

BUILDING CODE ATTACKED

Tenement House Committee Will Protest Against Its Adoption.

MANY SUGGESTIONS IGNORED

Allegations that It Fails to Require Necessary Space and Light or to Restrict Height.

It is likely that the Tenement House Committee of the Charity Organization Society will make a strong protest against the adoption by the City Council of the new Building Code. The code which has just been drafted by the Building Code Commission will be taken up for adoption by the City Council Tuesday, after a final public hearing to-morrow afternoon. Although the Tenement House Committee has not yet had an opportunity to examine the entire code thoroughly, it will probably appear at the public hearing, and protest against so much of the proposed laws as conflict with certain principles contained in its suggestions made to the commission in June of this year.

Lawrence Veiller, Secretary of the committee, said yesterday that no time has been afforded the committee or the general public to examine the proposed code. It was published for the first time last Thursday, and, he said, it is the purpose of the commission to have it "railroaded" through the City Council this Tuesday. Most of the members of the Tremont House Committee, he said, spend the Summer out of town, and the Chairman, F. W. Holls, returned only last Thursday from the Peace Conference at The Hague.

Mr. Veiller, however, has drawn up certain objection to the proposed code, and his views are fully shared by Edward T. Divine, also a member of the Tremont House Committee. These objections are confined to the tenement house regulations, as embodied in the code.

"In the report of the Building Code Commission," says Mr. Veiller, "there is the statement on the part of the commission that they had carefully considered the changes in the tenement house laws recommended by the Tenement House Committee of the Charity Organization Society, and that they were gratified to find that most of the suggestions mentioned were already embodied in the tentative code. After studying the new code very carefully it appears that practically not one of the recommendations of the Tenement House Committee of the Charity Organization Society has been adopted by the commission.

AS TO TENEMENT SHAFTS.

"The Tenement House Committee requested that in every new tenement house no court or shaft should be less than 5 feet in width in any part, nor less than 150 feet in superficial area, and it was pointed out by the Tenement House Committee that this was the most important change in the tenement house law that could be adopted; that the evils of the present, narrow, dark, damp, unventilated air shafts were the greatest evils of the tenement house system, evils moral and intellectual, as well as physical, and that the method of planning tenement houses in vogue at the present time is a disgrace to the city and State. The building code contains not one word on this subject, notwithstanding the fact that the commission had power to introduce such an ordinance which should not be in conflict with the present provision of the charter."

Among other suggestions of the committee that Mr. Veiller says the commission ignored were:

"That no tenement house hereafter erected, and no building not now used as a tenement house, but hereafter used as a tenement house, or hereafter altered to be used as a tenement house, shall exceed six stories in height, (including mezzanine stories as separate stories) above the sidewalk line. But this provision shall not apply to such tenements as are fireproof throughout."

In the new code, he says, non-fireproof houses may be erected to a height of 85 feet, provided the first two floors are fireproof. He continued:

"The Tenement House Committee also requested that all living rooms in tenement houses hereafter erected should contain at least 600 cubic feet of air space. This is not mentioned in the new code.

"Another suggestion was that every tenement house hereafter erected, and every building not now used as a tenement house, but hereafter altered to be used as a tenement house, shall be provided with at least one bathtub or shower bath.

"Another was that no wooden building of any kind whatever shall be placed or built on the same lot with a tenement house within the fire limits of the City of New York.

"We also suggested lighting up the dark halls of the tenements by requiring the owners to substitute glass for wood panels in the hall doors. The Building Code Commission has paid no attention whatsoever to this recommendation."

Mr. Veiller says that the only suggestions the commission paid any attention to were that certain comparatively unimportant provisions of the old building laws be retained. All suggestions of new requirements, he says, were rejected.

TENEMENTS IN THE CHARTER.

He says, also, that the attempt on the part of the commission to differentiate the "tenement" from the "apartment" house is fraught with danger. The charter defines a tenement house as follows:

Tenement house shall be taken to mean and include any house or building or portion thereof which is rented, leased, let, or hired out to be occupied, or is occupied as the home or residence of two families or more, living independently of each other, and doing their cooking on the premises, or by more than two families on any floor so living and cooking, but having a common right in the halls, stairways, yards, &c.

"The building code," says Mr. Veiller, "defines an apartment house as follows: 'An apartment house shall be taken to mean and include every building that shall be intended or designed for or used as the home or the residence of three or more families or households, living independently of each other, and in which every such family or household shall have provided for it a kitchen, set bathtub, and water closet, separate and apart from any other. Any such building hereafter erected shall not cover any greater percentage of a lot than is lawful to be covered by a tenement house, and the requirements for light and ventilation for a tenement house shall also apply to an apartment.'

"The whole class of buildings known as 'flats,' which are tenement houses, meet these requirements generally, and under this section, if adopted, would be classed as apartment houses, and thus attempt to evade the tenement house law. A closer study of this section reveals a very possible danger. In the clause, 'Any such building hereafter erected shall not cover any greater percentage of a lot than is lawful to be covered by a tenement house,' no mention is made whatsoever of the buildings that may be altered and converted into apartment houses, but 'only buildings hereafter erected.' Hence, under this section, the owner of any existing tenement house in this city could, by putting in a set bath, &c., change his tenement house to an apartment house. He could then proceed to add an extension to the building, so that the finished building would cover the entire lot. He could build in this apartment house any number of rooms totally dark, having no windows open to the outer air, and could evade all of the other provisions of the tenement house law.

"It is safe to predict that if this section of the Building Code is adopted, in a very few months the 40,000 tenement houses in this city will be rapidly changing in this way to 'apartment houses.'

"The crowning feat of the new code, however, is to be found in Section 148, which authorizes the Commissioner of Buildings to vary or modify the provisions of Chapter 12 of the Greater New York charter, or any existing law relating to the alteration or removing of any building erected or to be erected."

REPLY TO MR. VEILLER.

William J. Fryer of the Building Code Commission said yesterday, when his attention was called to Secretary Veiller's criticisms:

"I don't see why the public should listen to Veiller. He has no property interests in the city, and he was quite recently discharged from the Department of Buildings by the Commissioner. The public will hardly believe that he and the little coterie for which he speaks have more at heart the best interests of this city than the men who have drawn the building code. But, outside of this, his criticisms are unjust. I can answer and dispose of every one of them; though I can take up only the principal ones at this time.

"We could not adopt the suggestion which Mr. Veiller says his committee considered the most important—the one regarding the

six-foot air shafts. To have adopted this would have been equivalent to cutting down the number of rooms in the tenements, and the tenants would have had to pay more for their rooms, as the rents would be proportionately raised to make good the loss on the rooms cut off. Besides, there are plenty of light and air in the present 'dumbbell' tenements.

"The trouble with the Tenement House Committee is that it considers the tenement house a curse. We consider it a blessing. The poor could not otherwise be comfortably housed.

"We have raised the height to which non-fireproof tenements may be built to eighty-five feet, but we have added a provision that the first two floors must be fireproof. Under the present law a non-fireproof tenement could be run up to seven stories, and we restrict them to that number and make them more secure from fire.

"As to dark halls, it would be absurd to substitute glass for wood panels in the doors to light them. In addition to the expense, the glass doors would destroy the privacy of the home. Those who objected to such exposure would put curtains over the doors, and thus make the hall as dark as before.

"Mr. Veiller need give himself no concern about tenement houses being converted into apartment houses, and other buildings changed into apartment houses, thus evading the tenement-house laws. Whether buildings are to be erected or altered, the law will be complied with, or it will be rigidly enforced. If a building is converted into an apartment or tenement house, care will be taken to see that it does not occupy, as Mr. Veiller fears, all the lot area. It will be held strictly within the apartment-house regulations. This is expressly enjoined on the Commissioner of Buildings.

"As to the last criticism he makes, that the code 'authorizes the Commissioner of Buildings to vary or modify the provisions of Chapter 12 of the Greater New York charter or any existing law,' this is nothing more than a reiteration in the code of the provision of the charter itself. It is not a new provision of the code, which draws its sole authority from the charter. The Building Code Commission could not legally exceed its authority, and it made no attempt to do so. If Mr. Veiller will turn to Section 650, in Chapter 12, of the charter, he will find this provision of law that he thinks so unusual and dangerous.

"The code is a good one, and I hope it will be rushed through the City Council on Tuesday. It has been published, although most of the other Commissioners were opposed to publishing it before it became law, for fear it would give opportunity for just such unnecessary criticism and fault-finding. I wanted it published, because I felt the people would approve it."

BROOKLYN WATER SUPPLY.

Robert Creuzbaur Urges Stoppage of Waste and Advocates Restoration of the Gravity System.

Robert Creuzbaur, a mechanical engineer of 911 Sterling Place, Brooklyn, has sent to Controller Bird S. Coler a communication on the water supply question in which he says:

The Ramapo proposition is now suspended, but will probably be revived with Brooklyn as its goal unless the hopelessness of such aim is clearly understood. To demonstrate that is the principal purpose of this letter, as well as to pursue the subject in line with Engineer Croes's report recommending "a systematic investigation into the sources of waste, and repressions of such waste."

Mr. Creuzbaur deals at length with the subject of leakage and wastage of the New York water supply, and suggests the use of meters as a remedy for lavish use and waste. He says that leakage and wastage being remedied, the water consumption would probably be reduced over one-half, and the necessity of enlarged supply postponed for many years.

In considering the Brooklyn water supply, Mr. Creuzbaur advocates the restoration of the gravity system so successfully applied in 1856, and which is the interception and utilization of water moving seaward underground, otherwise wasted into the sea; in contradistinction from the "driven well system" now pursued. He refers to his article, "Water Supply Upon Sandy Tide Water Coasts," published in The Engineering News Nov. 22, 1894, when there were indications of a serious intention to import water into Long Island. The article claimed that Long Island is a gigantic natural, quasi inexhaustible storage reservoir, which, upon the gravity system, can supply Brooklyn's legitimate needs of water for an indefinite time, by water filtered through masses of sand, without sterilizing a foot of land, taking only water about to waste into the sea.

The defects and dangers of the driven well system are set forth, and the writer continues:

The driven well system is as pernicious as it is unnecessary and unnatural, in the face of the gravity system, which intercepts only surplus water, not required by the farm lands, and has no other effect upon these lands than would be produced by the moving inwardly of the seashore to the collecting galleries which intercept the wasting water.

Mr. Creuzbaur concludes as follows:

As the water supply is perhaps the most vital and far-reaching municipal question, affecting not only the pockets of the taxpayers, but also the health and security of the community, every citizen should be made familiar with this as well as other civic questions, in order to give their much-needed support to wise and just government understandingly.

MR. MAZET TO PROBE RAMAPO.

Every Person Who Is Supposed to Know Anything About the Grab Has Been Subpoenaed.

The sessions of the Mazet committee will be resumed Tuesday morning in Part IX. of the Supreme Court, and the Ramapo water deal will be the first subject taken up. Chairman Mazet said yesterday that he expected that at least two or three days would be given to this matter. Besides Mayor Van Wyck, every person who is supposed to know anything about the proposed contract with the Ramapo Water Company, officially or otherwise, has been subpoenaed. All of the members of the Board of Public Improvements will be questioned, as also will Silas B. Dutcher, President, and Edward Lauterbach, counsel of the Ramapo Water Company.

An attempt was made yesterday forenoon by a representative of Counsel Moss of the Mazet committee to serve a subpoena on Albert B. Boardman and Frank H. Platt of the law firm of Tracy, Boardman & Platt. Both of them were out of town, however, and the subpoena-server will visit them again to-morrow. Police Magistrate Hogan of this city and Hugh McLaughlin are among the other witnesses to be examined in the Ramapo matter. "We propose making this investigation as searching as possible," said Chairman Mazet. "Nothing will be covered up, and every concealed fact that we can find will be brought out, no matter who is hurt."

An inquiry into the attitude of Tammany Hall and certain New York City officers toward rapid transit will immediately follow the Ramapo investigation. Richard Croker, Mayor Van Wyck, and Corporation Counsel Whalen are expected to be the star witnesses in this inquiry. Some of the Rapid Transit Commissioners will also be put on the stand.

"The committee is not yet through with the New York police force," said Chairman Mazet. "We are constantly receiving letters and verbal information relating to the lax discipline and corrupt practices. In the interest of the public welfare we shall endeavor to expose the actual condition of affairs and fix the responsibility and blame where they belong. It seems to me that visible indications of the laxity and inefficiency of the police management are increasing every day."

"You can see a falling off in the tone and discipline of the force by observing the conduct of policemen on the street. I personally know of one case where a patrolman assigned to night duty habitually goes into a room over a saloon during the evening and does not come out until aroused by the saloon bartender just before the time for him to report at the police station. I think I shall make this case a matter of inquiry before the committee."

"Another important matter to which the committee will give thorough attention is the payment of political assessments by Judges and candidates for the judiciary. It is a matter of record that candidates for the judiciary in this city have been obliged to pay political assessments as high as \$10,000. I know one Judge who borrowed \$16,000 from two prominent business men in New York in order to pay his campaign assessments. You may be sure that the committee will probe this matter as far as it is able."

Ex-Mayor Patrick J. Gleason of Long Island City was yesterday served with a subpoena to appear before the committee on Thursday. Mr. Gleason does not know for what purpose he has been subpoenaed. As the ex-Mayor is a prisoner in Queens County on jail limits, his lawyer told him he cannot be summoned to Manhattan except under habeas corpus proceedings.