development of the lower river is impracticable, and the organization for wider development, such as is possible under the Monroe County Port Authority is canvassed. However, it is pointed out that it may take ten years before any such development can be brought about and in the meantime, it is recommended, that the city about improvement of the blast furnace property on a modest scale. It is suggested that \$1,000,000 could be spent easily there, but the committee recommends that at the outside figure \$400,000 be spent to provide sufficient docks, rail extensions, warehouse and unloading facilities and such dredging in the river as may be necessary. The secretary of the committee.

COUNCIL VOTE TO FILL PLACE DUE TOMORROW

City Manager League Silent on Proposal of Ward 19 G. O. P.; Nixon Behind Plan

Breaking of the City Council deadlock over naming a councilman at large to succeed the late Mayor Joseph C. Wilson was seen last night as possible for tomorrow night's Council meeting in the City Hall.

The Nineteenth Ward regulars, long loyal to Mr. Wilson, advanced the name of Capt. Charles F. Mosher of No. 282 West High Terrace as their choice for the Council vacancy.

City Judge Arthur L. Wilder, the new leader of the ward, announced the choice and said it would be submitted at the session.

Capt. Mosher, attached to Headquarters Company, 108th Infantry, National Guard, is president and secretary of Henderson-Mosher, Inc., printers, No. 36 Aqueduct Street.

Just how Mr. Mosher will fare with the City Manager League bloc in the Council, headed by Vice Mayor Isaac Adler, remains to be seen. Mr. Adler declined to make any prediction today.

ADLER SILENT
"I had heard of the proposal to present Mr. Mosher's name," said Mr. Adler. "I cannot predict what action will be taken."

The choice of Mr. Mosher, while coming from the Nineteenth Ward, was made by a Republican organization, was said to have been made by T. Carl Nixon, prominent Republican insurgent in the years the city manager plan was the subject of strife, attorney and American Legion leader.

Mr. Nixon formerly resided in the Nineteenth Ward. He now resides in the Tenth. He was advanced as a candidate likely to break the deadlock, but frowned upon making the contest.

WILDER'S STATEMENT
In announcing the choice of Mr. Mosher, Judge Wilder said: "Much thought and discussion is being devoted to the matter of filling the vacancy in the Council of the City of Rochester. It is the duty, and not merely the right, of all citizens to offer aid and suggestions. Therefore none should be thought presumptuous in doing so."

"As a Republican committee-man I wish to suggest a man to fill the vacancy who has not been actively identified in any way with the political fights of the last few years. He would enter the Council with no partisan prejudices against any group or member of it."

"Furthermore he is conciliatory by nature, and one who can be depended upon to seek and learn, analyze and weigh the views of all persons caring to make suggestions and to study the facts affecting a given problem before deciding his course."

ADLER SIGNS FORECLOSURE ON RAILWAYS

To Take Effect at Midnight Tomorrow if Judge Bryant Concurs in Phraseology

EXAMINATION AND AUDIT

Scope of Survey Made More Definite on Request of Attorney Sutherland

The order permitted by Federal Judge Frederick Bryant of the Northern District of New York under which the Security Trust Company, as trustees for more than \$16,000,000 in consolidated mortgage bonds of the New York State Railways, will intervene in the receivership and bring foreclosure proceedings, was approved by Federal Judge Simon L. Adler of the Western District yesterday morning, subject to the concurrence of Judge Bryant in its phraseology.

The order was stated from the bench in Utica last Monday by Judge Bryant after a telephone conversation with Judge Adler, who has jurisdiction over the receivership of the Rochester lines, as they are located in his district. The order will become effective at midnight tomorrow.

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The nomination of the firm of Coverdale & Colpitts was made by a bondholders' protective committee headed by F. J. Lisman, of which Arthur E. Sutherland of the law firm of Sutherland & Dwyer is an associate counsel. Miles C. Kennedy of the engineering staff is in Rochester undertaking the work. The court directed that an audit be made, and in the argument yesterday Attorney Sutherland pointed to the narrow construction that is put in the word audit, and suggested that the formal order direct that an "examination and audit" be made by Coverdale & Colpitts. After hearing the discussion Judge Adler, agreed to this phraseology, with the proviso that it be submitted to Judge Bryant for approval.

If the terms of the order are satisfactory to Judge Bryant, the orders entered in the two districts will be identical.

MOSHER NOMINATED TO CITY COUNCIL AND CONSIDERATION DEFERRED UNTIL TOMORROW

Name of 19th Ward Offered by Hamilton and Durnan Seconds

ADLER ASKS MORE TIME TO CONSIDER Suggestion Defeated When Faulkes Votes With Organization

By HIRAM MARKS
Charles F. Mosher of the Nineteenth Ward was nominated as councilman at large to succeed the late Mayor Joseph C. Wilson, at the City Council meeting last evening by Councilman R. Andrew Hamilton, who moved that the meeting for consideration of the nomination be adjourned to 7:30 o'clock tomorrow night.

Councilman William F. Durnan seconded the nomination, and the Council by a vote of five to three authorized the adjournment.

Time Too Short, Says Adler
Motion to adjourn was carried with the votes of Councilmen Hamilton, Durnan, Joseph L. Guzzetta, Nelson A. Milne, and Louis S. Faulkes. Vice-Mayor Isaac Adler opposed the adjournment, asserting that he did not wish that his vote in the negative be construed as in any way intimating his attitude toward Mr. Mosher, but that he felt that the time was much too short for the consideration of so important a matter.

The only other councilman who made an explanation of his vote was Charles Stanton, who said that he was not personally acquainted with Mr. Mosher, and he felt that under the circumstances he at least should have the opportunity to make the acquaintance before voting.

New Jobs Created
City Manager Storey prescribed the position of assistant inspector in the Bureau of Design and Construction at \$5.50 a day, also the positions of two orderlies and two chauffeurs in the Fire Bureau at \$1,800 each. They will man the new ambulance in the northeast district.

The Council received a communication from the Polonia Republican League, read by City Clerk Thomas P. O'Leary, commending its action in appropriating \$75,000 for a branch library at Norton Street and Hudson Avenue and urging that construction be started at the earliest date.

Compensation of Fayette E. Dow for legal services to the city in conjunction with the proceedings Commission with reference to the petition of the Baltimore & Ohio Railroad to obtain control of the Buffalo, Rochester & Pittsburgh Railway, was fixed by the finance committee at \$2,750.00, and approved by the Council. The local improvements committee recommended

ed adoption of ordinances for tree planting in a number of streets, amending Craig Street pavement ordinance.

The privilege of the floor was extended by motion of Councilman Milne to the representative of the stonecutters' union, who urged that a municipal stone yard be established, and said that the Council's action several weeks ago has been nullified by the attitude of the contractors, City Manager Storey said that yesterday an inspector began his duties to prevent the use by the contractors of curbing cut outside of Rochester, a practise prohibited by ordinance.

Councilman Durnan introduced an amendment to the public safety ordinance, at the request of George J. Nier, commissioner of public safety, prohibiting the sale of writing implements made of glass. Commissioner Nier explained that around many of the public schools glass pencils filled with colored fluid are being sold, and they break easily, and the sharp edges endanger children.

Councilman Faulkes introduced a resolution providing for the preparation of an ordinance to widen the pavement in Main Street East from Circle to North Goodman Street, also for the resurfacing of Oxford Street, from Park to East Avenue, and both were adopted by unanimous action.

A remonstrance against the erection of a block at 1244 Portland Avenue was filed by Councilman Durnan, and Councilman Milne filed a petition from residents of Adelaide and Adirondack streets requesting relief from a water nuisance. Councilman Peake introduced a resolution for a sewer in William Street, and it was adopted. Councilman Stanton filed a petition from a group of citizens arguing that the name of Carter Street Park be changed to Duane Street. Later the city planning and zoning committee, made up of Councilmen Stanton, chairman, and Councilmen Peake and Milne, conducted a hearing on this proposal at which several persons speaking in favor of the change, others urging that the present name be retained.

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Board G. O. P. SCORES IN BACKING OF AUTHORITY PLAN

Municipal Group's Survey Is Made Public by Storey; \$500,000 Will Be Enough

Only limited harbor development of the west shore of the lower Genesee River at Ontario Beach Park, for packet freight service exclusively, with extensive port development to be left to a Port Authority or some other body, is advocated in a complete report of the Municipal Harbor Advisory Board announced by City Manager Stephen B. Storey last night.

The report is regarded as a victory for proponents of the creation of a Port Authority, advocated by the Monroe County Republican organization.

The board, of which Harry C. Stevenson is chairman, recommended keeping all development of a municipal harbor within an expenditure of \$500,000.

The river is no place for a suitable port of Rochester, the board reported, and suggested that either the ponds west of the city, commonly known as Buck and Round ponds, or Irondequoit Bay be considered for development.

Either could be made a port by the construction of breakwater piers, the board declared.

Coincident with the announcement of these recommendations by the board, City Manager Storey announced that he will submit to the City Council tomorrow night a recommendation for the immediate employment of engineers to attend to developing a municipal harbor along the west shore.

BACKED BY EXPERTS

Mr. Storey said that all advice he received from inland water harbor experts confirmed the recommendations of the board, that a river harbor may do for packet freight service but would never contribute to the city's growth by accommodating large lake vessels.

The board presented a recommendation for immediate building of a small harbor at the mouth of the river, leaving the development of a major port to a Port Authority or some other commission after engineers have made a survey.

Strangely, the board backs development of ponds for consideration ahead of Irondequoit Bay, which is preferred by the Republican organization, sponsor of the Port Authority bill now at Albany.

The ponds are said to be more convenient to the city. Either the ponds or Irondequoit Bay would demand a lake breakwater.

The board reports that river harbors are out of date everywhere, and any big expenditures on the Genesee would be money wasted.

The board fixes \$400,000 as sufficient for river harbor development, freight service and construction of passenger boats. The cost of keeping the river free of anything greater would be the board reported.

Advises Limited Development of River Port

FEDERAL AID

The board advises that any development in anticipation of federal aid must be supported by a municipal program to spend almost as much as is expected from the federal government.

"We have the assurance of the United States War Department that the Federal government will match dollars with any port district in carrying out a practical commercial plan," the report states.

The federal authorities will look after the construction of breakwaters and piers, while the municipal government builds terminal docks, the board reports.

A harbor, either to the east or west of the present river piers, could be developed with the construction of breakwaters similar to those at Buffalo, Cleveland, Milwaukee and Oswego, the report advised. An important objection is raised that the development would be on land abutting residential and park areas.

The ponds west of the river are recommended for shore topography and adaptability for industrial use.

CHANNEL NEEDED

Except for the lack of a suitable entrance channel, Irondequoit Bay would make the ideal port, the report states.

The report is of particular importance as the Chamber of Commerce trustees Friday withheld action on a Monroe County Port authority bill at Albany to learn the nature of the report. The trustees are to act next Wednesday.

Meanwhile the County Port Authority bill may be reported out of committee for legislative action.

PACKAGE FREIGHT TRADE VIEWED AS FIRST OBJECTIVE

Possibilities of River, Bay, Lake Front and Ponds Canvassed in Port Evolution Survey Conducted Here

GENESEE IS CONSIDERED UNSUITED FOR MORE EXTENSIVE IMPROVEMENT

By HIRAM MARKS

The full report of the Harbor Advisory Board will be found on Page 20

Development of the lower Genesee River, including the blast furnace property, for package freighters and the more convenient accommodation for passenger boats, is recommended by the Harbor Advisory Committee in a report filed yesterday with City Manager Stephen B. Storey.

JUDGE WOULD HAVE FOUND ALL CITY

Steel is back in place on the west leaf and riveting should be completed April 8 in accordance with time schedule. The flooring, which must be completely replaced while the bridge is in an upright position, is expected to be finished by April 12.

Advertisement for FENCES, Dr. A. W. Brewster, Good Dentistry, and Are You Hitting On All 32?

BRIDGE MAY BE FINISHED BY APRIL 19

Plans Made To Open Stutson Street Thoroughfare Then; Riveting Tomorrow

Stutson Street bridge will be reopened for traffic April 19 if the time schedule worked out by Harold W. Baker, Commissioner of the Department of Public Works; William Roberts, assistant engineer in the Department of Public Works, and Conrad C. Sparr, superintendent of erection for the Genesee Bridge Company, goes through as planned.

It is expected that riveting on the bridge which has been closed since January when a huge counterweight fell into the Genesee River will begin Monday.

In addition to installing a new counterweight on the west leaf, supports are being added to the weight at the other end of the bridge to forestall the occurrence of a similar accident.

Forms supporting the new 270-ton counterweight are to be removed Monday. Supports beneath that are scheduled for removal April 7. Electrical work and motors will be replaced by April 10.

Supports for the counterweight at the east end of the bridge are intended to be in place by April 10. Hangar castings are scheduled for placement on April 17.

The counterweight that fell into the river will not be raised. It fell between the west pier and the bank, clear of the main channel, and will be no obstacle for boat passages.

COUNCIL VOTE TO FILL PLACE DUE TOMORROW

City Manager League Silent on Proposal of Ward 19 G. O. P.; Nixon Behind Plan

Breaking of the City Council deadlock over naming a councilman at large to succeed the late Mayor Joseph C. Wilson was seen last night as possible for tomorrow night's Council meeting in the City Hall.

The Nineteenth Ward regulars, long loyal to Mr. Wilson, advanced the name of Capt. Charles F. Mosher of No. 282 West High Terrace as their choice for the Council vacancy.

City Judge Arthur L. Wilder, the new leader of the ward, announced the choice and said it would be submitted at the session.

Capt. Mosher, attached to Headquarters Company, 108th Infantry, National Guard, is president and secretary of Henderson-Mosher, Inc., printers, No. 36 Aqueduct Street.

Just how Mr. Mosher will fare with the City Manager League bloc in the Council, headed by Vice Mayor Isaac Adler, remains to be seen. Mr. Adler declined to make any prediction today.

ADLER SILENT

"I had heard of the proposal to present Mr. Mosher's name," said Mr. Adler. "I cannot predict what action will be taken."

The choice of Mr. Mosher, while coming from the Nineteenth Ward Republican organization, was said to have been made by T. Carl Nixon, prominent Republican insurgent in the years the city manager plan was the subject of strife, attorney and American Legion leader.

Mr. Nixon formerly resided in the Nineteenth Ward. He now resides in the Tenth. He was advanced as a candidate likely to break the deadlock, but frowned upon making the contest.

WILDER'S STATEMENT

In announcing the choice of Mr. Mosher, Judge Wilder said: "Much thought and discussion is being devoted to the matter of filling the vacancy in the Council of the City of Rochester. It is the duty, and not merely the right, of all citizens to offer aid and suggestions. Therefore none should be thought presumptuous in doing so."

"As a Republican committee-man I wish to suggest a man to fill the vacancy who has not been actively identified in any way with the political fights of the last few years. He would enter the Council with no partisan prejudices against any group or member of it."

"Furthermore he is conciliatory by nature, and one who can be depended upon to seek and learn, analyze and weigh the views of all persons caring to make suggestions and to study the facts affecting a given problem before deciding his course."

ADLER SIGNS FORECLOSURE ON RAILWAYS

To Take Effect at Midnight Tomorrow if Judge Bryant Concurs in Phraseology

EXAMINATION AND AUDIT

Scope of Survey Made More Definite on Request of Attorney Sutherland

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Name of 19th Ward Offered by Hamilton and Durnan Seconds

ADLER ASKS MORE TIME TO CONSIDER

Suggestion Defeated When Foulkes Votes With Organization

By HIRAM MARKS

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Councilman William F. Durnan seconded the nomination, and the Council by a vote of five to three authorized the adjournment.

TIME TOO SHORT, SAYS ADLER

Motion to adjourn was carried with the votes of Councilmen Hamilton, Durnan, Joseph L. Guzzetta, Nelson A. Milne, and Louis S. Foulkes. Vice-Mayor Isaac Adler opposed the adjournment, asserting that he did not wish that his vote in the negative to be construed as in any way intimating his attitude toward Mr. Mosher, but that he felt that the time was much too short for the consideration of so important a matter.

The only other councilman who made an explanation of his vote was Charles Stanton, who said that he wasn't personally acquainted with Mr. Mosher, and he felt that under the circumstances he at least should have the opportunity to make the acquaintance before voting.

Councilman Hamilton in nominating Mr. Mosher asserted that the Charter provided that a successor should be elected within thirty days; that the only name advanced in caucus was that of Joseph E. Wilson, son of late Mayor Wilson, who asked to be excused from consideration of his name. Mosher is known personally to only Vice-Mayor Adler of the council men, so many influential and outstanding citizens have endorsed him and he has "received such favorable attention in the press," that the Council may well consider him for the office left vacant by the death of Mayor Wilson. It was the opinion of all members of the Council, so far as he could determine, said Mr. Hamilton, that Mayor Wilson's successor should come from the city of Rochester, which has only one representative in the Council at present. He said Mr. Mosher, living in the Nineteenth Ward, presented excellent qualifications for the office.

Compensation of Fayette B. Dow for legal services to the city in conjunction with the proceedings before the Interstate Commerce Commission with reference to the petition of the Baltimore & Ohio Railroad to obtain control of the Buffalo, Rochester & Pittsburgh Railway, was fixed by the finance committee at \$2,750.00 and approved by the Council. The local improvements committee recommended...

Foulkes' Vote Surprise

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Councilman Milne introduced an amendment to an ordinance fixing the salary of mayor, reducing it from \$4,500 to \$2,500, in addition to his salary as councilman. It went to the finance committee, as did a resolution by Councilman Durnan fixing the salary of vice-mayor at \$2,500 annually in addition to his salary as councilman when the vice-mayor should be performing all duties of the mayor.

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Councilman Hamilton asserted that in his opinion the adoption of the local law would make unnecessary for a mayor, vice-mayor or councilman to be elected for one year and nine months. He said that there had been many changes of the City Manager Charter, and while he felt there should be specific provision for carrying on the work of the mayor, he could not in view of other resolutions pending, support the local law.

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ADLER PROPOSES CHARLES PIERCE FOR COMMISSION

Sees Governor to Urge Public Service Body Appointment

TELLS OPPOSITION TO PORT MEASURE

Says Present Bill As Deserving of Veto as One Last Year

By JOSEPH R. MALONE
Staff Correspondent,
Democrat and Chronicle

Albany, April 3—Acting Mayor Isaac Adler called on Governor Roosevelt today to urge the appointment of Charles L. Pierce as public service commissioner and also to urge a veto of the Monroe County port authority bill when and if it reaches him.

Mr. Adler said he suggested the name of Mr. Pierce merely as a personal friend of the former Rochester corporation counsel and that he was not speaking for a political organization or group, or from any connection that he himself might have politically.

Points to Opposition

As for the port authority bill, Mr. Adler pointed out that the Chamber of Commerce went on record in opposition to it on Wednesday and that he believed it should be vetoed for the reasons given by the Chamber. He said he could see no more reason for adoption of the port authority bill this year than last, when the Governor vetoed it.

Governor Roosevelt took under consideration both suggestions of Mr. Adler without expressing any definite opinions, at least for publication.

Mr. Pierce is eminently qualified to succeed William R. Pooley, present public service commissioner, Mr. Adler said, not only by reason of his long service as corporation counsel, but because of the familiarity he gained at that time with rate and public utility cases. He pointed out that Mr. Pierce handled a long telephone rate case matter before the public service commission, that he drew the Rochester services-at-cost contract with the street railway company and was intimately connected with litigation revolving around the city manager charter litigation.

Mr. Pooley's term expired some time ago, and he is now holding over until his successor is named. Governor Roosevelt has announced that he proposes to name a Republican to the post, but has refused to indicate in any way just when he will make the appointment and from what part of the state it will be. It has been reported within the past week that a Western New York man, from the neighborhood of Monroe, was to get the place.

Mr. Pooley is at present the only Republican on the commission. Mr. Malbie worked with Mr. Pierce as special counsel for the city of Rochester in the street railway and telephone rate cases, and he and Mr. Pierce became close personal friends at that time. Since Mr. Pierce left the corporation counsel's office, following the VanZandt-Wilson-Love break with the Republican organization, he has been counsel for a consolidation of several cinder products companies, with offices in Philadelphia. He was instrumental in bringing about the consolidation.

Justified Protests

Representatives of two important civic groups, the trustees of the Rochester Chamber of Commerce and the executive committee of the City Manager League, have voiced opposition to the terms of the bill setting up a Monroe County port authority. If the bill is passed by the Legislature, in the face of these protests, they will appeal to Governor Roosevelt to interpose his veto.

Opposition to the bill at the meeting of chamber trustees was directed mainly against creating a commission with such extensive powers and responsibilities, including the power of levying taxation and issuing bonds, prior to a survey of present economic needs and future possibilities of port development. The trustees took the position that a survey of port sites, requirements and cost should come first.

Resolutions adopted by the executive committee of the City Manager League stress chiefly the fact that the bill gives control of the port and authority to impose taxes for its construction to seven commissioners, five of whom will be appointed by the Board of Supervisors, while the City of Rochester names only one. Only two need be residents of Rochester. Yet the city will pay 80 to 85 per cent. of the cost and perhaps even more.

James E. Gleason, chairman of the committee, asks: "Why should this project, which is distinctly a city project, be carried on by a commission appointed by the county?"

The answer to that question, of course lies in the fact that the Board of Supervisors is controlled by the Republican county organization, which sponsors the bill. Hence the old, rusty, unrepresentative county government is given this authority!

Objections voiced by both these groups are weighty. They ought to be heeded by the Legislature. If that body disregards the city's rights, it will be necessary to ask the Governor to veto the bill.

Historic Scrapbooks Collection

ROCHESTER'S CITY MARKET LEADS STATE

Albany, Buffalo, Syracuse Follow in Amount of Produce Handled

DEALERS BIG BUYERS

Figures Gathered as Basis of Regional Marketing Plan Proposed

The Rochester Public Market did a greater volume of business than public markets in Buffalo, Syracuse or Albany, in 1929, Dr. F. P. Weaver, of the Department of Agricultural Economy and Farm Management, Cornell University, revealed last night at a meeting of the newly formed public market committee of the Chamber of Commerce.

Plan Regional Markets

Figures were gathered in a survey of the four upstate markets, authorized by the Legislature in early 1929. The survey was designed to give data on which legislation could be based to assure a better distribution system for farm products, and legislation along that line now is pending at Albany. It is planned that there shall be a certain number of regional markets throughout the state with the state to pay half the maintenance and construction costs and exercise a considerable amount of control over them.

Dr. Weaver's survey also went into the matter of who the chief classes of buyers are at the markets studied. Charts presented last night showed there are five groups of buyers, and the two biggest, buying groups in all the markets are the grocers and intercity truckers. Hucksters come next, and then consumers or householders.

Middlemen Big Buyers

Seventy per cent. of sales at the Rochester market, were to the combined huckster-grocer groups.

Figures on intercity trucking indicated that these public markets are not to be considered as local, but rather as regional institutions. This class includes those who buy in the public markets for retailing in villages, cities and towns, outside the city where the market is located. Albany has a larger intercity trucking business than any of the other three cities, with Buffalo next, Syracuse third and Rochester fourth. Albany stands out in this respect, as it is the central market for a very large territory extending through the capital district and into New England. This is a thickly populated territory, and there are no competitive markets in it.

From Dozen Counties

Charts showed the widespread nature of business at these public markets. Produce comes to the Rochester market from a dozen different counties, although the greater proportion comes from six counties near to and including Monroe.

Discussion following the talk revolved about the regional aspects of these markets and the proposed methods of control. It appeared that the far-reaching territories of the proposed regional markets point to a need of something more than a merely local control.

The meeting last night was the first held by the newly formed public market committee. C. R. White, of Ionia, chairman of the Farm Conference Board, is chairman and John P. Gietchauf vice-chairman.

City Manager Launches Emergency Drive For Unemployment Relief

THE TIMES-UNION is keenly interested in the unemployment situation. To find out just what conditions were, particularly in Rochester, Albert J. Stoss of the editorial staff was sent out into the street as a "man without a job." This is the last of a series of articles which he has written without bias of any sort, as the result of his experiences.

Here is a morsel of news that should cause rejoicing in the camp of the unemployed.

City Manager Stephen B. Story told the writer that he has launched an emergency drive for work to relieve the unemployment situation to some extent in Rochester.

Hundreds of men will be cared for in the way of jobs in this special work program. To avoid the sharpshooters ready to shoot accusations of political shuffling, favoritism and City Hall "pats," City Manager Story has devised a scheme to take care of Rochester's neediest. How can this be done?

Mr. Story states that he will allow the charity societies to do the selecting of the men who need jobs. Many trees stand in the way of a road to be constructed near the new Ridge Road bridge. Men will be put to work cutting them down, sawing them up and hauling the wood. The kindling will be sold to dependable persons at cost of hauling. The wood will be sawed in pieces suitable for fireplaces.

The old blast furnace property of about 22 acres needs cleaning up. There are piles of brick, concrete, cinders and slag.

"We could clean this up quickly and scientifically," declared Mr. Story. "But there is another way of going about it. We will put 30 or 40 men at work with wheelbarrows. It will be done more slowly and it will be more expensive but it will provide work for men."

A stretch of about 20 feet wide inside of the west pier at Ontario Beach Park has been washed out. This will be filled in and it will be done by men recruited from the army of unemployed.

The river edge south of the Elmwood Avenue bridge alongside of the new university grounds needs cleaning out. Men will be at work there when conditions permit. Along the subway in the vicinity of Sherman and old Magne Streets there is large space of city property on which there are tumbled down structures, automobile bodies, fenders and junk. This too will be cleaned up.

This summer new bathhouses will be built at Ontario Beach Park. It is expected that the harbor development plans will be completed. All of these jobs will supply work for the unemployed.

It has been the policy of the city administration not to buy power lawn mowers and labor saving devices for the parks. This has meant an extra \$26,000 spent on park work done by hand. This policy will be continued this summer to help relieve the needy.

Mr. Story points out that the city will not pay extraordinarily high wages. The men will receive about 45 cents an hour.

The work to the needy will be spread out. Some men may work only a few days in order to give opportunity for others to get in a few days' work. In this way a large number of men will be supplied with some work.

The Power To Tax

Some of the questions most stressed in connection with the Monroe County port authority bill are political and controversial in character.

Is there any objection to the port bill which goes deeper, being based on fundamental principles of the American system of government? We think such an objection is at least touched upon in the second paragraph of the resolutions opposing the bill adopted by the executive committee of the City Manager League. The sentence reads:

Do you know that this commission is given power without any supervision or control by the City of Rochester, or even by the Board of Supervisors, to contract debts, spend money and issue bonds, and that the money must be raised by taxes upon your property?

Note that phrase "or even by the Board of Supervisors." Not even that board has any right to review the amount of taxation imposed by the commission.

Section 37 of the bill, after stating that the commission shall file annually a statement of the amount to be levied on the real property of the city of Rochester and of each town within the district, says:

The amount levied on the real property of the city of Rochester and of each town within the district for the estimated expenditures of the commission shall not together with the general taxes levied for county purposes exceed in amount 2 per centum of the total assessed valuation of the real property in the county subject to taxation.

County taxes do not come anywhere near amounting to a 2 per cent. rate. The commission thus is given authority to levy virtually as much as it pleases.

The power of taxation, under our form of government, uniformly is vested in elected bodies. This holds good from Congress down to town boards. Yet it is proposed in this bill to confer this almost unlimited taxing power on an appointed body, whose members hold office for four years, and can be removed only on proof of misconduct.

Is it wise, is it even safe, to give an appointed commission this enormous taxing power, contrary to all the traditions of our system of government?

This question has no connection with political preferences or relative degree of confidence in the City Council and Board of Supervisors. It brings to the fore an objection so vital, so fundamental, that every resident of Monroe County, whether living in city or town, should oppose this bill and demand its rejection.

SINGLE SPAN—From the point at the right where workmen are engaged in building foundations for the new Ridge Road bridge over the lower river to the left where the western end will rest the bridge the approaches from east and west. The bridge will be completed some time in the summer of 1931.



Where City's New \$3,000,000 Bridge Will Span High River Gorge

Historic Newspaper Collection

192 GOVERNMENT READY TO MEET CITY SPENDING

'Packet Harbor' Expenditure Now More Than Met—Oswego Shares in Funds

Defeat of the Monroe County Port Authority bill at Albany this year promises more than interruption of a program for the development of a harbor in Irondequoit Bay, the lake shore ponds west of the city or the lake front, its advocates pointed out yesterday.

It will interrupt a Federal program to match with dollars any expenditure by the city on harbor development.

The city cannot hope to get any Federal aid out of constructing a "packet service" harbor at a cost not to exceed \$500,000, they said, because the Federal authorities now more than match such a sum in its dredging between the Charlotte and Summerville piers.

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Already the Sun Oil Company has announced plans for the building of a pipe line from Marcus Hook, its shipping point in Pennsylvania, to Syracuse, from where oil will be shipped over the Oswego section of the Barge Canal in barges to points along the Great Lakes. This action of the Sun Oil Company was influenced by the decision of Federal authorities to aid Oswego. Oswego is at a disadvantage for harbor business, as compared to Rochester, supporters of the Port Authority bill claim, because Oswego has only spurs from the New York Central and Lackawanna Railroad. It has the main line of the New York Ontario Western Railroad, but this is inconsequential in freight handling, except for coal.

Rochester has main line connections with the New York Central, and Buffalo, Rochester & Pittsburgh Railroads, and side lines with the Lehigh, Erie and Pennsylvania Railroads.

With the Pennsylvania entrenched with complete control over Soda harbor and shipping 855,299 tons of coal out of it yearly, little shipping from this road could be expected out of a Rochester harbor, regardless of how well it were developed, it was admitted.

Oswego looks for the development of business with New England and eastern New York and the upper lakes. It also expects its new harbor to increase its industries. "Along with the important commercial development of Oswego which will result from the opening of the Welland ship canal," says the Oswego report of its harbor survey, "a marked increase in the industrial development of the city should, and will, undoubtedly, follow."

OSWEGO'S OUTLOOK

"Resumption of the flour milling industry, for which Oswego was one of the leading centers of the country during the middle of the last century, appears inevitable. Oswego is also a local center for the establishment of blast furnaces and rolling mills, and for a great expansion of the iron and steel industry which already exists.

"This will stimulate the introduction and growth of the metal and other trades allied to iron and steel, as has been the case with Buffalo. In fact, from the opening of the Welland Ship Canal, the situation at Oswego will be very similar to that at Buffalo thirty or forty years ago. The diversified industrial development which has sprung up at Buffalo in this period may well be taken as a guide to the future industrial development of Oswego."

The Monroe County Port Authority bill is expected to pass both the Assembly and Senate this week. Its fate then will be in the hands of Gov. Franklin D. Roosevelt.

Rochester Chamber of Commerce trustees voted 23 to 8 to ask the governor to veto the bill. The chamber will take action just as soon as the bill is passed. Meanwhile, it has promised to have another committee study the port situation.

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"Rochester could have more than \$3,000,000 for its port development," said Harry J. Baruch, Republican county leader and sponsor of the Monroe County Port Authority bill. "Washington is ready to help any lake port which is ready to help itself. All that is asked now is a body officially empowered to undertake port development on a large scale."

Defeat of the Port Authority bill, supporters claim, will divert much of the business now done in the Genesee River to Oswego.

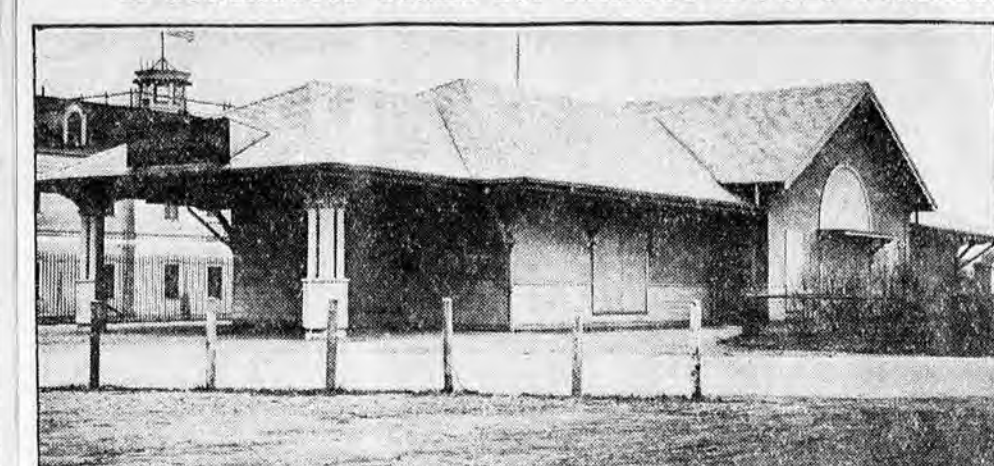
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Historic Newspaper Collection



Steamship station at Summerville which City Manager Story proposes to ferry across the river to city harbor site.

City Manager Story Proposes To Ferry on Barges From Summerville to Charlotte Side of River Structure Now Used as Steamship Station

Under plans of City Manager Stephen B. Story for the preparation of a passenger boat landing and for package freight shipments that are expected to be developed as the consequence of the opening of the new Welland Canal in August, it is proposed to move the present building used for passenger accommodations from the Summerville to the Charlotte side of the river.

This building is owned by the city and leased to the Canada Steamship Lines for its use in passenger accommodation. Last year 80,000 passengers passed through it. United States customs officers make their inspections in it.

City Manager Story proposes, if the building will stand it, to jack it up and float it across the river on two barges, and there place it on a new foundation. While the survey by the Department of Public Works, under Harold W. Baker, commissioner, has not proceeded sufficiently to determine definitely whether this can be done, Mr. Story does not look for any great obstacle, and believes the building, in this way, can be used to economical advantage.

The public works and engineering committee of which Councilman Chester A. Peake is chairman, has before it a resolution authorizing the employment of L. C. Sabin of Cleveland as a consultant in laying out the blast furnace property. His compensation to be limited to \$1,500. The committee is expected to report at the meeting of the Council on April 14.

Mr. Story says plans for developing the blast furnace property do not conflict in any way with the proposed port authority, now under discussion, and that the harbor development as outlined in his recent memorandum to the Council follows the recommendations of the Harbor Advisory Board, of which Harry C. Stevenson is chairman. The improvements will serve a useful purpose, Mr. Story says, until

the matters of greater harbor facilities for Rochester, and their need, are determined in the survey that is proposed by the port authority legislation.

approaching the Chicago class Law and order is at a standstill and progressive government is not considered for a moment. What we want is a man who can break this deadlock. We want a man with backbone and vision enough to vote Story and Nier and Baker and Barker and a few other department heads out of office "for the good of the service." All of these department heads are running their departments to suit themselves, and Mr. Story seems to have no power or inclination to insist upon their co-operating in the best interests of the people.

Now this doesn't for a moment mean that I have changed my views of the City Manager form of government. It is the best form of city government in operation today, but it won't work any better than any other form of government if we allow rotten politics to dominate the activities of the men whom we elect to office. That is all that is the matter with Rochester right now.

We insist upon a change in this method of administering our government. FRANKLIN W. BOCK, 133 Clinton Ave. South, April 2, 1930.

What we want is a man who is not acceptable to these two opposing groups. They have deliberately used gang methods in administering the government of the city and its time we had a show down. Are we to have responsible government, or are we to submit to this continuous horse play by two groups of men whose first interest is in maintaining the strength of their particular party group? The result is that we are rapidly

CHANGES IN PORT BILL ANNOUNCED

City To Name Three, County Three and Governor One of Commissioners

NEW BUDGET SECTION Council and Supervisors Given Voice in All Appropriations

By JOSEPH R. MALONE Staff Correspondent Democrat and Chronicle

Albany, April 7—Objections to the Monroe County port authority bill, raised last week by the Chamber of Commerce, in its decision to oppose the measure, were met tonight by Senator Cosmo A. Cilano, and Assemblyman Truman G. Searle, the bill's sponsors.

"The Chamber made three objections to the bill in its former form," said Senator Cilano. "We have incorporated amendments which completely dispose of them and have held up the bill in both houses so that they may be incorporated properly and acted upon."

Acted on Objections "First, we have provided that the city council shall have three members of the port commission, the board of supervisors three and the Governor one. In its former form, the board of supervisors had five appointments, the council one and the Governor one. Objections were made that the city legislative body was insufficiently represented and we now have acted to remove this objection and give the council equal representation with the board of supervisors."

"Second, we have met the objection of the Chamber and others that the bill would provide no check on the budget to be adopted by the port commission from an elective body. To do this, we have provided that the port commission must submit its budget to the board of supervisors and to the council for approval. The amended bill provides that the supervisors may reject the budget and that the council, if it has objections to the budget, shall present them to the supervisors and if the objections are not met, the supervisors shall be compelled to submit the budget to a referendum."

"Third, we have met the objection that there is no check on the amount of bonds that may be issued by the commission from an elected body, by providing that the supervisors must consider any bond issue proposed by the commission."

Bond Issue Provision "Further, we provide that the bond issues must be submitted to the city council and if that body has objections which the supervisors refuse to consider a valid reason for refusing the issue, then the council may demand a referendum of the people on the issue."

"These changes meet all the objections made against the bill in its former form. We have not consulted with the Chamber or any other organization in regard to the amendments but we have proceeded as we did in the past, in attempting to put the bill into a form where it is amicable to all elements of the county."

The bill was on the third reading calendar in the Senate tonight but Senator Cilano moved to amend it so that, although it will not take place on the third reading calendar, it will not have final action until later in the week probably about Thursday. The bill with the new amendments is in rules committee in the Assembly and will be reported out in its new form within a few days.

Another feature of the amended bill stipulates that the port commission shall have its annual budget to the board of supervisors and the council on June 1 of each year and the legislative bodies of city and county would have thirty days in which to study it and make any objections they see fit.

Had No Tax Limit The port bill as first introduced this year put no limit on taxes that could be levied for the port district and limited the bonds that could be issued by the Port District Commission to 10 per cent. of the assessed valuation of property in the district, which is planned to have the same boundaries as the county.

At conferences with a committee of Chamber of Commerce trustees the bill was amended to provide that any tax levy for the port district, together with general county taxes, should not in any year exceed the county's constitutional tax limit of 2 per cent. of the total assessed valuation of property in the county subject to taxation.

The bill also was amended to provide that any bonds levied for the port district, together with any county bonds, should not exceed the county's constitutional debt limit of 10 per cent. of the total assessed valuation of property in the county subject to taxation. Since the normal county tax is somewhat less than half of the county tax limit, and since the county's debt is slightly more than \$2,000,000 on a debt allowed under the limit of nearly \$80,000,000, these amendments did not closely restrict the proposed port district's taxing and bonding powers. They only prevented the addition of port taxes and debts to a possible 2 per cent. county tax and 10 per cent. county debt.

Nearer to Authority The new amendments by Senator Cilano and Assemblyman Searle bring the proposed port district's powers more closely under the authority of the city and county taxing bodies by providing that port taxes and bonds must be approved both by the City Council and the Board of Supervisors. This particular amendment is presumed to be designed to meet the objection raised by Vice-Mayor Adler at a meeting of the Chamber of Commerce trustees that it was contrary to basic principles of democratic government to confer taxing powers on an appointive body such as the Port Commission. Under the new amendments two elective taxing bodies, the City Council and the county Board of Supervisors, would approve the port tax budget and bonds. The bill already provides that port taxes shall be levied and collected by the county in the same manner that county taxes are levied and collected.

PORT BILL IS PASSED BY SENATE

Assembly to Act Today, With Prospect of Passage Unopposed

SESSION ENDS TONIGHT Genesee Regional Park Plan Measure To Be Rushed Through at Finish

By JOSEPH R. MALONE Staff Correspondent Democrat and Chronicle

Albany, April 10—The Monroe County Port Commission bill today passed the Senate without a dissenting vote. The bill, as amended Monday night by Senator Cosmo A. Cilano, its sponsor, provides for a commission of seven, three to be named by the Board of Supervisors, three by the City Council and one by the Governor. The companion bill, sponsored by Assemblyman Truman G. Searle, is on the lower house calendar for passage tomorrow, and the Cilano bill will be substituted.

The Thompson bill, for the Genesee Park Region, failed to appear on the Assembly calendar today, but Henry F. Lutz, executive secretary of the State Council of Parks, said he expects a promise from Assembly leaders that it would be reported out by rules committee tomorrow.

To Close Tonight It is the plan tonight for the Legislature to wind up its session tomorrow night, so that it will take some fast work tomorrow to get the bill through the Assembly, then rush it out and over to the Senate. But there is no legislative opposition, so that normally, it should survive the last-minute rush.

A companion bill, appropriating \$50,000 for a parkway survey in the Genesee Region, was on order for passage in the Senate today, but it was not reached. It also will be passed tomorrow, then rushed to the Assembly for passage there.

Senator Fred J. Slater's bill providing that corporations maintaining engineering departments may fill building plans with authorized bureaus, today passed the Assembly and now goes to Governor Roosevelt.

Under the latest revision, budget and bond proposals must be submitted to the supervisors. If the supervisors approve, and the council does not, the issue is to be decided by a popular referendum. The mechanism is somewhat clumsy, but the possibility of demanding a referendum should avert proposals obnoxious to the city.

The bill as modified by the suggested amendments would seem to be as fair a compromise between divergent viewpoints as could be expected. It indicates a responsiveness to public opinion for which the Republican organization leadership is much to be commended.

As for the argument that no commission is needed now and that decision on the entire matter should await expert surveys, etc., no one should lose sight of the fact that, whatever surveys are made, it will be necessary to set up some independent authority to carry out their findings. It is good administrative procedure to have the original survey made by the body which will be charged with the ultimate responsibility.

Under the wording of the bill prior to the recent protests from civic organizations, the commission was given almost unrestricted taxing and bonding powers. As was pointed out in an editorial in The Times-Union, this meant surrender to an appointed body of powers ordinarily entrusted only to legislative bodies elected by the people.

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Howard M. Shafer, Engineer and Aviator, New Manager of Airport

Famous as Copilot in First Chicago-New York Flight; Rochester Resident



HOWARD M. SHAFER

Howard M. Shafer, copilot on the first airplane nonstop flight from Chicago to New York, motor engineer and flying expert, yesterday was named manager of the Rochester Airport in Scottsville. Road he will take up his duties Monday.

Mr. Shafer, although he has made his home in Rochester for more than 20 years, has served in various engineering capacities in the airplane industry in all parts of the East and Midwest. He lives at 55 Fairfax Road.

Represented Air Force Beginning his airplane engineering experience with the Curtiss Company at Hammondport, Mr. Shafer went next to Buffalo, where he represented the Royal Naval Air Force as motor engineer after the Curtiss Company had received an \$11,000,000 order for planes in 1917. In connection with his Buffalo duties, he managed Kennilworth Field.

When the United States entered the World War, Mr. Shafer served as a motor engineer and expert at Langley Field, Hampton, Va., and McCook Field, Dayton, Ohio. He remained in civilian capacity with the army until two years after the war. At Dayton, he made the engine laboratory installations.

Historic Flight It was while he was at Dayton that he served as copilot with Capt. E. F. White on the first nonstop flight from Chicago to New York, recognized in 1919 as one of the outstanding aeronautical feats. He and Captain White flew from Dayton to Chicago, then made the hop to New York. Later they delivered their ship to Bolling Field, Washington.

After his return to Rochester, Mr. Shafer managed the commercial division for the Packard Motor Company. Later he served in engineering and sales capacities with other automotive companies.

At the Municipal Field, Mr. Shafer will take over duties handed over to Ira A. Kuebel, acting manager. Mr. Kuebel will remain as his assistant.

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Washington is ready to help any lake port which is ready to help itself. All that is asked now is a body of officials empowered to undertake port development on a large scale.

Defeat of the Port Authority bill, supporters claim, will divert much of the business now done in the Genesee River to Oswego.

Already the Sun Oil Company has announced plans for the building of a pipe line from Marcus Hook, its shipping point in Pennsylvania, to Syracuse, from where oil will be shipped over the Oswego section of the Barge Canal in barges to points along the Great Lakes. This action of the Sun Oil Company was influenced by the decision of Federal authorities to aid Oswego, Oswego is at a disadvantage for harbor business, as compared to Rochester, supporters of the Port Authority bill claim, because Oswego has only spurs from the New York Central and Lackawanna Railroad. It has the main line of the New York Ontario & Western Railroad, but this is inconsequential in freight handling, except for coal.

CITY'S CONNECTIONS Rochester has main line connections with the New York Central, and Buffalo, Rochester & Pittsburgh Railroads, and side lines with the Lehigh, Erie and Pennsylvania Railroads.

With the Pennsylvania entrenched with complete control over Sedus harbor, and shipping 955,200 tons of coal out of it yearly, little shipping from this road could be expected out of a Rochester harbor, regardless of how well it were developed, it was admitted.

Oswego looks for the development of business with New England and eastern New York and the upper lakes. It also expects its new harbor to increase its industries. "Along with the important commercial development of Oswego which will result from the opening of the Welland ship canal," says the Oswego report of its harbor survey, "a marked increase in the industrial development of the city should, and will, undoubtedly, follow."

OSWEGO'S OUTLOOK

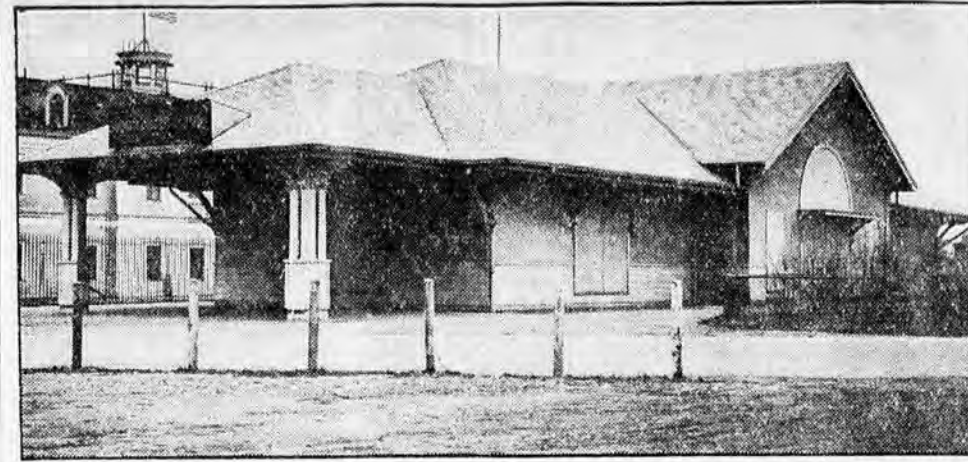
"Resumption of the flour milling industry, for which Oswego was one of the leading centers of the country during the middle of the last century, appears inevitable. Oswego is also a logical center for the establishment of blast furnaces and rolling mills, and for a great expansion of the iron and steel industry which already exists.

"This will stimulate the introduction and growth of the metal and other trades allied to iron and steel, as has been the case with Buffalo. In fact, from the opening of the Welland Ship Canal, the situation at Oswego will be very similar to that at Buffalo thirty or forty years ago. The diversified industrial development which has sprung up at Buffalo in this period may well be taken as a guide to the future industrial development of Oswego."

The Monroe County Port Authority bill is expected to pass both the Assembly and Senate this week. Its fate then will be in the hands of Gov. Franklin D. Roosevelt. Rochester Chamber of Commerce trustees voted 23 to 8 to ask the governor to veto the bill. The chamber will take action just as soon as the bill is passed. Meanwhile, it has promised to have another committee study the port situation.

The chamber had a special committee study the present Port Authority bill and all its suggestions were embodied in the bill. The trustees, nevertheless, turned against the bill. The City Manager League also went on record as opposed to the Port Authority.

This Building May Take Bid Across Genesee If Rochester Plans for Harbor Docks Mature



Steamship station at Summerville which City Manager Story proposes to ferry across the river to city harbor site.

City Manager Story Proposes To Ferry on Barges From Summerville to Charlotte Side of River Structure Now Used as Steamship Station

Under plans of City Manager Stephen R. Story for the preparation of the blast furnace property in the Twenty-third Ward for use as a passenger boat landing and for package freight shipments that are expected to be developed as the consequence of the opening of the new Welland Canal in August, it is proposed to move the present building used for passenger accommodations from the Summerville to the Charlotte side of the river.

This building is owned by the city and leased to the Canada Steamship Lines for its use in passenger accommodation. Last year 80,000 passengers passed through it, United States customs officers make their inspections in it.

Would Float in Barges City Manager Story proposes, if the building will stand it, to jack it up and float it across the river on two barges, and there place it on a new foundation. While the survey by the Department of Public Works, under Harold W. Baker, commissioner, has not proceeded sufficiently to determine definitely whether this can be done, Mr. Story does not look for any great obstacle, and believes the building, in this way, can be used to economical advantage.

The public works and engineering committee of which Councilman Chester A. Peake is chairman, has before it a resolution authorizing the employment of L. C. Sablin of Cleveland as a consultant in laying out the blast furnace property, his compensation to be limited to \$1,500. The committee is expected to report at the meeting of the Council on April 14.

Mr. Story says plans for developing the blast furnace property do not conflict in any way with the proposed port authority, now under discussion, and that the harbor development as outlined in his recent memorandum to the Council follows the recommendations of the Harbor Advisory Board, of which Harry C. Stevenson is chairman. The improvements will serve a useful purpose, Mr. Story says, until

Approaching Chicago Class, Says Dr. Bock

Editor, The Times-Union: I have read with increasing feeling Mr. Bareham's slur on everyone who does not believe in his ideals of government, of, for, and by the people. If Milne and Spiehler are samples of what he calls "responsible government" then I for one am glad to be included in his slur. And I can tell Mr. Bareham right now that more and more citizens are feeling just as I do about it.

I have read Mr. Adler's suggestion of the way to break the deadlock in the council by appointing a man acceptable to both sides. That is just what the people of this city don't want. We have had that sort of thing for the past year and conditions in the City Hall are, if anything, more rotten than they were under the old boss rule. Every department head is a rule unto himself, and there is less and less co-operation in the interests of better government.

What we want is a man who is not acceptable to these two opposing groups. They have deliberately used gang methods in administering the government of the city and its time we had a show down. Are we to have responsible government, or are we to submit to this continuous horse play by two groups of men whose first interest is in maintaining the strength of their particular party group? The result is that we are rapidly

approaching the Chicago class. Law and order is at a standstill, and progressive government is not considered for a moment. What we want is a man who can break this deadlock. We want a man with backbone and vision enough to vote Story and Niles and Baker and Barker and a few other department heads out of office "for the good of the service." All of these department heads are running their departments to suit themselves, and Mr. Story seems to have no power or inclination to insist upon their co-operating in the best interests of the people.

Now this doesn't for a moment mean that I have changed my views of the City Manager form of government. It is the best form of city government in operation today, but it won't work any better than any other form of government if we allow rotten politics to dominate the activities of the men whom we elect to office. That is all that is the matter with Rochester right now.

We insist upon a change in this method of administering our government. FRANKLIN W. BOCK, 133 Clinton Ave. South, April 2, 1930.

CHANGES IN PORT BILL ANNOUNCED

City To Name Three, County Three and Governor One of Commissioners

NEW BUDGET SECTION Council and Supervisors Given Voice in All Appropriations

By JOSEPH R. MALONE Staff Correspondent Democrat and Chronicle

Albany, April 7.—Objections to the Monroe County port authority bill, raised last week by the Chamber of Commerce, in its decision to oppose the measure, were met tonight by Senator Cosmo A. Cilano, and Assemblyman Truman G. Searle, the bill's sponsors.

"The Chamber made three objections to the bill in its former form," said Senator Cilano. "We have incorporated amendments which completely dispose of them and have held up the bill in both houses so that they may be incorporated properly and acted upon."

Acted on Objections "First, we have provided that the city council shall have three members of the port commission, the board of supervisors three and the Governor one. In its former form, the board of supervisors had five appointments, the council one and the Governor one. Objections were made that the city legislative body was insufficiently represented and we now have acted to remove this objection and give the council equal representation with the board of supervisors."

"Second, we have met the objection of the Chamber and others that the bill would provide no check on the budget to be adopted by the port commission from an elective body. To do this, we have provided that the port commission must submit its budget to the board of supervisors and to the council for approval. The amended bill provides that the supervisors may reject the budget and that the council, if it has objections to the budget, shall present them to the supervisors and if the objections are not met, the supervisors shall be compelled to submit the budget to a referendum.

"Third, we have met the objection that there is no check on the amount of bonds that may be issued by the commission from an elected body, by providing that the supervisors must consider any bond issue proposed by the commission.

Bond Issue Provision "Further, we provide that the bond issues must be submitted to the city council and if that body has objections which the supervisors refuse to consider a valid reason for refusing the issue, then the council may demand a referendum of the people on the issue."

"These changes meet all the objections made against the bill in its former form. We have not consulted with the Chamber or any other organization in regard to the amendments but we have proceeded as we did in the past, in attempting to put the bill into a form where it is suitable to all elements of the county."

The bill was on the third reading calendar in the Senate tonight but Senator Cilano moved to amend it so that although it will hold its place on the third reading calendar, it will not have final action until later in the week probably about Thursday. The bill with the new amendments is in rules committee in the Assembly and will be reported out in its new form within a few days.

Another feature of the amended bill stipulates that the port commission shall hand its annual budget to the board of supervisors and the council on June 1 of each year and the legislative bodies of city and county would have thirty days in which to study it and make any objections they see fit.

Had No Tax Limit The port bill as first introduced this year put no limit on taxes that could be levied for the port district and limited the bonds that could be issued by the Port District Commission to 10 per cent. of the assessed valuation of property in the district, which is planned to have the same boundaries as the county.

At conferences with a committee of Chamber of Commerce trustees the bill was amended to provide that any tax levy for the port district, together with general county taxes, should not in any year exceed the county's constitutional tax limit of 2 per cent. of the total assessed valuation of property in the county subject to taxation.

The bill also was amended to provide that any bonds levied for the port district, together with any county bonds, should not exceed the county's constitutional debt limit of 10 per cent. of the total assessed valuation of property in the county subject to taxation. Since the normal county tax is somewhat less than half of the county tax limit, and since the county's debt is slightly more than \$3,000,000 on a debt allowed under the limit of nearly \$80,000,000, these amendments did not closely restrict the proposed port district's taxing and bonding powers. They only prevented the addition of port taxes and debts to a possible 2 per cent. county tax and 10 per cent. county debt.

Nearer to Authority The new amendments by Senator Cilano and Assemblyman Searle bring the proposed port district's powers more closely under the authority of the city and county taxing bodies by providing that port taxes and bonds must be approved both by the City Council and the Board of Supervisors. This particular amendment is presumed to be designed to meet the objection raised by Vice-Mayor Adler at a meeting of the Chamber of Commerce trustees that it was contrary to basic principles of the democratic government.

"The bill as amended," said Senator Cilano, "is a vast improvement over the bill as first introduced. It meets all the objections that were made against it and it is a bill that we believe will pass the Legislature and be enacted into law."

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PORT BILL IS PASSED BY SENATE

Assembly to Act Today, With Prospect of Passage Unopposed

SESSION ENDS TONIGHT Genesee Regional Park Plan Measure To Be Rushed Through at Finish

By JOSEPH R. MALONE Staff Correspondent Democrat and Chronicle

Albany, April 10.—The Monroe County Port Commission bill today passed the Senate without a dissenting vote. The bill, as amended Monday night by Senator Cosmo A. Cilano, its sponsor, provides for a commission of seven, three to be named by the Board of Supervisors, three by the City Council and one by the Governor. The companion bill, sponsored by Assemblyman Truman G. Searle, is on the lower house calendar for passage tomorrow, and the Cilano bill will be substituted.

The Thompson bill, for the Genesee Park Region, failed to appear on the Assembly calendar today, but Henry F. Lutz, executive secretary of the State Council of Parks, secured a promise from Assembly leaders that it would be reported out by rules committee tomorrow.

To Close Tonight It is the plan tonight for the Legislature to wind up its session tomorrow night, so that it will take some fast work tomorrow to get the bill through the Assembly, then rush it out and over to the Senate, for passage in that house. But there is no legislative opposition, so that normally, it should survive the last-minute rush.

A companion bill, appropriating \$50,000 for a parkway survey in the Genesee Region, was on an order of passage in the Senate today, but it was not reached. It also will be passed tomorrow, then rushed to the Assembly for passage there.

Senator Fred J. Slater's bill providing that corporations maintain building plans with authorized bureaus, today passed the Assembly and now goes to Governor Roosevelt.

Under the wording of the bill prior to the recent protests from civic organizations, the commission was given almost unrestricted taxing and bonding powers. As was pointed out in an editorial in The Times-Union, this meant surrender to an appointed body of powers ordinarily entrusted only to legislative bodies elected by the people.

Under the latest revision, budget and bond proposals must be submitted to the supervisors. If the supervisors approve, and the council does not, the issue is to be decided by a popular referendum. The mechanism is somewhat clumsy, but the possibility of demanding a referendum should avert proposals obnoxious to the city.

The bill as modified by the suggested amendments would seem to be as fair a compromise between divergent viewpoints as could be expected. It indicates a responsiveness to public opinion for which the Republican organization leadership is much to be commended.

As for the argument that no commission is needed now and that decision on the entire matter should await expert surveys, etc., no one should lose sight of the fact that, whatever surveys are made, it will be necessary to set up some independent authority to carry out their findings. It is good administrative procedure to have the original survey made by the body which will be charged with the ultimate responsibility.

Howard M. Shafer, Engineer and Aviator, New Manager of Airport

Famous as Copilot in First Chicago-New York Flight; Rochester Resident



HOWARD M. SHAFER

Howard M. Shafer, copilot on the first airplane nonstop flight from Chicago to New York, motor engineer and flying expert, yesterday was named manager of the Rochester Airport in Scottsville Road. He will take up his duties Monday. Mr. Shafer, although he has made his home in Rochester for more than 20 years, has served in various engineering capacities in the airplane industry in all parts of the East and Midwest. He lives at 55 Fairfax Road.

Represented Air Force Beginning his airplane engineering experience with the Curtiss Company at Hammondsport, Mr. Shafer went next to Buffalo, where he represented the Royal Naval Air Force as motor engineer after the Curtiss Company had received an \$11,000,000 order for planes in 1917. In connection with his Buffalo duties, he managed Kennilworth Field.

When the United States entered the World War, Mr. Shafer served as a motor engineer and expert at Langley Field, Hampton, Va., and McCook Field, Dayton, Ohio. He remained in civilian capacity with the army until two years after the war. At Dayton, he made the engine laboratory installations.

Historic Flight It was while he was at Dayton that he served as copilot with Capt. E. F. White on the first nonstop flight from Chicago to New York, recognized in 1919 as one of the outstanding aeronautical feats. He and Captain White flew from Dayton to Chicago, then made the hop to New York. Later they delivered their ship to Bolling Field, Washington.

After his return to Rochester, Mr. Shafer managed the commercial division for the Rochester district of the Packard Motor Car Company. Later he served in engineering and sales capacities with other automotive companies.

At the Municipal Field, Mr. Shafer will take over duties handed until now by Ira A. Kuebel, acting manager. Mr. Kuebel will remain as his assistant.

Keeping City Plan Alive

If the city plan which has been laboriously taking form in recent months is to be anything more than a pleasant dream, it must be transferred from blue prints into streets and buildings. It is primarily to keep the city plan alive until funds permit a practical beginning on it, that the Rochester Civic Improvement Association seeks to finance itself on a three-year basis.

This association was organized to safeguard the city plan and to insure it against failure. It proposes to keep the plan before the public, to make it the center of big scale improvements, to direct the development of the city along the lines already laid out by city planners. Its field of usefulness also should include county and regional planning for both should be linked closely with the city plan.

It is important for the public to realize that the city plan, or any part of it, like that recently outlined by Harland Bartholomew, is more than a dream. The plan was worked out by practical men on the basis of practical considerations. It is not merely a scheme for laying out public buildings, streets and parks of Utopian beauty; it is a soundly conceived plan of growth, which may safely guide the city in its development during the next fifty years, and that has direct and practical relation to the daily lives of all the city's inhabitants.

The city plan can safely be financed; so much has been attested by experts. Its year by year cost can be met by the funds that may legally be raised for and applied to public improvements. There will be no undue burden upon anyone. With so much understood, the Civic Improvement Association should not lack for public co-operation in the extremely important task to which it has set its hand.

CRISIS WILL STIR COUNCIL THIS EVENING

Need of Breaking Deadlock Forecasts Lively Session; Temporary Truce Ends

WHO'S TO ACT AS MAYOR?

May Ask Courts To Clarify Tangle Caused by Failure To Pick New Councilman

By HIRAM MARKS

A crisis in the City Council deadlock will be reached at this evening's session of the Council.

Legal opinions conflict as to the ramifications presented by the inability of the City Council, up to this time, to elect a successor to the late Mayor Joseph C. Wilson as councilman at large; and it is not improbable that the courts will be asked to interpret the Charter provisions, unless definite action is taken soon.

Temporary Tenure Ends Tonight

The period under which Vice-Mayor Isaac Adler, by unanimous action of the Council, was authorized to assume all the responsibilities of mayor will expire tonight, and the attitude of the four organization councilmen toward extension of this authority is awaited with interest, especially if the Council, this evening, is unable to agree on the election of a councilman.

Councilman Joseph L. Guzzetta at the last session that the four city manager councilmen are content to drag the deadlock situation along, continuing Vice-Mayor Adler in power, and speaking for himself. Mr. Guzzetta declared he would not "go along with this situation," unless there is an "honest endeavor to elect a successor to Mayor Wilson."

This would tend to indicate that the program of City Manager Stephen B. Story and his Council support, headed by Vice-Mayor Adler and including Councilman Chester A. Peake, Louis S. Foulkes, and Charles Stanton, will meet opposition from the other members of the Council.

Councilman Guzzetta contended that he and his associates, Councilmen William F. Duran, R. Andrew Hamilton, and Nelson A. Milne, have already gone along more than half way in endeavoring to effect a settlement. It is contended that the nomination of Charles F. Mosher was made in an effort to break good faith in an effort to break the deadlock and that he was opposed for trivial reasons.

On the other hand, the city manager group contends that the organization is content only in supporting a candidate for councilman at large, who is committed, either formally or informally, to the program of bringing about the dismissal of City Manager Story at the earliest possible date. It is contended that this dismissal is unwarranted, meant to restore organizational control to municipal departments; and that Mr. Story on his record of work accomplished in the last two years, is entitled to carry on.

With the organization councilmen taking a decidedly opposite view the efforts to reconcile the opposing groups up to this time have been futile. Councilman Peake said he would have a candidate to propose tonight. While the name of Herbert B. Cash of the Nineteenth Ward has been mentioned as the possible suggestion of Councilman Peake, no public utterance by Mr. Peake has justified this conclusion. In fact, he has guarded his intentions so carefully that even adherents of the City Manager League in the Nineteenth Ward, which is in Councilman Peake's district, say they have spent several days trying without success to learn who the candidate is.

Opinions Vary

Corporation Counsel Clarence M. Platt has ruled that the Charter provision that the successor must be elected in thirty days is not mandatory upon the Council, but is a direction. Merton E. Lewis, former mayor of Rochester, and former attorney-general of New York State, and regarded as an authority on constitutional law, takes an opposite view, speaking as an individual.

Other persons have voiced the conclusion that the selection of the successor to Mayor Wilson can be accomplished only by a special election, and even this opinion confounds the city with widely conflicting legal opinion as to how this can be brought about, if possible. It is asserted that state legislative action would be necessary, and if this opinion is sustained a serious situation prevails because the Legislature has adjourned until next year.

As a consequence of the many tangles presented by the situation, this evening's session of the Council will be watched closely for surprise moves. That various expedients have been considered by both sides goes without saying, and there may be an unexpected turn in events today.

Councilman Duran said that the organization councilmen are guided only by the desire to be of constructive service to the community. He said they are endeavoring to reach an adjustment of the difficulties, without influence or direction concerned with political considerations. He said that the "four councilmen can be depended upon to lend their efforts to any plan of action that is in the best interests of Rochester."

CITY LAUNCHES BUILDING WORK, HIRING 80 MEN

Leveling of Blast Furnace Property Relieves More Unemployment - Harbor Work To Come Later

Unemployment figures in Rochester were reduced by 80 today as the Department of Public Works launched its spring construction program, necessitating the hiring of labor for work on the recently acquired blast furnace property at Ontario Beach.

Eighty men from the ranks of the city's jobless were put to work this morning leveling the land that abuts the municipal parking space at Ontario Beach Park, as the first step in turning about two acres into additional space for automobiles.

At the completion of this task, it was explained, the men will be used on grading a stretch of land along the river front preparatory to construction work upon the city's harbor development scheme at Charlotte.

William E. Murray of the Department of Public Works was in charge of the crew at the beach property today. He declared the needed crews were given preference when the jobs were awarded at the Byron Street yards of the department. All of the men were certified to him by charity organizations of the city, he declared.

More than 200 men were on hand when word was passed about that laborers were to be hired. Mr. Murray asserted, but only the 80 could be put on at this time.

The men are being paid 45 cents an hour and are doing work that means removal of the ugly piles of slag and debris that were accumulated during the years the McKinley blast furnaces operated at Charlotte.

COUNCIL WILL HEAR REPORT THIS EVENING

Profit Held Sufficient To Pay Interest Charges on Entire Funded Debt of N. Y. State Railways.

Trolleys and buses in Rochester earned a profit of \$1,380,653.15 over all operating expenses, including taxes, in 1929, the annual report of operations under the service-at-cost contract, which goes to City Council tonight, shows.

The profit is more than enough to pay annual interest charges on the entire funded debt of New York State Railways, which on the first day of its fiscal year went into the hands of federal receivers on a petition the company was unable to meet its financial obligations in the Western and Northern districts of New York.

The annual report is being made by Charles R. Barnes, commissioner of railways. Financial analysis of revenues and disbursements as detailed by Mr. Barnes increases the mystery of the company's receivership. His report would indicate the ancillary receivers, Benjamin E. Tilton and William T. Plumb, appointed by United States Judge Simon L. Adler to operate the properties of the company in Rochester and other sections within the jurisdiction of the court in Western New York, had taken over a rich and flourishing business. This is not the picture as the receivers see it.

The company's coffers in Rochester were empty when Mr. Tilton and Mr. Plumb took charge of the local properties Jan. 23. In the last three months before the receivership the company was unable to meet its payroll and employees got wages and salaries through financial arrangements with outside parties, it was pointed out today.

Prosperous Year... The eastern portion of the city was commenced Dec. 1, 1927, the commissioner reports. "Through operation was commenced Feb. 4, 1928. The passenger service in the subway has been increased from time to time, and at present there is a local service furnished between Union Road and Edgerton Park Station during the rush hours on a seven-minute headway, which is supplemented by interurban service. The maximum headway at other times is 20 minutes.

"Cars are diverted from the subway at Edgerton Park Station and run over the Dewey Avenue surface line to the Ridge Road on a 14-minute headway during the rush hours. As previously stated, there were 2,599,681 passengers carried in the subway during the year, approximating 7,100 passengers per day.

"A statement in the appendix of this report shows there were hauled during the year 4,534 loaded freight cars; 2,749 of them were transferred between steam roads and 1,785 to and from subway sidings. Freight rates have not been changed since first established, viz. Ten dollars per car for local movement and \$6.50 for inter-change. Operation in the subway, both freight and passenger up to Dec. 31, 1928, resulted in a deficit of \$9,510.63. Operation in the subway during the year 1929 resulted in a surplus for that period of \$15,213.92, making a total surplus as of Jan. 1, 1930, of \$5,703.29."

Associated Gas and Electric Company acquired New York State Railways about a year ago through the Phillips group in a deal involving power companies including the Rochester Gas and Electric Corporation. This purchase of the traction properties is under fire of the Public Service Commission. Owners of the stock lost control of its affairs when the properties passed into the hands of the federal receivers.

Paid From Revenues

Since this receivership, in Rochester at least, the Rochester employees have been paid from revenues. The charge that the company did not pay wages and salaries out of its revenues in the last three months of its control, would lead to further explanations, since the Barnes report has charged up to operating expenses. The biggest single operating expense in the business is the pay of motormen and conductors. To wages of motormen on the surface and subway lines is charged \$461,864.74, and of conductors, \$517,668.96, a total of nearly \$1,000,000.

Since the receivership the local transportation service has met with general public favor, and that Mr. Tilton and Mr. Plumb, receivers here, are enjoying the good will and hearty co-operation of the employees was indicated last Thursday when contracts continuing the old wage scale in Rochester, Syracuse and Utica another year were signed by the receivers and officers of the local unions of street railway workers.

382 Cars Available

The Barnes report shows the extent of the Rochester transportation system, with 168.70 miles of single surface railway track; 16.35 miles of single passenger track, and 15.22 miles of freight track in the subway. Gasoline bus routes extend 63.25 miles, the trackless trolley, 3.22 miles. There are 382 surface passenger cars available for operation, 10 of which are equipped for the subway. There are 12 trackless trolley buses and 82 gasoline buses in operation.

During the year 4.61 miles of single track operation were abandoned, the largest of which was the Plymouth Avenue South line, 2 1/2 miles. On abandonment of the line, \$85,619.62 was deducted from the base value on which the company draws a return of 6 per cent.

In 1929 the average fare per revenue passenger was 8.86 cents. In 1928 the average fare was 8.54. Fewer passengers by several millions were carried in the year just closed. Revenue passengers rode as follows: Surface lines, 53,011,079; subway 2,942,972; and the buses, 3,336,563, a total of 59,300,621 as against 61,589,352 the preceding year. Transfer and other passengers brought the total for 1929 up to 78,427,732, which is a decrease of 5.77 per cent. from 1928.

To transport these passengers there was a total of 11,555,664 car and bus miles operated. The subway ran 691,199 miles, the trackless trolleys 265,348, and the gasoline buses 1,280,197 miles.

LABOR UNIONS ATTACK STORY AND BAKER

Wrath of business agents of organized labor descended on the heads of City Manager Stephen B. Story and Public Works Commissioner Baker today.

Headed by John G. White of the bricklayers and plasterers, the business agents protested against employing laborers at forty-five cents an hour to clear up the Genesee blast furnace site off Lake Avenue Boulevard, where the new municipal harbor is to be located. Mr. White asked:

"Why not pay a living wage? Why prolong a hungry man's agony with a starvation scale of wages? The prevailing rate of wage for laborers here is 65 and 70 cents an hour and that is little enough."

Story replied: "But these men placed at work on the harbor site are mostly unfortunates who could not be accommodated by charitable organizations. These are not laborers equal to hard work."

White replied: "But they should get a living wage." There were eighty-five men at work on the blast furnace site today.

NO MONEY IN FUND

Mr. Barnes reports a balance of \$884,049.50 in the fund for renewals and depreciation. There is no money in this fund, the receivers say. The commissioner's statement follows:

"Definite annual charges for renewals and depreciation could not be forecast over a period of 30 years as the program for renewals and betterments varied during the different years. The balance in the renewal and depreciation fund at the beginning of the year was \$477,481.58. After taking into consideration charges that would be made against the fund, it was found in order to comply with the provisions of the contract, it would be necessary to reduce charges against operating revenues for renewals and depreciation during the balance of the term of the contract, with the result that such charges in 1929, amounting to \$165,972.01, were \$166,593.29 less than in 1928.

"Two per cent. of the base value as of December 31st, 1929, would be approximately \$407,000. The balance in the renewal and depreciation fund at December 31, 1929, was \$325,049.30. The difference to meet the requirement of the contract will be included in the expenses for the period January 1, 1930, to August 1, 1930. The approximate average annual charges for renewals and depreciation during the period of service-at-cost operation, Aug. 2, 1929 to January 1, 1930, was \$255,000. Considering the properties operating under the contract, it is pertinent to state such an amount is not excessive, and with the expansion of the bus service, more adequate provision should be made for this branch of the service.

The following shows the changes in base value during 1929:

Table with 4 columns: Surface Lines, Sp/way, Bus Lines, Total. Rows include Base value as of Dec. 31, 1928, Additions & deducts, Base value as of Dec. 31, 1929.

CONDENSED SUMMARY OF OPERATIONS OF SURFACE AND SUBWAY RAILWAY LINES AND BUS LINES UNDER THE SERVICE-AT-COST CONTRACT. Period: From Jan. 1, 1929 to Jan. 1, 1930. Table with 4 columns: Surface Lines, Sp/way, Bus Lines, Total. Rows include Operating revenues, Operating expenses, Total operating revenues, Operating expenses, Total operating expenses, Net operating revenues, Taxes assignable to oper'n, Operating income, Non-operating income, Gross income, Return on investment, Service-at-cost surplus, Accumulated deficit as of Dec. 31, 1928, Gross surplus year ending Dec. 31, 1929, Accumulated deficit as of Dec. 31, 1929.

Major Items Before Council

Business transacted by the City Council last evening included the following matters: Councilman R. Andrew Hamilton and Councilman Louis S. Foulkes nominated for mayor and both failed of election because of the vote.

Virgil M. Palmer of the Nineteenth Ward nominated for councilman at large by Councilman Chester A. Peake, and Captain Charles F. Mosher nominated by Councilman Hamilton, and vote on nominations deferred to next meeting. Resolution granting specific authority to Vice-Mayor Adler to perform duty of mayor for thirty days failed because of the vote, and Mr. Adler asserted that Charter provisions gave him necessary authority to carry out that duty until office is filled, and expressed desire that the specific authority be granted to eliminate any question regarding validity of city bond and note issues.

City Manager Story announced creation of position of permanent director and service bureau director at \$4,500 a year each, making those in which City Manager Story and Councilman Guzzetta and Councilman Milne participated, resulted in an appointment for 9 o'clock this morning between city manager and Councilman Milne for verification of figures and survey of work also borrowing of \$75,000 for construction of branch library at Norton Street and Hudson Avenue proposed by Councilman Duran.

Councilman Foulkes urged that property owners co-operate in the fostering of local improvements; Councilman Hamilton questioned whether the city has done as much this year as usual, and City Manager Story defended administration's position. Authorized extension of trackless trolleys westward in Driving Park Avenue, adopted an amendment to public safety ordinance prohibiting the sale of writing implements made of gun, and transacted an unusually large volume of routine business.

Local Improvements Urged to Relieve Unemployment

The attitude of the city administration in fostering local public improvements as a means of reducing unemployment in Rochester was discussed by the City Council from a variety of angles last evening.

Councilman Louis S. Foulkes made an appeal to property owners in streets requiring improvements to take the initiative and co-operate by circulating petitions requesting that the work be done, stating that unless the consent of the property owners was had the Council could not promote the improvements, unless seven of nine councilmen voted for the work against the remonstrance of the objecting property owners.

Insufficient Work Begun

This statement regarding the necessity of the property owners' co-operation came when Councilman R. Andrew Hamilton declared after a number of local improvement ordinances had been introduced, that he was glad to see these measures before the council, feeling that the rushing of this work would in a substantial measure reduce unemployment in the city. He said that he thought the local improvements were of such importance that he made an investigation last week and felt that this year sufficient work hadn't been started, in comparison with other years.

He said that six ordinances for local improvements had been passed up to date and they totaled \$233,400, while up to April 15 last year the total was \$388,000; and in the corresponding period in 1927 it was \$451,000 and in 1926 it was \$668,000. Mr. Hamilton said that the state already had undertaken a substantial amount of its work, and that only two of the contracts had been set this year. He said that the Board of Education has let work for \$2,070,000 and felt that the city hadn't been as diligent as possible in this respect.

City Manager Stephen B. Story presented figures that showed a variance with those of Mr. Hamilton. He said that at the present time \$1,519,000 worth of work was in progress, and outlined the project which included general public improvements, such as Smith Street Bridge and Ridge Road bridge. Mr. Hamilton asked if the Smith Street Bridge was not awarded last year. Story said that it was. Story said the total of estimates for local improvements proposed last evening was \$348,000. Hamilton had complained he had been unable to get the total of the estimates.

Councilman Hamilton said that he felt that the work should be expedited in every way to relieve the unemployment situation. Mr. Story said that he was in complete accord, but pointed out that the passage of local improvement ordinances was a matter for the

Few Streets Unimproved

Councilman Foulkes said that he was in sympathy with the views expressed by Councilman Hamilton, and stressed the necessity for co-operation by the property owners. Following the point raised by City Manager Story that there were relatively few streets in Rochester that were unimproved, Councilman Foulkes pointed to the statistics on street improvements as compiled by Harland Bartholomew, city planner, which indicates that there is an unusually large percentage of hard pavements in Rochester, as compared with other cities, and that a relatively small amount of sewer work remains to be done.

He pointed to two instances where the council was virtually thwarted in its efforts to bring about resurfacing of streets because of the objection of property owners, yet the best interests of the city compelled the resurfacing of these streets as they reached a state of deterioration that did not justify further repair. He said that local improvements could not be sponsored by the council without arbitrary action, and felt that publicity should be given to this point so that public opinion on the part of citizens could institute the necessary procedure to bring about the improvements.

City Manager Story pointed out that the improvements could not be done any cheaper than at present prices.

Pavement Ordinances

Councilman Duran presented an amendment to the Remington Street asphalt resurfacing ordinance, and an ordinance for an asphalt pavement and sewer in Colmar Street. Councilman Foulkes presented an amendment to the Drexmore road asphalt pavement, sewer and walk ordinance, and an ordinance for an asphalt pavement and sewer in Goodman Street North, and for electric and embellishment of Brown Street.

Councilman Milne presented amendments to ordinances for a sewer in Backview Terrace; concrete pavement, walks and sewer in Canton Street, and the concrete pavement in Wetmore Park; and ordinances for an asphalt pavement in Dove Street; cinder pavement in Moose Street; cinder pavement, walks and grading in Elm

LABOR UNIONS ATTACK STORY AND BAKER

Wrath of business agents of organized labor descended on the heads of City Manager Stephen B. Story and Public Works Commissioner Baker today.

Headed by John G. White of the bricklayers and plasterers, the business agents protested against employing laborers at forty-five cents an hour to clear up the Genesee blast furnace site off Lake Avenue Boulevard, where the new municipal harbor is to be located. Mr. White asked:

"Why not pay a living wage? Why prolong a hungry man's agony with a starvation scale of wages? The prevailing rate of wage for laborers here is 65 and 70 cents an hour and that is little enough."

Story replied: "But these men placed at work on the harbor site are mostly unfortunates who could not be accommodated by charitable organizations. These are not laborers equal to hard work."

White replied: "But they should get a living wage." There were eighty-five men at work on the blast furnace site today.

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Milne, Guzzetta Attack Story on Asphalt Work

A charge that many streets are neglected in the asphalt repairs being made by the city while East Avenue is virtually being resurfaced, was made by Councilman Joseph L. Guzzetta in the City Council last evening. He asserted that the streets of Rochester are full of holes and that repairs are likely to be dragged on by the city until after the summer has passed.

City Manager Stephen B. Story took vigorous exception to the charges and asserted that the asphalt repairs is not new subject to the Council. He said that the work was expeditiously as it was ever done by private contract, and with large savings to Rochester.

Survey of Blast Furnace Property for Dock Ordered

The survey of the blast furnace property to ascertain what is necessary in the way of development of municipal docks was authorized last evening by the City Council following a favorable report by the finance and public works committees, read by Councilman Milne.

Mr. Story said that the work was being done by the engineering department, and that Mr. Sabin was on a per diem basis and that his compensation would probably not be over \$1,000 and this was a small sum in comparison with the \$250,000 or \$300,000 that will probably be necessary to make the blast furnace property available for port development.

CITY FATHERS VOTE TO HIRE ENGINEER

Sabin, Cleveland Expert, To Get \$100 a Day for Work on Harbor Survey.

All political obstacles that would obstruct an immediate survey for a packet service harbor in the lower river, just south of Ontario Beach Park, were removed today.

\$4,500 Too High for Service Bureau Head, Says Guzzetta

Positions of a personnel director at a salary of \$4,500 a year and a service bureau director at \$4,500 a year, were described to the City Council by City Manager Story.

His explanation of the personnel director's work follows: The establishment of a personnel bureau under the supervision of a personnel director is designed to bring about considerable advancement in the methods by which the affairs of the city relating to its employees are conducted.

CITY OFFICIALS IN CONFERENCE ON ACCUSATION

Councilman Says He Will Reveal Figures Apr. 29 Showing Street Expense Was Camouflaged.

Charges by Councilman Nelson A. Milne that City Manager Stephen B. Story's claim of economy in connection with paving repairs has been camouflaged since the new administration came into power in City Hall, brought prompt action by Mr. Story today to disprove the assertion municipal employees engaged in paving repair work were paid out of funds not prescribed for the work.

The City 'Loosens Up'

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Contracts for some of these improvements already have been let; in some instances work is under way. The Ridge Road bridge accounts for \$2,450,000 of the total; rebuilding of Smith Street bridge, \$823,700; Denmore Creek covering, \$1,074,002; Maplewood pumping station, sewers and siphons, \$171,500.

Improvement contracts authorized but which have not been awarded call for an expenditure of \$189,100; improvement work to be authorized, \$327,750; improvement work to be asked, \$348,900; other contemplated improvements, a subway carshed costing \$100,000 and Genesee River (Charlotte) dock development, \$300,000.

Included in the program is the proposed improvement of Monroe Avenue from Field Street to Highland Avenue; widening and repaving Dewey Avenue from Augustine Street to Knickerbocker Avenue; new asphalt paving and walks for North Goodman Street between East and University Avenues; asphalt paving for Archer and Dove Streets, and cinder pavement for Moose Street; asphalt pavement and sewers for Waverly Place; concrete pavement and sewer for Klueh Street; cinder pavement, walks and grading for Elk Street and asphalt paving for Cataract Street.

Personnel Director

The personnel director will have to work out a plan for uniform vacations, sick leave, leaves of absence, etc. There is an entire lack of uniformity in all of these matters now.

As a further duty it will be incumbent upon the personnel director to foster and encourage such activities as will help to make the work of those employed by the people of the City of Rochester more enjoyable and agreeable.

Announcement by City Manager Story of the creation of the positions of personnel and service bureau directors each at \$4,500 brought a protest from Councilman Joseph L. Guzzetta that the sums were too high for the work to be performed. But there will be no change in the salaries.

The annual report of Railways Commissioner Charles R. Barnes for trolley and bus operations under the service at cost contract was received.

Five million dollars is not an excessive sum for Rochester to spend on public improvements at any time, but the expenditure planned for the Spring and Summer will make a big showing in relieving unemployment. Naturally when public improvements are considered, the question of taxes and assessments cannot be left out.

A communication asking that the first Sunday in June be officially set apart as Susan B. Anthony Memorial Sunday was referred to the Welfare Committee.

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The presentation of these ordinances brought a complaint by Councilman R. Andrew Hamilton that the city engineering department or some other branch of government is negligent in preparing plans for work. He said that in a total of seven ordinances for street improvements passed by the new Council but two contracts have been let.

When Mr. Story produced figures to show that the city has \$4,519,000 in public work under way, Mr. Hamilton pointed out that most of this work was contracted last year and represents no serious program by the city government this year for the relief of unemployment.

Mr. Hamilton pointed out that the Board of Education has let contracts for \$2,070,000 in new construction. He said the school officials are really making good to the unemployed.

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\$75,000 for Norton Street Branch Library Authorized

Authority to borrow \$75,000 for the construction of a branch library at Norton Street and Hudson Avenue, as proposed by Councilman Durman, was granted to Councilman Clarence E. Higgins by unanimous action of the Council, after a favorable report by the finance committee.

Settlement of the claim of David Morris for \$10,150 was authorized. His wholesale confectionery and tobacco establishment at State and Andrew Streets was flooded by the collapse of a sewer.

Approve Boulevard Widening Widening of River Boulevard, connecting Clarissa Street with the University of Rochester development was approved. An ordinance fixing the salary of the vice-mayor at the same as the mayor for the time he serves in a vacancy in the office, went to the finance committee.

A communication from Charles Hynes, asking that the first Sunday in June be designated as Susan B. Anthony Memorial Sunday, went to the public welfare committee.

The quarterly report of Comptroller Higgins was submitted, showing all departments within their appropriations, excepting the Bureau of Public Welfare, which has spent 39.11 per cent of its appropriation in the first three months.

The report shows that the debt limit is \$10,610,578.62, exclusive of any benefits that may be had from constitutional exemption of local improvements.

A communication was received from City Manager Story creating the position of assistant superintendent of the garbage reduction plant at \$2,600 and abolishing the position of skilled laborer at \$1 an hour.

A resolution authorizing Corporation Counsel Platt to condemn property in Chase Street for school purposes went to finance committee. An ordinance fixing the line of Cataract Street zoning committee.

Councilman Durman filed a petition for walks in Lyceum Street. Councilman Milne filed a petition for an asphalt pavement in Woodrow Street. Extension of the trolley line in DeWitt Park Avenue westward from its present terminus was authorized.

produced, but Councilman Milne insisted he has proof that, in the past at least, the cost of the work, as represented by the wages paid to certain workers, is greater than represented by the present city administration. This proof, he said, will show that men who were employed on asphalt or paving repair had their wages charged against other accounts.

"Do you know of any time when men employed at the asphalt plant or on paving repairs were paid out of any fund other than those provided for this particular work?" Commissioner Baker asked both Mr. Miller and Mr. Popp.

Both replied they did not.

Words Are Banded "Even before Mr. Story came into the City Hall?" Mr. Baker inquired.

"No," they replied.

"Mr. Popp has made up the analysis of the payroll for the last 20 years," Commissioner Baker said to Councilman Milne.

"I don't care if he has made it up for the last 90 years," Milne replied.

"I suppose not; if he made it up since 1492 it wouldn't make any difference to you," Mr. Baker declared.

Councilman Milne said he has figures in his possession which will prove, beyond reasonable doubt, that men have been employed by the city on asphalt repair work in the last few years and have been paid their wages out of moneys appropriated for work other than that on which they have been engaged.

"I'd like to know who these men are," Mr. Story said.

"I can give you the facts and the figures," Councilman Milne replied.

"Show me."

"I will."

It was agreed the "showdown" shall come two weeks from today.

"We'll meet again April 29, at 9 o'clock. Is that agreeable?" Mr. Story asked.

"It is," Councilman Milne replied, and the conference was over.

Says Cost Decreased When the conference was concluded, Commissioner Baker announced the cost of repaving pavements in Rochester has steadily decreased the last two years.

"The asphalt repair costs for 1929 were better than for 1928," he said. "In 1928, the city laid asphalt at a cost of \$8.88 a ton, and in 1929 the cost was \$8.04."

Support For City Plan

A report made yesterday shows that the Civic Improvement Association has \$45,000 pledged of the \$75,000 it plans to raise for promoting and sustaining interest in the City Plan, as well as in town, county and regional planning, which are closely linked with the city's work. It is anticipated that the entire \$75,000 soon will be pledged.

This organized, unofficial support of the City Plan is important. It is necessary to array the force of public opinion behind the plan to guarantee its being followed. City administrations, even with the best of intentions, frequently find it difficult to resist pressure from particular groups or districts to undertake projects which may not harmonize with the comprehensive scheme of improvement, designed to meet the needs of the city as a whole.

Chicago has a poor reputation for city administration. Yet it has carried forward many valuable projects embodied in a city plan drawn up nearly a generation ago.

This Chicago plan never has been official in character. It was initiated by the Commercial Club, of which business leaders and other prominent residents were members, and has commanded a degree of popular support which has proved effective, even in the face of bad political conditions.

Rochester's plan is official, but still will need the same kind of support to prove fully effective.

A Time To Hurry

There is one thing on which the City Manager and Republican organization members of the City Council can agree. It is that the city administration can aid in relieving unemployment by awarding contracts for street improvements and other public works. They agree also that property owners on streets to be improved must co-operate.

Councilman Hamilton took the city administration to task at the council meeting on Monday night for not awarding paving contracts more speedily. He said the city has adopted seven street improvement ordinances, of which only two have been

awarded to contractors, these for pavement work in Norton Street and Gabriel Place. He said figures on improvement work authorized so far this year are considerably below figures on contract work let in the corresponding period by administrations of the last five years.

In this connection it is recalled that only two days ago Commissioner of Public Works Baker announced a \$5,500,000 construction program, \$4,519,200 of which already has been awarded contractors. Mr. Baker is reported to have said that ordinances providing for \$189,100 in improvements have been adopted by the council but that the contracts have not been let; that ordinances have been introduced but not passed which provide for work to cost \$327,750; that ordinances are scheduled covering \$348,900 in improvements; that a carshed for the subway is planned to cost \$100,000; that dock development to cost possibly \$300,000 is contemplated.

If the program is carried out now when there is need of work it will be a great help. It is indeed fortunate that the councilmen can agree that this work should be done, and it is hoped that it will be speeded with all possible haste. We well could afford to drop politics for a few days until we can get this work under way.

ROCHESTERIANS CANDIDATES IN GENESEE GROUP

George Eastman and City Manager S. B. Story To Be Nominees for Vice-Presidents in Society.

George Eastman and City Manager Stephen B. Story will be nominated for vice-presidents of the Society of the Genesee at the annual dinner of that organization at Hotel Commodore, New York City, Monday.

Clarence E. Harbour, formerly president of the Colgate-Rochester Divinity and now president of Brown University, also will be named for the office by Irving E. Burdick, chairman of the nominating committee. Thomas J. Watson, president of International Business Machine Corporation, will be the committee's presidential nominee.

Meyer Jacobstein, president of the First National Bank and Trust Co., today completed arrangements for a table of Rochesterians who will be present, including Dr. Kenneth E. K. Meek, Roland B. Woodhead, Raymond N. Bell, Mr. and Mrs. Leroy E. Snyder, Ernest A. Paviour, Ernest W. Vogel, and Mr. and Mrs. Charles L. Cade.

Frank E. Gannett of Rochester, publisher of The Gannett Newspapers, is to be guest of honor. Speakers will include Dr. Harbour, Mr. Story, and Kent Cooper, general manager of the Associated Press. Louis Wiley, business manager of the New York Times, is to be toastmaster.

Other officers to be nominated are: Isaac Joffe, secretary; Charles E. Meek, treasurer; William Mill Butler, historian; the Rev. William J. Flynn and the Rev. Levi A. Ward, chaplains.

Free members of the board of governors: Dr. Rosseter Johnson, C. Stanley Mitchell, William T. Dowart, James W. Gerard, Harry C. Michaels, Louis Wiley, Patrick E. Crowley, C. Willard Rich, James W. Wadsworth Jr., Myron C. Taylor, John N. Willys, Abraham Benedict, J. M. Davis, Dr. John E. Munn, J. R. Combsky, Julian Wiley, Marie S. Clayton, George N. Sage, E. E. Loomis, Ellis L. Phillips, William H. Malchie, John J. Rankin, David Jayne Hill, Frank E. Tripp, Charles D. Thoms, Leon J. Wehring, Donald Marks, Frank E. Gannett.

BATH BUILDING SUGGESTED FOR ONTARIO BEACH

Erection of a new bathhouse "which would be a credit to Rochester" and the destruction of the old bathpaved structures now at Ontario Beach Park is suggested as the alternative to the construction of bus shelters to relieve unemployment, in a letter to the Times-Union today by H. H. Sullivan, head of the technical supply company at Broad Street and South Avenue.

Mr. Sullivan in his letter denied he was personally opposed to the erection of bus shelters at the corner where his business is established and declared that City Manager Stephen B. Story had his permission to attach the shelter to his property.

His letter, he explained, was to correct the impression that the Gas and Electric Corporation was the only property owner that did not object to the proposed shelter.

Mr. Sullivan stressed the point that while he was not personally opposed to the construction of the shelter, as president of the Business District Improvement Association he would necessarily abide by the wishes of the executive committee of that group which felt it could not sanction the construction, which would cost \$12,000, because of increase in taxes and lack of benefit to the public.

He added that the Gas and Electric Corporation was the only property owner that did not object to the proposed shelter.

Milne, Guzzetta Attack Story on Asphalt Work

A charge that many streets are neglected in the asphalt repairs being made by the city while East Avenue is virtually being resurfaced, was made by Councilman Joseph L. Guzzetta in the City Council last evening.

Discussion regarding the costs of the asphalt repairs, as compared with the charge under private contract, brought Councilman Milne into the debate, and he charged that Commissioner Harold W. Baker was not making a proper allotment of the cost to the asphalt plant and the necessary laying of the material, and he challenged the statement regarding the savings to the city.

Milne Accepts Challenge

Mr. Story said that he regretted that the discussion could not be kept pertinent to the subject at hand, and asserted that he defied the councilman to show that there was any improper allocation of costs.

City Manager Story said that there was a minimum of repairs to be done, and Councilman Guzzetta contended that all he strikes in his journey about the city is holes.

In the course of the debate, which became heated, there was sufficient humorous reference to cause the capacity crowd and the councilmen, including those participating in the discussion to get a laugh or two, and the tension was removed as the Council proceeded to the next item.

The City 'Loosens Up'

The announcement yesterday by Commissioner of Public Works Baker that nearly \$5,500,000 will be spent in public improvements in Rochester this year is welcome news.

Contracts for some of these improvements already have been let; in some instances work is under way. The Ridge Road bridge accounts for \$2,450,000 of the total; rebuilding of Smith Street bridge, \$823,700; Densmore Creek covering, \$1,074,002; Maplewood pumping station, sewers and siphons, \$171,500.

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His explanation of the personnel director's work follows: The establishment of a personnel bureau under the supervision of a personnel director is designed to bring about considerable advancement in the methods by which the affairs of the city relating to its employees are conducted.

Regarding the service bureau director, Mr. Story said: The service bureau is to be what its name implies—a bureau of service to the taxpayers. It will be located conveniently and accessibly to the public, and its object will be to receive, investigate, and answer complaints, to dispense information to those making inquiries, and, in one office as much of the licensing and permit issuance functions of the city as possible.

The personnel director will have to work out a plan for uniform vacations, sick leave, leaves of absence, etc. There is an entire lack of uniformity in all of these matters now.

CITY FATHERS VOTE TO HIRE ENGINEER

Sabin, Cleveland Expert, To Get \$100 a Day for Work on Harbor Survey.

All political obstacles that would obstruct an immediate survey for a packet service harbor in the lower river, just south of Ontario Beach Park, were removed today.

The City Council voted unanimously last night to employ Louis C. Sabin, harbor engineer, of Cleveland, to make the survey.

The Republican organization councilmen, anxious that port development should be pushed with all possible despatch, dropped politics to make the adoption of the packet service harbor development program certain.

Councilman Nelson A. Milne qualified his vote with a statement that he hoped there would be no "fiasco," such as followed the employment of an expert to plan for the Ridge Road bridge.

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The annual report of Railway Commissioner Charles R. Barnes for trolley and bus operations under the service at cost contract was received.

Comptroller Clarence E. Higging was authorized to borrow \$75,000 for the construction of a branch library at Norton Street and Hudson Avenue.

An ordinance calling for the widening of River Boulevard between Clarissa Street and Oak Hill was passed.

A communication asking that the first Sunday in June be officially set apart as Susan B. Anthony Memorial Sunday was referred to the Welfare Committee.

\$75,000 for Norton Street Branch Library Authorized

Authority to borrow \$75,000 for the construction of a branch library at Norton Street and Hudson Avenue, as proposed by Councilman Durman, was granted by Councilman Clarence E. Higgins by unanimous action of the Council, after a favorable report by the finance committee.

Settlement of the claim of David Morris for \$10,150 was authorized. His wholesale confectionery and tobacco establishment at State and Andrew Streets was flooded by the collapse of a sewer.

Approval of River Boulevard Widening of River Boulevard, connecting Clarissa Street with the University of Rochester development was approved.

A communication from Charles Hynes, asking that the first Sunday in June be designated as Susan B. Anthony Memorial Sunday, went to the public welfare committee.

The quarterly report of Comptroller Higgins was submitted, showing all departments within their appropriations, excepting the Bureau of Public Works, which has spent 39.11 per cent of its appropriation in the first three months.

The report shows that the debt limit is \$10,610,378.62, exclusive of any benefits that may be had from constitutional exemption of local improvements.

A communication was received from City Manager Story creating the position of assistant superintendent of the assistant superintendent of the position of skilled laborer at \$1 an hour.

A resolution authorizing Corporation Counsel Platt to condemn property in Chase Street for school purposes went to finance committee. An ordinance fixing the line of Cataract Street went to the city planning and zoning committee.

Councilman Durman filed a petition for an asphalt pavement in Woodrow Street. Extension of the trackless trolley line in Driving Park Avenue westward from its present terminus was authorized.

produced, but Councilman Milne insisted he has proof that, in the past at least, the cost of the work, as represented by the wages paid to certain workers, is greater than represented by the present city administration. This proof, he said, will show that men who were employed on streets or pavements

awarded to contractors, these for pavement work in Norton Street and Gabriel Place. He said figures on improvement work authorized so far this year are considerably below figures on contract work let in the corresponding period by administrations of the last five years.

In this connection it is recalled that only two days ago Commissioner of Public Works Baker announced a \$5,500,000 construction program, \$4,519,200 of which already has been awarded contractors. Mr. Baker is reported to have said that ordinances providing for \$189,100 in improvements have been adopted by the council but that the contracts have not been let; that ordinances have been introduced but not passed which provide for work to cost \$327,750; that ordinances are scheduled covering \$348,900 in improvements; that a carshed for the subway is planned to cost \$100,000; that dock development to cost possibly \$300,000 is contemplated.

If the program is carried out now when there is need of work it will be a great help. It is indeed fortunate that the councilmen can agree that this work should be done, and it is hoped that it will be speeded with all possible haste. We well could afford to drop politics for a few days until we can get this work under way.

He added he has information which proves that a certain employee of the Public Works Department, a foreman, employed two city workers to "fix" his automobile.

"They worked a day and half on it," he said. "Yes, and they were called to account for it, too," Commissioner Baker said.

"I think that's foreign to the matter on which we are now engaged," Mr. Story interposed. "Well, they're still working for the city," Milne rejoined. "How long have they been in the employ of the city?" Mr. Story asked.

University of Rochester development was approved. An ordinance fixing the salary of the vice-mayor at the same as the mayor for the time he serves in a vacancy in the office, went to the finance committee.

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"I think that's foreign to the matter on which we are now engaged," Mr. Story interposed. "Well, they're still working for the city," Milne rejoined. "How long have they been in the employ of the city?" Mr. Story asked.

"I think the foreman has been employed for at least 15 years," Commissioner Baker said. Payroll sheets, showing the wages paid workers at the asphalt plant and on pavement repairs, were submitted for inspection, and figures showing the daily cost to the city, in wages of workers and covering the cost of operation of the municipal asphalt plant, were

ROCHESTERIANS CANDIDATES IN GENESEE GROUP

George Eastman and City Manager S. B. Story To Be Nominees for Vice-Presidents in Society.

George Eastman and City Manager Stephen B. Story will be nominated for vice-presidents of the Society of the Genesee at the annual dinner of that organization at Hotel Commodore, New York City, Monday.

Clarence E. Harbour, formerly president of the Colgate-Rochester Divinity and now president of Brown University, also will be named for the office by Irving E. Burdick, chairman of the nominating committee. Thomas J. Watson, president of International Business Machines Corporation, will be the committee's presidential nominee.

Meyer Jacobstein, president of the First National Bank and Trust Co., today completed arrangements for a table of Rochesterians who will be present, including Dr. Kenneth E. K. Messel and Mrs. Woodward, Raymond N. Ball, Mr. and Mrs. LeRoy E. Snyder, Ernest A. Paviour, Ernest W. Vogel, and Mr. and Mrs. Charles L. Gable.

Frank E. Gannett of Rochester, publisher of The Gannett Newspapers, is to be guest of honor. Speakers will include Dr. Harbour, Mr. Story, and Kent Cooper, general manager of the Associated Press. Louis Wiley, business manager of the New York Times, is to be toastmaster.

Other officers to be nominated are: Isaac Joffe, secretary; Charles E. Meek, treasurer; William Mill Butler, historian; the Rev. William J. Flynn and the Rev. Levi A. Ward, chaplains.

For members of the board of governors: Dr. Rossiter Johnson, C. Stanley Mitchell, William T. Dowart, James W. Gerard, Harry C. Michaels, Louis Wiley, Patrick E. Crowley, C. Willard Rich, James W. Wadsworth Jr., Myron C. Taylor, John N. Willys, Abraham Benedict, J. M. Davis, Dr. John P. Mann, J. B. Coninsky, Julian Wiley, Merle S. Clayton, George N. Sage, E. E. Leonard, Ellis L. Phillips, William H. Maichle, John J. Haskob, David Jagne Hill, Frank E. Tripp, Charles D. Thoms, Leon J. Webbering, Donald Marks, Frank E. Gannett.

BATH BUILDING SUGGESTED FOR ONTARIO BEACH

Erection of a new bathhouse "which would be a credit to Rochester" and the destruction of the old dilapidated structures now at Ontario Beach Park is suggested as the alternative to the construction of bus shelters to relieve unemployment, in a letter to the Times-Union today by H. H. Sullivan, head of the technical supply company at Broad Street and South Avenue.

Mr. Sullivan in his letter denied he was personally opposed to the erection of bus shelters at the corner where his business is established and declared that City Manager Stephen B. Story had his permission to attach the shelter to his property.

His letter, he explained, was to correct the impression that the Gas and Electric Corporation was the only property owner that did not object to the proposed shelter. Mr. Sullivan stressed the point that while he was not personally opposed to the construction of the shelter as president of the Business District Improvement Association he would necessarily abide by the wishes of that group, which felt it could not sanction the construction, which would cost \$12,000, because of increase in taxes and lack of benefit to the public.

Advertisement for 'The National' shoe store, featuring a large 'OL' logo and text about shoe quality and service.

Life Underwriters

City Marks Time On Request To Operate Flying School At Airport

Baker To Wait For Later Development; Is Rather Doubtful

Commissioner Points Out City Already Has School, and Is Skeptical of Enough Business For More—D. W. Airport Head Proposes Scheme.

By Frederick A. Storm
Harold W. Baker, commissioner of public works, declared today he will "await further developments" before acting definitely upon the request of the D. W. Flying Service of Le Roy, through Russell Holderman, manager, for permission to establish an aviation school at Municipal Airport.

The request for establishment of a school to be operated in conjunction with the D. W. school at Le Roy, and in co-operation with the aviation engineering course at Mechanics Institute, was made in a letter written by Mr. Holderman March 27. Mr. Baker replied April 7, and at that time held the matter in abeyance pending appointment of a new manager at the airport.

"We have a school at the airport now operated by men who are taxpayers and citizens of Rochester," Mr. Baker declared. "It would seem unfair to allow outside competition to come in. Furthermore, I do not believe there is enough business for the conduct of additional schools on the municipal field."

"But the D. W. course is government approved, one of the few in the State of New York," he was reminded.

"What does that mean?" Mr. Baker replied.

He then elaborated on the statement to explain that government supervision of a flying school made it possible for a pilot to be graduated in two hours less flying time than that allotted to the private schools.

Federal O. K. Not Sure
"Furthermore," he declared, "there is nothing to indicate that the school would be government approved when it was established on the municipal field. The federal O. K. is made to apply only to those fields that have certain elaborate equipment, such as runways of a certain length and condition."

"Anyway, the matter will be a pending one until matters at the airport are functioning smoothly. A new manager is in charge there,

and we do not want to do anything that will disrupt the schedule laid down."

"There is anything in the city ordinance governing operation of the municipal field that says other private companies than those already there shall not come into Rochester, and establish flying schools?" Mr. Baker was asked.

"No, there is nothing to that effect," was his answer.

"The matter then is entirely up to the discretion of the city officials in charge of operation of the airport?"

"Yes," was the answer.

Mr. Baker indicated, too, that differences between the groups of pilots from the various organizations would not make for harmony if flyers from other cities were granted permission to set up schools here.

Mr. Baker explained that Frederick Burton, manager of the transportation bureau, joined with Mr. Holderman in voicing permission for the D. W. School to locate in Rochester, and that the arguments against it that he ventured today were offered then.

Lower Insurance Rates?

No property-owning Rochesterian will disagree with Harold W. Baker, commissioner of public works, when he says that fire insurance rates should be lowered. Mr. Baker believes that the rates should be reduced because of improvements in our fire protection system. He has consulted with a New York Fire Insurance Rating Organization expert and soon will lay the facts before the Underwriters of New York State.

According to Mr. Baker, downtown property in particular will be affected by the reduction, if and when it is obtained. It is noteworthy that the downtown section has not suffered a severe fire in many years. But outlying districts also will benefit, if Mr. Baker's plan works out. He thinks that sections as far out as the 23d Ward in Charlotte will be included.

Rochester, through its modern and adequate fire department and water system, is entitled to a reduction in fire insurance rates. As Mr. Baker says, we have had but one rate revision since motorization of the fire department was completed several years ago. Also, since then our Holley water system has been augmented by installation of six high pressure pumps, four 2,000-gallon cen-

trifugal pumps and two of 500-gallon capacity.

Another factor is the new building code which has been in the making for two years and which will be submitted to the City Council about April 28. It will provide for further protection in its restrictions governing erection of various types of buildings.

It is to be hoped that Mr. Baker will be able to obtain the reduction. It is a reasonable demand.

STORY WAITS FOR UTILITY GROUP MOVE

Rapid Fire Agreement Due To Result; Trolley Receivers Ready To Act Now.

By J. CODY WALLER

A new consequence of the City Council deadlock and one likely to be of embarrassment to the people, developed today.

The deadlock is interfering with all negotiations for a new service-at-cost contract with the New York State Railways.

More than a month ago the Council authorized City Manager Stephen B. Story and its Public Utilities Committee to begin negotiations for a new contract.

So far nothing has been accomplished, and there is no sign of anything developing while the deadlock obtains between the City Manager League forces and the Republican organization, over the naming of a councilman-at-large to succeed the late Mayor Joseph C. Wilson.

WAITS SUGGESTION

Meantime, City Manager Story sits in his office awaiting a suggestion from the Public Utilities Committee, which is dominated by Republican organization councilmen. L. Andrew Hamilton is chairman of the committee.

The present contract does not expire until August 1, and in the meantime the receivership of the railways may bring about an appraisal more favorable to the city and the car riders than the one now recognized in the old contract.

But that is not what is actually separating the city manager and the members of the Public Utilities Committee, which, besides Mr. Hamilton, consists of William F. Duran, also a Republican organization member, and Louis S. Foulkes, a representative of the City Manager League group, the other party to the deadlock.

To emphasize the extent of the breach in the City Council, despite the fact that so far there has been no retaliation by either side to interfere with public improvements or other city service, not a Republican organization councilman attended the Council caucus in Mr. Story's office last Friday.

The Republican organization councilmen now hold their own caucuses, and gather by themselves right up to the time of Council meetings.

The New York State Railways receivers are ready to talk about a new contract. They conceded the selling of tickets at wholesale rates and a five-cent fare to school children, with the expectation that there would be early negotiations for a new contract, and the old controversy over the base value of the Rochester lines would be disposed of for at least another ten years.

FARE QUESTION

But they have all but abandoned hope of opening negotiations much before July, with all likelihood that a new contract will be rushed through and be in many respects more unsatisfactory to both sides than the old.

A major point to be raised is whether the balancing account deficit which has kept the car fare in Rochester up to 10 cents may be carried over into a new fare determining account, or there shall be a new beginning from zero.

A new start would open the way for a demand for a lower fare early in the contract, providing operating expenses were held as low as they were in 1929, city officials said.

But nothing can be of any significance while politics divide the two groups of city manager and Public Utilities Committee from considering any suggestions from the railway receivers.

Holderman To Press Request For Permit For Air School Here

D. W. Airport Official Says City Permission Is All That Prevents Government-Approved Establishment at Municipal Airport.

Permission from city officials, which has been asked but not yet given, is the only thing standing in the way of the establishment of a government approved flying school at the Municipal Airport, Capt. Russell Holderman, manager of the D. W. Flying Service at Le Roy announced today.

The D. W. School at Le Roy is a poorly discontinued because of one of the few in the country that has won the coveted O. K. from the government, it was explained, and its activities would be extended to include a branch here with various types of ships for instruction purposes.

The D. W. service through Captain Holderman recently applied for permission to open the school here, to be operated in conjunction with the ground course in aviation engineering that was being given at Mechanics Institute.

Despite the fact that the ground school at Mechanics has been tem-

porarily discontinued because of the situation, Captain Holderman indicated that he still was eager for the establishment of the D. W. branch.

"I have word from the Department of Commerce in Washington that a license to operate a flying school at the Rochester Municipal Airport will be granted and that such a school will be government approved," Captain Holderman declared today.

"The permission from the department extends to all phases of aviation instruction with the exception of solo flying by pupils. Such flying, according to the department, would have to be done at the Le Roy field."

"I intend to apply again to Harold W. Baker, commissioner of public works, for permission to establish the D. W. School in Rochester," Captain Holderman added. "As I understand it, there is nothing in the city ordinance affecting the airport that prohibits my coming in."

Commissioner Baker declared several days ago that one school operated by Rochesterians was already established at the airport and that he thought, for the volume of business that was available, that one school was sufficient.

"I know a flyer who has established himself this week at the Rochester field," Captain Holderman said. "He intends to enter the passenger service in competition with Rochester flyers."

"Surely if he can have permission to compete with local flyers there should be no reason why the D. W. School with all its equipment, in addition to the prestige of being one of the few government approved schools in the country, should be denied the use of the field to the detriment of the citizens of Rochester who wish to avail themselves of thorough aviation instruction," he asserted.

On the Road to Success

Announcement Tuesday at the report meeting of the Rochester Civic Improvement Association drive that 60 per cent. of the funds required for financing a three-year campaign had been pledged was most welcome to all residents of the city who realize the importance of the objects to be gained. It is to be hoped that nothing will be allowed to interfere with the complete success of the campaign, for on its outcome depends much of vital importance to the future of the city and its environs.

In comparison with the aims in view, the fund sought for financing three years of effort does not appear to be large. But the work to be done is of a special character which is not likely to require a great outlay of money, even though the importance of the task seems to be transcendent.

The harmonizing and co-ordinating of a considerable number of organized efforts toward civic betterment is a task of no mean proportions, one that is certain to require skill, tact and no small amount of human understanding. Unco-ordinated, such efforts might succeed; under the spur of intelligent guidance they would be much more likely to win the success desired by all.

Great developments are certain to take place in and about Rochester in the next decade. Hence the importance of being well prepared to direct such growth and development in an orderly and intelligent manner.

Cleveland Looks Us Over



MAYOR JOHN D. MARSHALL HAROLD W. BAKER

Rochester Journal Photo
All the way from Cleveland came Mayor Marshall and a dozen councilman to inspect the garbage reduction plant of this mayorless municipality. In the absence of City Manager Story, Public Works Commissioner Baker showed "the Ohio gang" around. Mayor Marshall likes our plant. His city is thinking of building one.

Mayor of Cleveland Studies System Here

Garbage reduction at its best cannot be made a self-supporting departure in municipal service. This was the opinion city officials of Cleveland carried home today, after an inspection of Rochester's system.

That Rochester's plant, despite its handsome returns from grease and tankage the latter used for fertilizer, is operated largely from "taxpayers' money," was admitted by Public Works Commissioner Harold W. Baker, acting city manager, replying to questions Mayor John Marshall who headed the delegation of Cleveland officials who arrived here yesterday afternoon.

The mayor said: "This is the finest plant we have inspected and your products indicate you are far in advance of everybody else."

"But do you get along without spending any of the taxpayers' money?" Mr. Baker replied: "No, we have a budget appropriation which runs into the hundreds of thousands of dollars."

Despite their fine impression of Rochester's operations it was doubtful if Cleveland would undertake a grease and fertilizer producing plant immediately.

Promoters have been suggesting an incinerator plant on a Clark Avenue site in Cleveland. This is in a fair residential section of the city. Said Councilman F. W. Walz of Cleveland: "I wouldn't vote for a garbage plant on the Clark Avenue site if garbage reduction provided the aroma of a rose perfumery. And I am satisfied at its best garbage reduction cannot be made to exude the odor of a perfumery."

STATE TO PAY SHARE OF TAX DEBT TO CITY

To Give \$19,000 of Sum of \$31,502.30 It Has Been Owing Since 1919

A voucher for approximately 19,000 has been signed by state authorities and will be turned over to the city as part payment of the sum of \$31,502.30 owing to the city treasury as unpaid local assessments on state property. Announcement to this effect was made yesterday by Harold W. Baker, commissioner of public works.

Mr. Baker has been trying to get the money for the city for some time, as the sums owed by the state have been carried on city books since 1919. The remainder of the sum due the city will not be paid until some time in 1931, and the final payment is contingent on passage of an amendment to the Canal law of the state, under which the particular assessment appropriations are allocated to various communities.

Of the assessments represented in the sum due the city the largest share comprises those levied against the Barge Canal and Rochester State Hospital properties.

The letter from Mr. Holderman to Mr. Baker, relative to the establishment of the school follows: "Under date of March 27 I advise you with regard to space at the Rochester Airport for the purpose of conducting a school. As mentioned in this letter, an immediate decision is necessary. I might add that the principal reasons for requesting such space and authority to do business at the Rochester Airport are as follows: 1. Necessity of co-operating with a leading educational institution of Rochester. 2. Opportunity of giving Rochester boys, whose means do not permit them to go away for training, to get a government approved flying course in their own city. 3. Increased revenue for Rochester Airport. 4. Financial and educational responsibility of D. W. Flying Service is unquestioned and susceptible of proof. 5. Future of aviation industry depends to a great extent upon production of properly trained pilots. 6. Endorsement of aviation committee of Rochester Chamber of Commerce."

Rochester Portraits By Jack Moran

IT'S A GREAT THRILL LEAPING FROM WAVE TO WAVE ON A BATTLESHIP!

STATION IN ROCHESTER

FAVORITE HOBBY IS YACHTING. HE IS MEMBER OF ROCH. CLUB, UNIV. CLUB, MONROE GOLF, ROCH. ENG. SOCIETY, MASONIC CLUBS.

SCHOOLING AT UNION COLLEGE AT SCHENECTADY

IT'S BETTER TO BE A MAN IN ROCHESTER THAN A KING IN ANY OLD WORLD CAPITAL!

WAS ENGINEER WITH ROCH. BUREAU OF MUNICIPAL RESEARCH. WAS DIRECTOR OF BUREAU 1921 TO 1928. THEN TO CITY MANAGER. JAN. FIRST 1928.

STEPHEN B. STORY CITY MANAGER

HARRIS & EWING

BOYHOOD AMBITION, CIVIL ENGINEER. DID GRADUATE AS CIVIL ENGINEER IN 1914. MASTER DEGREE IN 1917.

DURING WORLD WAR, HE SERVED IN THE NAVY FOR TWENTY-SEVEN MONTHS LEAVING THE NAVY, CAME TO ROCHESTER.

NOW KICK YOUR FEET!

FIRST JOB WAS SWIMMING INSTRUCTOR AT THE AGE OF FOURTEEN. THEN CARPENTER AT ONE DOLLAR A DAY.

'JUST A MESS,' PUBLIC WORKS' HEAD MOANS

Because it has been used ten years as a dumping ground for everything from leaky sprinkling pots to burned out steam engine boilers, Public Works Commissioner Harold W. Baker today "viewed with alarm" the widening and paving of Harbor Boulevard, between Clarissa Street and Oak Hill.

The commissioner, as he and other city engineers stood on the east wall of the Barge Canal harbor, surveying the situation, moaned:

"It's just a mess."

The sight of thousands of junked automobiles, mostly left there in the dead of night, met their eye. In many cases the wrecks are piled ten feet high and leave the narrowest possible roadway between the Lehigh Valley Railroad tracks and rear lot lines of Mt. Hope Avenue property. Said the commissioner:

"Of course we can carry the junk away, but where to carry it is the question. We may have to let a separate contract for removing it."

PARALLELS TRACK

The City Council has passed an ordinance for widening the Boulevard, between Clarissa Street and Oak Hill, and will pass one for paving it just as soon as the engineers agree on specifications for widening.

The roadway, when completed, will parallel the Lehigh Railroad tracks, which are at grade, until they rise to a bridge elevation just before the road turns to the foot of the Union street of Rochester property at Oak Hill.

The widening must take account of two bridges under the Lehigh and Erie railroads.

This is one improvement which will not interfere with traffic, as there is little use now for the section of the Boulevard north of Oak Hill.

It was formerly Wolcott Road, a highway more than half as old as the city itself.

There will be enough improvements to annoy motorists without the Harbor Boulevard pavement, Mr. Baker said.

Widening and repaving lower Dewey Avenue, between Alameda Street and Ridgeway Avenue, with a part of Lake Avenue Boulevard closed will confuse motorists bound for the lake.

River and Stinson Street will provide the shortest cut around the Lake Avenue Boulevard improvement. Both are rough and will continue to be rough on motorists, Mr. Baker admitted.

Mr. Baker hoped to have the Lake Avenue Boulevard improvement finished before there is any interruption of traffic in lower Dewey Avenue. He said:

"I should like to have one direct line to the lake open all summer."

DISTRIBUTION ESTABLISHES NEW RECORD

Rochester Will Receive Bulk of Amount Allotted to Monroe by State—Towns To Benefit.

Coffers of the county are to be enriched nearly \$1,000,000, Monroe's share in the largest distribution of funds yet recorded under the state's franchise corporation tax laws.

The State Tax Commission announces Monroe will receive \$903,783.51. The counties are receiving \$10,456,647, ranging from \$24.61 for Hamilton to \$6,926,647 to the five that make up Greater New York.

Monroe's share exceeds by more than \$500,000 the amount received for the same period in 1929. It was explained at the County Treasurer's office, Rochester would get the bulk of the fund. The rest will be distributed to towns and villages.

Monroe for the first quarter of 1929 was allotted \$308,479.19. Of this amount \$298,331.52 went to the city. The distribution this year will be proportionately the same, it is pointed out. The county acting merely as the fiscal agent.

Thomas M. Lynch, in a statement issued at Albany today, declared the record distribution could not be taken as an index of 1930 business conditions. It reflects those of 1928. The amount involved is that collected in the first quarter of 1930 and represents a third of the total received, the remaining two-thirds going into the state treasury.

The apportionments to some of the other counties follow:

Albany	\$129,302.25
Genesee	\$11,907.30
Chemung	\$78,155.72
Onesida	\$80,615.53
Montgomery	\$35,289.30
St. Lawrence	\$31,321.18
Herkimer	\$30,290.73

WOULD HAVE CITY PLAN START MADE

Business Men Favor Street North of Main and Taking Broad to Chestnut

COUNCILMEN PERSUADED; Sponsors Hope to Overcome Reluctance of Peake to New Proposal

By HIRAM MARKS

Immediate extension of Broad Street, as far as Chestnut Street, with an equal start on the parallel street on the north side of Main Street, to enable traffic to flow in a circular route about the eastern part of the congested business area, is being agitated by a group of downtown business men and a number of councilmen are interesting themselves in the project. It is possible that definite proposals will come before next Monday's session of the City Council, but if not, it is regarded as a certainty something will be ready at the next meeting.

Councilmen have been interviewed by the business men and it is asserted that with only one exception complete co-operation has been pledged, and the sponsors hope to convince Councilman Chester A. Peake, who has expressed some reluctance about falling in with the program that the best interests of the city are furthered by the immediate start on the new streets.

Accord with City Plan

Both proposals are strictly in accordance with the city plan, as formulated by Harland Bartholomew. The plan has not been adopted by the City Council, but its provisions are known to it, and the street plan, which is the most comprehensive phase of the study, has been commended by a number of civic organizations. It is pointed out. The balance of the plan is being rushed, but with a start on the street section, something concrete will be accomplished toward achievement of the plan. City manager Stephen B. Story and Harold W. Baker, commissioner of public works, are reported to be going to carry out the wishes of the City Council with reference to a start on the street plan as a matter of expediency.

The first project recommended on the street plan is the extension of Broad Street. Second is a parallel street, north of Main Street, utilizing Pleasant Street. Mr. Bartholomew recommends the extension of Broad Street in its entirety, carrying it out to Winton Road. The business men feel that a start can well be made to Chestnut Street, also a start on the north side of Main Street, and this used as an impetus for further extension of the streets. They contend that the matter has been discussed in the community for years, without tangible results and that with conditions as they are and the need for pushing public improvements it is an advantageous time to make a start on the city plan. It is also contended that property can be acquired more economically now than will be possible a few years hence.

Of Public Interest

The canvass that is being made of the City Council is without reference to factional differences, and the contention is made that the project is of public interest and should have the support of the entire council. Thus far much encouragement has been had by the business men, it is reported, and definite steps toward crystallizing a discussion will be taken soon.

Society of Genesee Honors Rochester Publisher at Its Thirty-first Annual Dinner in New York

SPEAKERS LAUD PUBLISHER AS MAN OF VISION

Barbour, Cooper, and Story Praise Newspaper Work of Frank E. Gannett

New York April 21—In paying a tribute of personal affection and esteem to its guest of honor, Frank E. Gannett, Rev. Dr. Clarence A. Barbour enumerated before the Society of the Genesee the qualities especially useful and significant in one who is to participate in newspaper work. These qualities, vision and good will, said Dr. Barbour, Mr. Gannett in significant measure has embodied in his useful life.

Influence of Press

"There is no single influence today which has more effect upon the conduct of the affairs of government than the daily newspaper," said City Manager Story. "There is no power more potent than the press to make its effect felt upon the voters or taxpayers and upon public officials."

"This power cannot be assumed, bought or acquired without the acceptance of all the responsibilities which go with it. How well these responsibilities are assumed and the manner in which the power is exercised determines to a nicety the type of newspaper which is being published. From close personal observation over several years, it is easily apparent to me that Mr. Gannett accepts this tremendous power toward government with a most excellent and exemplary spirit. At no time have his publications borne the slightest tinge or taint of attempting to affect any government, whether that of nation, state or city, for the personal aggrandizement of Mr. Gannett or his newspaper properties."

SABIN STARTS RIVER STUDY NEXT WEEK

Engineer To Receive \$1,000 for 10 Days' Work on Packet Project.

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CITY'S CARE OF ITS CASH COMMENDED

APR 21 1930

Auditors Praise Safeguards Installed by Comptroller To Check Accounts

URGE CENTRAL CONTROL

Audit Shows Available Debt Margin of \$12,550,811.58; Rundel Fund \$899,752.81.

By HIRAM MARKS

New methods installed by Comptroller Clarence E. Higgins in the handling of cash flowing to the various municipal departments are commended by the auditing firm of Williams & Thomey, certified public accountants of Rochester, in the audit of the city's accounts for the year ended on Dec. 31.

This report has been submitted to the City Council and is the subject of study by Vice-Mayor Isaac Adler and Councilman Nelson A. Milne, members of the finance committee.

New Methods Indorsed

In the last two years criminal proceedings have been instituted against two city employees as the consequence of the general audit of all accounts that was urged by former Councilman Harry C. G. of methods in handling the city's cash. Williams & Thomey points out in its report that "we heartily indorse the new form of triplicate deposit slips now in use," and points out "these are serially numbered

LITTLE CHANGE OF PORT BILL HEARING

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Just what influence the action of the Chamber of Commerce Saturday in approving of the bill will have on the governor, not even his most ardent Democratic supporters could predict.

News of the chamber's action was to be conveyed to the governor by personal messenger, whether there is or is not a hearing. Roland B. Woodward, executive vice-president of the chamber, said today his trustees of that organization were awaiting work from Albany on a date for a hearing.

Meanwhile Albany was said to have requested information as to public sentiment, outside of the chamber, on the measure.

Vice-mayor Isaac Adler stood ready to appeal to the governor to veto the measure.

The chamber trustees who carried the day for the measure are influential industrial leaders, rather than politicians, according to reports.

DEBT MARGIN, \$12,550,811.58

All funds and accounts are analyzed in complete detail in the report. The city as of Dec. 31 has \$8,731,782.92 in various funds. The statement shows that the assessed valuation of real estate taxed for state and county purposes is \$638,128,455. The debt margin available is \$12,550,811.58. Total bonds outstanding \$69,648,390; total notes, \$6,649,000; total contracts \$2,580,390.88. Deducted from this total bond, note, and contract liability of \$69,877,780.88, is \$5,227,746.99 in cash and sinking funds; \$12,416,900 in water debt and \$75,000 in revenue notes for taxes levied, a total deduction of \$18,615,746.96, leaving a net debt burden of \$51,262,083.92.

In the analysis of the various funds, the police pension fund shows a surplus of \$408,893.07. The fire pension fund shows a surplus of \$12,487.59. The Rundel memorial fund shows a total of \$899,752.81, consisting of \$824,782.81 in cash and \$75,000 in investments.

High Water May Prevent Opening Of Bathhouse At Durand-Eastman Park

High water may put a damper on the beach ought to be, is said to be about three feet at the present time. Because of this condition which brings a vision of danger to children with sand pails, George J. Nier, commissioner of public safety, said today that the bathhouse probably will not be opened. The season is scheduled to get under way, officially, at the city's bathing beaches, on or about June 15.

Rochester Portraits By Jack Moran

FAVORITE HOBBY IS YACHTING - HE IS MEMBER OF ROCH. CLUB-UNION CLUB, MONROE GOLF, ROCH. ENG. SOCIETY, MASONIC CLUBS - SCHEDULES AT UNION COLLEGE AT SCHENECTADY

IT'S BETTER TO BE A MAN IN ROCHESTER THAN A KING IN ANY OLD WORLD CAPITAL!

IT'S A GREAT THRILL LEAPING FROM WAVE TO WAVE ON A BATTLESHIP!

DURING WORLD WAR, HE SERVED IN THE NAVY FOR TWENTY-SEVEN MONTHS LEAVING THE NAVY, CAME TO ROCHESTER

NOW KICK YOUR FEET!

FIRST JOB WAS SWIMMING INSTRUCTOR AT THE AGE OF FOURTEEN - THEN CARPENTER AT ONE DOLLAR A DAY

BOYHOOD AMBITION, CIVIL ENGINEER, DID GRADUATE AS CIVIL ENGINEER IN 1914 MASTER DEGREE IN 1917

STEPHEN B. STORY CITY MANAGER

HARRIS & EWING

'JUST A MESS,' PUBLIC WORKS' HEAD MOANS

Because it has been used ten years as a dumping ground for everything from leaky sprinkling pots to burned out steam engine boilers, Public Works Commissioner Harold W. Baker today "viewed with alarm" the widening and paving of Harbor Boulevard, between Clarissa Street and Oak Hill.

The commissioner, as he and other city engineers stood on the east wall of the Barge Canal harbor, surveying the situation, moaned:

"It's just a mess."

The sight of thousands of junked automobiles, mostly left there in the dead of night, met their eye. In many cases the wrecks are piled ten feet high and leave the narrowest possible roadway between the Lehigh Valley Railroad tracks and rear lot lines of Mt. Hope Avenue property. Said the commissioner:

"Of course we can carry the junk away, but where to carry it is the question. We may have to let a separate contract for removing it."

PARALLELS TRACK

The City Council has passed an ordinance for widening the Boulevard, between Clarissa Street and Oak Hill, and will pass one for paving it just as soon as the engineers agree on specifications for widening.

The roadway, when completed, will parallel the Lehigh Railroad tracks, which are at grade, until they rise to a bridge elevation just before the road turns to the foot of the Harbor of Rochester property at Oak Hill.

The widening must take account of two bridges under the Lehigh and Erie railroads.

This is one improvement which will not interfere with traffic, as there is little use now for the section of the Boulevard north of Oak Hill.

It was formerly Wolcott Road, a highway more than half as old as the city itself.

There will be enough improvements to annoy motorists without the Harbor Boulevard pavement, Mr. Baker said.

Widening and repaving lower Deyes Avenue, between Alameda Street and Ridgeway Avenue, with a part of Lake Avenue Boulevard closed will confuse motorists bound for the lake.

River and Sutson Street will provide the shortest cut around the Lake Avenue Boulevard improvement. Both are rough and will continue to be rough on motorists, Mr. Baker admitted.

Mr. Baker hoped to have the Lake Avenue Boulevard improvement finished before there is any interruption of traffic in lower Deyes Avenue. He said:

"I should like to have one direct line to the lake open all summer."

DISTRIBUTION ESTABLISHES NEW RECORD

Rochester Will Receive Bulk of Amount Allotted to Monroe by State - Towns To Benefit.

Coffers of the county are to be enriched nearly \$1,000,000, Monroe's share in the largest distribution of funds yet recorded under the state's franchise corporation tax laws.

The State Tax Commission announces Monroe will receive \$903,783.51. The counties are receiving \$10,456,647, ranging from \$24.61 for Hamilton to \$6,926,647 to the five that make up Greater New York.

Monroe's share exceeds by more than \$500,000 the amount received for the same period in 1929. It was explained at the County Treasurer's office, Rochester would get the bulk of the fund. The rest will be distributed to towns and villages.

Monroe for the first quarter of 1929 was allotted \$308,479.19. Of this amount \$298,331.52 went to the city. The distribution this year will be proportionately the same, it is pointed out. The county acting merely as the fiscal agent.

Thomas M. Lynch, in a statement issued at Albany today, declared the record distribution could not be taken as an index of 1930 business conditions. It reflects those of 1928. The amount involved is that collected in the first quarter of 1930 and represents a third of the total received, the remaining two-thirds going into the state treasury.

The apportionments to some of the other counties follow: Albany, \$129,302.25; Genesee, \$11,907.30; Chemung, \$78,155.72; Oneida, \$80,615.53; Montgomery, \$85,289.20; St. Lawrence, \$31,821.18; Herkimer, \$30,290.73.

WOULD HAVE CITY PLAN START MADE

Business Men Favor Street North of Main and Taking Broad to Chestnut

COUNCILMEN PERSUADED Sponsors Hope to Overcome Reluctance of Peake to New Proposal

By HIRAM MARKS

Immediate extension of Broad Street, as far as Chestnut Street, with an equal start on the parallel street on the north side of Main Street, to enable traffic to flow in a circular route about the eastern part of the congested business area, is being advocated by a group of downtown business men and a number of councilmen are interesting themselves in the project. It is possible that definite proposals will come before next Monday's session of the City Council, but if not, it is regarded as a certainty something will be ready at the next meeting.

Councilmen have been interviewed by the business men and it is asserted that with only one exception complete co-operation has been pledged, and the sponsors hope to convince Councilman Chester A. Peake, who has expressed some reluctance about falling in with the program, that the best interests of the city are furthered by the immediate start on the new streets.

Accord with City Plan

Both proposals are strictly in accordance with the city plan, as formulated by Harland Bartholomew. The plan has not been adopted by the City Council, but its provisions are known to it, and the street plan, which is the most comprehensive phase of the study, has been commended by a number of civic organizations. It is pointed out. The balance of the plan is being rushed, but with a start on the street section, something concrete will be accomplished toward achievement of the plan. City manager Stephen B. Story and Harold W. Baker, commissioner of public works, are reported to be willing to carry out the wishes of the City Council with reference to a start on the street plan as early as possible.

The first project recommended on the street plan is the extension of Broad Street, north of Main Street, utilizing Pleasant Street, Mr. Bartholomew recommends the extension of Broad Street in its entirety, carrying it out to Winton Road. The business men feel that a start can well be made to Chestnut Street, also a start on the north side of Main Street, and this used as an impetus for further extension of the streets. They contend that the matter has been discussed in the community for years, without tangible results and that with conditions as they are and the need for putting public improvements it is an advantageous time to make a start on the city plan. It is also contended that property can be acquired more economically now than will be possible a few years hence.

Of Public Interest

The canvass that is being made of the City Council is without reference to factional differences, and the contention is made that the project is of public interest and should have the support of the entire council. Thus far much encouragement has been had by the business men, it is reported, and definite steps toward crystallizing a discussion will be taken soon.

Society of Genesee Honors Rochester Publisher at Its Thirty-first Annual Dinner in New York

SPEAKERS LAUD PUBLISHER AS MAN OF VISION

Barbour, Cooper, and Story Praise Newspaper Work of Frank E. Gannett

New York April 21—In paying a tribute of personal affection and esteem to its guest of honor, Frank E. Gannett, Rev. Dr. Clarence A. Barbour enumerated before the Society of the Genesee the qualities especially useful and significant in one who is to participate in newspaper work. These qualities, vision and good will, said Dr. Barbour, Mr. Gannett in significant measure has embodied in his useful life.

Influence of Press

"There is no single influence today which has more effect upon the conduct of the affairs of government than the daily newspaper," said City Manager Story. "There is no power more potent than the press to make its effect felt upon the voters or taxpayers and upon public officials."

"This power cannot be assumed, bought or acquired without the acceptance of all the responsibilities which go with it. How well these responsibilities are assumed and the manner in which the power is exercised determines to a nicety the type of newspaper which is being published. From close personal observation over several years, it is easily apparent to me that Mr. Gannett accepts this tremendous power toward government with a most excellent and exemplary spirit. At no time have his publications borne the slightest tinge or taint of attempting to affect any government, whether that of nation, state or city, for the personal aggrandizement of Mr. Gannett or his newspaper properties."

"In all of this governmental effort the Gannett papers, The Times-Union and The Democrat and Chronicle, have given an understanding and sympathetic support. When criticism has been merited, these publications have been free to make it, and with all things considered, the attitude of the papers has been uniformly fair. The government official who cannot welcome honest and fair criticism has no right to hold office, and I would be the last person to want to dodge with criticism. May I take this opportunity to express to Mr. Gannett my appreciation of the projects which he has given to the city of Rochester and indirectly to the Genesee Valley?"

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AM MARKS

By Comptroller Hiram Marks, a report on the city's financial condition for the year ending Dec. 31, 1929, is being made available to the public. The report shows that the city's financial condition is sound and that the city's cash is well protected.

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High Water May Prevent Opening Of Bathhouse At Durand-Eastman Park

High water may put a damper on the beach ought to be, is said to be bathing in the lake at Durand-Eastman Park during the coming summer.

Unless the water recedes, there is scant likelihood that the city's bathhouse at this park will be opened and nothing like official sanction will be given to children who may wish to cavort around in the water there, for the depth of the water on the beach, or where

about three feet at the present time. Because of this condition which brings a vision of danger to children with sand pails, George J. Nier, commissioner of public safety, said today that the bathhouse probably will not be opened.

The season is scheduled to get under way, officially, at the city's bathing beaches, on or about June 15.

URGE SEVEN REASONS FOR ACTION NOW

Broad, Church and Pleasant Street Extension Needed at Once, Says Letter

GOES TO COUNCIL MONDAY Business District Property Owners Point Out Great Benefits Certain

A material start should be made on the City Plan by the immediate extension of Broad Street and the extension and widening of Pleasant and Church Streets, according to a communication sent yesterday afternoon to the City Council by the Business District Improvement Association. The communication was sent to City Clerk Thomas P. O'Leary and will come before the councilmanic session Monday evening for consideration. Seven reasons are set forth in the communication, for taking aggressive steps at this time to put the City Plan as proposed by Harland Bartholomew in effect, by starting the improvements suggested by the association. The stimulus to the real estate market, the traffic relief, the relief to unemployment, are among arguments advanced in the communication signed by Harry W. Bloss, executive secretary of the association, which is made up of large property owners and others interested in the central business district.

- URGE ACTION The communication is as follows: Some months ago there was presented to the City of Rochester, the new City Plan as mapped out by the Bartholomew Associates. We believe this plan met with the unanimous approval by both the city officials and the property owners. The time has come when a material start should be made with this new plan, and we call your attention to the following conditions which obtain at the present time: 1. Traffic conditions in the downtown section demand immediate relief. 2. Thousands of workers are in imperative need of employment. 3. The building trades are suffering from lack of business and are preparing to quit the city for dollar value to those who wish to erect buildings or improve present property. 4. The real estate market is greatly in need of a stimulus. 5. Down-town business, which directly or indirectly pays a large proportion of taxes, should have every possible aid in making it possible for buyers to get to their places of business. 6. Owners of vacant property in the down-town district should have relief from the uncertainty they have suffered as a result of waiting for some kind of a definite City Plan. 7. Property, vacant or otherwise, that will be needed for improvements, may be acquired at present at the lowest figures.

Time Favorable In order to afford the greatest relief for vehicular traffic and the stabilization of property values in the downtown business section, we respectfully urge the creation of a loop by immediately extending Broad Street and the extension and widening of Pleasant and Church Streets, in accordance with the Bartholomew plan for thoroughfares north and south and parallel to Main Street; to acquire the necessary property at the earliest possible moment which it may be obtained at favorable figures; to exercise any option or options you now hold, which you think desirable and necessary. To this end, the Business District Improvement Association (representing property owners of the downtown business area) respectfully recommends immediate action on your part, feeling confident that such action will go the farthest in improving conditions and affording relief as heretofore stated.

Asphalt Repairs To Be Aired at Council Meeting

GUZZETTA WILL TRY TO PROVE WASTE CHARGE

By J. CODY WALLER Another empty political gesture to supplement previous, futile efforts of the City Council to break its deadlock over naming successors to the late Mayor Joseph C. Wilson, both as councilman-at-large and as mayor, is scheduled for tonight's meeting in City Hall. The redoubtable Councilman Joseph L. Guzzetta is to present a story of holes in the city streets, the holes in street pavements need more than the patching provided by Public Works Commissioner Harold W. Baker's gangs, to put them in shape for the comfort of motorists. Dr. Guzzetta said:

"Our city manager executives claim they are patching up the streets because they are only small ones. We are just checking up on what is a small hole, and what is a large hole. I insist that the commissioner is using his municipal gangs to pave the streets and prefer to customize the city at large may foot the bill. He should let out this downtown work to contractors and release his workmen for the small holes. His asphalt patching consists of resurfacing in certain sections."

Whatever Doctor Guzzetta may say about pavement repairing at tonight's Council meeting, will be a beginning of a controversy over municipal asphalt patching. MILNE PLANS ATTACK Councilman Nelson A. Milne, another member of the Republican organization group within the Council, has promised to make good tomorrow on his charge that the public works office payrolls have been juggled to make a good showing for municipal patching and conduct of the municipal asphalt plant. Mr. Milne contends if the municipal asphalt work were properly accounted for, it would show a higher cost than under the old government system of letting the work out to contractors. Two weeks ago, Mr. Milne met Mr. Story in Mr. Baker's office, and brought an admission that money paid for laying asphalt were found repairing automobiles for their bosses, with no punishment for either the men or their bosses.

CHANCE OF BREAK SMALL The Council is not expected to break its deadlock tonight. The Councilman League councilman, Vice Mayor Isaac Adler, Louis S. Foulkes, Charles Stanton and Chester A. Peake are prepared to stand pat for their candidate, Virgil M. Palmer, industrial engineer. The Republican organization members, William F. Durnan, R. Andrew Hamilton, Mr. Milne and Doctor Guzzetta, will vote again for their candidate, Charles F. Mosher. The city is now mayorless and it will continue that way, as the Republican organization members are determined not to grant any further extension of the authority of mayor to Vice Mayor Isaac Adler. They terminated his authority as mayor two weeks ago. The Council will consider a home rule law, to permit passing the honor of being mayor around to any and all councilmen, but no favorable action seems possible. The law is sponsored by the Republican organization which makes it

VOTE MONDAY MAY BREAK DEADLOCK

That the City Council political deadlock over the naming of a councilman at large to succeed the late Mayor Joseph C. Wilson is beyond all possibility of an early break was demonstrated today in the failure of Republican organization members to attend a caucus on business scheduled for transaction next Monday night.

The caucus, held in the office of City Manager Stephen B. Story, was attended by three councilmen, Louis S. Foulkes, Chester A. Peake and Charles Stanton, all of the City Manager League group, and Vice Mayor Isaac Adler was out of town. The Republican organization councilmen did not show up. Their program is said to be for a stand against participating in any Council affairs except in regular meetings. The two groups will have a test of strength Monday night when a vote is scheduled to take place on two candidates for the vacant place of councilman at large. The Republican organization members have nominated Charles F. Mosher, national guardsman and business man, and the City Manager League members have nominated Virgil M. Palmer, industrial engineer. The vote again is expected to be four to four.

The most important business scheduled before the Council session is the submission of a new building code. Finishing touches are being applied by Corporation Counsel Clarence M. Platt, who said it should be ready Monday. This code has been in preparation for more than two years. It will regulate all building construction and set up a combustible ordinance for the handling of explosives, something which the city has been long without.

STORY TO BE GUEST OF RED MEN TONIGHT

City Manager Stephen B. Story will be guest speaker at a meeting of Wall-Be Tribe No. 7, Improved Order of Red Men, tonight in Seneca Hotel ballroom, marking the thirty-seventh anniversary of the inauguration of the tribe. Dinner will be served at 6:30 p. m., followed by an eight-act vaudeville olio, under direction of Henry Adams, master of ceremonies.

anathema to its rivals of the City Manager League. The Council is scheduled to receive a new building code, to consider a number of real estate deals and hold public hearings on eighteen ordinances for street improvements. The two most important street improvement ordinances are for widening and paving Dewey Avenue, between Broadway Street and Ridgeway Avenue and for widening and paving Monroe Avenue, between Field Street and the city line.

City's Business Paramount

No indication has yet appeared of a break in the City Council deadlock, nor has any progress been made toward filling the seat left vacant by the death of Joseph C. Wilson, former councilman and mayor. Stripping the issue down to essentials, the Republican organization group is understood to be standing pat on the demand that whoever is chosen councilman shall be ready to join in ousting City Manager Stephen B. Story. This group might not insist on choice of Charles S. Owen as city manager, but is definitely opposed to Mr. Story.

The other faction, usually known as the City Manager League group, so far has refused to throw Mr. Story to the wolves. Looking at the matter from the angle of normal political precedent, it appears that a faction which failed at the last election to win the balance of power, and still lacks a majority in the City Council, is demanding a good deal when it insists that the existing administration be overturned. Possibly the Republican organization group feels itself more homogeneous and united, and thus inherently stronger than its opponents.

One thing is certain: The disagreement in the council ought not to be carried to the point of failure to carry on the city's business. Fortunately, such a situation has not so far arisen, despite much bickering at council meetings. If either group takes a rule or ruin attitude, the people of Rochester should be prompt to note and to resent such a stand.

Guzzetta Asks Story Why Streets Are Not Repaired

Vigorous debate was indulged in by City Manager Stephen B. Story and Councilman Joseph L. Guzzetta with reference to the condition of the streets in Rochester. Guzzetta said that since the city manager requested the names of streets in which there were large holes, he was prepared to name forty of them. In many of the condition of the pavement between the tracks was the worst, he said. The councilman asked if the city could compel the railways to pave between the tracks. Corporation Counsel Clarence M. Platt gave it as his opinion that with notice the city could step in and make the repairs and collect from the railways, but in his experience this had not been done. Guzzetta wanted to know why it hadn't been done, and City Manager Story said it was tried, and the city spent \$400,000 it was unable to collect. Mr. Guzzetta said that if there was pressure, it could be accomplished, and Mr. Story said that was the province of the courts.

Public utilities then drew Guzzetta's fire. He asserted they could be made to do many things, and Mr. Story said that they "couldn't be made to jump through a hoop." River Dumping Criticized Concrete Mixer Makes Dust Mixing of concrete in Mount Hope Avenue came in for criticism, vigorous objection being made by property owners. Guzzetta requested a report on the condition at the next meeting. This subject has been discussed before and City Manager Story said that no permit was issued. The property owners said that conditions have reached a point where they are intolerable. Operation of the concrete mixer, which flooded the neighborhood with dust, was coming into bedrooms, they said should not be permitted near homes.

ORDINANCE FOR BROAD STREET EXTENSION WILL BE DRAFTED; DAYLIGHT SAVING PROPOSED

Stanton Thinks Most Folk Want Change in Summer Time

CHECKS HIS VIEWS NEW ORDINANCE

Everyone To Be Given Chance To Be Heard Next Tuesday

Daylight saving for Rochester on May 18 to September 28 is provided in an ordinance introduced evening by Councilman Charles Stanton.

Vice-Mayor Isaac Adler referred ordinance to the law committee, which he is chairman, and his associates, Councilman R. Andrew Hamilton and Louis S. Foulkes, had complete opportunity to be given for all persons to be heard on the subject at a special meeting of the committee in the Council chambers at 8 next day evening. This will enable the committee to report and for the council to take action on Monday evening, May 12.

Introducing the ordinance, Councilman Stanton said that he was sponsoring it because he felt the majority of people in Rochester wanted daylight saving. He said that with one or two exceptions, Rochester was the only city in the state that did not have daylight saving, and virtually all of the Eastern part of the country had it.

Senator Clano said that he had not heard any objection to the measure from any civic body, or any individual, with the exception of Vice-Mayor Adler, and that, had any reasonable objection been made while the Legislature was in session, he would have sought an amendment to cover it. Vice-Mayor Adler answered that he thought the bill before the council was immeasurably better than the one originally introduced, and told why he was opposed to it, as passed. He said that besides some technical objections as to issuance of certificates of indebtedness, without control by an elective officer, he felt that the county was not ready for harbor development provided for in the bill; and that, in his opinion, there should be a survey of port requirements by competent experts, and that the city should join the county in seeing that this survey was undertaken, and share the expense.

Major Items Before Council

Business transacted by the City Council last evening included the following items: Received daylight saving ordinance from Councilman Charles Stanton providing for advanced time for Rochester from May 18 to September 28, and Vice-Mayor Isaac Adler fixed next Tuesday evening for a hearing on measure before law committee. Received from Vice-Mayor Adler resolution directing Harold W. Baker, commissioner of public works, to prepare ordinance for extension of Broad Street to Alexander Street, and resolution was adopted by a vote of seven to one, Councilman Chester A. Peake voting in negative.

Both Virgil M. Palmer, proposed by Councilman Peake, and Capt. Charles F. Mosher, proposed by Councilman Hamilton, failed of election a councilman because of equal vote, and Councilman Stanton nominated Julius Kosterly, Jr., and Councilman Hamilton presented Captain Mosher's name for third time, vote on these nominations being deferred for two weeks. Councilman Hamilton presented local law which would enable people of Rochester to elect councilman in conjunction with election this Fall, and Corporation Counsel Clarence M. Platt said that government as to legality of this measure exists, and at request of Councilman William F. Durnan, will seek an opinion from Attorney-General Hamilton Ward as to whether election can be held this Fall, or whether it shall go over to Fall of 1931.

Measure to give vice-mayor salary of mayor during time he fills office failed, as did local law giving Council power to elect any member as mayor for a period of sixty days. Vigorous debate developed between City Manager Stephen B. Story and Councilman Joseph L. Guzzetta, with reference to condition of streets and to attitude of city toward utilities. Several big street improvements proposed, including asphalt pavement for extension of Cumberland Street by Councilman Durnan; Harbor Boulevard by Councilman Peake; discussion regarding improvement of section of Dewey Avenue, also Monroe Avenue from Grand Street to city line, to be city project. Received from Councilman Hamilton new building code, representing several years of study for purpose of modernizing Rochester's building requirements, and transacted a large number of matters in longest and busiest session Council has had under city manager government.

Resolution Approving Port Bill Killed by Council Tie

A resolution requesting Governor Franklin D. Roosevelt to approve the legislation creating a port authority for Monroe County was introduced by Councilman Nelson A. Milne, and failed of passage because the Council divided on strict party lines.

Privilege of the floor was extended to Senator Cosmo A. Cilano and Assemblyman Truman G. Searle, and both made a thorough presentation of the provisions of the bill. Senator Cilano went carefully into the provisions in the bill as presented last year; also the bill as originally introduced this year. He told of the objections by the Chamber of Commerce and how the bill was amended in an "honest and conscientious manner" to meet fairly each objection, and declared that the measure before the Governor presents a constructive endeavor to meet the port question and meets the approval of Chamber trustees.

Senator Cilano said that he had not heard any objection to the measure from any civic body, or any individual, with the exception of Vice-Mayor Adler, and that, had any reasonable objection been made while the Legislature was in session, he would have sought an amendment to cover it. Vice-Mayor Adler answered that he thought the bill before the council was immeasurably better than the one originally introduced, and told why he was opposed to it, as passed. He said that besides some technical objections as to issuance of certificates of indebtedness, without control by an elective officer, he felt that the county was not ready for harbor development provided for in the bill; and that, in his opinion, there should be a survey of port requirements by competent experts, and that the city should join the county in seeing that this survey was undertaken, and share the expense.

Assemblyman Searle pointed out that in his opinion there was no new political subdivision, and he said that the bill was passed unanimously by both the Senate and the Assembly. He said that the Harbor Advisory Board appointed by City Manager Stephen B. Story has pointed to the inadequacy of the lower Genesee River, except for packet freight, and declared that the legislation provided only the authority for a survey to establish the need for greater development; set up the machinery for cooperation from the Federal government, and did not commit the city or the county to the expenditure of any funds unless it should be determined by the survey that the port facilities were required. The opening of the Welland Canal, the attitude of Oswego toward port development and the cooperation of the Federal government with this municipality were touched on by the state legislator; also the safeguards suggested by the Chamber of Commerce to prevent indiscriminate spending, the provisions for a referendum on development authorized by the City Council or the Board of Supervisors, were outlined.

Councilman Peake Only Opponent of Broad Street Proposition

REAL ESTATE MEN ESTIMATE COSTS

Milne, Guzzetta Want Start Made North of Main Street

By HIRAM MARKS

The extension of Broad Street as far as Alexander Street is to be provided in an ordinance to be prepared by Harold W. Baker, commissioner of public works, as the consequence of a resolution introduced last night in the council by Vice-Mayor Isaac Adler and adopted by a vote of seven to one.

The one opposing vote to the resolution, which directs the preparation of the ordinance, was cast by Councilman Chester A. Peake, who said that the city had heavy expenditures before it for bridge, harbor development and "it was enough for one season." Councilman Joseph L. Guzzetta and Nelson A. Milne said that they favored the extension of Broad Street, but were not certain as to their attitude toward carrying to Alexander Street. They said that they favored the extension to Chestnut Street, and felt that some start should also be made toward the parallel street on the north side of Main Street, as suggested by the Bartholomew major street plan.

Further Work Proposed

Vice-Mayor Adler suggested that resolutions providing for such improvements, as the extension and widening of Church and Pleasant Streets, as provided in the major street plan, be introduced at the next session of the council, and both Councilman Milne and Guzzetta expressed their approval of this suggestion, and a similar resolution with reference to the street north of Main Street will be before the council on May 12.

Councilman William F. Durnan wanted to know whether the ordinance that will be prepared by Commissioner Baker will indicate the assessable areas for the improvement, and he was informed that the subject would be covered completely. Vice-Mayor Adler explained that the resolution directing the preparation of the ordinance is the start in the procedure set up in the charter for the formal consideration by the council of the improvement, and provides for the gathering by the city of the necessary estimates of cost.

This move by the council brings the extension of Broad Street nearer than any time in the many years' discussion. Former Councilman Harry C. Goodwin endeavored unsuccessfully on several occasions to have the ordinance prepared by direction of the council. The Business District Improvement Association in a letter signed by Harry W. Bloss, executive secretary, urged the improvement; also the council had before it a communication from the Real Estate Board of Rochester, in which the subject of costs, as found by a committee of the board, was discussed.

This letter signed by Joseph F. Engle, president, and W. Roy Wolf, executive secretary, was read by City Clerk Thomas P. O'Leary and is as follows: In compliance with the request of several of the councilmen, a special committee of the Civic Improvement Committee of the Real Estate Board of Rochester has made a new survey to determine the approximate cost of acquiring properties for the extension of Broad Street to Alexander Street. This committee was guided by a similar survey made at the request of the City Manager in September of 1928, at which time actual properties to be taken, together with excess properties, were considered and a figure arrived at.

Since the announcement of the Bartholomew Plan, it was found unnecessary to repeat so much excess property. The committee has made a very intensive re-survey and finds, by excluding the excess properties previously considered, it eliminates properties to the extent of \$3,375,000 and a re-estimate of the actual properties to be taken, due to present day market conditions, a further reduction of \$27,051, thereby leaving a total estimated cost for the properties involved of \$8,776,100.

While the above figure of \$8,776,100 is a careful study of the properties involved, such figure, of course, does not represent an actual estimate of the various properties. We do believe, however, that the final approved values will not exceed, and may be less than this figure. We also desire to bring to your attention that there will be certain parcels of property acquired that will not be entirely used by Broad Street, and by the resale of such strips and parcels, probably to adjoining property owners to whom such parcels will be of a particular asset, the city will receive back certain sums of money, the total amount of which, of course, will be deducted from the first cost to arrive at the actual expenditure to the city.

You will note that the above figure of \$8,776,100 is for the extension of Broad Street from South Avenue through to Alexander Street. We now give you estimate of the survey of cost from South Avenue to Chestnut Street as being \$2,067,000; and the survey of estimated cost from Chestnut Street to William Street as being \$27,051; and the survey of estimated cost from William Street to Alexander Street as being \$1,180,700. It is the recommendation of this committee that Broad Street should be extended through to Alexander Street rather than stopping at any point westward, in view of the fact that values of the eastern portion of the proposed Broad Street extension are today of such nominal amounts.

The Committee respectfully calls to the attention of the Councilmen that there is indication throughout the country of an upward trend in realty values from now on, and, therefore, the city would usually from an economic standpoint, of carrying out this feature of the Bartholomew Plan before any other major projects are started in Rochester.

Hamilton Would Have City Vote on Wilson Successor

Amendment of the City Manager Charter to enable the people of Rochester to elect a councilman-at-large to succeed the late Mayor Joseph C. Wilson, is provided in a local law presented to the Council by Councilman R. Andrew Hamilton. This was only one of several phases of the Council deadlock presented by last evening's session.

Both Virgil M. Palmer, proposed by Councilman Peake, and Capt. Charles F. Moshier, proposed by Councilman Hamilton, failed of election because of the tie.

Stanton Nominates Hoesterer Councilman Charles Stanton nominated Julius Hoesterer, Jr. for councilman-at-large, as a representative of the local interests of Rochester, and Councilman Hamilton presented Captain Moshier's name to the Council for the third time. The vote on these nominations was deferred until the next meeting.

The local law by Councilman Nelson A. Milne to enable any member of the Council to serve as mayor for sixty days, failed of passage because of the tie vote, and the measure to give the mayor's salary to the vice-mayor for the time that he performs the duties of mayor, was also defeated by the deadlock.

Spirited discussion centered around Councilman Milne's measure which, if adopted, would enable any member of the Council to be selected to perform the duties of mayor. The law committee reported adversely on the ground that the bill was ineffectively drawn, and that "the measure is a substantial objection to the bill is unnecessary."

Councilman Foulkes invited attention to the failure of Councilman Hamilton to sign the report, and Vice-Mayor Adler asked him if he had a minority report. Mr. Hamilton said that he came to the Council session at five minutes to 8 o'clock, then received the first information he had about the report; and if he had desired to prepare a minority report, he would not have had an opportunity.

Councilman Milne, sponsor of the measure, asked Corporation Counsel Clarence M. Platt in what particular the law was ineffectively drawn, and Vice-Mayor Adler asserted that it did not set forth the law as it now stands.

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Councilman Milne asserted that the Council was hopelessly deadlocked, and the intent of the measure was not to pass the position of mayor around among the councilman, but he felt in fairness that among the organization councilman there was one just as capable and competent to hold the office of mayor as Mr. Adler. He said that "we are entitled to that privilege, just as much as you," addressing the vice-mayor.

Mr. Adler said that his objection was that, as there is a vice-mayor, he should perform the duties of mayor in event of a vacancy; and if Councilman Milne's suggestion were followed, the office of vice-mayor should be abolished.

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Adler Stands by Guns "Nevertheless, the vice-mayor is legally in office," asserted Mr. Adler, "and is going to fill the responsibilities of that office until a successor as mayor is elected."

"We know you are czar, and trying to remain as czar," said Councilman Milne, "but we will not go along on this proposition."

"I try to treat all councilmen fairly," declared Vice-Mayor Adler, ending this phase of the discussion.

Councilman Duran urged that careful consideration be given to the local law that will enable the people of Rochester to select a successor to Mayor Wilson this Fall.

Vice-Mayor Adler asked Corporation Counsel Platt if there was any legal prohibition against the adoption of the local law, and Mr. Platt said that he thought there was.

Acting Mayor Isaac Adler suggested that Councilman Guzzetta prepare a resolution, for presentation at the next Council meeting, to take care of any recommendations that he may wish to make for the new parallel street.

The Real Estate Board estimates the improvement will cost \$5,270.

By a rising vote the Council approved unanimously the Councilman Chester A. Peake's proposal that an elm tree, with a plaque, be planted in Wilson Park in memory of the late Mayor Joseph C. Wilson.

Ordinances providing for extension of the street improvements in Monroe and Dewey avenues were proposed by several property owners. Action on each ordinance was postponed until the next meeting.

A resolution authorizing leasing of a building in Lyon Avenue for library purposes was referred to the public welfare committee, and the resolution directing that the new building code shall not be published in the newspapers was adopted.

Councilman Guzzetta complained of the condition of many streets which, he said, are in need of repairs. He urged action be taken by the city to compel the New York State Railways to repair pavements between the car tracks in many streets, and appealed for action against the Rochester Gas & Electric Corporation which he said has "changed the course of the river" in the downtown section.

Senator Cosmo A. Cilano and Assemblyman Truman G. Seavie, sponsors of the Port Authority bill, explained the provisions of the measure and asked the Council to endorse the bill.

Comptroller Clarence E. Higgins said that unless the authority to renew the notes were granted, it would be impossible to pay contractors next month.

The Council deadlocked on Virgil M. Palmer and Charles F. Moshier, both of whom had been nominated for councilman to succeed Joseph C. Wilson, and Councilman Stanton then nominated Julius Hoesterer, Jr., contending that labor should have a representative on the Council.

Mr. Adler said that his objection was that, as there is a vice-mayor, he should perform the duties of mayor in event of a vacancy; and if Councilman Milne's suggestion were followed, the office of vice-mayor should be abolished.

New Traffic Artery North Of Main St. Also Is Probable

These Two City Plan Projects Brought to Focus Before Solons—Argument Turns on Whether Broad Street Should Extend Only to Chestnut, or Further.

Extension of Broad Street, either to Chestnut Street or Alexander Street, creation of a new parallel street north of Main Street and a proposal to adopt daylight saving time in Rochester are major items in a program which is to come up for early action in the City Council.

The proposal to extend Broad Street was introduced in the Council last night and referred to the city planning and zoning committee after communications urging the extension were received from the Business District Improvement Association and the Real Estate Board of Rochester.

Councilmen Joseph L. Guzzetta and Nelson A. Milne both announced opposition to the proposal to extend Broad Street as far east as Alexander Street at this time.

Acting Mayor Isaac Adler suggested that Councilman Guzzetta prepare a resolution, for presentation at the next Council meeting, to take care of any recommendations that he may wish to make for the new parallel street.

The Real Estate Board estimates the improvement will cost \$5,270.

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FIRST JOB IN CITY PLAN

A City Council program to extend Broad Street as the first improvement under the proposed Church-Pleasant route north of Main Street is to be introduced at a later meeting.

The action Monday night is encouraging on several counts. It shows that the City Council is keeping the City Plan in mind; that recommendations as to the order in which projects shall be taken up are receiving due consideration, and that the political split in the council is not obstructing action along this line.

To derive the full benefit from extension of Broad Street it will be necessary to carry it on to an enlarged Park Avenue at Barrington Street, and even the initial improvement should not stop short of Alexander Street.

The pioneers did a good job when they laid out Main Street, but their successors made a mess of the downtown district, leaving territory north and south of Main lacking proper access.

Sufficient sentiment for the extension exists, judged by the Council's action.

Only one councilman, Chester A. Peake, voted against having an extension ordinance at this time. He believes the whole plan is visionary and beyond the people's pocketbooks now.

Councilmen Milne, Guzzetta and Duran said they might eventually vote for limiting the extension to Chestnut Street.

That the people, who must pay for extensive local improvements, are opposed to them was shown when hearings were held on eight street improvement projects. Action on most of them was deferred two weeks because of remonstrances.

Plans for widening Dewey Avenue between Augustine Street and Knickerbocker Avenue and Monroe Avenue between Field Street and the city line may be upset by opposition.

Both City Manager Story and Public Works Commissioner Baker were under the fire of Councilmen Guzzetta and Milne, because of alleged poor street pavements.

Mr. Guzzetta read a long list of streets which needed repairs. Among them he said were Grand Avenue and Garson Avenue, both of which, he said, needed more than patching with asphaltic cinders.

Mr. Story said the streets were beyond a condition where temporary fillings would do, and the people on the streets were unanimously against paying for new pavements. Mr. Guzzetta asked: "Why not give them more than a temporary filling? Give them resurfacing like downtown streets get."

"You are a dentist, Dr. Guzzetta, and when you treat a tooth you begin with a temporary filling, do you not?"

"Yes, but I don't use temporary fillings year after year, as you are on some streets."

Getting Somewhere

Extension eastward of Broad Street, a project recommended in the City Plan for early execution, has been advanced through adoption by the City Council of a resolution directing Harold W. Baker, commissioner of public works, to draw up an ordinance with that aim.

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NEW BUILDING CODE TO HAVE OPEN HEARING

Law and public safety committees of the City Council will conduct a hearing on the new building code, presented to the Council Monday night by Councilman R. Andrew Hamilton.

By rising vote, the Council adopted a resolution to plant an American elm tree with suitable plaque in Wilson Park as a memorial to the late mayor, Joseph C. Wilson.

Renewal of the lease on the library building in Monroe Avenue for one month was authorized.

Upon the report of the local improvement committee read by Councilman Milne the following ordinances were passed: Amending Remington Street asphalt pavement resurfacing, \$100,000; amending Drexmore Road asphalt pavement, sanitary and storm water sewers and sidewalks, \$11,000; and embellishment of streets in Browncroft, \$5,000; amending ordinance for Rockview Terrace concrete pavement, walks and sewers, \$12,500; amending Canton Street concrete pavement, sewer and walks from Otis to Bergen Streets, \$11,500; amending Wetmore Park concrete pavement ordinance, \$4,000; Moose Street cinder pavement, \$400; Kleuh Street asphalt pavement, \$12,100; Archer Street asphalt pavement, \$17,000; sprinkling for the season, 1930, \$35,000; Waverly Place asphalt pavement and combined sewer, \$2,800.

The price of \$22,500 asked by John J. Casey for land required for Smith Street bridge was approved; the price of \$17,500 asked by Catherine Young for land required for Seneca Park addition was approved; and the price of \$42,500 asked by Phoebe Keefe for land for Ridge Road, bridge traffic circle was disapproved, as was the \$50,000 price asked by Nellie I. Webb for land for the same purpose, and \$17,000 asked by Veronice Acquin for land for Smith Street bridge approach.

Advanced Time Again The question of advanced time, more commonly if less accurately known as "daylight saving," has again been brought to the fore through introduction of an ordinance by Councilman Charles Stanton for setting the clock ahead an hour on May 18 and keeping it that way until September 28.

Daylight saving was in force during the war. The law was afterwards repealed by the Legislature, making the matter optional with the state's political subdivisions. Rochester retained daylight saving for a time, later dropped it, re-

instated it again, and threw it out once more after a referendum in November, 1927. That vote was 35,000 against advanced time to 29,000 favoring it. The earlier changes were made by the Common Council in accordance with its interpretation of sentiment displayed at public hearings and in petitions.

Councilman Stanton believes sentiment has changed since the 1927 referendum. Daylight saving advocates also hold their cause was under a psychological handicap in a November referendum. A plan for getting up earlier may not seem attractive then, even if it is not to take effect until the sun also rises earlier.

In one important respect the outlook assuredly has changed since 1927. It was then thought by many persons that daylight saving was "slipping." Now it is evident that New York, Buffalo and other cities on the long list using advanced time have no intention of altering their stand.

If the City Council is to take action in the matter it should have at hand as complete information as possible. For that reason The Times-Union is printing ballot for an informal poll and urges its readers to indicate their stand on a question.

SENTIMENT FOR DAYLIGHT TIME MADE APPARENT

Numerous petitions urging daylight saving were being circulated through Rochester stores, mercantile and industrial establishments, buildings and other places where there are large groups of people, and it is expected that there will be widespread expression of opinion on the subject when the Law Committee of the City Council holds a special hearing on the ordinance introduced by Councilman Charles Stanton next Tuesday evening at 8 o'clock in the councilmanic chambers.

Members of the Law Committee, made up of Vice-Mayor Isaac Adler, chairman; Councilmen R. Andrew Hamilton and Louis S. Foulkes, urge the widest possible expression of views on the subject. A special meeting of the Rochester Bar Association trustees was called and adopted a resolution favoring the ordinance.

Others to Act Other organizations in the community are to consider the ordinance. The Rochester Ad Club will vote tomorrow on the proposition. Councilman Stanton said that he is cognizant of the majority vote opposing it in the referendum two years ago, but felt that it was not a conclusive expression of opinion, because of the large number who did not record their preference one way or another.

It was generally felt that in 1927 the campaign against it was under sponsorship of utilities, motion picture exhibitors and others having a business interest in the subject, and the sponsors of daylight saving do not feel that the light will be so pronounced this year. However, the councilmanic members urge that everybody who has views either one way or the other appear in person or by signing petitions or other communications, so the councilmen may be guided accordingly.

"Amos 'n' Andy" Cut Out One of the arguments advanced in favor of daylight saving among the sponsors yesterday was the fact that the Amos and Andy program is on at 6 o'clock, making it impossible for many people to get home to hear it.

That the opposition will make itself known goes without saying, and the Law Committee looks for an interesting hearing.

Voicing the sentiment of organized boating interests, Commodore Philip G. Hoffman of the Rochester Yacht Club declared yesterday that Rochesterians interested in sailing and other water activities would strongly urge adoption of the daylight saving ordinance.

Hoffman pointed out in this connection that the extra evening daylight hour would be of material assistance to the Rochester club in its preparations for the defense of the Canada's Cup this Fall. If the measure goes through, he declared, the club would sponsor late afternoon trial races to help in the selection of the American defender for that important international cup sailing event.

The Plan as a Guide

Evident disposition of members of the City Council to be guided by the City Plan in considering proposed street extensions in the heart of Rochester is highly encouraging to the friends of that instrument of progress, and a practical demonstration of the worth and usefulness of the plan.

Studies such as those on which the Rochester City Plan is based furnish a substantial background of fact on which to build. Now that results of such studies are available, so that the effect of proposed modifications can be seen in maps and in estimates of costs, it is possible to proceed with some degree of assurance in the planning of improvements. Hence, with the City Plan as a guide, the City Council can scarcely be wrong in basing its action on the plan.

Obviously, any proposed improvement on lines laid down in the City Plan tends to raise the value of that plan and increase public confidence in its worth. Incidentally, the City Council is not likely to find a better way to enhance its own reputation for common sense and good judgment than by building according to the City Plan.

CITY LIGHT RATE HIGHEST YET IN SURVEY

In a report to the Board of Supervisors today, the special committee investigating gas and electric rates announced that a study of schedules of other cities of the state disclosed that, of the cities already examined, Rochester has the highest rate for domestic electrical service.

The committee recommended that an electrical lighting specialist be employed to assist the board in its investigation.

At today's meeting, a resolution from the Socialist party, demanding immediate action in the rate probe, was presented.

Meanwhile the request for aid asked of the City Council reposed in the custody of the Public Utilities Committee of the municipal legislative body. This committee consists of two Republican organization members, R. Andrew Hamilton and William F. Duran, and one City Manager League member, Louis S. Foulkes.

As the Republican organization is behind the supervisors' program it would seem as if it could exercise sufficient power to compel at least a committee report in the council, even if action were to be killed by a vote on the floor.

The Socialist issued a long attack on the Associated Gas and Electric Company and its local subsidiary, the Rochester Gas and Electric Corporation.

The Socialists issued a long article consisting of Richard M. Briggs, Heyman E. Lipschutz and James L. Brewer, condemned the power concerns for using the money of gas and electricity consumers to spread propaganda against regulatory measures at Albany.

ROOSEVELT VETO WON'T STOP PORT DEVELOPMENT, SAYS CHAIRMAN BAREHAM

Bareham in Statement Deplores 'Underground Local Opposition' That He Says Encouraged Veto

The statement of Harry J. Bareham, Republican county chairman, on the veto of the Cilano-Searle port authority measure by Governor Roosevelt, is "nothing more than a purely partisan patronage - breeding proposition."

Not Untried Plan

This is not an untried plan. Atlantic seaboard ports and Great Lake ports in this day and age develop along the exact lines laid down by the Cilano-Searle port bill. In the face of the great awakening of the American inland to its commercial opportunities, this bill was drawn to give Rochester the tools of building. These tools have been struck from the hands of the people of this county by a man sworn to serve all of the people of the state which has meekly returned state, not the particular part of the state which has meekly returned state.

Praises Work of Legislators

I believe no legislative delegation ever took a train for Albany more intelligently and earnestly tried to serve Rochester and Monroe than the 1930 delegation did this year. We Republicans are proud of our records. Their records are no less conspicuous because they have been largely ruined by Franklin D. Roosevelt.

Backing for Major Street Plan Asked by Club Council

A resolution asking organizations represented in the Council of Civic Clubs, a total of sixteen clubs, to back the Bartholomew Associates Major Street Plan, was adopted last evening by the council at its meeting in The Sagamore. The resolution follows:

"The Rochester Council of Civic Clubs recommends to its member organizations through their assembled delegates that these organizations urge upon the city administration immediate action in the business district for carrying out the Bartholomew Associates Major Street Plan, thereby relieving traffic conditions, furnishing employment to the unemployed, and permitting the development of properties now indefinitely held in abeyance."

The Rochester Council, Knights of the Round Table, was admitted into membership in the council.

Hints County May Act On Its Own Without State Sponsorship

WILL STUDY THIS ANGLE OF MATTER

Says Killing of Bill by Governor 'Wantonly Destructive'

By JOSEPH R. MALONE

Governor Roosevelt "maliciously invoked" his veto power in killing the Monroe County Port Commission and other local bills, Harry J. Bareham, chairman of the Republican County Committee, asserted yesterday in a statement denouncing the various gubernatorial vetoes.

"Underground local opposition" to the port bill helped to encourage the Governor in his veto, said Mr. Bareham, and he added that "it is sad to reflect that we haven't a Governor big enough to look beyond the end of his partisan nose." He hints that port development may be carried on by the county without state sponsorship, and says that "this aspect of the question must be studied."

Won't Be Dominated

"No gubernatorial creation of Tammany Hall," said Mr. Bareham, "is going to tell Rochester and Monroe County what we shall have and what we shall not have in the line of commercial opportunity."

Mr. Bareham's statement is published in an adjoining column. In his message accompanying the veto, the Governor recited that "no adequate, comprehensive survey has been made showing either the necessity or advisability of this new corporation commission" as proposed in the bill.

Survey Contemplated

"The port bill as passed by the Legislature," he said, "provided for a commission with power to promote port construction. But it was not contemplated by anyone favoring the measure that any work would have been made, such survey to ascertain what facilities the future might reasonably demand and what the possibilities would be of industrial development through such facilities."

In his message accompanying the veto, the Governor recited that "no adequate, comprehensive survey has been made showing either the necessity or advisability of this new corporate commission."

"It is enabled to issue and sell certificates of indebtedness and raise money upon the taxable property within the county with which to pay the same. There is no agreement among the people of Rochester or in the county as to the terms of this particular bill. The acting mayor of the city and a large number of members of the Chamber of Commerce are opposed to it; and in view of the fact that even those advocating its adoption admit its necessity of amendment next year, believe that the whole matter should be delayed for another year in order to permit a more careful and intensive

GOODWIN SEES PORT BILL AS MERELY PORK

Makes Reply to Bareham on Governor Roosevelt's Veto of Measure

The port authority bill, vetoed by Governor Roosevelt, is "nothing more than a purely partisan patronage - breeding proposition," Harry C. Goodwin, former city councilman, said last night in a statement countering the attack made by Harry J. Bareham, chairman of the Republican County Committee, on the Governor because of the veto. In his statement, Mr. Goodwin said:

A careful reading of Mr. Bareham's statement strikes me that his possibly was misquoted or even mis-spoken. I don't believe he spoke himself. I don't believe he intended to say that Governor Roosevelt vetoed the port authority bill because of the damage it would do to the community, but rather that he struck a damaging blow to the Republican organization.

As to Tammany: Mr. Bareham said: "No gubernatorial creation of Tammany Hall is going to tell Rochester and Monroe County what we shall have and what we shall not have in the line of commercial opportunity."

With the Second and Fourth Wards in mind, I am well within my rights as a citizen of Rochester to answer that statement by saying: "No one individual because he happens to head the Republican organization is going to tell Rochester and Monroe County what we shall have and what we shall not have in the line of commercial opportunity."

SABIN ARRIVES FOR SURVEY OF GENESEE RIVER

Louis C. Sabin of Cleveland, engaged by City Manager Stephen B. Story to make a survey of the lower river to determine its harbor facilities, arrived here today and inspected the river front with Mr. Story and Commissioner Harold W. Baker of the public works department.

After luncheon, which they had at the Rochester Yacht Club, they continued the inspection. Mr. Sabin said he expects to return to Rochester next week for a further study of the situation.

His visit to the water front today was in the nature of a preliminary inspection, he said, to acquaint himself with "the lay of the land and the flow of the water."

RAILROAD PLAN FOR CITY AGAIN BEFORE BOARD

The railroad section of the City Plan submitted by Harland Bartholomew, St. Louis planning expert, was again considered by the City Planning Commission this afternoon.

While the proposals embodied in the railroad section have not been made public, the plan is known to include provision for a union station for the Erie, Lehigh, B. R. & P., and Pennsylvania railroads, excluding the New York Central, and for railroad connections with the proposed packet service planned by the city as part of the scheme for development of the lower Genesee River for harbor purposes.

No action was taken by the commission this afternoon, but it is expected that suggestions as to certain changes in the railroad section, which the members are said to favor, will be presented to Mr. Bartholomew when he comes to Rochester Monday or Tuesday next week.

Daylight Saving Again

The revival of the agitation for daylight saving in Rochester reveals a sentiment on the subject too strong to be ignored. When Rochester voted down the clock change at the election two years ago, it was generally supposed the proposal was dead and would not be exhumed. The spread of daylight saving in other parts of the country, however, indicates that Rochester must again come to a decision about it. Not only is the custom spreading, but it is made mandatory by law in many places.

Rochester people must decide for themselves what they wish to do in this matter. Many allege now that the previous vote was not a fair test, that a large number of advocates of daylight saving stayed away from the polls, while the opponents mustered a virtually complete vote. Whether or not that is true, it seems certain from the petitions now circulated and the organizations that have gone on record in favor of the change, that there is a powerful sentiment for it.

At any rate, the proposal is alive again and a test of strength appears inevitable. Under the circumstances everybody with a preference in the matter should make it known Tuesday evening, when the City Council will conduct a public hearing before taking final action at its meeting the following week.

TUESDAY, MAY 6, 1930

Learning Public Sentiment

Interest exhibited in daylight saving gives reason to expect a large attendance at the hearing before the law committee of the City Council in the council chamber tonight.

This interest has been displayed in a variety of ways. As noted in the letter in which officers of the Chamber of Commerce endorsed advanced time, polls taken in a number of factories have shown a much larger majority favoring daylight saving than in former years. Response to the opportunity The Times-Union has offered its readers to express their opinion has been prompt and extensive, with votes favoring daylight saving exceeding those opposed by almost 4 to 1. Councilman Charles Stanton, who introduced the daylight saving ordinance, says he has been deluged with letters, most of them endorsing the proposal.

Thus there appears to have been a decided shift of opinion in favor of advanced time. One powerful reason for this can be found in general appreciation of the fact that most of the large cities of this state—and smaller ones as well—intend to adhere permanently to the daylight saving plan. The city that fails to set the clock ahead in summer, so as to take advantage of sunlight, is the one which is following an unusual and peculiar course.

Some misunderstanding exists regarding the referendum of 1927. No "law" was submitted to the people at that time, the council merely taking that method of ascertaining public sentiment.

Our City Council has full power to act on the advanced time ordinance. The hearing tonight should indicate present feeling on this matter.

Daylight Saving Hearing To Be Held Tonight By Council On Change In Time

Interest in Voting Shows No Decrease—Opponents Show Added Strength—Postal Employees Are 4 to 1 Against Moving Clock Ahead.

Strength is being shown by opponents of daylight saving as ballots continued to swell the total in the poll being conducted by The Times-Union to determine sentiment in Rochester on the proposed time change.

Here's Sixth Report In Times-Union Poll On Daylight Saving

The vote for six days in The Times-Union daylight saving poll today showed the following totals: For—15,500 Against—4,412

There appeared no lull in the interest shown in the poll, both by firms and organizations and individuals. Lists containing names of those who voted have been received from the Hickey-Freeman Company office force, Rochester Gas & Electric domestic sales department, Bausch & Lomb Company and Erskine-Healy Company.

Postal employees, it was revealed, are four to one against moving the clock ahead. In their balloting 430 opposed a change in time and 130 approved it.

Other organizations, which indicated their preferences, were the Real Estate Board, Kiwanis Club, Pennsylvania Railroad freight station, Remington-Rand Company, Chase Brothers, Wheeler-Consolidated Corporation, American Institute of Banking, including membership from Security Trust Company, Union Trust Company, East End Branch Office of Lincoln-Alliance Bank, East Side Savings Bank and Rochester Savings Bank.

The Times-Union wishes to emphasize that its poll is merely an attempt to register sentiment on daylight saving and has no direct bearing on the ordinance proposed such a change. A hearing will be held on the ordinance tonight by the law committee of the City Council. Final action on it is slated for May 12.

Port Bill Foes Were Ones Who Played Politics, Says Cilano, Defending Measure

Sponsors Intended Only To Serve County and City; Many Conferences Conducted; Survey Provision Made, Senator Says

Politics had no part in the preparation and introduction of the Monroe County Port Commission bill, Senator Cosmo A. Cilano, its sponsor at Albany, said last night in a defense of the bill before the Republican County Committee's executive committee and party workers at a meeting at The Sagamore. He attacked vigorously an editorial in an afternoon newspaper opposed to the measure and of one statement, that no provision for a survey was made in the bill, said it was untrue.

"The introducers of this bill in the Legislature had no thought of politics in introducing the bill. They sought to establish a port commission in order to meet the requirements of Rochester and Monroe County. The Port Commission, when established, is to make both an economic and engineering survey and to locate the most available site for establishment of a port."

Nothing Accomplished

Sponsors of the bill withdrew it from before the Governor, Senator Cilano said, in order that it might have further study, but at that time they promised to introduce a similar measure in 1930 with the understanding that they would meet with members of the Chamber prior to the new bill's preparation.

Merton Lewis Engaged

"During the past Winter," said Cilano, "the trustees of the Chamber of Commerce, together with the sponsors of the bill, and at the suggestion of the Chamber of Commerce trustees, engaged the services of Senator Merton E. Lewis, former attorney-general of the state, for the purpose of drawing the Monroe County Port Commission bill. After the bill had been drawn, several meetings were conducted by the sponsors of the bill, Chamber of Commerce trustees, or a subcommittee of the Chamber of Commerce trustees. These meetings were attended by Harry C. Stevenson, the chairman of the City's Advisory Board, Gilbert J. C. McCurdy, the president of the Chamber, Harold W. Sanford, the Chamber tax committee. The bill, together with all of the provisions, was gone over from cover to cover. The discussion was free and open. Everything being done in reference to the bill was free and above board. The sponsors of the bill sought no advantages, but the bill sought in the interest of the City of Rochester and of the County of Monroe, a legitimate measure, which would give to the citizens of the City of Rochester and the county, the right to establish a port. The trustees and the members of the Chamber, both Republicans and Democrats and advocates of the City Manager form of government, attended the meetings. When all objections had been met, the Chamber of Commerce endorsed the bill as finally drawn. There are no political motives on the part of the sponsors of this measure."

Senator Cilano denounced as "absolutely untrue" a statement which he said appeared in an editorial in the Times-Union asserting that the new bill contained most of the objectionable provisions of last year's bill. "If the Times-Union" said the Senator, "desires to foster the principles, political and otherwise, of that portion of the city government which has opposed this measure, no one can find fault with its desires. But let us at least be fair enough to have read the bill and to have cited the facts and not the conclusions of that portion of the city government which is opposed to every step that is taken by anyone who is not necessarily a supporter of its policies."

Reviews Objections

He reviewed objections to the 1929 bill and showed how they were eliminated this year. He said the proposed makeup of the commission, three to be named by the Council, three by the supervisors and one by the Governor, was eminently fair and continued: "But those who oppose port development because of their politics or that of their friends, must find something to complain about and this apparently is the point which attracted the port bill. It is suggested in the editorial that the next bill should represent genuine meeting of minds. I, of course, do not know who wrote the editorial, but if the gentleman who wrote it, was seriously interested in the subject, no one deprived him of the right to attend the meetings; to offer his counsel; state his objections or in a general way, to be heard. A meeting of the minds has been sought at all times. There has been only one person objecting to the bill, and while he has made several objections, he has never offered any constructive criticism nor has he stated what provisions he desired to have placed in the bill in order to make it satisfactory to him. It is the action of this gentleman that is being defended in the Times-Union editorial."

"The bill gave the commission a free hand to survey, outline and plan the port. It retained in the people full control of outlay and expenditures. If there is a political situation, it has been brought into this legislation by the political enemies of the bill and not by its sponsors. And let us not forget the fact that the present city administration has had several years in which to do something, constructive in the way of harbor and port development, but that it never moved its hand toward that end until after the Port Authority bill of 1929 had been introduced."

Historic Scrapbooks Collection

MORE VOTES CAST THAN IN REFERENDUM

Councilmen Record 61,671 For and 19,810 Against Change in Time

ARGUMENT GETS WARM Opponents Question Validity of Petitions; Council To Vote Monday Night

By HIRAM MARKS Sentiment on the question of Daylight Saving time for Rochester as indicated by petitions, newspaper ballots, and other records presented to the City Council last evening showed a total of 61,671 persons in favor of the proposal and 19,810 against it, according to tabulations of the law committee, announced by Vice-Mayor Isaac Adler, chairman.

The full law committee, consisting of Mr. Adler and Councilmen R. Andrew Hamilton and Louis S. Foulkes, heard the subject debated in a public meeting which at times was humorous, and again was guided by the chairman from a storm of personalities.

Council chambers were filled to capacity, and the hearing was closed with a brief statement by Councilman Charles Stanton, sponsor of the ordinance, that he was convinced beyond question that the majority sentiment in the community favored daylight saving time, and that the referendum vote two years ago was not to be taken as indicating the sentiment prevailing today.

The committee will take the matter under advisement, and report to the Council next Monday evening, and a vote will be taken. Two years ago last Fall the referendum vote was 34,000 against and 28,550 for the proposal and 25,000 did not vote.

At the opening of the session, Vice-Mayor Adler pointed out that the referendum was of advisory nature, and in itself did not constitute a law, and was only indicative of sentiment prevailing at that time. He said that Councilman Stanton's resolution provided another test of sentiment, and the hearing was called to guide the committee in its report.

Doubt Causes Storm

John G. White, who opposed the ordinance, representing the bricklayers and stone masons, questioned the authenticity of the petitions, and this excited a storm. John Shtatzel, president of the Loyal Avenue Business Men's Association, representing the businessmen in a number of wards, took this as a personal affront, and a heated discussion ensued for several minutes. Mr. Shtatzel said the retailers identified with the association were 444 for the proposal to change the time, and 31 against it.

Numerous statements were made indicating a change in sentiment since two years ago. Another point emphasized by the proponents of Daylight Saving Time was that the suddenness with which the question was raised caused a spontaneous movement in the community, and that the petitions by industrial concerns and mercantile establishments were circulated voluntarily, and present a free expression of viewpoint.

Says Referendum Should Rule

William Schaber spoke against the ordinance, and raised as his principal point that the referendum should be binding until another one was conducted, and that a straw vote was not conclusive proof of actual sentiment; and the point was made by several speakers in opposition that the Council should seek another referendum. When the article of the Times-Union toward the proposal was mentioned by Mr. Schaber as indicating that this paper is behind the movement for daylight saving, Jay Donovan, promotion manager, declared that The Times-Union, as a newspaper, was affected adversely by adoption of the ordinance, and it climaxed the hour gained in Rochester in getting out the late afternoon sports news, as all large cities are on Daylight Saving Time, and that it would cost thousands of dollars. He said that The Times-Union published the habits of the "unorganized people of Rochester" to express their sentiment, and for the record he presented 15,309 votes for Daylight Saving Time, and 4,412 against it.

Presentation of ballots and petitions was so rapid that it was difficult to keep a list of the names. Harry C. Stevenson, president of the Rochester Folding Box Company, represented 105 factories which circulated petitions. Employees in these factories were 22,064 for daylight saving and 8,551 against it. Mr. Stevenson stressed the spontaneous action by the employees, and he said that the sentiment polled in the factories showed a greater expression of opinion than was registered in the formal referendum. He charged that the November referendum did not represent the present viewpoint, that sentiment changes; that other state proposals were presented at the time the daylight saving referendum was conducted, and charged that the opposition was organized by interests whose business was affected adversely by daylight saving. He stressed the number of cities and villages on daylight saving, and remarked that Fairport will go on advanced time on May 30. Mr. Stevenson called on a number of factory representatives personally to present the vote in their establishments.

Jack Carritt of the Rochester Telephone Corporation reported 1,192 for the proposition out of a total employee list of 1,585. Edward Scheibe of the Bausch & Lomb Optical Company said the employees were three to one for it, and the company for the ordinance, because of the disadvantage to the sales department in keeping in contact with branch offices under standard time; that they were handicapped in reaching them by mail and telephone, and that business suffered. It was reported that the Eastman Kodak Company employees, who were identified with the Athletic Association were 4,535 for and 2,184 against daylight saving.

Nurse Opposes Change

A man who described himself as a "substantial Democrat of the Nineteenth Ward," said he was against it. Mrs. Kirkpatrick, 69 Nassau Street, a nurse, said she was against it because of the necessity of rising earlier in the morning; pointing to the twelve hours duty put in by nurses, and the necessity of being on the floor at 7 o'clock, and said it was an inconvenience to patients. Frank Beuhman and Meyer Snyder reported themselves against the ordinance; and W. B. Beatty, representing the stationary engineers, said they were against it because of the early rising that it necessitated.

Engineers Urged Action

Several other persons were heard, against the ordinance after which the proponents were called to state their case. They were led off by Harry Stevenson, president of the Rochester Folding Box Company, who offered petitions from the majority of the personnel of 105 Rochester firms asking daylight saving. "Why are you for it?" he was asked, and replied, "I don't play golf but lots of other people do. Anyway, I said and I can sail at night if I care to."

Presenters Petition

The law committee of the City Council today had under consideration the ordinance of Councilman Charles Stanton calling for daylight saving in Rochester after persons, representing the views of thousands of citizens, pleaded their case before it at a public hearing in City Hall last night. These in favor of a change in the time were far in the majority when the meeting was called to order by Chairman Isaac Adler, vice-mayor, and added indication of their strength was found in the reading of the petitions and votes presented committee members by interested organizations and individuals. That vote was given as 61,671 in favor of daylight saving and 19,810 against, a total larger than that cast in the referendum in 1927, which resulted in the Common Council ending daylight saving at that time.

19,810 Are Opposed, Hearing Of Council Committee Reveals

Petitions and Results of Straw Votes Presented Law Group—Definite Action To Be Taken Next Week—Views of Both Sides Presented.

By Frederick A. Storm

The law committee of the City Council today had under consideration the ordinance of Councilman Charles Stanton calling for daylight saving in Rochester after persons, representing the views of thousands of citizens, pleaded their case before it at a public hearing in City Hall last night.

Representatives of employees of Sibley, Lindsay & Curr Company, the Eastman Kodak Company, Hausch & Lomb and other Rochester industries then registered approval of the ordinance, after which William J. O'Hea, secretary of the Rochester Telephone Corporation, took the floor and expounded the view of hundreds who sought a change in the time. Mr. O'Hea was present as an officer of the Automobile Club and defended the balloting conducted by that organization.

Threatens Fight at Polls "If we want to put Rochester in a class with Macedon, Horseheads, and other small towns, well, then, let's keep standard time for the Summer and I'll come here next year and fight against daylight saving," he remarked. "But if we want to be in a class with the other up and coming communities of the state and nation then we'll have daylight saving. If this fails, I know that an organization will be formed to carry it to the polls in the Fall and to work a year from now for the defeat of those councilmen responsible," he concluded.

After the proponents finished, a half an hour was given each side for rebuttal and this brought out arguments closely paralleling those offered in the early part of this session. At 9:30 Chairman Adler declared the ordinance would be acted on finally at the next meeting of the council May 12 and adjournment was taken. If the ordinance passes daylight saving will become effective here from May 18 until Sept. 28.

Welfare Work FELT BY CITY, STORY ASSERTS

Could Have Wiped Current Expense Debt Out But for Economic Crisis

The current expense debt of the City of Rochester would have been wiped out and the need for further borrowing in 1930 eliminated had it not been for unforeseen demands for charities, caused by the economic crisis, City Manager Stephen B. Story said yesterday in an address before members of the Seneca Club at its luncheon meeting in The Sagamore. Mr. Story said the City Welfare Bureau has exceeded its budget by half a million dollars, and contended that the charity demands could not have been foreseen any more than they could have been prevented.

City Borrowing Reduced

The City Manager pointed out that city borrowing was cut down to \$200,000 last year and that only \$1,550,000 was borrowed in 1927, which he asserted was remarkable compared with the \$2,918,000 borrowing record inherited from the former administration at the close of 1927.

Industry Burden Cited

Shorter Period Compromise and Referendum Vote in Autumn Are Suggested

By HIRAM MARKS The attitude of the four Republican organization Councilmen toward daylight saving will be determined at a caucus Monday noon. Pending the caucus, the four are unwilling to announce their attitude, regardless of personal preference on the subject, and desire at the meeting to canvass the sentiment and various considerations that enter into the ordinance.

STORY SPEAKS ON BORROWING FOR CITY USE

Says Extra Burden on Welfare Bureau Prevents Wiping Out Current Expense Debt.

The city's Welfare Bureau has exceeded its budget by half a million dollars, City Manager Stephen B. Story said today in an address to members of the Seneca Club at a luncheon meeting in Hotel Sagamore. Had it not been for this drain on the city's finances, Mr. Story said, it would have been possible to wipe out the current expense debt.

"We might stop all this borrowing in 1930, but for unforeseen demands," Mr. Story said. "We cut it down last year to \$200,000, which is remarkable in view of our inheritance of \$2,918,000 borrowing record from the old government at the close of 1927. We cut it to \$1,550,000 in 1928 and to \$200,000 at the close of last year.

"The demands for charities could not have been anticipated any more than they could have been prevented. The economic disturbance of the land hit us just as it hit other cities. The needs of World War Relief, unemployed and indigent sick generally broke all bounds. The Welfare Bureau has overspent its budget by \$500,000 and is still spending and must continue to spend."

City Manager Story labeled his address "Looking Ahead for Rochester." He referred to the plans prepared by the administration for public improvements, citing the building of the Ridge Road bridge, reconstruction of Smith Street bridge and the improvement of Lake Avenue Boulevard, as well as touching upon the city plan calling for extension of Broad Street, creation of a new street to parallel Main Street and the harbor development of the lower river, also was touched upon by Mr. Story, who also referred to the fire prevention survey by the city which, he said, will be reflected in lower insurance rates.

Director Of Police Finds No Necessity For Use Of Statute

System Already in Use Involves Less Red Tape, Says Barker—Statement Follows Appellate Court's Confirmation of Three Test Convictions.

Employment of the so-called nuisance act in the prosecution of speakeasy proprietors is not necessary at present in Rochester, Director of Police Curtis W. Barker said today. The statement was made following confirmation by the Appellate Division, Fourth Department, of three convictions obtained in Allegany and Chautauque counties under the section.

"At present," Mr. Barker said, "we are clearing out speakeasies under a different system which involves less red tape in the prosecution of owners and proprietors. If we find it expedient in the future, we may invoke the nuisance act, but it is not necessary at the present time." Sheriff Fred D. Budd said he had nothing to say concerning the employment of the section by his office.

One of the cases in which the jury's verdict was affirmed by the Appellate Division was that of Elwin Rohrbacher of Allegany County, who was sentenced to a year in the penitentiary and fined \$500. His wife, Charabelle, was fined \$500 and received a suspended sentence.

In the other case, George W. Barton was fined \$250 in Cattaraugus County and sentenced to three months in Monroe County Penitentiary.

Series of Decisions

Last November there was a series of decisions by state Appellate Divisions upholding convictions under the act. At that time there was considerable discussion in Rochester legal circles as to whether persons who operate speakeasies here should be prosecuted under the act, which originated centuries ago in English common law, due to the lack of a state enforcement act.

District Attorney William F. Love announced at that time the Court of Appeals had also upheld the act. He declared application of it in Monroe County did not lie in the province of his office. He pointed out it was the duty of the police and the sheriff's office

CAUCUS SET ON DAYLIGHT SAVING LAW

Republican Councilmen Hold Silence on Attitude Until After Parley Monday

INDUSTRY BURDEN CITED Shorter Period Compromise and Referendum Vote in Autumn Are Suggested

By HIRAM MARKS

The attitude of the four Republican organization Councilmen toward daylight saving will be determined at a caucus Monday noon. Pending the caucus, the four are unwilling to announce their attitude, regardless of personal preference on the subject, and desire at the meeting to canvass the sentiment and various considerations that enter into the ordinance.

Borrowing of \$1,000,000 for Street Improvements Is Authorized by Council

By HIRAM MARKS

Substantial steps toward promotion of street improvements as a means of stimulating employment in Rochester was taken by the City Council last evening. The council by unanimous action adopted a resolution by Councilman Nelson A. Milne, of the finance committee, authorizing Comptroller Clarence E. Higgins to borrow \$1,000,000 for local improvements. Unanimous approval was given the ordinance introduced by Councilman Chester A. Peake for the improvement of River Boulevard, formerly Wolcott Road, which leads to the University of Rochester development on the Genesee river, at an estimated cost, furnished by Harold W. Baker, commissioner of public works, of \$172,000.

Ordinances Enacted

The ordinance by Councilman Milne for the improvement of Dewey Avenue from Augustine Street to Knickerbocker Avenue, at an estimated cost of \$185,000, was passed unanimously; also Councilman William F. Durman's ordinance for the asphalt paving of the extension of Cumberland Street from Clinton Avenue North to Franklin Street, at estimated cost of \$30,000. This improvement, Councilman Durman declared, will help relieve traffic congestion in Franklin, Andrews and adjacent streets.

The council passed unanimously the ordinance by Councilman Louis S. Foulkes providing for the improvement of North Goodman Street from East to University avenues at an estimated cost of \$35,000. A report recommending the adoption of these various local improvement ordinances was read by Councilman Milne, chairman of the Local Improvements Committee.

Estimates of the cost of several other local improvements prepared by Commissioner Baker was read to the City Council by City Manager Stephen B. Story. The estimated cost of the amended ordinance for Otis Street, Mount Read Boulevard and Lyell Avenue outlet sewer was \$111,158.70. Mount Hope Avenue concrete pavement, sewers and walks, \$175,000; Oxford Street improvement, \$27,000; Sodus Street,

Church-Pleasant Streets Link Voted; Peake Opposes

A resolution directing the preparation of an ordinance by Harold W. Baker, commissioner of public works for the connection of Church and Pleasant Streets and their extension in accordance with the Harland Bartholomew city plan, was introduced in the City Council last evening by Councilman Nelson A. Milne, and adopted by a vote of seven to one.

Councilman Chester A. Peake cast the opposing vote, explaining that the city plan has not been adopted by the Council, and that the improvement, as suggested by the resolution of Councilman Milne, was too costly for the city to undertake at this time and was beyond the ability of the city to finance.

Engineers Urge Action

The Council had before it a communication submitted by O. L. Angewill, executive secretary of the Rochester Engineering Society, in which the board of governors of the society recommends to the

SHIES AT PLAN

He said: "The argument is that land is cheap now. Is it? It is also said we have the Ridge Road Bridge under way. But we haven't paid for that or any of the other improvements yet." Harland W. Bartholomew, the city's planning expert, will be here Wednesday to consider the railroad section of the city plan with the City Planning Commission. This section is due for considerable doctoring before its makers can hope for its acceptance.

REALTY GROUP ASKS ACTION IN COUNCIL

By J. CODY WALLER

Confronted by demands of downtown real estate developers, the City Council was in danger today of being carried off its feet in adopting major street extension ordinances regardless of the city plan and before the plan even is accepted by municipal legislators. The mayors of the major street section of the plan, which were to be ready for tonight's Council meeting, incidentally, will not be submitted.

Instead, following fast upon the heels of the adoption of a resolution calling for the extension of Broad Street from South Avenue to Alexander Street, a resolution will be presented asking for an ordinance to permit connecting up Church Street with Pleasant Street, creating a new parallel street north of Main Street with a new bridge over the river.

CHANGE OFFERED

A movement is on foot to have the street section of the city plan doctored to make the connection from Church Street through State Street to Front Street and he river, different than was provided by the plan. The "doctors" claim they could make the connection \$300,000 cheaper than if the route of the plan is carried out.

With the Broad Street and Church-Pleasant Street extensions evidently in favor with local promoters, the City Council promoters of Troup Street were pressing Councilman Chester A. Peake to get an ordinance for this improvement. But instead of a direct cut to Troup Street they would have the city plan doctored to have the connection with Spring Street, with a diagonal cut from Spring and Charliss Street, formerly Caledonia Avenue, to Troup Street at the Pennsylvania Railroad tracks.

The suggestion of a Broad Street extension to Alexander Street is also counter to the city plan, in that Harland Bartholomew, expert who is preparing the plan said if the improvement could not be made clear through to Winton Road at one time, it would not be worth the money it would cost and would complicate rather than relieve traffic conditions.

AIMS APPROVED

The real estate developers appeared in favor with the councilmen, and they all appeared to believe their promotions should improve the general plan. Public Works Commissioner Harold W. Baker said the preparation of an ordinance for Broad Street extension would not be ready tonight and perhaps not in the open with an estimated cost, it might be knocked down as out of line with public policy and the limits of the public purse.

An ordinance for the Church-Pleasant Street extension must come after the Broad Street extension, and the Troupe Street extension third. Councilman Peake, who voted against the Broad Street extension, said today that he would not support any of the proposed extensions until the council had adopted new city maps and there is some signs of the city being able to finance one of the projects.

Anderson Park Shaft Site Granted Spanish War Men

Permission is granted to the Spanish War veterans to erect a memorial in Anderson Park by a resolution introduced by Councilman Louis S. Foulkes and unanimously adopted by the Council. The granting of permission to place the memorial there was recommended by City Manager Story, who pointed out that the memorial is to be purchased with a joint appropriation of the city and the county. Mr. Story submitted to the Council the following communication from Henry J. Ryan, secretary of the United Spanish War Veterans, in which the reasons for locating the monument in Anderson Park, are outlined.

ARMY ENGINEER TO DIRECT CITY PLAN PROGRAM

Major Carey H. Brown Accepts Position Tendered by Rochester Civic Improvement Assn.

Assurance that the Rochester Civic Improvement Association will be able to proceed with its program for development of the downtown business district came today in an announcement from Washington that Major Carey Herbert Brown U. S. Army engineer, had accepted the position tendered to him by the association and will come to Rochester within the next two weeks.

Complaints Against A Concrete Plant

The city ordinance providing that no concrete mixer or dry-batch mixing machine may be operated in the city without a permit from the city manager, and then not to exceed three weeks, is not being enforced.

The residents of Mt. Hope Avenue and vicinity have complained for a number of years against the noise and dust caused by the Consolidated Materials Corporation, opposite Hamilton Street on the west side of Mt. Hope Avenue, but nothing has been done.

The objects of this association are to promote interest in city, village, town, county and regional planning; to strive for the development of Rochester and environs in accordance with an adequate and comprehensive plan; and to perform and do such things in accordance with law as are necessary and incidental to the foregoing.

One of the prime objectives of the Civic Improvement Association will be to stimulate interest in the City Plan and to enlist that continuing public support which will ensure its timely execution.

As the above quotation shows, the association looks beyond the corporate limits of Rochester and will foster planning projects for the benefit of the entire district. It may thus prove an important factor in attaining desirable co-ordination of city and suburban projects.

In carrying out such a program full-time service of a competent man will be invaluable. Major Brown comes highly recommended, with a background of experience as assistant director of public buildings and parks in Washington and an engineer on river and harbor improvements which should be directly useful in dealing with the Rochester district's planning problems.

CEMENT PLANT FIGHT PERILS STORY RULE

Anything short of complete removal of the batching and concrete mixing plants on the west side of Mt. Hope Avenue, promised today to bring the development of a Thirteenth Ward organization of property owners to fight City Manager League council candidates this Fall, if there is a special election, and in 1931, when district councilmen are to be elected.

City Manager Stephen B. Story's program to have engineers work out mechanical relief for the neighborhood, that dust and dirt may be confined to the sites of the plants, will not prevent this movement for the coming elections, E. W. Weyrauch, engineer and Mt. Hope resident said.

MUST FIGHT AT POLLS

The people on the street are without finances to prosecute either a civil or criminal action against the owners of the mixing plants, he said, and must be content to seek reprisals at the polls.

Mr. Weyrauch said that the 107 property owners who petitioned the Council Monday night to have the mixing plants ousted, because of their operations without permits and contrary to city ordinances and state health law, are ready to wage a campaign against Chester A. Peake, south district councilman and Vice-mayor Isaac Adler in particular. He said:

"We could not get anywhere with Peake, and were ruled out of order by the vice-mayor when we attempted to be heard in the City Council meeting. We finally won a friend in Councilman Joseph L. Guzzetta, only to have him learn that we must ourselves apply for warrants of arrest or finance a court action.

MYSTERIOUS INFLUENCE

"Corporation Counsel Clarence M. Platt would take the situation in hand and drive the mixing plants out, but he cannot do it without orders from the Council or the city manager. These he cannot get, because of some mysterious alliance between the owners of the plants and the powers in control of the City Hall."

There are three concrete mixing plants in Mt. Hope Avenue along the Lehigh Valley Railroad. They are owned by the Consolidated Materials Corporation, the Trans-Mix Corporation and Whitmore, Rauber & Vichnus.

When in operation, dust and dirt are carried by the wind to the homes on the East side of Mt. Hope Avenue and intersecting streets.

This section is classed as "light commercial," and under the city laws, no plants of such heavy operations should be permitted, it was declared.

Mr. Story said the plants, if they could have their cement and sand dust confined to the places of operation, belong along a railroad siding. He believes the investments of the three companies should be protected.

ROCHESTERIANS STUDY TORONTO DOCK SITUATION

Harold W. Baker, commissioner of public works, and William Roberts of the city engineer's office are in Toronto today, studying dock conditions to guide them in recommendations they will make for development of a municipal harbor and packet service here.

Louis C. Sabin of Cleveland, O., engaged as an expert to make a survey of the harbor site on the lower Genesee River, will return to Rochester next week to continue his study.

City Manager Story said today: "We will not need anything like the miles of docks which Toronto has built and is still building. We hope to profit by Toronto's experience and get an idea as to what can best be done in dock construction here."

CITY LEADERS, R. R. MEN MEET WITH PLANNER

Discussion of the City Plan, including the railroad section which provides for a union station and a proposed connection with the steamship packet service to be developed on the lower river, was to be participated in by city officials and railroad representatives and business men with Harland Bartholomew, St. Louis planning expert, at Rochester Club this afternoon.

It was indicated in advance of the meeting that definite action probably will not be taken for several months.

While announcement of the major street plan and the railroad section already has been made, the exact features of the scheme as outlined by Mr. Bartholomew have not been made public and will not be, it is understood, until after the plans have been approved by the planning commission.

Following certain recommendations, Commissioner of Public Works Harold W. Baker, has been directed by City Council to prepare ordinance for extension of Broad Street East to Alexander, and for a new street to parallel Main Street, by connecting Broad and Pleasant streets.

NOT A CHANCE OF ARMISTICE, SAYS PEAKE

That the City Council has reached the end of proposals for breaking the deadlock over naming a councilman at large to succeed the late Mayor Joseph C. Wilson was shown in a statement by Councilman Chester A. Peake of the South District, today.

He said he will not advance another candidate for the City Manager League division of the Council. He added:

"What's the use of springing anybody else? We have tried two candidates, and the Republican organization is standing pat on one. There is no possibility of a break, so we might as well attend to actual business of government, with a Council of eight and wait for the municipal election of 1931."

The two candidates the Council's City Manager League group have advanced are Virgil M. Palmer, industrial engineer, and Julius Hoestery Jr., labor leader. The Republican organization has had but one choice, Captain Charles F. Mosher, business man and National Guardsman.

Councilman Peake represents the district in which Mayor Wilson resided. It is this district, both Council groups agree, which should name the late mayor's successor.

Councilman Peake is not disposed to favor a special election in November to fill the vacancy. He dodged a question as to where he would stand when the home rule law for a special election comes for a vote. He said:

"What's the use talking about that? There won't be any special election this Fall. It is contrary to the charter and the spirit of the Home Rule Act, and no catch phrases are going to get around the situation."

A special election this Fall and a victory for the Republican organization choice would rob Mr. Peake of much of his present power. He is now a holder of the "hitch card" in the political game played by the City Manager League group.

PEAKE NOW DICTATOR

Mr. Peake dictates all politics involving the government in the South District, and compels much obedience by his colleagues of the league in affairs relating to the city at large.

The Central Trades and Labor Council has abandoned its program to advance Henry D. O'Connell, its president, for the vacant Council place.

Labor leaders said the Council situation is hopeless, and to submit the name of Mr. O'Connell would be "just another sacrifice."

Mr. Peake is a loyal friend of their organizations, they will do whatever the commissioner desires.

Mr. Nier won the loyalty of both police and firemen. When he took office he found the police divided in their allegiance to Andrew Kavanaugh, their chief. Mr. Nier was expected to find a way to oust the chief. Instead, he stood by the chief for the simple reason he found the opposition was centered in unity of an official who was equal to hard work himself, and demanded the same of his men.

Mr. Nier, still in his thirties, made a remarkable record as safety commissioner. He effected economies in every bureau, except welfare, and might have accomplished something there but for demands for World War and unemployment relief.

Fire prevention and other safety measures were advanced to a high mark, and as a consequence the city promises to be granted lower fire insurance rates within a year.

SAVINGS ON RECORD

The police in 1928 alone operated so well within the budget of their bureau that savings permitted additions to the force. Other bureaus effected economies without loss in man power.

The only embarrassment for the youthful commissioner came last year in the emergency dismissal of Charles B. Raitt as park director.

NIER QUILTS AS SAFETY HEAD

DAILEY NAMED BY STORY TO TAKE PLACE

Official's Resignation Effective June 1; Appointment Held Political Fence Repair.

By J. CODY WALLER

First change in City Manager Stephen B. Story's cabinet since its creation in January, 1928, was announced today.

Safety Commissioner George J. Nier submitted his resignation to Mr. Story, to take effect June 1, and immediately on receipt of it, Mr. Story announced the appointment of Donald A. Dailey, outstanding Democrat, of No. 95 Canterbury Road, to succeed Mr. Nier.

There is no political significance in the action of Mr. Nier, but there is much in the naming of Mr. Dailey, the first Democrat to receive such recognition in municipal affairs in a quarter of a century.

His appointment ties the Democratic political organization in with the City Manager League, hand and foot.

Mr. Nier is to return to the practice of law from whence he came to City Hall with the advent of city manager government.

There were no differences between Mr. Story and Mr. Nier. Mr. Nier proclaimed Mr. Story "the finest man and boss" he "ever hope to know" and Mr. Story said he parted with Mr. Nier's official company "with a deep feeling of regret."

TRIAL COUNSEL

Mr. Nier's resignation was not unexpected. It has been predicted in practically every club and meeting place outside City Hall for more than six months. He has been under agreement to join the law firm of Whitman and Dey, as trial counsel.

In his new position he will try cases for the Associated Gas and Electric Company and the New York State Railways, two of the leading clients of Whitman and Dey.

Mr. Nier said he loved public life too well to remain in it. He said: "Public service, rather, the political game—and that is just what it is—is too fascinating for me. I must return to the law, where my greater opportunity lies."

Mr. Nier was leading trial deputy of District Attorney William F. Lavoie's staff before becoming safety commissioner.

Mr. Dailey, prominent clubman, friend of former Governor Alfred E. Smith, and chairman of arrangements for the state convention which two years ago nominated Governor Franklin D. Roosevelt,

here, is an outstanding Democrat in Monroe County.

He has been a Democratic candidate for city treasurer and councilman. He has as many admirers within the Republican organization as he has outside. The only comment even from Republican leaders was that as long as a Democrat had to succeed Mr. Nier, they were jubilant Mr. Dailey was the choice.

Mr. Story's only comment on naming Mr. Dailey was: "I am satisfied Mr. Dailey is an outstanding citizen, a fine fellow, and young man with a high regard of what service a municipal government should provide. For these reasons he is being named."

But the naming of Mr. Dailey can be accepted as a political move by the City Manager League branch of the City Council.

Formerly he was a produce and grain broker. He is a brother of John F. Dailey, former Monroe County Democratic chairman, and a brother-in-law of John Pallace, one-time Democratic county leader. He is prominent in the Knights of Columbus and the Elks.

PATRONAGE IN STORE

The Democrats may expect, and undoubtedly will get patronage because of the naming of Mr. Dailey. There are entitled to it, for their part in the last election. It was the acquisition of Charles Stanton, Democrat, to the City Manager League Council ticket which really saved the day for it.

Republicans and others may say there is no political patronage in the safety commissioner's office. But there is. There are minor jobs to be had in police, fire, health, welfare, park and playground bureaus. The commissioner also has the last word in recommending brands of supplies to be used in this department.

The safety commissioner of Rochester holds more potential political power in his hands than any other department head. There are more than 2,000 men under him, with more than half of them comprising the police and firemen.

The police and firemen are rated as Republican organization politicians. But mostly, they are politicians as they are led by the safety commissioner. If the commissioner is a loyal friend of their organizations, they will do whatever the commissioner desires.

Mr. Nier won the loyalty of both police and firemen. When he took office he found the police divided in their allegiance to Andrew Kavanaugh, their chief. Mr. Nier was expected to find a way to oust the chief. Instead, he stood by the chief for the simple reason he found the opposition was centered in unity of an official who was equal to hard work himself, and demanded the same of his men.

Mr. Nier, still in his thirties, made a remarkable record as safety commissioner. He effected economies in every bureau, except welfare, and might have accomplished something there but for demands for World War and unemployment relief.

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SAVINGS ON RECORD

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The only embarrassment for the youthful commissioner came last year in the emergency dismissal of Charles B. Raitt as park director.

Mr. Nier accepted Mr. Raitt on the recommendation of Mr. Story and the Civil Service Commission. They were at odds almost all the time. A recreatable drowning at Ontario Beach a year ago led to an inquiry which resulted in charges of incompetence against Mr. Raitt.

Much unpleasant newspaper criticism of Mr. Nier followed. Mr. Raitt was exonerated from any responsibility for the drowning and reinstated. He returned to his office for half a day, and was re-suspended on general charges of insubordination and subsequently dismissed when he showed a disposition to contest the commissioner's action.

Since then the city has been without a titled park director. It was without one the first year of city manager government but functioned well. Miss Gertrude Hartnett as secretary to Mr. Nier directed parks and playgrounds.

Since the dismissal of Mr. Raitt she was named deputy park director and as such has directed both parks and playgrounds. It may be Mr. Nier will name a park director before June 1. It was unsettled at the City Hall today.

Mr. Nier, a World War aviator, was a Fifteenth Ward Republican when he joined the city manager government forces in the City Hall. He is now a resident of the Tenth Ward.

While a member of City Manager Story's staff, he has never been considered a 100 per cent anti-Republican organization politician. Indeed, at times he followed a neutral political course which many said brought favors to the organization.

Mr. Dailey, now in his thirtieth year, will continue an outside business connection, while filling the \$10,000 a year job of safety commissioner. He is at present associated with Shield & Co., New York Stock Exchange brokers, and will continue his connection.

He will also retain the position of vice-president of the Monroe Warehouse Co., No. 104 University Avenue. Mr. Dailey is a past president of the New York State Bean Shippers Association and the Grain Dealers National Association.

Mr. Dailey said today he only hoped he could be as good a safety commissioner as Mr. Nier. He said:

"I deeply appreciate the honor extended to me by Mr. Story. In accepting the position I realize the responsibilities that I am assuming and the trust that is being reposed in my hands. I can only say at this time that my best efforts will be given to fulfill the arduous requirements of the office and I shall be well satisfied if my record shall be as satisfactory as has been the record of my friend, Mr. Nier, who resigned to enlarge his career as a member of one of Rochester's leading law firms."

Mr. Dailey is vice-chairman of the Monroe County Democratic Committee in his second term. He was delegate to the last two Democratic state conventions and alternate delegate at large to the last national convention of the party. He is a member of the Rochester State Hospital board of managers. In 1927 he was defeated for City Councilman on the Democratic ticket.

Mr. Dailey and his wife, Frances Maguire Dailey and their three children are now at their summer home in Beach Avenue. The children are Katherine, sixteen; Donald A. Jr., six, and Georgiana, four.

NEW CITY PLAN DIRECTOR HERE TO BEGIN WORK

Main Task Will Be To Keep Up With City's Needs, Says Army Engineer

Major Carey H. Brown, retired United States Army engineer with several years experience as a member of the Washington planning commission, arrived in Rochester yesterday to assume his new duties as executive director of the Rochester Civic Improvement Association.

Although Major Brown announced that he had no plans and hoped to pass the next few weeks in acquainting himself with civic leaders and with the city plans already made, he lost no time in visiting the City Hall. He met City Manager Stephen B. Story and other city officials yesterday afternoon, conferred with members of his association, and ended by attending the Community Chest dinner at the Rochester Chamber of Commerce.

Confers With Bartholomew "I am not completely acquainted with the Rochester situation and can only say that since I agreed to come here, I have endeavored to learn of the city's position. I talked with Harland Bartholomew, who prepared Rochester's plan, in Cleveland Saturday."

In Washington, where Major Brown was planning engineer for four years, he said he believed problems similar to those facing Rochester had been met.

"Our main task is to see not alone that the plan's suggestions are carried out, but that the suggestions are continually being brought up to date. Washington had a plan for years, but it was executed in a form altogether different from that first adopted."

"My first task here will be to get acquainted, and then attend to promoting the various groups and citizens' associations to a policy which shall be for the best interests of the city."

Major Brown was graduated from West Point in 1910.

New Appointee Will Take Over Post On June 1

Commissioner of Public Safety Resigns to Resume Law Practice—Dailey Active For Years in Democratic Circles—Was Candidate For Councilman.

By Charles E. Welch

Resignation of George J. Nier as commissioner of public safety and appointment of Donald A. Dailey of 95 Canterbury Road as his successor were announced today by City Manager Stephen B. Story. Mr. Dailey will take charge of the department June 1.

In a political sense appointment of Mr. Dailey to the \$10,000 a year position is an interesting one. He is a Democrat and has been actively identified with the county organization. He was a candidate for councilman-at-large on the Democratic ticket in the election of 1927.

Nier And Successor



George J. Nier



Donald A. Dailey

He is now connected with the brokerage office of Shields & Co. at 23 Exchange Street, is a resident of the 12th Ward and is a member of the board of visitors of Rochester State Hospital, an appointment which came from former Governor Alfred E. Smith in 1926.

Appointment of Mr. Dailey had been expected for several weeks. Commissioner Nier had told friends he was planning to resign to resume his law practice.

Mr. Dailey has been vice-chairman of the Democratic County Committee for two years, has been a delegate to two state conventions, was alternate delegate-at-large to the Democratic national convention in Houston, Texas, in 1928, and was general chairman of arrangements for the 1928 Democratic state convention in Rochester.

Mr. Dailey will continue with Shields & Company here in addition to discharging his new duties. He is also vice-president and director of the Monroe Warehouse Company at 1044 University Avenue, director of the Staynew Filter Company of North Water Street, past president of the New York State Bean Shippers' Association and past director from New York of the Grain Dealers' National Association. He is 39, married and has three children, Katherine, 16; Donald A. Jr., 6 and Georgiana, 4.

Commissioner Nier has held the office since Jan. 1, 1928, being the first commissioner of public safety under the new city manager form of government. He will become identified with the law firm of Whitman & Day.

In accepting the appointment, Mr. Dailey said: "I deeply appreciate the honor extended to me by Mr. Story. In accepting the position of commissioner of public safety I realize the responsibilities I am assuming and the trust that is being reposed in my hands. I can only say at this time that my best efforts will be given to fulfill the arduous requirements of the office and I shall be well satisfied if my record shall be as satisfactory as has been the record of my friend, Mr. Nier, who resigned to enlarge his career as a member of one of Rochester's leading law firms."

Monroe County's population increased from 352,034 in 1920 to 419,955 in 1930, a gain of 67,921, of which 29,269 was in the city proper and 38,652 in the 19 towns.

Of this gain by the towns, 29,870 is ascribed to Brighton, Gates, Greece and Irondequoit, which immediately adjoins the city. These four towns gained 601 more in population—all of it essentially urban—than the entire corporate city. That shows clearly enough the way in which population of the Rochester district spills over into the suburbs.

If annexation has suffered a permanent check, as some think will be the result of the constitutional amendment requiring approval by a majority of the voters of any given territory before it can be taken in, then it will be more and more necessary to include the suburbs to give a correct picture of Rochester's size and population. The gain of the four towns mentioned assuredly is not rural or village growth.

1920 City 1929
325,019 295,750

WEDNESDAY, MAY 21, 1930

Taking Wider Range

Resignation of George J. Nier as commissioner of public safety and appointment of Donald A. Dailey to fill the place is, in itself, an important change in the city administration. Mr. Nier's office, which he will turn over to his successor on June 1, is one of the most responsible positions under the charter.

But the fact that Mr. Dailey, in addition to having an excellent reputation as a capable business man and public spirited citizen, is also a prominent Democrat adds interest to the appointment. It is the first time a member of that party has been selected for an important position by City Manager Stephen B. Story.

Rochester ordinarily is reckoned a Republican stronghold. Yet, as the state and national election returns show, Rochester's population is by no means solidly Republican in political faith. Hence it has seemed strange that an administration professing non-partisanship, seeking and obtaining support on that basis, has so consistently overlooked Democrats in filling city offices.

It is not the intent of the City Manager Charter that men should be picked for office because they belong to a particular party, still less that such selections should be based on a nice balancing of the relative strength of different parties. The intent is rather to get away from the influence of the national parties in city affairs.

It seems reasonable to suppose that making appointments on a non-partisan basis will prevent an overwhelming preponderance of selections from any particular group. It accordingly is encouraging to see evidence that choice of men for responsible office under the present city administration is now taking a wider range.

In leaving office and returning to the profession of law Mr. Nier will carry with him the best wishes of the community, to which he has given loyal service for nearly two and a half years in one of the most trying and difficult positions connected with the city administration.

WEDNESDAY, MAY 21, 1930

New Public Safety Commissioner

City Manager Story, confronted with the necessity of filling the vacancy caused by the retirement of Commissioner of Public Safety George J. Nier, has selected to succeed him an active and well known business man, who is also an active Democrat, in the person of Donald A. Dailey.

Mr. Nier has been in office ever since the city manager government was installed. He has devoted himself energetically to the performance of the important duties conferred upon the commissioner of public safety under the new charter, maintaining the police and fire departments at a high standard of efficiency.

Mr. Dailey will assume his new duties with the best wishes of the public for his success. His administration will be under more watchful scrutiny because of the fact that he is the first Democrat who has held an office of importance in the city government for many years. Undoubtedly he realizes this, and realizes also that one of the fundamental principles of successful city manager government is nonpartisanship.

Democrats who have given the City Manager League loyal support have insisted that they were entitled to recognition in the city manager administration. But if recognition of this demand meant an attempt to capitalize office for political benefit, there would be an uprising among Republican voters who have upheld the City Manager League which would imperil its future. What the public expects is an administration that will ignore politics and devote itself solely to the best interests of the city as a whole.

Mr. Dailey explained that he took a week to consider the offer of the appointment before accepting it, and before making a decision looked into all factors that are presented in taking the public trust. He said that he is not unmindful of the large responsibility that rests on the office and the numerous obstacles that are presented "in endeavoring to do a constructive public service in view of the complicated political situation," and added that while he enters the new position without any intimate knowledge of the details of the work, "I will put forth my best efforts, treating every person and every problem with absolute fairness and impartiality," and he expressed the hope that his record in office would be "just as splendid as that of my friend and predecessor, Mr. Nier."

Contemplates No Great Changes
"The same policies that were formulated for the office under the direction of Commissioner Nier, in conjunction with Mr. Story, will be continued," said Mr. Dailey. Virtually all of the positions in the various bureaus in the department are under Civil Service. There will be no widespread changes in personnel, Mr. Dailey said, and the controlling factor in the handling of "public business coming to the department will be its proper administration in accordance with service to the people of Rochester of the highest standard."

City Manager Story asserted that Commissioner Nier strove from the beginning of the city manager administration to eliminate favoritism in the handling of business in the Department of Public Safety. "Traffic ordinances were enforced by the police without favor," appointments were made in accordance with the principles of Civil Service regulations, the first on the eligible list receiving the place," Mr. Story said, and added that he was sure that Mr. Dailey would continue these sound and efficient practices to the end that the fine morale existing in the department will be preserved.

Bureau Urged Nier To Remain
When it became rumored in the last two or three months that Commissioner Nier was contemplating returning to the legal profession, a delegation of policemen and firemen visited City Manager Story and urged him not to accept Mr. Nier's resignation. They asserted that under his direction of the department, the morale of the police and firemen was at its highest peak.

Complaint of a situation in Mt. Hope Avenue created by continued operation of a concrete mixer on the street improvement will not be permitted to pass unnoticed, City Manager Stephen B. Story said today.

Councilman Joseph L. Guzzetta charged at a last meeting of City Council that the concrete mixer and a stone crusher were being operated in violation of a city ordinance. He urged action to remedy the situation, which he said, has become a daily nuisance to residents in the immediate neighborhood.

Conferring on Future of Safety Department



From left, George J. Nier, commissioner of public safety, who retires June 1, City Manager Stephen B. Story and Donald A. Dailey, who will succeed Mr. Nier, discussing Rochester's safety problems at a conference in Mr. Story's office.

APPOINTEE PROMINENT DEMOCRAT

Active Business Man, and Strongly Indorsed for Post by City Manager NIER TO PRACTISE LAW Resigns to Become Counsel for Associated Gas and Electric Interests

By HIRAM MARKS
Resignation of George J. Nier as commissioner of public safety and appointment of Donald A. Dailey as his successor were announced yesterday by City Manager Stephen B. Story, effective on June 1.

Law His Life Work
Commissioner Nier intended to resign several months ago, but deferred action to enable City Manager Story thoroughly to canvass the field before naming his successor. Regarding his resignation, Mr. Nier said he had passed a considerable part of his life training himself in the legal profession and while he enjoyed the work as commissioner of public safety, and the many friendships he has made among the city employees, particularly in the Police and Fire bureaus, and entertained the greatest respect for the "efficiency and high ideals that attend City Manager Story in the administration of public affairs," he felt that his obligations "to his family were such that he could not consistently decline the offer that was made to him by Whitman & Day."

Mr. Dailey, who receives the first major public appointment given to a Democrat in Rochester's government in more than 40 years, is regarded as one of the best known and most popular of the younger business men in the community.

He has widespread fraternal contacts that such member of the two bureaus, and has been active in a number of civic enterprises. They had a personal friend, who was "striving at all times to give them a square deal and to handle the departmental affairs with absolute fairness," Mr. Story pointed out. He told the police and fire delegation that he "was heartily in accord with their sentiments," and urged them to make their presentations to Mr. Nier, and told the delegation that he personally felt that the association that the Commissioner has established with the law firm of Whitman & Day was such an attractive opportunity that he would not consistently urge him to make the sacrifice of remaining in public service, unless it was done with the free will of the Commissioner.

A member of one of the best known Democratic families in Western New York, Mr. Dailey is a director and vice-president of the Monroe Warehouse Company and of the Staynew Filter Company of Rochester. Until last August, he was president and general manager of Dailey Brothers, Inc., one of the largest factors in the grain and produce business in this state. Mr. Dailey sold his interest in this business on Aug. 1 last to George W. Haxton & Son of Oakland, at which time he entered the brokerage business with Shields & Company, and he will retain this connection in conjunction with his new appointment.

Close Colleague of Mr. Rippey
Mr. Dailey is a close political friend and adviser of Harlan W. Rippey, Democratic county leader, also of Charles Stanton, the Democratic member of the City Council. Mr. Dailey was delegate to the last two state conventions, and was alternate delegate at large from New York State to the Democratic National Convention at Houston, Texas. During his visit to Houston he was associated with the forces working in the interests of Governor Alfred E. Smith, with whom he is intimately affiliated.

Close contacts with Governor Franklin D. Roosevelt, State Comptroller Maurice Tremaine, and others high in Democratic councils in both the state and national organizations are enjoyed by Mr. Dailey, and while not infrequently he has been mentioned for public appointment, including the important state conservation commissioner, he has not considered any of them up to this time. His friends say that it is at considerable personal sacrifice that he is taking the position in Rochester's municipal government, and the controlling factor, it is explained by Judge Rippey, is the "democratic trust in the people that a public trust in the hands of a Democrat can be handled with credit to the people and to the party."

Appointed by Governor Smith in 1926, Mr. Dailey is a member of the board of managers of the Rochester State Hospital. During the campaign of Governor Roosevelt for gubernatorial honors, Mr. Dailey was summoned to the New York headquarters and there directed much work in Western New York.

York. For the last two years he has been vice-chairman of the Monroe County Democratic Committee, working in close co-operation with County Chairman William J. Hunt. He was in charge of arrangements for the Democratic state convention in Rochester, in 1928, when Governor Roosevelt was nominated. Mr. Dailey's friendships with Democrats in New York City and other places in the state are extensive.

Ran Ahead of Ticket
Democratic candidate for councilman at large in the first election under the City Manager Charter, Mr. Dailey, although defeated, the City Manager League candidates romping in, ran substantially ahead of the Democratic field, reflecting the friendships he has in the Republican organization and city manager groups. Mr. Dailey is married and has three children. He lives in the Twelfth Ward at 35 Canterbury Road, and has a summer residence at 368 Beach Avenue. He is interested in the Rochester park system, and from the point of view of a citizen has closely followed police and fire affairs.

Mr. Nier is regarded as one of the most promising of the younger trial lawyers in Rochester. At the time of his graduation from Albany Law School in 1924, he received offers from several of the most influential firms in Rochester as become associated with their offices. He was elected to an honorary scholastic legal society while in Albany Law School, and was graduated with the highest honors in his large class. He became associated with Daniel J. Fitzgerald, his closest personal friend, in the practice of law at 604 Union Trust Building. On Jan. 1, 1929, Mr. Nier was appointed by District Attorney William F. Love to his staff, and was assigned to city court, criminal branch, activities. He rapidly attained an enviable record for conscientious and fearless prosecution of crime in the lower court, and his advancement on Mr. Love's staff was rapid.

Prosecuted Many Important Cases
At the time of his resignation on Jan. 1, 1928, to accept the position of commissioner of public safety, offered to him by Mr. Story, Mr. Nier was in charge of many of the important cases in the district attorney's office, and his trial work carried him to the higher courts. Mr. Love expressed the greatest reluctance in being forced to accept the resignation. Immediately upon taking up his duties as commissioner of public safety, the abilities of Commissioner Nier as an investigator of crime were drafted by City Manager Story as the consequence of irregularities in the handling of public funds that existed in previous administrations, and were brought to light as the result of a general audit of municipal accounts.

In the World War, Mr. Nier was first sergeant of the 310th Infantry, American Expeditionary Forces, and saw active service at the front in France. He served as commander of the Slager Band Post, and is active in the American Legion. He is a member of twenty-one fraternal and social organizations, including Rochester Council, Knights of Columbus.

Praises Mr. Story's Fairness
Commissioner Nier's formal letter of resignation to City Manager Story follows:

"I hereby tender my resignation as commissioner of public safety, to take effect June 1.
"It is with deep regret that I sever my connection with you after two and a half years of pleasant relations, but I believe that my future prompts me to return to the practice of my profession, which you have done concerning which the people outside the government will never know and will never be able to appreciate.
"The transfer from the old Department of Public Safety to the newer department, with the concentration of the former departments of Charities, Parks and Public Safety into one department, was effected and extended with no outside evidence of any disturbance or interruption of public business.
"In your two and one-half years, all of the bureaus under your supervision have advanced very materially. Better administrative organizations have been created and improved and extended service has been given in an efficient and economical manner.
"The manner in which you have shouldered the augmented responsibilities of the department has been most satisfactory and gratifying to me.
"May I extend to you my best wishes for the best of success in your law practice, and also my assurance of my continued high esteem?"

Accepts with Regret
This is an acknowledgement of receipt of your letter of May 20, 1930, tendering your resignation as Commissioner of Public Safety effective June first.
It is with more than regret that I accept it because, during our association under the City Manager Charter, there has been much work which you have done concerning which the people outside the government will never know and will never be able to appreciate.
The transfer from the old Department of Public Safety to the newer department, with the concentration of the former departments of Charities, Parks and Public Safety into one department, was effected and extended with no outside evidence of any disturbance or interruption of public business.
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CITY MANAGER PRAISES NIER AS ORGANIZER

Commends Commissioner on Unheralded Work to Make Bureaus Efficient

Regret over the resignation of George J. Nier, commissioner of public safety, is expressed by City Manager Stephen B. Story in a letter accepting it forwarded yesterday afternoon.

Mr. Story points to the organization of the Department of Public Safety under Mr. Nier's direction after the department received a wider scope under the city manager charter, and declares that "the manner in which you have shouldered the augmented responsibilities of the department has been most satisfactory and gratifying to me."

The letter follows:
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May I extend to you my best wishes for the best of success in your law practice, and also my assurance of my continued high esteem?"

PATRONAGE POWER OF 200 JOBS GIVEN

GETS VOICE IN NAMING PARK HEAD

Safety Director May Have Hand in Fire Chief Appointment; Plums for Democrats.

By J. CODY WALLER
Patronage, in the form of 200 playground and park jobs, besides a voice in the naming of a director of parks, and possibly a new fire chief, will be in the hands of the newly appointed safety commissioner of Rochester, Donald A. Dailey, the first Democrat to hold an important municipal post in a quarter of a century.

Although he will not take office until June 1, Mr. Dailey today was conferring with the incumbent, George J. Nier, who yesterday handed his resignation to City Manager Stephen B. Story.

That Mr. Dailey must consider naming a new fire chief was accepted on all sides, despite a denial by Chief Frank A. Jaynes at noon that he contemplates retiring. The report is that he will leave on June 1, rounding out a period of fifty-six years service. Chief Jaynes said nobody has a right to fix a time for him to retire. He added: "I haven't said I would retire and have not given any thought to resigning. When I get ready I'll speak."

'DOUBLE QUITTING'

When asked if he had received any suggestion from Chief Jaynes about resigning, Mr. Nier said: "The only talk I have had with him has been in a 'joshing' way, more to tease him because of the ambitions of younger men for his place."

"When I have talked to him, he has always insisted he would resign when I did. Now I am leaving June 1, and I suppose others have heard of the chief's threat to leave when I do. He did not know I was going when he said he would quit with me."

The two ranking officers for government it owes to the Republican party," Harry J. Bareham, Monroe Republican leader, declared in an address to members of the Nineteenth Ward Men's Republican Club at the Hawley Street clubhouse last night.

"The City Manager forces have not made good in a single instance as regards reforms promised," he continued.

Mr. Bareham then said the cost of City Manager government is \$1,000 more per day than under Republican party administration.

Regarding the council deadlock in filling the vacancy caused by the death of Mayor Joseph C. Wilson, Mr. Bareham said he hoped the electorate would be given an opportunity to settle the question at the polls.

The gathering was a smoker at which two butts were featured. There was a program of vaudeville.

Basil E. Moore, club president, presided. He introduced Mr. Bareham and other political leaders including Charles E. Hostwick and Charles O. E. Doerr of the Fourteenth Ward.

Joseph A. Smith was chairman of the entertainment committee and Albert E. Wagner was chairman of the refreshments committee.

Most of the park and playground employees hold over from year to year, and are invariably school and college students. But each year some of these graduate from seasonal employment and leave openings for newcomers.

TO DAILEY IN NEW POST

TEN FOR EACH JOB

There are at least ten candidates for every summer job. The candidates in many cases are in need of employment. In most cases they are largely children of comfortable or well-to-do citizens. Their applications are for any position from pushing lawn mowers in the park to playground attendant.

It is expected that Mr. Dailey will bring demands from Democrats and personal friends for places in the park and playground bureaus and in a show down will dictate a number of appointments. Before the advent of city manager government, these jobs were listed as "political patronage preferred." The city manager system did not disturb any of the old organization and it did not interfere with political dictation in filling vacancies when they occurred.

Just what may happen in the strife for park director none could foretell today. Miss Gertrude Hartnett is the deputy director, and has been the efficient boss of both parks and playgrounds, en effect at least, since the resignation of the late William S. Riley during the administration of Mayor Clarence D. Van Zandt.

SLAVIN AT HEAD

There is a civil service eligible list from which a director must be named. Patrick Slavin, park superintendent, heads the list. Henry Brown, park engineer, is second and Thomas P. Maloy, city forester, third. Miss Hartnett is fourth.

G. O. P. LEADER HITS MANAGER GROUP'S WORK

Bareham Tells 19th Ward Republican Men City Owes All Good Government to His Party.

"All that Rochester has in good government it owes to the Republican party," Harry J. Bareham, Monroe Republican leader, declared in an address to members of the Nineteenth Ward Men's Republican Club at the Hawley Street clubhouse last night.

"The City Manager forces have not made good in a single instance as regards reforms promised," he continued.

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Joseph A. Smith was chairman of the entertainment committee and Albert E. Wagner was chairman of the refreshments committee.



City Manager Stephen B. Story, Miss Mary K. Wesson, Maid of Honor, Miss Christine M. Blackwell, Lilac Queen and Roland B. Woodward photographed just after the presentation ceremony.

Finger Lakes Commissioners Meet with Genesee Park Body

Visit Highland Park and View Lilac Exhibit at Its Best; Charmed by First Lilac Queen, Encountered by Chance

The May meeting of the Genesee State Park Commission was made the opportunity yesterday for inviting members of the Finger Lakes State Parks Commission to join the Rochesterians at a meeting in this city while the lilacs are at their best. Luncheon was served at the Genesee Valley Club, and this followed by a visit to Highland Park.

The out-of-town guests were none to soon. By late afternoon the flowers that have carried Rochester's name to parks of almost every other city in America began to droop under the increasing warmth of the sun. Later, they might not have appeared in all their beauty, but at that hour were still quite fresh, and the visitors were delighted.

Fortunately, although the city's first lilac queen, Miss Christine Blackwell, is not supposed to be in the park all the time, especially at the hour the commissioners were there, she chanced to be in her flowery realm to have her picture taken. The queen is an athletic young woman, and visitors were much impressed with her charm.

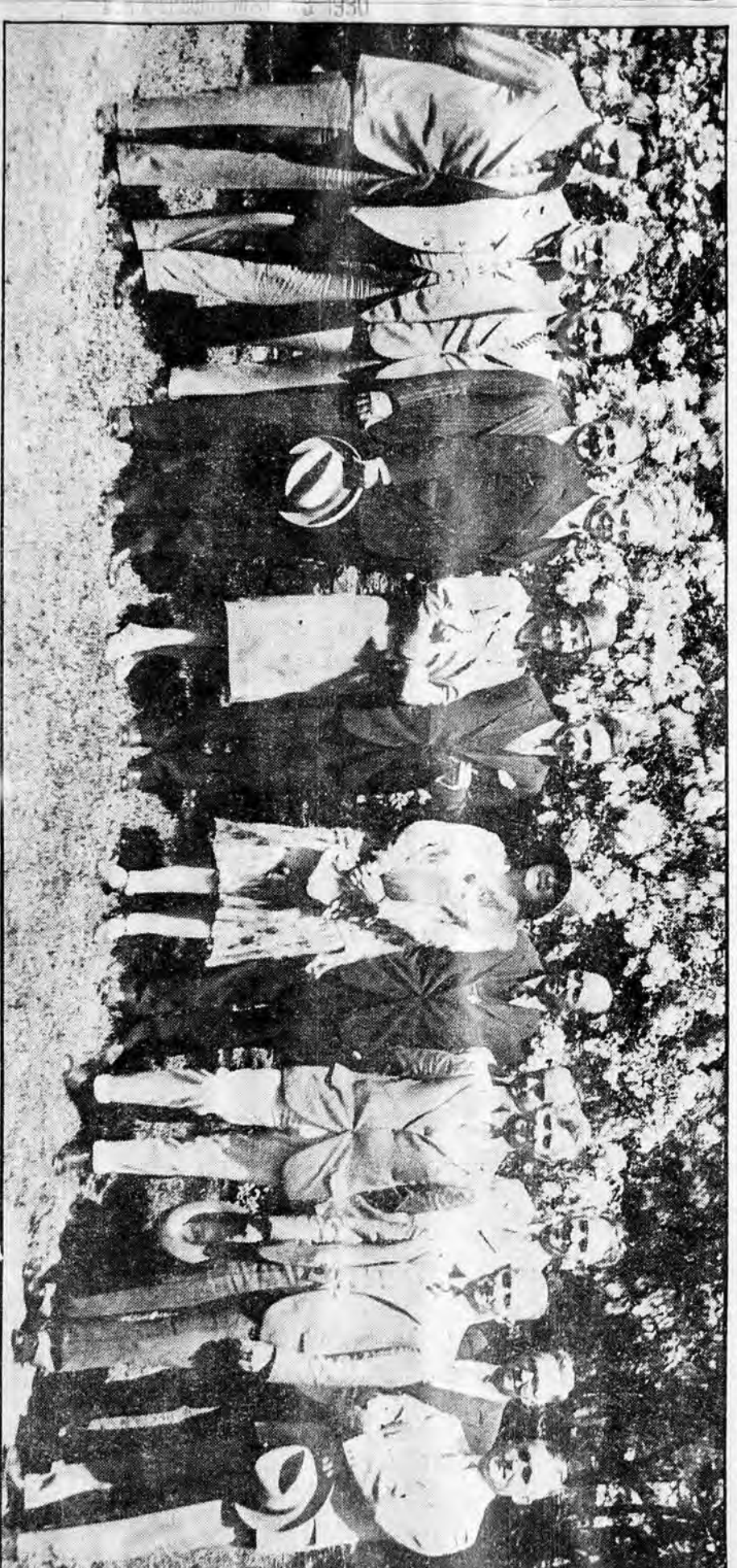
No business other than such as arises at any ordinary meeting was transacted by the park men.

Members of the Finger Lakes Commission here were: Robert H. Treman of Ithaca, Frank E. Gannett of Rochester, Henry O. Palmer of Geneva and Eugene C. Donovan of Auburn, and members of the executive staff of this commission, Carl Crandall, William J. Mitchell and Herbert M. Blanche, all of Ithaca.

The Genesee State Park Commission was represented by Mrs. Herbert Wadsworth, of Genesee; Wolcott J. Humphrey, of Warsaw; Peter J. Doyle, of Fairport; Dr. James D. McGill and Leroy E. Snyder, of Rochester.

City Manager Stephen B. Story, Calvin C. Laney, former commissioner of Rochester parks; Mrs. Frank E. Gannett and Mrs. William E. Werner, her mother, were guests.

City Manager Stephen B. Story, Rochester park officials, and members of the Finger Lakes and Genesee Valley State Park commissions enjoying the lilac display at Highland Park yesterday afternoon. City Manager Story is shown third from the left in the picture; second from the left is Calvin C. Laney, former park commissioner, and eighth from the left is Miss Gertrude Hartnett, acting park director. Members of the Finger Lakes State Parks Commission shown in the picture are from left: First, Eugene C. Donovan of Auburn; fourth, Frank E. Gannett of Rochester; fifth, Robert H. Treman of Ithaca; ninth, Henry O. Palmer of Geneva; eleventh, Herbert M. Blanche of Ithaca; fourteenth, William J. Mitchell of Ithaca; fifteenth, Carl Crandall of Ithaca. Members of the Genesee State Parks Commission are shown as follows: from left: Sixth, Mrs. Herbert Wadsworth of Genesee; seventh, Leroy E. Snyder of Rochester; tenth, Dr. James D. McGill of Rochester; twelfth, Wolcott J. Humphrey of Warsaw; thirteenth, Peter J. Doyle of Fairport.



Finger Lakes and Valley Park Commissioners See Lilac Show

CITY MANAGER GREET'S SIGHT EXPERT GROUP

State Optometrist Association Opens Sessions at Sagamore — 400 Delegates in Attendance.

Delegates to the 35th annual convention of the New York State Optometric Association, Inc., were welcomed to Rochester today by Stephen B. Story, city manager, at the Sagamore. The session opened yesterday and will continue through tomorrow. Some 400 optometrists are in attendance.

Speakers at this morning's meeting included Dr. William Berry, professor of psychology, University of Rochester, who gave a 15-minute talk on the new German theory of the psychology of vision.

Reports of committees were received and particular stress was laid on publicity in the last year. An organized educational campaign has been in progress to acquaint the public with the distinction which is said to separate the optometrist, the optician, and the oculist.

The big event on the day's schedule is the dinner tonight. The speakers include: Dr. James Sullivan, assistant state commissioner of education; Dr. Rush Rhees, president of the University of Rochester; Dr. John W. Jarvis, president of the New York State Optometric Association; Dr. Albert W. Beaven, president of the Colgate-Rochester Divinity School; Dr. Arthur H. True, president of the Rochester Optometric Society, and Julius S. Berg, counsel for the state association.

Defeat Is Forecast For Story's Request For \$300,000 Harbor

City Manager Stephen B. Story's requested appropriation of more than \$300,000 for development of a packet boat, or service, harbor in the lower river appeared, in advance of tonight's council meeting, to be headed for shipwreck in the political sea, for it is not expected that the Republican organization members of the council will vote

for any appropriation for city harbor development in view of the recent attitude of the City Manager League councilmen on the Monroe County Port development bill.

It appears that if Monroe County cannot have favorable action by Governor Roosevelt on a county port development program, the city will not have any harbor at

all. City Manager Story was authorized by the Council a few weeks ago to employ Louis C. Sabin of Cleveland as an expert to make a survey of harbor possibilities along the lower river, in the immediate vicinity of the old blast furnace property, and no objection to his employment at \$100 a day and expenses was voiced by any of the Republican councilmen. Mr. Sabin has made a survey of the river and has approved the plan of the packet service harbor, it is understood, and it is said that he has likewise given his OK to the suggestion that a further survey be made to determine the possibilities, either in Lake Ontario or Irondequoit Bay, or both, for a greater harbor for Rochester.

Harry J. Bareham, Republican county leader who sponsored the county port bill, would not comment on the matter today other than to say that he believed a survey would justify development of a county port. A survey of port development, whether county or city, for a packet service or for larger vessels, should be made by a competent government engineer and surveyor and not by an expert employed by the city, he said.

"There isn't any question about the possible merits of a packet service harbor," he said, "but it cannot be right for the city to throw \$300,000 or \$400,000 of the taxpayers' money into a harbor scheme when the federal government will do it, if shown the necessity of it. Oswego spent \$25,000 on a survey and got the federal government to spend more than a million. We have been trying for months to hammer it into the heads of the City Hall crowd that the federal government will cooperate in building a harbor here, to the extent of supplying most of the money, if the city will only keep its head and proceed along the proper lines."

City Planners Bolt on Story

LEAGUE SPLIT ON \$400,000 PROGRAM

Open Opposition to Manager's Plan Develops; Outside Influences Seen.

By J. CODY WALLER

More opposition to City Manager Stephen B. Story's \$400,000 river basin "splash" loomed today.

The City Planning Commission, which already has knocked the first draft of a transportation section of the city plan into the proverbial cocked hat, is preparing to riddle the packet service harbor scheme, it was learned.

The city planners are close-mouthed gentlemen, all hand-picked by Mr. Story, but they all have big ideas of lake transportation and what it can be made to mean to Rochester.

For it to mean anything, they believe, a packet service harbor must be made important to the railroads, especially the trunk lines entering the city. The planners cannot see a \$400,000 packet service harbor as anything more than a new station for passenger boats.

The City Planning Commission is composed of three citizens and three city officials. The citizen members do the real visualizing for the commission and the city. The city officials sort of keep the other three in sympathy with political aims and policies of government.

The citizen members are J. Foster Warner, industrial captain and architect chairman; Edward G. Miner, president of the Pfandler

Co., which manufactures glass lined tanks used by railroads now in hauling milk, and John Fulreider, manufacturer.

The city officials members are Henry L. Howe, city engineer; Clarence M. Platt, corporation counsel, and Arthur L. Vedder, planning superintendent.

The same influences working behind Commissioners Warner, Miner and Fulreider in their demands for a transportation section of the city plan conforming to plans of railroads more than to a dream picture were seen at work for port development greater than a packet service harbor.

If Rochester is to have a place in Great Lakes shipping, it must have a port developed by Federal aid, business men said.

Rochester today with only the Summerville docks for passengers, and the Buffalo, Rochester & Pittsburgh docks for car ferry transportation, has an annual business of 1,500,000 tons.

Rochester must be prepared to protect this business and to get more.

Buffalo today is bidding with the Baltimore and Ohio Railroad, the new owners of the Buffalo, Rochester and Pittsburgh Railroad, for even this 1,500,000 ton business, it was learned.

There is little possibility of Rochester losing this traffic, if it is disposed to play at all square with the Baltimore and Ohio Railroad.

Indeed, it was learned the Baltimore and Ohio Railroad directors are now waiting to see just what Rochester plans to do in the way of real port development before the railroad itself announces an extensive program for greater terminus development here.

Harbor Plan

CHANCE-WANING

Rochester's great concern now would appear to be for development of railroad business beyond that the B. R. & P. Ry. It must move fast to get more. The Pennsylvania Railroad has just completed a \$1,225,000 dock development at Sodus, and the New York Central, New York, Ontario & Western, and Lackawanna Railroads will have all the port they need between the Great Lakes and tide-water at Oswego.

Each day brings word of greater respect of federal engineers for Oswego. This post to the east of Rochester, according to latest Washington advices, will receive \$3,000,000 in limited state money. Its new harbor, too, will be completed in three years, with no drain on Oswego taxpayers, either. Oswego spent \$25,000 on a survey and convinced federal engineers the city meant business.

Indications today were the City Planners intend that Rochester shall convince both the Federal engineers and the railroads that it means real port business.

The planners will consider the packet service harbor development program probably at its next meeting next week. This will bring their action before any report the City Council engineering committee will make on spending \$400,000 of the taxpayers' money on a river harbor.

DAILEY FACES BIG PROBLEMS IN NEW WORK

Recently Appointed Safety Commissioner Must Solve Tangle Existing in Detective Force.

Appointment of four new detective sergeants and classification of members of this branch of the police bureau as Grade A and Grade B detectives, virtually a reorganization of the detective force, will be one of several problems to confront the new commissioner of public safety, Donald A. Dailey, when he takes office June 1 as successor to George J. Nier.

The additional detective sergeants were authorized by the City Council more than a year ago, but members of the bureau could not be named to the positions unless they had first qualified through a civil service examination, which would have to be thrown open to all members of the police department, patrolmen as well as detectives. The ruling of the state civil service body prevented Commissioner Nier's appointment of men whom he believed were best fitted to the positions.

Classification of members of the detective force as Grade A and Grade B detectives was affected by the civil service ruling and this, as well as the situation affecting the four positions of detective sergeants, will provide one of many problems which Mr. Dailey will be called upon to solve. At present there are four detective sergeants in the department, 20 detectives and 27 plainclothesmen.

As the situation stands, the present Grade B detectives have no standing as such. In effect, they are only patrolmen.

Others heirlooms to the new commissioner probably will be the appointment of about 200 Summer playground employees to say nothing of a director of parks, a \$6,000 a year position which has been vacant since Charles B. Raitt was dismissed. Miss Gertrude Hartnett has been attending to the duties of the park director since Mr. Raitt left.

It is expected that Mr. Dailey, who will take office officially next Monday, although his appointment dates from Sunday, will favor an early appointment to the park bureau vacancy. An eligible list for director exists with Patrick Slavik, who has been superintendent of parks for many years, at the top.

Daily Appointment Seen As Part Of Plot

Editor, The Times-Union: I have read with varying emotions your editorial entitled "Taking Wider Range" in which you "damn with faint praise, assent with civil leer" the retiring commissioner of public safety, George J. Nier, for having "given loyal service to the community for two and a half years."

And yet to one who has watched

the administration of this important department of the public service, even this "faint praise" is obnoxious, for loyalty to the community has apparently had no place in the administration of this department for the past two and a half years. Have we so soon forgotten the Raitt matter when we allowed this man Nier to put over on the community the nastiest piece of political manipulation that this city has seen in many a year?

Rochester is well rid of this type of public servant. It is unfortunate, however, that a new administration is to be ushered in shrouded by the same kind of political consideration as obscured the appointment of Mr. Nier. When we voted in the city manager form of government we assumed that politics was to be cut out of our community business. Some may insist that this latest political move of Mr. Story's is "good politics," but to date Mr. Story has not demonstrated that he knows anything about that kind of politics. And, anyway, good or bad, we don't want politics mixed in with our community business.

I question, therefore, if this development means that our community business is "taking wider range." May I predict that this appointment of Mr. Daley simply means the crystallization of a plot to rob the people of the full benefits of the City Manager plan? We have rid the city of one organization. Let us think seriously before we allow another to control our destinies.

FRANKLIN W. BOCK.
133 Clinton Avenue South,
May 26, 1930.

Council To Limit Service-at-Cost Contract to Year

RAILMEN HOLD IT WILL WARD OFF BIDDERS

By J. CODY WALLER

A blow to early reorganization of the New York State Railways, now in receivership, was delivered today, by a decision of City Council leaders to limit any new service-at-cost contract for Rochester, after August 1, to one year.

This may further lower the saleable value of the properties of Utica, Syracuse and Rochester, when the Federal Court orders them disposed of at auction.

Attorneys for bondholders said that without a renewal contract for a period equal to the ten years of the present agreement, no bidders would appear when the properties are offered for sale.

They said capitalists would be unwilling to take any chance with the properties if political interference was to be held as a club over their heads, certain to descend at the end of one year, and perhaps every year afterwards.

The opinion of City Council leaders is that under no circumstance shall they tie the city up to a ten-year contract just for the sake of making the railways attractive to bidders at an auction. R. Andrew Hamilton, chairman of the Public Utilities Committee, which with City Manager Stephen B. Story has authority to negotiate for a new contract, said:

"The city is entitled to know who is to be the owners of the railways after it emerges from receivership.

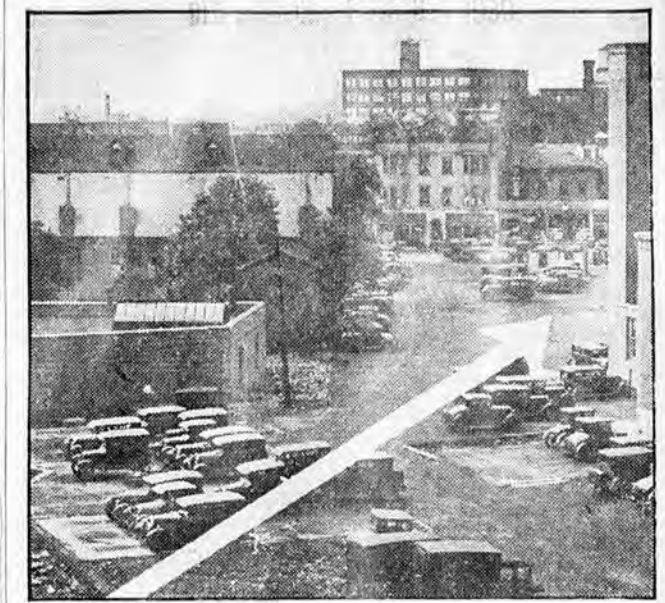
"Another thing, when we make a new contract or extend the present one, it will be with receivers, and it will be done perhaps a long time before the present troubles of the railways are settled.

"Nobody has any idea when the railways will emerge from the receivership. There are many bondholders' committees, and when they finally get through scrapping for the upper hand of each other, it will be time enough to talk of a long contract.

"A year is long enough for any new bargain after August 1. "We hoped to have the Federal Court's audit and appraisal of the properties before this. They must be forthcoming soon if we are to do anything before August 1."

Both Mr. Tilton and Mr. Plumb, ancillary receivers here, said they hoped the audit and appraisal would be ready next week and are as anxious as City Council to talk terms for a new service-at-cost contract.

Paving of New Cumberland Street Extension Will Be Begun at Once



Land between Clinton Avenue North and Franklin Street cleared for the extension of Cumberland Street to Franklin Street. The picture is taken from the St. Paul Street side looking toward Clinton Avenue, the arrow indicating the direction of the extension which lines up with Cumberland Street.

Contract Awarded for Completion of Improvement That Will Relieve Traffic Congestion at Busy Corner: Property Owners Co-operate with City

The paving of Cumberland Street extension, from Clinton Avenue North to Franklin Street, will be started immediately, the contract having been awarded last week by City Purchasing Agent Wendell T. Andrews. The extension of the street has been urged by Councilman William F. Durnan as a means of relieving traffic congestion in Andrews and Franklin Streets and Clinton Avenue, where these streets intersect. This corner has been regarded by police officials as one of the worst in traffic congestion in the city, being an intersection with seven points of entry. Various expedients have been tried by George J. Nier, commissioner of public safety, to eliminate difficulties there.

Councilman Durnan declares that the extension of Cumberland Street will divert much traffic through to University Avenue and thence eastward. He declared that after the

improvement is completed it will be regarded as one of the most advantageous the city could make. This project was approved by Harland Bartholomew, city planner. The property was acquired after months of negotiation in which City Manager Stephen B. Story and Warren W. Allen, deputy city purchasing agent in charge of real estate, represented the city, and Assemblyman Haskell H. Mauk and Charles T. Chapin represented the large group of property owners in the vicinity desiring the improvement. Through the efforts of the committee the property owners agreed to accept \$250,000 for holdings for which they originally asked \$500,000. This price was approved by City Manager Story and the City Council.

Cumberland Street extension under the plan, approved by the City Planning Board, will be 60 feet wide, with a 40-foot roadway.

NEW PUBLIC SAFETY HEAD IS BESIEGED

Has No Jobs To Offer, but Finds Himself Center of Job Hunter Attack

CIVIL SERVICE GOVERNS

Commissioner Nier Leaving at Midnight; Successor Begins Work Monday

By HIRAM MARKS

The duties of commissioner of public safety will be relinquished at midnight tonight by George J. Nier to Donald A. Dailey. Although his work starts officially at one minute past midnight, Commissioner Dailey does not plan to be in his office in the City Hall until 9 o'clock Monday, feeling that it isn't necessary to begin his work there on Sunday.

For the past ten days both Mr. Nier and Mr. Dailey have been visiting various fire houses, precinct stations, parks, the charity bureaus, hospitals and other municipal agencies that function under the direction of the department of public safety. Mr. Nier begins his work Monday as trial counsel and partner with Whitman & Devy, attorneys for the New York State Railways, Rochester Gas & Electric Corporation, and other interests, but he has volunteered to be at Mr. Dailey's service in any matter that may arise.

Many Seeking Jobs

Commissioner Dailey has been put to much inconvenience by the stories that have been spread irresponsibly that there are hundreds of places he has to fill. He said he counted the first telephone calls, messages and other advices that he received Thursday regarding appointments to positions, and then gave up the tabulation, so great was the importuning and annoyance he encountered in informing people that there was no patronage that he had to dispense and no positions available.

The Bureau of Parks has been confronted with approximately 2,000 applications for playground appointments, with only six vacancies to fill. Virtually all employees under Commissioner Dailey's direc-

Has Many Contacts

Commissioner Dailey has wide contacts in business, financial and social fields, and his friends are recruited from all political groups in the community. He said that it is unfortunate that there aren't places to give to the numerous applicants that have come before him with their problems, as many of them are exceedingly well qualified and deserving of appointment and "would unquestionably be a credit in public service," but, Commissioner Dailey added, "there are no places" and he would not countenance for a moment the replacement of any present city employee, who is rendering honest and efficient service, even though it was possible under civil service regulations.

"I will take each city employee as I find him," said Commissioner Dailey. "Any person in the employ of the city, who comes under my department, need have no fear about being treated unfairly, provided he is doing his part in behalf of the city. In this position I have the most hearty support of City Manager Stephen B. Story."

tion are governed by civil service regulations, and this even goes to the director of parks, whom Commissioner Dailey will appoint next week.

No Personnel Changes

There will be no changes in the personnel of the various bureaus, and Commissioner Dailey said that he would continue the same standards and principles set by Mr. Nier. He said that he would meet each problem as it is presented and is not able to say at this time what he will do until he is in office. He said that it is his desire, which he will carry out as far as it is humanly possible, to give a sensible, fair and impartial administration to the office, without favor and free from any political influence, to the end that each citizen of Rochester will receive efficient and satisfactory service.

Commissioner Dailey said that he realizes what demands may be made upon him because he is the first Democratic appointee to a major position in Rochester in approximately 40 years; and while he is proud of his party affiliations, he declares his service will be in keeping with the "spirit and letter of the city manager charter, and regardless of personal friendships and affiliations, his program for the handling of the affairs of the office provides for a strictly businesslike and non-partisan conduct of its activities.

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Mr. Councilman! The City Wants To Break That Tie!

JOURNAL MAY 31

FOR THREE REASONS Rochester should elect a man this Fall to fill the vacancy in the City Council.

FIRST, and most obvious, four Republican politicians and four City Manager politicians are now able to block each other's projects, regardless of the city's needs.

SECOND, with an eight man council there is an outright invitation to violate the good American practise of majority rule.

THIRD, the people of Rochester are being CHEATED of their right to a voice in city government.

Any one of these reasons would justify a special election if the council refuses to do its plain duty by electing a ninth man.

The election can be had this Fall at trifling expense in connection with the regular balloting. **we have money enough to provide for a vote**

on daylight saving, surely we can afford a few dollars more to end a ridiculous situation at City Hall.

There is no real legal obstacle to the election. A far fetched interpretation of the Home Rule law might be construed to hamper it. Anyone invoking that aid, however, would brand himself once and for all as a rat politician, putting his own precious little job above the good of the city.

It is doubtful if even the cheapest of politicians would dare face the anger of an electorate by challenging such a vote.

As matters now stand the City Manager operators are blocking the election. They fear, probably with reason, that an election would mean another Republican councilman. That would endanger City Manager Story. That would interfere with all the City Manager plans. That would break up the delicate process of build-

ing a City Manager ward organization—by far the most important objective of the Managerial forces just now.

Probably the Republican leaders are a trifle fearful. If they were to put up a second rate, under-taking candidate they would have reason to be fearful.

Rochester voters are in no mood to clutter City Hall with that sort of politician. To do that would make a bad situation impossible.

The real solution is for the Republicans to nominate an outstanding, public spirited man and for the City Manager organization to do likewise.

Plenty of voters are in sympathy with the City Manager plan. What they object to is a Tammanyized Manager organization. What they object to in the Republican party is the tendency for such organization to devote more attention to the pork barrel than to city business.

Let the two parties—for the Manager organization IS a party—nominate outstanding men, men who put their city's approval above the back patting of a ward politician, men who see the city's progress as more important than party progress.

Then let the people choose between them. And if both parties play politics to the exclusion of public good in their nominations there will still be time to draft a Rochesterian of dignity, honesty and ability.

To refuse an election on councilman this Fall is to convict the council of cowardice and the cheapest of cheap politics.

More, and perhaps better, it will insure drastic action a year from this Fall when a dignified electorate will oust Rochester POLITICIANS and elect REAL Rochesterians to the council.

Mr. Councilman! Just Where Does Rochester Get Off?

JOURNAL MAY 28

ROCHESTER has reached a point where the city may have to give a sound spanking to two sets of childishly squabbling councilmen.

While tiresome bickering and stalling occupies city hall, the city itself pays the bills and suffers. Thus far it has suffered in silence. Soon it may become vocal.

Republican councilmen and City Manager councilmen have forgotten duty to the city and to the electorate. Their sole concern now is not Rochester. It is their own political organization, Republican or City Manager.

Decisions are made, and decisions fail to be made, solely as they affect the political futures of the two groups.

Rochester MUST have a port. That is self evident, undebatable. The Republicans propose a plan whereby state and government aid may be acquired. That scheme is knifed by the City Manager group to keep the G. O. P. from getting credit.

Knowing something must be done, the Manager group proposes a \$400,000 fund to develop

the river mouth as a harbor. This pitiful gesture dies a gesture. Do you think the Republican group would let the Manager group get away with anything? Even if it helped Rochester? Not on your life!

Again. The city lacks one councilman. Should we elect a new man this Fall? Certainly not. It might be a Republican which would break the tie. Or it might be a Manager candidate. And that would break the tie.

IT MIGHT EVEN BE A DECENT ROCHESTER CITIZEN WHOSE SOLE DESIRE IS TO DO SOMETHING FOR ROCHESTER!

That would be terrible. Imagine a man in the council who thinks first of Rochester and the city's good, forgetting that a vote one way or the other means the Republicans will grab a little credit, or the Manager group may build its organization a trifle stronger!

Squirm as it will, the City Manager organization cannot dodge responsibility for the stalemate at city hall.

That system of government is on trial. If

the councilmen insist on playing politics for the good of the organization and the detriment of the city, how can they plead later that they have been a success?

They told the city when the government was reorganized that:

"PETTY POLITICS WILL BE ELIMINATED. ROCHESTER WILL HAVE AN OPEN AND ABOVE BOARD ADMINISTRATION, AN ADMINISTRATION THAT WILL WORK FOR THE BEST INTERESTS OF THE CITY."

In the light of events, that is productive of a sorry laugh.

The Manager group, on trial, has refused to yield a point, has made no compromise. Either it controls or the city can go hang.

No one expects compromise from the Republican organization. It quite frankly is interested in the Republican party. It wants to handle the patronage and build up its wards.

No one need be surprised when it votes to

embarrass the Manager group. But when the Manager group acts to the detriment of the city, solely to build up its organization, it is laughing at its own grandiose promises of Utopian government.

Meanwhile Rochester suffers. Other cities are building their ports WITH FEDERAL HELP; other cities are progressing with public improvements; other cities are working amicably to establish themselves in the sun.

Rochester is not. She is working, under protest, solely to provide political patronage for the Republican organization or the Manager organization.

This cannot endure. Sooner or later an angry electorate will take things in its own hands. It will choose a council of men interested primarily in Rochester's welfare. It will not care whether these men are Republican or Managerial. Their devotion to Rochester will be the first requisite and their devotion to party will be scanned not at all.

Numerous state maps were made

END
OF
BOOK