

THE DEAL IS ALL OFF.

Central Wouldn't Concede and the Council Refuse to Give In.

THE HEARING WELL ATTENDED.

All the Property Owners in the Vicinity Were Represented—Gordon W. Allen Was the Steersman for the Company With Charles A. McCarthy as Lieutenant, While Former District Attorney Nellis, Amasa J. Parker and Rev. Dennis Flynn Were the Spoken-against Closing Way Streets—After All Had Been Heard Alderman White Withdrew His Resolution and the Matter Dropped.

Negotiations between the New York Central Railroad company and the city of Auburn, concerning the closing of Van Anden and Chapel streets and the improvement of the company's property, are off for the present at least.

When it came to the issue the company would not bind itself to carry out its part of the proposition. It would not fix any limit of time within which a new depot should be constructed and vary property the interested declined to consider the company's request for concession.

The public interest in the matter was attested by the attendance at Thursday night's meeting of the Common Council. The owners of property in the streets it was proposed to close were out in force as were business men in that vicinity and others, all arrayed against the scheme.

In favor of the company was a much smaller contingent headed by Gordon W. Allen, who recited the proposition with so much of detail as was possible.

Some minutes prior to 8 o'clock, the time set for the meeting, interested people commenced to assemble at the Council chamber and the space outside the hall was filled when the sidewalk came to order a few minutes after 8 o'clock. There weren't seats enough to accommodate all and many were forced to stand up. In the crowd were

Attorneys George W. Nellis, Amasa J. Parker and Frank M. Leary, Dr. George B. Wright, Superintendent S. V. Kennedy, of D. M. Osborne & Co., Charles A. McCarthy, of Dunn & McCarthy, W. F. Whiting, Wilbur B. Carney, George A. Padcock, P. H. Dunn, Ralph H. Keeler, L. B. Allen, John B. Hines, Ernest E. Lincoln and others.

Save for Alderman Wise every member of the Council was on hand early and ready to do business at the time designated, but Mayor Burgess was a little late. He showed up some minutes after the meeting got under way. Clerk Herring read a petition signed mostly by business men in the vicinity of Van Anden street who alleged that the closing of the street would result in shutting off much of the trade they now enjoyed and they registered a protest to any such scheme. Immediately following was read a protesting petition from the property owners of Van Anden street in the vicinity of and mostly East of the Central's tracks, imploring the Council not to take any action which would result in shutting up the street.

Following this Clerk Herring read his report on the advertisement for the hearing and its purpose and he also read the report of the sidewalk inspector, Peter Dalton, to the effect that he had served personal notice of the hearing on 120 property owners on Seymour, Van Anden and Chapel streets.

Mayor Burgess announced that the hearing in regard to the railroad matter "is now open" and that if there was anybody present representing the Central that they might be properly discussed. Turning to Gordon W. Allen, who had charge of the company's interests, he asked: "Do you wish to make a statement?"

Mr. Allen: "When the time comes," George W. Nellis announced that he represented numerous property owners and thought it would be well if some one would make a statement as to just what was proposed to be done, "in order that we may know what we are talking about."

Alderman Emerson: "I think it would be well to have the company's proposition read."

The mayor: "I don't think we have had any."

Mr. Allen: "I have it here; shall I read it?"

The mayor: "If you please."

Mr. Allen then stepped forward and explained in detail what the railroad company proposed to do and what it didn't propose to do. He had previously prepared his remarks and he read them together with some correspondence in regard to the matter as follows:

"I am here to-night for the single and only purpose of contributing to the city of Auburn my views and judgment upon the question of closing streets and upon the question of the proposed improvement of the company's property, and which has been very largely, at least, created by my personal efforts in your behalf. Permit me to read to you the letter of Hon. William H. Newman, president of the New York Central railway:

"New York, Jan. 25th, 1922.
"MR. G. W. ALLEN, Auburn, N. Y.
"Dear Sir: Referring to our conversation this morning, after looking over the options for property that may be needed for the general re-arrangement of our depot facilities in your city, which options are as follows:

tracks by diverting same into Seymour street. Southerly of the above mentioned Lawrence Douglas parcel, under the terms of the existing statutes, which fix the amount for purchase of the necessary property and other expenditures of making such improvement upon the Railroad company 50 per cent; the city of Auburn 25 per cent; and the State 25 per cent; and will vacate to the company the portion of Van Anden street to be closed from the southerly margin of the Douglas property to the northerly margin of the existing right-of-way of the company on the Easterly side of Van Anden street; this company will, on receipt of satisfactory assurances that the terms above outlined will be carried out by your city, arrange to purchase the property described above at the price named, and will commence at an early date the construction of a freight depot on the South side of the main tracks covering the entire length between Van Anden and Chapel streets, using for that purpose a portion of the property so purchased, and will also make a general improvement in the freight yard by construction of necessary team tracks, etc.

"If it should be found that the Power house lot cannot be purchased at the price named, \$15,000, the company will take the remaining property and go ahead with its freight station improvements.

"While it is believed that the best place for location of passenger depot is on the present freight house site, the company is not yet prepared to enter into an obligation with the city that a new passenger depot will be constructed within any fixed time, and located at that point.

"Your very truly,
"W. H. NEWMAN,
"President."

"Immediately after reading this letter to you on Tuesday afternoon, in the rooms of the Business Men's association, the following telegram was sent to Mr. Wilgus, chief engineer of the road:

"If your company will agree to build passenger station within two years we are of the opinion that proposition will be accepted by Council at special meeting to-morrow noon.

"EDWARD HARRIS,
"F. HINCHY,
"G. W. ALLEN."

"I should here state that I had after my return from New York previously sent to Mr. Wilgus, chief engineer, the following telegram: 'Will your company agree to erect steel overhead foot bridges, crossing all your tracks on Van Anden street, or further, and if necessary, would you erect like foot bridges across Chapel street?'

"To this I received telegraph reply, as follows: 'We are willing to have the cost of the steel overhead foot bridges at Van Anden and Chapel streets included as a part of the expense of eliminating the Van Anden street grade crossing between the railroad, State and city.'

"Last evening, in answer to our telegram as to the time of erection of the passenger station, I was in receipt of the following telegram from Mr. Wilgus: 'President Newman telegraphs that the ground adjoining the present freight depot at Auburn is being purchased for the purpose of constructing a passenger station, and it is probable one will be erected within two years, but for reasons explained to yourself and Mr. Hinchey, it is not desired to enter into an obligation that passenger station will be built within that time.'

"This then is the present situation, so far as the Railroad company is concerned.

"The public has read in the press of the city your reply to these, the propositions of the Railroad company, as it is embraced in Alderman White's resolution offered at your executive session yesterday, and which your clerk may now read to you, if you desire or think best.

"The Railroad company by its president tells you that they will immediately purchase the ground required to build the passenger station on State street, to occupy practically as it will the space between the present tracks on the East, State street on the West, Van Anden street on the North, and Chapel street on the South. The building when constructed will be of brick or stone, to cost at least \$50,000, as Mr. Wilgus, chief engineer, told Mr. Newman, the president, in my presence. It will be a credit to the Railroad company, and an ornament to your city. Do you desire, do you need such an improvement? Is there a person in this community, I feel like adding—who doesn't think we all deserve it, as well?"

"The freight house which the railroad proposes to build will be of brick, and extend from the South line of Van Anden street to the North line of Chapel street; modern in every respect, and with room enough in it and about it to do the business of your city for the next 25 years, to say the least. On the East side of it will be an open space with stone paving wide enough for teams to go in, turn around, back up and load and unload, and pass through either Van Anden or Chapel street. In a word, it will be as wide as an ordinary street, or wider. This open space will be open to the public for teams and pedestrians as well, for use and for business, and will be a credit to the Railroad company, and an ornament to your city. In fact you will have an open street from Garden street to Seymour."

"In closing Chapel street at the East line of the railroad property, the Railroad company proposes to, and will give an open street from Chapel street to Garden street, out of its own property. This land, as I understand, will be dedicated to the public use by the Railroad company at all time to come, or to say the least, for so long a time as Chapel street shall remain closed for the advantage and benefit of the Railroad company.

"Now as to Van Anden street, and its being closed from the East line of the and now or hereafter to be opened by the Railroad company. President Newman stated to me that he would never attempt the improvements contemplated without the closing of this street because the tracks would be and become so numerous, and the passage of trains and switch engine so frequent, that it would be dangerous and unsafe for teams and pedestrians and teams. In a word, the improvements must be made in such a manner as to make it safe for the Railroad company to operate its trains, and at the same time protect the public.

"As consideration to property owners and the public generally, how will the improvement be made? Will the city of Auburn be benefited by the closing of Van Anden street, and the improvement of the company's property, and which has been very largely, at least, created by my personal efforts in your behalf. Permit me to read to you the letter of Hon. William H. Newman, president of the New York Central railway:

\$500 REWARD!

We will pay the above reward for any case of...
"What are you asked by the Railroad company to give up? A possible \$3,000 which the law, and not the Railroad company, makes obligatory upon you to pay, and that every community in the State pays, and you will also pay, or you will never get what we one said, and must sooner or later have from necessity."

"The closing of the streets involves but little that any intelligent, patriotic and loyal citizen should interpose as a prohibitive objection, all things considered. The greatest good to the greatest number makes for greatness in everything the world over."

"Mr. Vanderbilt and Mr. Newman, kindly take my word for it, will do their part to the full of every promise, even implied; but they are not made of the kind of stuff that yields to dictation as to how they shall spend their money, principally for your benefit."

"How much money has it cost the city of Auburn, and will it have cost when our city bonds have been paid, to have the Lehigh Valley railroad on the outskirts of your town? I will tell you. The bonds were for the total cost of \$500,000. The principal and interest will make the total sum more than \$750,000. This information to you may be relied upon, as being within the great sum named which Auburn will have paid to have what is now a comparatively unimportant branch line of the Lehigh Valley Railroad company."

"And what have you and we got to show for it? A good railroad and good people; but do you think, you, Mr. Taxpayer, that you have got value received for your investment? I say no, certainly not."

"Who carries your burdens of material and manufactured goods out? Who gives you plenty of trains, good service, low rates, considerate treatment? I say, and so will say all the business men of your city, it has been and is the very men who want to help you now. My advice, therefore, to you all is to permit them to substantially do so in their own way within the limitations of Mr. Newman's letter or if you do not, you will go without the benefits desired, and which I very much fear will be what you deserve as a community."

"When Mr. Allen had finished Alderman Bell said: 'We have listened with great interest to Mr. Allen. We appreciate the fact that the Central has been a benefit to Auburn and we also realize that Auburn has been a benefit to the Central. I pay for my freight and when I go away I buy a ticket. If Auburn has been of so much benefit to the Central why should the company attempt to dictate to us when they haven't even promised us a depot or told us how wide that street is to be? We are just as good as Vanderbilt or Taylor and their proposition don't show us when we are to get that new depot, it don't cover the ground. I'm just as good as the New York Central, Lehigh Valley and Lehigh Valley, something someone close to me don't do.'

Mr. Allen, who sat next to Mr. Bell, interrupted: 'I haven't for 20 years.' Mr. Bell continued: 'I want to see a new depot and a new freight house but I want some promise of when we will have them.'

Amasa J. Parker spoke next. He said he represented a property holder in Van Anden street, who was ill and couldn't be present. He said: 'I think it would be very unwise for the Council to accept this proposition. The company is a large corporation and it has done a lot for the city and we agree that the improvements to the company's property would be an improvement to the city. But it seems to me that the proposition should be presented properly so that it can be understood by everybody. If two streets are to be cut off the property owners should know how those streets are to be used. I say that before a decision is taken the company should make its proposition so that the people of Auburn and particularly those on the streets proposed to be closed up can know all about it and I don't see how any intelligent alderman can vote for the proposition in its present form.'

Former District Attorney Nellis followed Mr. Parker. He said he represented every real estate owner on Van Anden street from State to North and about every business man in the vicinity. The Central's proposition, he said, was to close Van Anden street permanently, and that, as a result, from now on there can be no business in that section of the Central but that company asks us to surrender our rights. The business men of State street would be cut off from the trade of that section East of the Central's tracks.' He said the bridge over the tracks was not to be replaced unless the State Railroad commission saw fit to grant it and he believed the people should be free from paying any taxes whatever for the proposed improvements. 'We've given them a valuable franchise,' he said, 'and I think the city ought not to contribute a single dollar.' He thought traffic under the proposed arrangement would be badly blocked as they for the tracks to be closed up.

"The Central says it does not want us to dictate to it and we say we don't want the company to dictate to us. There are property rights that must be considered. Here is a corporation that will give you a \$500 reward for any case of..."

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Mr. Allen: "The company's options on the property were obtained for 15 days and before the last option was secured the greater part of that period had expired. Mr. Newman wants to know if you will accept the proposition. We don't want any legislation here. You accept the proposition and the arrangement as to the details will come up later between the officers of the company and the city attorney."

Mr. Bell: "But when do they build this station is what we want to know?"

Mr. Allen: "That the company won't promise to do within any stated time."

Mr. Bell: "If the company can give us something in writing then all right, but we are not going to take Gordon W. Allen's or anybody else's word."

Mr. Allen: "Gentlemen: Permit me to say and request that if you are not prepared and still do not think it wise or best to adopt such a set of resolutions as will meet what the Railroad company deem to be due to them, then stop where you are and lay Mr. White's resolution upon the table, which will have the effect of dropping the matter without embarrassment in taking up the question at some later period when they may desire to do so. In a word, leave the subject without limitations on your part, since you are not able to obtain at this time what your body thinks for the best welfare of your city."

Alderman Adams: "I don't see what the use of going on with the hearing. If the Central wants us to withdraw the resolution I guess the Council is willing to do it."

Charles A. McCarthy, of the firm of Dunn & McCarthy, was the first to speak in support of the Central and Mr. Allen. He said: "It appears to me like this: When Auburn was smaller the Central laid out place so that it had no trouble in handling its business. But Auburn has grown fast in the last few years and I've noticed that the company's freight business is frequently much congested at the Van Anden street crossing. I can't see how the people are to be inconvenienced or their property rights damaged. I will say that what would we do and what would Auburn have been if it wasn't for M. Osborne & Co., McIntosh, Seymour & Co. and all these other concerns which connect this business? If they weren't here the grocery couldn't live, the Holy Family church wouldn't prosper. What are we going to do? We want Auburn to grow and thrive and I don't believe the Central will take any advantage of anybody. They're not that kind of people."

At the request of Mr. Allen, Superintendent Kennedy, of D. M. Osborne & Co., made a few remarks. He said the Oswego River Railroad company, the property of his concern, handles on an average of 20 car loads a day for 300 days in the year. There had been times when his company had 30 cars of freight in the Central's yards that couldn't get out and he spoke of the difficulty often experienced in getting cars. In conclusion he said: "The place is so congested that it is useless to try to do business. If the yard was twice as big it wouldn't be too large."

Alderman Emerson brought out from Mr. Kennedy, after some questioning, that very little of D. M. Osborne & Co.'s freight passed through the Central's freight house.

Alderman Bell fired the last gun this way: "The Central is making a lot of money out of Auburn and they haven't got room to do business. When they show us what they are going to do for us in black and white then we will stand by them."

There being nobody else who cared to be heard the hearing was declared closed at 9:15 and Alderman White's resolution was taken from the table on his motion and read. It has already been printed in these columns.

When the reading was concluded Alderman White said: "I think the resolution is all right as far as it goes and I believe the improvements would be a good thing for Auburn. But as the Railroad company is willing to make no concessions to us I think we should make no concessions to them. I therefore, ask unanimous consent to withdraw the resolution."

The consent was given, the resolution withdrawn and the Central's proposition ceased to be a matter for consideration of the Council.

Adjourned, on motion of Alderman White.

A WIFE'S DEVOTION.
Walked Miles in a Heavy Snow to Secure Her Husband's Release.

MIDDLETON, N. Y., Jan. 31.—The 41-year-old wife of Paul Garbrowski, of Florida, this county, to whom he was married a few weeks ago, has shown her devotion to him in a most unmitigated way. Tuesday night Garbrowski was arrested on a petty charge and taken to Warwick for arraignment. The night was bitter cold and a heavy snowstorm was prevailing, but the poor wife, besides of this, walked six miles over a lonely road to Warwick and begged the officers who arrested her husband to be permitted to spend the night with him in his cell. Her request was granted and in the morning she set about to secure her husband's release. His trial was adjourned until yesterday and Wednesday night she was again at the lockup and shared her husband's cell.

Largely through the wife's efforts, the complaint against Garbrowski was withdrawn when the case was called yesterday morning, and when the justice announced the discharge Mrs. Garbrowski wept with joy.

AN INCREASE OF PAY.
Widow of English Labor 10 Per Cent.

PRITTSBURG, Pa., Jan. 30.—Acting independently of the combines, the R. O. Cunningham Glass company, which is the largest manufacturer of window glass outside of the American Window Glass company, have voluntarily advanced the wages of all unskilled labor 10 per cent. Similar action was immediately taken by S. McKee & Company and Cunningham & Company Limited, who, like the Cunningham Glass company, are members of the Independent Glass company. It is expected that other plants of the Independent Glass company and the American Window Glass company and the Federation Co-operative Window Glass company will follow suit.

900 DROPS

Vegetable Preparation for Assimilating the Food and Regulating the Stomachs and Bowels of

INFANTS & CHILDREN

Promotes Digestion, Cheerfulness and Rest. Contains neither Opium, Morphine nor Meperol.

NOT NARCOTIC.

Prepared by Dr. J. C. FLETCHER

Perfect Remedy for Constipation, Sour Stomach, Diarrhoea, Worms, Convulsions, Feverishness and Loss of Sleep.

For Similar Signature of *Dr. J. C. Fletcher*

NEW YORK

15 Doses - 35¢

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The SPRAMOTOR

Gold Medal
Six Gold Medals

BUFFALO, N. Y., April 1, 1911.

The Spramotor Co.

GENTLEMEN—We take great pleasure in recommending your Spramotor machine, which both cold water and lead and oil.

We have experimented with several machines, but in our experience we find yours to be the best of anything that we have ever used.

Yours very truly,
J. B. KING & Co.

OHIO AGRICULTURAL EXPERIMENT STATION

WOOSTER, O., September 6, 1911.

Spramotor Co.

GENTLEMEN—I have used the Spramotor experimental work. It has given me satisfaction in anything else I have seen for spraying crude petroleum mixture on my work.

F. M. WEBSTER, Kenton, Ohio.

CORNELL UNIVERSITY, ILLINOIS

Spramotor Co.

We have been using your pump in our men speak of it to the highest terms and it works easier than any other pump we have ever used.

Yours truly,
There is a greater profit from fruit spraying with it than with any other pump.

You can kill the Wild Mustard in the crop.

The SPRAMOTOR will kill San Jose scale.

A combined mixture of Bordeaux and oil and water, may be used in any proportion. The Spramotor is the only reliable mechanical mixture of oil and water.

—Geo. E. King

68-70 King Street, LONDON, ENGLAND.

THE UTICA FIRE

Approved by the Boston Marine Insurance Company, instantly put out burning Boston Rubber Cement. Circulars at...

O. J. CHILDS CO.

General Office & Factory, 41...

Attention Farmers

MYERS' RAPID

Sure cure for Scratches and Cuts. For sale at...

Frank S. Smith

Price 25c.

ADOPT THE MERIT SYSTEM

DENISON, Tex., Jan. 31.—A circular has been issued from the general office of the Houston & Texas Central...

With CIVISION'S PdfCompressor