

SEWER WORK BLAMED PUT UP TO CONNOLLY

Caused Rice to Be Named in 1914 by Misleading Civil Service Commission, Higgins Shows

TOOK RESPONSIBILITY THEN Engineer Forced to Say He Had Little Experience—Also Admits He Was Coached

ALBANY INQUIRY SUGGESTED

George K. Morris Believes the Legislature Would Consider Such a Proposal.

Commissioner of Accounts James A. Higgins, in the first of his public hearings yesterday afternoon on charges of waste and graft in the \$16,000,000 Jamaica sewer system, fixed directly upon Borough President Maurice E. Connolly responsibility for the conduct of sewer and highway construction in Queens in the last thirteen years.

Mr. Higgins showed that Mr. Connolly persuaded the Municipal Civil Service Commission to waive its regulations in 1914 so that he could appoint James Rice to his present post of engineer in charge of engineering construction, sewers and highways in the Borough President's office.

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tary and executive officer of the Municipal Civil Service Commission, asked Mr. Healy to produce all papers in his files dealing with Rice's appointment.

Mr. Healy first read a letter from Acting Borough President James A. Dayton of Queens, dated Jan. 30, 1914, requesting the commission to exempt the position of engineer in charge, engineering construction, sewers and highways, from the civil service rules.

Mr. Healy then read the minutes of a public hearing held by the commission on Feb. 18, 1914, with Chairman Henry Moskowitz presiding and with Borough President Connolly appearing in support of his application.

The minutes showed that Mr. Connolly told the commission that "the work before us is of such a tremendous character that no one could not be hampered in our selection of a man."

Mr. Connolly informed the commission that a man having peculiar knowledge of sewer construction was needed for the job.

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"I signed a document," he explained, "to perform my duties in a loyal manner and in accordance with the civil service regulations."

He said he was 23 years when he "came out" of the schools, having left the United States in 1894 at the age of 4 and having grown up in Africa.

Asked if he had ever designed a sewer, he replied that he had done so in one instance. He said this was about five miles long, connecting an army barracks outside of Calcutta, India, with salt water.

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position by competitive examination, the provisions of the civil service rules might be waived to permit the appointment of somebody with exceptional qualifications.

What were your duties? "Partly to direct men in construction work and partly to go out on punitive expeditions to punish disorderly natives."

Did you ever design or construct? "No," he replied. "The most important thing we discussed was the Corona tunnel, which was built for drainage after I received the position."

But how much did he inquire into your qualifications for sewer construction work and your experience? "I don't remember."

Did you ever ask you about your experience on highway construction work? "I think his discussion with me was mainly regarding tunnel construction."

Here Rice made a curious answer, in view of his testimony that he had been an officer in the British Army, and that he had designed, he said, "but it was designed by the officers."

Did you consider this qualified you to build sewers? "Yes, he said, he had also supervised construction of an aqueduct tunnel in Massachusetts but had not designed it.

What would have been the cost of that tunnel in India, if done under contract? "I should say at least \$300,000."

And the cost of the du Pont sewers? "I should say not more than \$25,000 each."

That would have been high for the majority, but it required perhaps as much ingenuity to build small sewers as large ones.

What was its length? "It was mainly branches, none of which were more than 100 feet in length, leading to the treatment plant."

How much did that sewer cost? "It didn't amount to much; only about \$25,000."

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see that the assessment burden was not improperly shifted from the Queens property holders to the taxpayers of the whole city.

Mr. Klein then compelled Rice to admit that he must have estimated the cost on four contracts awarded to the Highway Improvement and Repair Company before they were awarded, and had not sent any one to investigate the cost of water on these sewer routes in connection with the estimated cost of pumping.

Why, Mr. Rice enjoys this, the attorney said. "Don't you, Mr. Rice?"

I wish to hell I was out of here, was the engineer's heartfelt response, which threw the whole room, and the Board, into a laughing fit.

Continued objections by Pascal and Hubbard to Klein's method of questioning Rice drew a protest from James A. Dayton, a Queens civic worker, now organized an anti-Connolly party.

They're all with you, Klein remarked sarcastically to Rice.

Yes, I'm as popular as a Scotch cologne, he replied.

Another dispute came when Hubbard insisted that Klein should present his evidence before the Commission.

The hearing ended with a final row when Klein sought vainly to present his case.

Harvey Visits Morris. Alderman-elect Harvey issued his statement on a legislative investigation yesterday afternoon after visiting Republican State headquarters in East Forty-first Street.

Mr. Klein asked the various other questions, Rice answered, "framed not reply to him on each occasion that we had at no time specified lock-joint or a patented sewer pipe and the specifications in our specifications."

The only requirement in the specifications with regard to joints is the following, which is Section 133, paragraph 1 of the specifications:

The pipe shall be of the bell and spigot type, the bell not to project beyond the body of the pipe, but to be flush with it.

Mr. Harvey explained his failure to get a transcript of last week's hearing in time to send his charges to the Governor as follows:

Before the hearing I was approached by William F. Rockstroff, a stenographer in the Queens Surrogate's Court, who asked me if I wanted a quick report of the hearing.

Mr. Klein questioned me at considerable length on the so-called Hempstead Avenue sewer where the estimators in making their estimate, assumed that ground water would exist and added elements for waterproofing, excavation and de-watering.

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the Freeport police refused to affirm or deny a report that Phillips had left town early yesterday or late the previous night under police escort.

Won't Wait, Says Harvey. Mr. Harvey appeared at the Culture Forum, Fifteenth Street and Irving Place, last night, and told an audience of 100 persons that he intended to go on with his charges, minutes or no minutes.

I am not going to wait for a copy of the minutes, he said, "but am going right ahead. If Governor Smith won't give me an investigation, I am going to Albany and the Legislature for it."

Speaking of his troubles during the afternoon over the missing minutes, Mr. Harvey declared that "from the way things look now Mayor Walker seems just as anxious as any one else to whitewash the whole matter."

And the man across the street was taxed the same amount which makes \$1,100 for that fifty feet," he said.

RICE AMPLIFIES TESTIMONY. Says He Seeks to Clear "Uncertainties" in Replies on Sewers.

James Rice, chief engineer for the Borough of Queens, who testified before the Board of Assessors at a hearing into the costs of sewers in Queens, issued a statement yesterday which he said was to explain "certain ambiguities and uncertainties" in his testimony before the board last week.

Mr. Klein endeavored to show that the type A sewer was overvalued by unnecessary requirements, but this was not the fact, Rice said.

It was not only in the case of the Jamaica sewers that bids and estimates were in excess of engineers' estimates, he said. The Pennsylvania Railroad tunnels and terminals were estimated at \$100,000,000, but actually cost \$48,000,000, and the Holland tunnel was estimated at \$28,000,000, but actually cost \$48,000,000, he said.

Cites Question and Answer. He cited the following question and answer from a transcript to show how he had failed to say what he meant to say:

Q.—"Would it surprise you to know that lock-joint was patented when you wrote it into the specifications? A.—I guess I would astonish me anyhow."

Mr. Klein asked the various other questions, Rice answered, "framed not reply to him on each occasion that we had at no time specified lock-joint or a patented sewer pipe and the specifications in our specifications."

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contract was prosecuted not only while pumping was going on in the lower sections, but in the Summer season when the conditions were most favorable.

Denial on Lock-Joint Pipe. "Mr. Klein sought to show that because the specifications required the contractor to trowel recess in the joints in the interior of the pipe, the use of lock-joint pipe was required. This is not so. Troweling was required in the specifications wherever there was an interior recess. If there was no interior recess no troweling, of course, would be required.

He maintained that the requirement that the portion of the invert first poured be allowed to set seven days before applying the waterproofing was an unnecessary requirement. This is not so, and I should not hold up the contractor who came to constructing sections of invert as far as his material would go.

Our experience with estimating in Queens has not been by any means a proper subject of criticism. Since March, 1921, to July, 1927, there were 205 contracts let for sewers in the Borough of Queens of Type A and Type B. In 102 cases the bids were below the engineers' estimates, and in 103 cases they were higher.

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