J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 S. MAIN STREET

City of Pittston

PITTSTON, PA.,

Jan. 17, 1927.

To the Honorable Mayor &
Members of Council,
City of Pittston, Pa.

Gentlemen:

Attorney James P. Harris of Wilkes-Barre, representing the Erie Railroad Company, has written me, and I believe, has written other city officials, concerning the assessment of the company for paving on Oak Street in the sum of $417.06 charged against their frontage of 76.1 feet. He requests that this assessment be stricken off and the lien satisfied.

Inasmuch as the entire 76.1 feet is necessary for the right of way of the railroad, as I am informed by the City Engineer it is, it is not liable for municipal improvements, and the request of Mr. Harris should be granted.

I would, therefore, recommend that the Assessor be instructed to abate the assessment and the Solicitor to satisfy the lien.

Respectfully submitted,

J. Harold Flannery
Solicitor

F'R - 27

Stricken off - Lien to be satisfied

2-7-27

City Clerk.

Pittston, Pennsylvania,

March 28 1927.

TO THE CITY OF PITTSTON BY ITS PROPER OFFICERS

Gentlemen:

I give you notice that Article 3 of the Workmen's Compensation Act of 1915 does not apply to our contract of employment and that I do not agree to accept the compensation provided therein.

Witness -
Ralph Buckley

Frank W. Kresge

Address: 232 Parke

Pittston, Pa.

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 S. MAIN STREET

2-7-27

City of Pittston

PITTSTON, PA., January 5, 1927.

City Clerk.

To the Honorable Mayor &
Members of Council,
City of Pittston, Pa.

Gentlemen:

In connection with the matter of City of Pittston against Coons Construction Company for cost of restoring depression at corner of Main and Market Streets, you will permit me to say that I have been informed by the City Engineer that the City has absolutely no right of action and accordingly none has been instituted.

Before this conclusion was reached the matter was given exhaustive investigation both by myself and Mr. Myers and there is no other course to pursue. I am, therefore, closing the file.

Respectfully yours,

J. Harold Flannery

City Solicitor.

F/S

1-17-27

Laid over until next meeting.

3.7.27

Over

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 S. MAIN STREET

City of Pittston

PITTSTON, PA., March 3, 1927.

To the Honorable Mayor and
Members of Council,
Pittston, Pa.

Gentlemen:

I wish to call your attention to the fact that the poles on the northerly side of Lambert Street, which were taken over by the Bell Telephone Company in 1925, have been removed.

Along this same line it would be well at this time to consider the cleaning up of North Main Street between Mill Street and the City line by an arrangement between the four Public Service Corporations involved.

There seems to be an excessive number of poles along this street and I think that if these companies were called together and they would join in carrying their lines on the same poles it would be possible to have two distinct and well distributed lines of poles - one on each side of the street. This would, therefore, improve the conditions and the general appearance of that street between those points.

I am sure this would meet with favor with at least three of the corporations involved and, therefore, recommend that action in this direction be taken.

Respectfully yours,

R. N. Myers.

City Engineer.

M/S

Ordered Filed.

3-7-27.

City Clerk.

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 S. MAIN STREET

City of Pittston

PITTSTON, PA., April 18, 1927.

To the Honorable Mayor &
Members of Council,
Pittston, Pennsylvania.

Gentlemen:

Upon receipt of the complaint directed against the Spring Brook Water Supply Company I wrote the officials, both locally and in Wilkes-Barre and subsequently consulted with Mr. Healey personally.

Years ago when the owner was compelled to connect on at the main out in the street a tappage fee was charged and the company made the connection. Now, however, in view of the fact that the company has exclusive control in the streets that service is eliminated as well as the charge therefor and there is now no such a thing as what was known as the tappage fee.

Recent legislation and regulation requires the company to supply its facilities at the curb. From there into the house the expense and responsibility is on the property owner. The Company makes its construction to that point entirely independent of and without any charge to the citisens, but the cost of the actual connection of the two lines at the curb - that is the house line under the side-walk and into the house and the service pipe from the main to the curb must be paid by the consumer. This service the company is ready and willing to perform and it does so at a fixed price of $4.50, that to cover labor and the cost of connecting fittings for which the company uses copper piping with brass joists, elbows, etc. If the householder desires to have this done by his own plumber he may do so - paying the expense for the labor and material involved himself and in this latter event there is no charge, of course, by the Water Company.

There has also been afforded for the information of the City a copy of the rates and rules in force by the company and which

#2

To the Honorable Mayor &
Members of Council,
Pittston, Pennsylvania.

have been approved by the Public Service Commission. These are enclosed for your consideration as also the receipt dated 3/21/27 given by Edward Hooper, of the Spring Brook Water Supply Company, evidencing that service is authorized for premises No. 199 Johnson Street, City; the receipt is stamped No. 6093.

As I understand Mr. Healey's explanation, as outlined above, the regulation is reasonable and would be sustained by the Public Service Commission if a complaint were lodged. If any householder is of opinion that the connection charged is excessive he is at liberty to have the work done privately at his own expense.

Trusting this covers the entire situation involved, I am,

Respectfully yours,

F/S

Enc.

City Solicitor

P. S. I am sending a copy of this letter to Mr. Healey with the request that he verify my understanding of our discussion,

5-2-27 Ordered Filed.

City Clerk.

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 SOUTH MAIN STREET

City of Pittston

PITTSTON, PA., January 10, 1928.

To the Honorable Mayor &
Members of Council,
Pittston, Pa.

Gentlemen:

On February 18th, 1924, the Council of a former administration passed a resolution binding itself to appropriate, by ordinance, and pay the Treasurer of Luzerne County such sum or sums as might be recovered against it as damages occasioned by the approach of the new bridge at North Main Street; this was conditioned, however, on the right of the City to intervene and appeal from the award of viewers.

Subsequently Jacob Silverblatt made his claim against the County for the determination of which viewers were appointed, and an award was made in favor of the plaintiff for the sum of $7645.00.

From that award, since Pittston City was liable and since the County did nothing, I, as City Solicitor, appealed and took the matter to the Common Pleas Court where it is now pending. On October 7th, 1927, Counsel for Jacob Silverblatt excepted to the order permitting the City of Pittston to become a party defendant in this action, but subsequently that exception was withdrawn and a Statement of Claim was served and the case will be up for trial in the near future.

From the nature of the case, and since there is so much involved, I would ask your authority to associate with me in this case other counsel - specifically Richard B. Sheridan, Esq., of Wilkes-Barre, and would suggest that a resolution to that effect be passed.

Respectfully submitted,

J. Harold Flannery
City Solicitor.

F/S

1-16-28

R. E. Bradley, City Clerk

BELL PHONE 205-R5 WYOMING, PA. PITTSTON, 24-J

J. B. D. STONE CO. INC.

CLASSIFIED CRUSHED AND BUILDING STONE

PITTSTON, PA.. Jan. 18,27.

To the Honorable Mayor and City Commissioners.

of Pittston, Penna.

Gentlemen:

Having owned two Gamewell Trutle Gongs I would like to exchange them for enough Duplex No. 10 wire to replace the wire now in use for the fire alarm on Water Street bridge, the amount of wire not to exceed 1000 ft These Bells or Gongs are now in use for the fire service in the homes of Robert Mitchell and William Havard.

Hoping you can see your way clear to make this exchange, Iam,

Yours truly,

John Drury.

2-7-27

Exchange Granted

O.K.

E. J. Weber.

Fire Chief.

City Clerk.

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 S. MAIN STREET

City of Pittston

PITTSTON, PA., January 24, 1927.

To the Honorable Mayor &
Members of Council,
Pittston, Pa.

Gentlemen:

Responding to request for advise as to the responsibility of the Spring Brook Water Co. for a break in the Mill Street pave and sewer on or about August 15, 1925, permit me to call to your attention my communication of July 8, 1926, sent immediately after the questions involved were first referred to me. I stated in that letter that I was of the opinion that the owner of the property in front of whose premises the pavement was damaged is liable for the expense of repairing that damage.

Mr. Myers, City Engineer, stated that the point in question appeared to be undermined and as a result broke down. Upon investigation it was found that a void had existed under the pavement caused by water gradually washing away the earth into the interstices of a rock fill over the combination sewer, which had been laid in the street. The water appeared to have come from a leaking house connection.

Supplementing my previous letter of July 8th, the pipe leading from the water main to the street curb, or property line, as originally laid belongs to the property owner and a break in such a pipe would impose liability upon him. A replacement of the original pipe connection or main to the curb could and would be made ordinarily by the water company, who would be responsible for any defects in its construction or instalation.

The case at hand, therefore, resolves itself into this - that the company if it laid the pipe as a replacement would be responsible for defects and for its maintenance; the property owner if it was an original instalation, and it would be necessary for the Police or Street Department to find these facts positively before responsibility can be definitely fixed.

Respectfully submitted,

J. Harold Flannery

City Solicitor.

F. Buckley
City Clerk

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICES, MINERS BANK BUILDING

City of Pittston

PITTSTON, PA.
June 15, 1926.

To the Honorable Mayor,
and the Members of Council,
City of Pittston, Pa.

Gentlemen:

Enclosed there is a copy of communication received from James P. Harris, Esq., with reference to alleged damage to the property of Mrs. M. Drew of 86 Lambert Street, Pittston, Pa. It is self-explanatory.

I will request that this be referred to the Engineer for investigation as to the nature of the improvement of the Street, etc. and the cause and the extent of the damage, if any.

Respectfully submitted,

J. Harold Flannery

F'R
Enc.

Checked

COPY

LAW OFFICES
Suite 609
Coal Exchange Building
Wilkes-Barre, Pa.

JUNE 12th,
1 9 2 6.

J. Harold Flannery, City Solicitor,
Pittston, Pa.

Dear Sir:

Mrs. M. Drew is the present owner of premises at 86 Lambert St., Pittston, Pa.

About a year or so ago this Street was graded by the City with the result that the retaining wall was under mined and recently gave way. This will necessitate some expense on the part of Mrs. Drew to put her premises in safe and proper conditions.

Will you kindly take this matter up with the City Council and advise whether the City is willing to reimburse her for the damages sustained by the City operations.

Very truly yours,

James P. Harris

JPH/mm

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICES, MINERS BANK BUILDING

City of Pittston

PITTSTON, PA. June 21, 1926.

To the Honorable Mayor and
Members of Council,
City of Pittston, Pa.

Gentlemen:

Enclosed you will find an ordinance providing for the sale of the Silby Steam Fire Engine #537.

Before this ordinance can be passed it will be necessary that the Niagara Engine Company #2 pass a resolution surrendering all its right, title and interest in and to this machine to the City. A copy of that resolution is enclosed for your perusal. The original is in the hands of the Niagara Engine Company #2.

Kindly defer action until we have the certified copy as it has been passed.

Respectfully yours,

J. Harold Flannery

F/S

Enc.

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 S. MAIN STREET

City of Pittston

PITTSTON, PA., July 8, 1926.

To the Honorable Mayor and
Members of Council,
City of Pittston, Pa.

Gentlemen: Re; Resolution No. 1506 -
June 21, 1926.

Responding to request for advice as to the responsibility of the Spring Brook Water Company for a break in Mill Street pave and sewer on or about August 15, 1925, I am of opinion that the owner of the property in front of whose premises the pavement was damaged is liable for the expense of repairing the damage to the pavement.

Mr. Myers, City Engineer, states that the pavement at the point in question appeared to be undermined and as a result broke down. Upon investigation it was found that a void had existed under the pavement by water gradually washing away the earth into the interstices of rock fill over the combination sewer, which had been laid in the street. The water appears to have come from a leaking house connection.

As I understand it the house connection, the pipe leading from the water main to the street curb, or property line, belongs to the property owner. Any damage caused by a leak in the house connection, therefore, should be borne by the property owner.

Respectfully submitted,

F/S

J. Harold Flannery

Solicitor.

Milham! Why Ella's
nasty letter is immaterial
to me. I think Jh Dow
just picked up a mahogany
walking stick & hopped
needle's eye

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICE, 82 SOUTH MAIN STREET

City of Pittston

PITTSTON, PA., January 10, 1928.

To the Honorable Mayor &
Members of Council,
Pittston, Pa.

Gentlemen:

Counsel for the petitioners opposing any increase in rates by the Federal Water Service Corporation will withdraw the complaint in view of the declaration by the Corporation in their newspaper advertisement, to the effect that no increase will be made unless the same shall be necessitated by the expense of litigation on the petition to restrain that very thing.

I have conferred with the various counsel on the matter and feel that such a step is proper and advisable under the circumstances and places the Corporation in a position where they can not very well effect an increase, in the near future at least, without considerable difficulty.

The matter can, therefore, be regarded as in abeyance until further developments.

Respectfully submitted,

F/S

1-16-28

J. Harold Flannery
City Solicitor.

R. E. Bowkley, City

1-14-35

[illegible]

J. HAROLD FLANNERY
CITY SOLICITOR

OFFICES, MINERS BANK BUILDING

City of Pittston

PITTSTON, PA. Feb. 15, 1926.

To the City Council,
City of Pittston, Pa.

Gentlemen: Attention Mr. Bowkley

This will acknowledge receipt of letter of recent date requesting two ordinances, (1) for the licensing of electricians in the City of Pittston and (2) requiring the Lehigh Valley R. R. Co. to maintain watchmen at its various grade crossings in the City.

In compliance with the first request there is enclosed an ordinance providing for the licensing of persons, firms or corporations engaging in the business of electric wiring and providing for a Board of Electrical Examiners to pass upon the qualifications of applicants for licenses, directing the payment of fees for licenses, etc. Inasmuch as this is, as I understand it, an innovation in this city, it might be well that the proposed ordinance and all its provisions be given the careful attention of council before definitely agreed upon. It presupposes an electrician's union, an electrical engineer in the City of Pittston, a Department of Buildings in our government, fixed fees and various other conditions which may not be practicable of enforcement.

If there are any changes which Council desires, I would be glad if you would make a note of them and return the ordinance to me for redrafting.

As to the stationing of watchmen at the grade crossings of the L.V. R.R. Co., I am not submitting an ordinance as requested and in this connection you will permit me to call the attention of Council to the legal aspect of the situation. Previous to the formation of the Public Service Commission by the legislature the third class cities had specific authority by legislative enactment to require the erection of safety gates and the placing of flagmen at the intersection of railroads with public streets, but in 1913 when the Commission was formed among its powers and duties the legislature provided that it should have power to regulate such crossings, including the stationing of watchmen thereat.

City Council - City of Pittston #2

It is possible that this enactment was a violation of the police powers of municipalities, but under the decisions of our Supreme Court the law would seem to be otherwise. And even in former times regulations of municipalities requiring watchmen were subject to the review of the courts, which passed upon their necessity and the discretion of the Council in requiring such precaution, taking into their considerations the nature of the crossing, its location and traffic, etc.

It would appear in view of the above that the proper procedure in the event that public safety requires watchmen, gate tenders, or safety devices at crossings would be a complaint to the Public Service Commission and a request that they require such measured as may be necessary for the protection of the public.

F/D

Respectfully submitted,

Harold Hammond

Crossing Watchmen
Electrical Ex-
amining Board.
Letter - Flannery.

WM. H. GILLESPIE
MAYOR

OFFICES, MINERS BANK BUILDING

City of Pittston

PITTSTON, PA., January 21, 1926.

To the Members of the Council
of the City of Pittston:

Gentlemen:

I present herewith copy of a letter which I received from R. D. VanDuzer, General Land Agent of the Lehigh Valley Railroad Company, with reference to certain property of the said company, situate on the East side of Tompkins Street, South of Dock Street, in the City of Pittston, and now used by the City for municipal purposes, together with copy of letter which I sent to Mr. VanDuzer in answer thereto.

I take the liberty to enclose these copies, so that they may be filed in the office of the City Clerk for future reference.

Respectfully yours,

W H Gillespie
Mayor.

WHG*MBM

COPY.

LEHIGH VALLEY RAILROAD COMPANY

143 LIBERTY STREET

NEW YORK, January 12, 1926.

Hon. William H. Gillespie,
Mayor, City of Pittston,
Miners Bank Building,
Pittston, Penna.

My dear Mr. Gillespie:

Mr. Sillcox, District Land and Tax Agent of the Lehigh Valley at Wilkes-Barre, Pennsylvania, has forwarded to me your letter of January 8, with respect to certain property of the Lehigh situate on the east side of Tompkins Street, south of Dock Street in the City of Pittston, now used by the City for municipal purposes.

We refused to negotiate the sale of this property until the City had every opportunity to consider its acquisition. I note you do not feel that the City is at the present time able to purchase the property, but that it will be embarrassed in case the Lehigh sells it to third parties who would demand immediate possession.

The City of Pittston has always been most courteous in its dealings with the Lehigh and we will temporarily retain title to this property for the accommodation of the City. Have you in mind a purchaser who would be willing to permit the City to continue in possession?

If you care to prophesy what the future holds with respect to the possibility of the City of Pittston acquiring this property, it may be that the time is not so very far distant but what we could hold the sale in abeyance.

I would be pleased to hear further from you at your convenience.

Yours truly,

(Signed) R. D. VanDuzer.

General Land and Tax Agent.

, January 15, 1926.

R. D. VanDuzer,
General Land & Tax Agent,
Lehigh Valley Railroad Co.,
143 Liberty Street,
New York City.

Dear Sir:

I wish to acknowledge receipt of your letter of January 12th in the matter of certain property of the Lehigh Valley Railroad Company, situate on the East side of Tompkins Street, South of Dock Street, in the City of Pittston, now used by this city for municipal purposes.

Permit me first to thank you for your courtesy as well as for your consideration of the interests of the city. No doubt the City would be embarrassed if the property in question be sold to a third party who would demand immediate possession, and I assure you that we appreciate your action in temporarily retaining the title to this property for the accommodation of the City.

We have no one in mind at present who would be willing to permit the City remain in possession. It is possible, however, that some one may come forward who would be willing to do so. It is difficult for us to say when the City of Pittston may be able to purchase this property, but we hope that financial conditions of the City may warrant such action in the near future.

Again thanking you for your consideration,
~~We~~ I remain

Very truly yours,

WHG*MEM

Mayor.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

May 21, 1928.

Members of Council,
Pittston,
Pennsylvania.

Gentlemen:

Under date of February 6, 1928, I received a communication from Mr. Ernest G. Smith, Chairman of the General Committee, which is preparing for the celebration of the Sesquicentennial of the Battle of Wyoming, asking that the City of Pittston appropriate the sum of One Thousand, Three Hundred Sixty Two and 80/100 ($1,362.80) Dollars as its share of the expense incident to the proposed celebration. This sum was assessed against this City on the basis of its assessed property valuation, and as a pro-rata share of the total estimated expenses to be paid by municipalities in the Wyoming Valley.

After consulting members of Council, I learned that they were not disposed to act favorably upon the suggestion for good and sufficient reasons. I, therefore, wrote to Hon. C.C. Bowman, who represents this City upon that committee, informing him of the position taken by the members of Council in this matter. I enclose herewith the letter from the Chairman of the Committee, a list of the pro-rata shares of the expenses assessed against various municipalities in the Wyoming Valley, and a copy of my letter to Mr. Bowman, so that the same may be filed for future reference.

Very truly yours,

W H Gillespie

MAYOR

Enc:
WHG:BKM

5-21-28

May 19, 1923.

Hon. C. C. Bowman,
Pittston,
Pennsylvania.

Dear Sir, -

Mr. Bennet S. Smith, Chairman of the General Committee which is preparing for the celebration of the Sesqui-Centennial of the Battle of Wyoming, has written me suggesting that the City of Pittston, through Council, contribute the sum of $1,582.00 as its share of the expense incident to the proposed celebration. This sum was assessed against this city on the basis of its assessed property valuation and as a pro rata share of the total estimated expenses to be paid by municipalities in the Wyoming Valley. I wish to answer the Chairman's communication through you as the representative of our city upon that committee, and to say that the members of council are not disposed to act favorably upon the suggestion for the following reasons:

1. Because of the great burden of debt which the city now carries as a legacy from preceding administrations.

2. Because of the increased taxes imposed upon the property holders by the recent twenty-five percentum increase in the assessed valuation of city property.

3. Because of general opposition to the proposal on the part of tax-payers with whom the members of council discussed the matter. In this connection I may say that it has been suggested by many persons with whom we have discussed the proposed contribution that it would be well to ask for voluntary subscriptions to a fund for this purpose.

While the members of council agree that the purpose is a commendable one, since the appeal is prompted by a spirit of pure patriotism and civic pride, yet they are reluctant to expend any part of the public funds for the reasons above mentioned.

Very truly yours,

William H. Gillespie
MAYOR

Ernest G. Smith
President

Weekly Established 1810
Daily Established 1878

Member A. P., A. N. P. A.
A. B. C. and P. N. P. A.

The Leader Publishing Company

WILKES-BARRE, PA.

Publishers of the
WILKES BARRE
TIMES LEADER
EVENINGS

Special Representatives
STORY, BROOKS & FINLEY, Inc.
New York, Philadelphia
Chicago, San Francisco
Los Angeles

February 6, 1928.

Wm. H. Gillespie, Mayor,
Pittston, Pa.,

Dear Sir:

In connection with the Sesqui-Centennial of the Battle of Wyoming, of whose General Committee you are a member, I beg to enclose herewith a plan of financing adopted by the Committee in order to hold a dignified celebration of the event on July 2,3, and 4, 1928, which will bring the Wyoming Valley into national prominence at that time.

Instead of the usual and unsatisfactory method of soliciting subscriptions to defray expenses from business men and individuals, the Committee is asking all municipalities of the Wyoming Valley to underwrite the undertaking up to a proportionate share based on assessed valuations of its property. The sum of $40,000 has been deemed necessary by the Budget Committee.

The share of your municipality appears on the enclosed list. Mr. Charles W. Laycock, President of the Miners Bank, this City, is chairman of the Finance Committee.

About half the required $40,000 has already been underwritten. The Committee would be very grateful if you would take the matter up at the next meeting of your Council and we hope get their favorable consent to the undertaking in the amount specified.

The guarantee does not mean absolutely that the amount mentioned will be required. The celebration will have some revenue producing features attached, the proceeds of which, of course, will contribute to its financing. But this is a celebration of, for and by the entire Wyoming Valley and your favorable action in assuming a share will guarantee its success.

Sincerely,

Ernest G. Smith,

Chairman.

Enclosure.

PAL	ASSESSED VALUATION	PROPORTION
Wilkes-Barre	$103,000,000	$ 13, 409.21
Pittston	10,335,990	1,362.80
Nanticoke	17,644,948	2,313.06
Hanover Township	72,912,196	9,497.77
Ashley	6,722,046	893.07
Edwardsville	6,967,323	924.92
Wilkes-Barre Township	7,793,152	1,032.30
Sugar Notch	2,714,236	372.03
Warrior Run	1,670,087	236.31
Exeter	5,159,588	720.01
Wyoming	2,947,743	402.45
Plymouth	7,032,269	933.37
Pringle	1,081,506	159.87
Courtdale	421,703	74.07
Plains	11,378,829	1,498.48
West Pittston	4,437,087	596.02
Kingston	20,106,941	2,633.12
Forty Fort	6,370,486	847.31
Larksville	8,797,496	1,162.82
Swoyersville	3,073,571	418.83
Luzerne	1,805,348	253.90
West Wyoming	1,839,067	258.28
	$304,211,612	$40,000.00

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

June 7, 1926.

To the Members of Council,

Pittston, Pennsylvania.

Gentlemen:

I wish to call your attention to the fact that Walter S. Barritt, a merchant of this city and a resident of West Pittston, repainted the Soldiers' Roll of Honor and regilded the letters thereon without charge to the City a few days before Memorial Day in order to make said Roll of Honor more attractive and presentable for Memorial Day. I would suggest that a resolution of thanks be passed by Council in order to show its appreciation of his generosity and patriotism.

Respectfully yours,

W H Gillespie

MAYOR.

WHG*MEM

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

June 29, 1926.

To the Members of Council

Pittston, Pennsylvania.

Gentlemen:

In compliance with the suggestion made at the last meeting, I wrote to the Secretary of the Wyoming Valley Motor Club, informing him that Council understood that the installation of the direction signs at the Easterly approach of the Fort Jenkins Bridge would be made without cost or charge to the City, and that permission was granted for such installation with that understanding. The Secretary by letter dated June 26th answered my communication and informed me that they would make no demand for payment of any part of the cost of the installation, but that the suggestion for sharing the expense and cost thereof was made because the signs cost considerably more than the Club expected. I attach hereo copy of the letter in question.

Respectfully submitted,

W H Gillespie

MAYOR.

WHG*MEM

C O P Y .

W Y O M I N G V A L L E Y M O T O R C L U B

OF NORTHEASTERN PENNSYLVANIA

WILKES-BARRE,
P E N N A .

June 26, 1926.

Honorable W. H. Gillespie,
Mayor's Office,
Pittston, Pa.

Honorable Sir:

Your letter in regard to the signs, received this morning and I expected that the reply would be such as you sent. When we ordered the signs, I never expected that they would cost so much money, however, as they are erected and have been paid for, we shall forget about it.

The writer did not think that you would assume any liability for these signs, and does not feel badly because you are not paying any of it. The Motor Club feels that your attitude is alright. We will be glad to co-operate with the City at any time along these lines, and we thank you for your courtesy of allowing the signs to be posted on your new bridge.

With kindest personal regards,

Very truly yours,

(Signed) Norman Johnstone.

Secretary.

R. E. BOWKLEY
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

PITTSTON, PA.

July 24th.,1926.

Spring Brook Water Supply Co.,
North Franklin Street,
Wilkes Barre,Pa.

Gentlemen :-

I am handing you herewith excerpt from the minutes of our Council meeting of July 19th.,1926 -

" On motion of Mr. Reddington,seconded by Mr. White, the City Clerk was instructed to notify the Spring Brook Water Supply Co. that suit would be entered upon failure of the Company to make repairs to Mill Street pave within 30 days from receipt of notice"

Accordingly, you are herewith notified and required to make repairs to the Mill Street pave between Church and Searle Streets at the break in such pave caused by leaks in your water lines, failing to do which within 30 days from Monday,July 26th.,1926,suit will be instituted.

Very respectfully,

City Clerk.

By registered mail July 24th.

Marked"Attention Mr. Healey"

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 1111

INSURED PARCEL

No.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

WILKES BARRE PA.

POSTMASTER OF DELIVERING OFFICE AND DATE OF DELIVERY

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Form 3811 e 5—6116

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston
PENNSYLVANIA

August 2, 1926.

To the Members of Council of the
City of Pittston,
Pittston, Pennsylvania.

Gentlemen:

I submit herewith resignations of Vincent M. Roche and Robert Grimes respectively as policeman of the City of Pittston, their resignations to take effect immediately. I respectfully ask you to accept the resignations forthwith.

Respectfully submitted,

W H Gillespie

MAYOR.

WHG*MEM

City of Pittston, Pennsylvania

DEPARTMENT OF POLICE

MICHAEL P. McHALE
CHIEF OF POLICE

July 27, 1926.

W. H. Gillespie, Mayor,
City of Pittston,
Pennsylvania.

Dear sir, -

I hereby present my resignation as a policeman of the City of Pittston, the same to take effect immediately.

Respectfully,

Vincent M. Roche

City of Pittston, Pennsylvania

DEPARTMENT OF POLICE

MICHAEL P. McHALE
CHIEF OF POLICE

July 31, 1926.

W. H. Gillespie,
Mayor ofthe City of Pittston,
Pennsylvania.

Dear sir, -

I hereby present my resignation as a policeman of the City of Pittston to take effect immediately.

Respectfully,

Robert Glinn

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

December 20, 1926.

To the Members of Council,

Pittston, Penna.

Gentlemen:

At the last meeting of Council Mr. Joseph McNamara, a Member of Council, presented a letter in which he explained his vote against the adoption of the appropriation ordinance or budget by saying that he "was denied the privilege of having a part in its makeup." This letter was given wide publicity in the newspapers.

12-20-26.

In order to correct this misstatement of fact in his letter, permit me to say that previous to the informal meeting of Council in the Council Chamber upon Friday evening, December 10th, for the purpose of discussing the appropriation ordinance and the tax levy, then being prepared, I requested Mr. R. E. Bowkley, City Clerk, to notify Mr. McNamara to attend the meeting and take part in the discussion. The City Clerk informs me that he complied with my request and that he not only notified Mr. McNamara personally the day before the meeting, but also handed to him a letter on the evening of the meeting, informing him of the purpose of the meeting and requesting his attendance. Moreover, Mr. McNamara attended the meeting and was present during the discussion in which a number of taxpayers took part and which occupied nearly two hours. At this meeting Mr. McNamara made no objection and offered no suggestions as to the proposed budget and tax levy.

I take the liberty to bring this matter to the attention of Council, so that a true statement of the facts may be made a matter of record. I attach hereto a copy of the letter handed to Mr. McNamara by the City Clerk and a copy of the letter sent by me to nearly one hundred taxpayers and property holders requesting their attendance at that meeting.

Respectfully yours,

Wm. H. Gillespie

MAYOR.

City Clerk

C I T Y O F P I T T S T O N

Dec. 9th, 1926.

Mr. Jos. P. McNamara,
c/o C. F. Donnelly,
City.

Dear Sir:-

The majority members of Council have arranged to meet informally in the Council Chamber Friday, Dec. 10th at 8:00 P. M. for the purpose of discussing the appropriations and tax levy for the coming year. The Mayor, by letter, has extended an invitation to a limited number of representative taxpayers to attend the meeting to participate in the discussion.

The Mayor has suggested to me that I write you of his desire that you attend the meeting. Accordingly, confirming my phone conversation of this evening, I am writing you of the wishes of the Mayor in the matter.

I trust you will find time to attend.

Very respectfully,

R. E. Bowkley.

City Clerk.

December 9, 1926.

Dear Sir:

The Members of Council of this city expect to sit informally in the Council Chamber to-morrow, Friday, evening at 8 o'clock, at which time they will be pleased to meet owners of real estate located in this city for the purpose of discussing the appropriation ordinance and tax budget which is now in process of preparation and which must be adopted during the present month. They will be pleased to confer with you, give you information regarding the financial condition of the City and hear suggestions from you regarding the proposed budget and tax levy. I trust you will find it convenient to attend and give us the benefit of your advice.

Very truly yours,

W. H. Gillespie,

Mayor.

Dec. 20- 1926.
Order Filed.

Dudley

P

G2

M

M- No

G

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

May 6, 1927.

To the Members of Council,

Pittston, Pennsylvania.

Gentlemen:

I submit herewith a resolution which I believe should be adopted by Council. In view of the fact that many property holders upon certain streets in this city are demanding needed improvements, particularly sewers and pavements, which Council has been unable to make because of lack of funds, I believe that the adoption of this resolution will provide a large part of the money required to make these improvements and make it possible for Council to meet the demands of those property holders in a large measure. The necessity for sewering certain streets in unquestioned, and the right of the people upon those streets to demand those improvements on the ground of health and sanitation must be admitted. They have the right also to demand that property holders who have had the benefit of those improvements should pay their debts to the City, so that others may enjoy the same benefits, and this of course cannot be done unless the delinquent property holders pay their sewer and paving assessments to the City. We know that a large sum of money, aggregating nearly $50,000, is due the City because of unpaid sewer and paving assessments. This sum if collected would provide a large part of the amount required for the improvements demanded by other property holders who live upon streets that are unpaved and unsewered. I believe, too, that the fact that no interest has in the past been charged against or collected from those delinquent property holders for sewering and paving assessments will explain why those debts have not been paid. The delinquent property holder will naturally postpone the payment of his debt to the City as long as possible if he is not required to pay a penalty in the way of interest. If this penalty is imposed, as it should be in justice to the City, as well as to the other property holders, those debts will no doubt be promptly paid. In justice also to the City which is paying interest upon its bonded indebtedness and bank loans, those who are indebted to the City in this large sum should also pay interest to the City.

I, therefore, submit a resolution requiring that interest be charged upon all sewering and paving assessments for which liens have been filed by the City against delinquent property holders, and I respectfully ask that the same be adopted. I also suggest that the City Solicitor be urged to enforce collec-

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

Members of Council - 2 .

tion of all unpaid liens for sewering and paving assessments, so that we may proceed with those needed improvements without delay.

Respectfully submitted,

W H Gillespie
MAYOR.

WHG*MEM

3-11-27

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

June 6, 1927.

To the Members of Council,
Pittston, Pennsylvania.

Gentlemen:

I enclose herewith copy of a letter which I wrote to-day to the officials of the Lehigh Valley Railroad Company at Wilkes-Barre, asking them to replace the wooden rail on North Main Street adjoining the new Fort Jenkins Bridge with an iron rail, so as to avert and avoid accidents which have been caused by automobiles running through the said railing and landing upon the railroad tracks below. I shall refer the answer to my communication to Council on receipt thereof.

Very truly yours,

WHG*MEM

MAYOR.

June 6-1927
Ordered Filed

City Clerk

June 6, 1927.

Lehigh Valley Railroad Company,

Wilkes-Barre, Penna.

Division Superintendent:

I wish to call your attention to the wooden railing upon Main Street, this city, immediately North of the new Fort Jenkins Bridge, directly above your railroad tracks. An automobile recently went through this railing to the railroad tracks below, injuring the occupants severely, and of course damaging the car. This railing is directly opposite the foot of Mill Street which is very steep. Upon two or three occasions, to my knowledge, drivers have lost control of their cars coming down Mill Street and have run through that guard rail, causing accidents of the character above noted. I wish to call your attention to this matter with a view to have you replace, if possible, this wooden railing with an iron railing, in order to avert those accidents in the future.

Will you kindly consider this matter and let me hear from at your earliest opportunity, and oblige

Yours very truly,

(Signed) W. H. Gillespie

M A Y O R.

P. S. I am writing this letter at the request of the Members of Council of this city. W.H.G.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

October 20, 1927.

To the Members of Council,

City of Pittston, Penna.

Gentlemen:

I must call your attention to another dynamiting outrage that occurred about midnight Tuesday when a large bomb was exploded at the entrance to St. John's R. C. Church of this city. Had the explosion occurred a few hours earlier when more than 2000 people thronged the church at services when panic would probably have seized the great congregation the result would have been dreadful to contemplate. Only the intervention of a Divine Providence averted a catastrophe. This is the second such outrage that has been perpetrated in this city within the past two weeks. Immediately following the last occurrence Council with commendable promptness at my suggestion offered a reward of $1,000 for the arrest and conviction of those responsible for that heinous offense. Our only answer to this last outrage when an attempt was made to destroy a house of God should be to offer a still greater reward for their arrest and conviction. I, therefore, respectfully ask and urge you to increase the former reward of $1,000 to $5,000 and to include therein all offenses of a like nature which have occurred in the City of Pittston within the statutory period of two years fixed by law for the conviction of these criminals. I also urge you to adopt a resolution calling upon the authorities of Luzerne County to also offer a like reward of $5,000 for the same purpose and to co-operate with the police authorities of this city, as well as the State Police, in bringing these offenders to justice.

I realize of course that the apprehension and conviction of these outlaws is a Herculean task for the local police authorities. The most effective means would be detective agencies of recognized ability and reputation and large and substantial rewards will secure their services.

In this connection I wish to advise you that I have taken steps to organize a body of citizens of this city before whom I will lay a plan for the raising of funds to engage a competent detective agency of national reputation to solve these mysterious crimes. The names of the members of this body of

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

To the Members of Council - 2.

citizens will not be made public for good and sufficient reasons and its operations will be conducted through myself as Mayor of this city. This will prevent retaliation against the members of this body and protect them from the vengeance of those who may be brought to justice through their efforts.

It is the duty of the Members of Council and the Mayor to do everything in their power to co-operate with the good people of this city in a supreme effort to protect their lives and properties against the fiends in human form who have committed these hellish offenses.

Respectfully submitted,

WHG*MEM

Mayor of the City of Pittston.

Ordered Filed.

Oct. 21 - 1927.

City Clerk.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

November 21, 1927.

To the Members of Council,

Pittston, Pennsylvania.

Gentlemen:

I submit herewith a resolution which I respectfully ask you to adopt, in which the City Solicitor is directed to take the necessary legal steps to oppose the proposed increase of water rates by the Federal Water Service Corporation, successor to the Spring Brook Water Supply Company.

The public press recently referred to such proposed increase of water rates by the said company with a view to protecting the interests of the people of the City who are customers of the said Federal Water Service Corporation. I have communicated with certain public utility companies for the purpose of preparing the necessary data to oppose such proposed increase, and in the event that steps are taken by the said water company before the Public Service Commission to secure permission for such increase, the City will be in a position to strongly oppose such action.

I respectfully ask your honorable body to adopt the resolution in question, so that the Solicitor may be in a position to oppose such action without the necessity of conducting a meeting of Council for action should the emergency arise.

Very truly yours,

WHG*MEM

MAYOR.

11-21-27

City Clerk.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

July 13, 1927.

To the Members of Council,

Pittston, Pennsylvania.

Gentlemen:

I wish to inform you that in pursuance of the resolution adopted at a recent meeting of Council, authorizing me to appoint members of a committee to co-operate with the Members of Council of this city, as well as other municipalities, in preparing for the Sesqui-Centennial of the Wyoming Massacre in July, 1928, I have appointed the following gentlemen as members thereof, namely, Hon. C. C. Bowman, Thomas A. Grace and William H. Martin.

Respectfully submitted,

W H Gillespie

MAYOR.

WHG*MEM

July 18-1927.

Ordered Filed.

Dudley

City Clerk.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

December 28, 1927.

R. E. Bowkley,
City Clerk,
Pittston, Penna.

Dear Sir:

I enclose herewith a letter which I received to-day from the Lehigh Valley Railroad Company under date of December 27th, asking me whether or not we are in a position to take up the purchase of property on Tompkins Street which the City now leases for the use of the Street Department, and suggesting a tentative price of $7,250.00 for said lot of land. I also enclose herewith copy of my answer thereto.

I would suggest that you bring the matter to the attention to the other Members of Council at your earliest convenience, and oblige

Yours Very Truly,

W H Gillespie

MAYOR.

WHG*MEM

Lehigh Valley Railroad Company

Wilkes-Barre, Pa. December 27, 1927.

H. SILLCOX
DISTRICT LAND AND TAX AGENT

Hon. Wm. H. Gillespie,
Mayor, City of Pittston,
Miners Bank Bldg.,
Pittston, Pa.

My dear Mr. Gillespie:

Will you kindly advise me whether or not you are now in a position to take up the purchase of property on Tompkins Street, which is now under lease to the City of Pittston at $60.00 per annum?

I would recommend the sale of this property for $7250.00.

Yours very truly,

District Land and Tax Agent.

December 28, 1927.

Mr. H. Silleox,
District Land and Tax Agent,
Lehigh Valley Railroad Co.,
Wilkes-Barre, Penna.

Dear Sir:

This will acknowledge receipt of your letter of the 27th inst., in which you ask me whether or not we are in a position to take up the question of buying the property on Tompkins Street now under lease to the City of Pittston.

In reply, permit me to say that I shall bring the matter to the attention of the Members of Council for their consideration. As a matter of fact we have inserted an item in the general appropriation ordinance for the ensuing fiscal year, making provision for the purchase of a lot of land for City purposes if it becomes necessary for us to buy such property. Of course we understand that you may terminate the lease at any time you see fit, but we had hoped that this contingency might be postponed as long as possible because of the great burden of indebtedness which the City is now carrying. May I ask whether you have definitely decided to terminate our lease?

Thanking you for your courtesy in this matter, I remain

Yours very truly,

WHG*TEM

MAYOR.

Dec. 20th, 1927.

Ordinance Filed.

Entered upon the records this
day of ____ 19__

R. E. Bowlby, City Clerk
By ____, Deputy

City Clerk.

Pittston, Penna., December 27, 1927.

To the Mayor and Members of Council,

Pittston, Penna.

Gentlemen:

In presenting the general appropriation ordinance which embodies the budget for the ensuing year, I feel that it is fair to the taxpayers of the City to inform them of the reasons which impel the Members of Council to make the changes and increases contained therein. In this connection it is proper also to inform the taxpayers of the reason for the uniform increase of 25% in the assessed valuation of the properties of the City. These matters go hand in hand.

In the first place, I wish to repeat what is generally known, namely, that the outstanding current indebtedness of the City is $198,240.18, exclusive of the bonded indebtedness of $208,800, which latter is paid by the accumulation of a sinking fund. Of this current indebtedness the sum of $105,000 is due three savings banks of this city upon loans, upon which the City is paying interest at the rate of 6% per annum. In addition thereto, the sum of $9,250 is due Morgan Evans upon a note discounted at the Peoples Union Savings Bank of Pittston, contracted for the purchase of land forming the approach to the new Fort Jenkins Bridge, and to the American LaFrance Fire Engine Company there is due the sum of $6,500, the unpaid balance upon a discounted note for the purchase of a fire truck a few years ago. Upon both of these notes the City is paying interest at the rate of 6% per annum.

408,800

This current indebtedness of approximately $198,000 was incurred over a series of years when successive Councils failed to make adequate provision for the payment of its yearly overhead expenses. This could have been done by either the increase of millage or the increase of the assessed valuation of city property. In order to meet this deficiency, the present administration in December, 1926, increased the tax levy 5 mills which is the limit allowed by law. This increase paid the current overhead expenses for the year 1927 and provided a small fund for necessary improvements. For the ensuing year we propose to add to our budget two items which will cause a substantial increase in the amount of taxes to be collected, namely, the purchase of a hook and ladder truck and the purchase of a lot of land to be used by the Street Department for city purposes. We are now renting a lot of land from the Lehigh Valley Railroad Company and have been notified by the owner that we may be obliged to vacate upon short notice. We shall continue, however, to rent this property as long as possible and postpone the purchase of the lot of land until it is absolutely necessary. The need of a modern hook and ladder truck is unquestioned. The present equipment is antiquated and almost useless, and the horses that draw the truck are worn out and unequal to the task, while the cost of the upkeep of the horses, approximately $700, is practically wasted under the circumstances. Moreover, the saving of lives at a fire by the use of a modern hook and ladder equipment cannot be measured in money. With the addition of this modern equipment, the efficiency of the Fire Department of this city will be greatly increased, and we will be doing justice to one of the best volunteer fire departments in any city of its size in the State of Pennsylvania.

It is apparent, therefore, that it is absolutely necessary to increase the income of the City in order to meet these requirements. It is necessary for us to pay our running expenses, provide for the necessities of the City, and to make part payment upon our indebtedness just as any honest debtor should do. The City cannot afford to be branded either as a pauper or a dishonest debtor. This may not be the popular thing to do, but in our opinion it is the honest and decent thing to do. Therefore, we propose to make a uniform increase of 25% in the assessed valuation of City property at this triennial assessment. In doing so, we should meet these requirements, and in the course of a few years not only succeed in keeping out of debt but in paying for the current indebtedness that has been contracted over a series of years. It will then be the duty of those in control of City affairs in the future to live within its income and keep out of debt. When that point has been reached the Council then in control can properly lower the tax levy to a point in keeping with the necessities of the City and lower the burden which we are now obliged to place upon the taxpayers of the City.

Respectfully submitted,

Thos J. Gallagher

Supt. Dept. of Accounts & Finance.

Dec. 27th, 1927.

Ordered Filed.

R. E. Bowkley

R. E. Bowkley, City Clerk
Cuyahoga Falls, Ohio.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

May 28, 1928.

Members of Council,
City of Pittston,
Pennsylvania.

Gentlemen:

I respectfully call your attention to the published notice of the purpose of the Scranton-Spring Brook Water Service Company to file with the Public Service Commission on May 29 a new schedule of rates for water service in this community, to take effect on July first. The new schedule provides for a great advance in charges for water service, if the Public Service Commission passes favorably upon the proposed increase. The new schedule affects the whole region served by this corporation and will impose additional burdens amounting to millions of dollars upon consumers of water in that territory. No reason appears for the outrageous increase in the cost of service to its patrons, except an apparent desire to profit at the expense of the public and declare large dividends upon its watered stock. Its predecessor served its patrons at a reasonable rate and made a fortune for its owners. It gave splendid service, enlarged its plant to great proportions, extended its sources of water supply, provided for future demands upon its services and resources, and did all of this without increasing its rates to consumers. The proposed increase is so excessive, unjust, unreasonable and exorbitant that the public is justified in calling it a species of highway robbery. It is a bold and brazen scheme to mulct the people who must use the water of which this company unfortunately has a monopoly in this region, and, therefore, holds the public at its mercy. The action of this company, however, has aroused a storm of protest and the municipalities and communities affected by the proposed increase intend to take legal action to protect the public against this legalized extortion.

As Mayor of this city, and speaking for the thousands of consumers who must bear this added burden if the company succeeds in its purpose, I respectfully ask you to take official action to defend the people of our city against this outrage, and join with other municipalities and civic bodies in defending the people of other communities in a common cause.

I submit herewith two resolutions which provide for legal action in the premises, so that no time may be lost in dealing with this dangerous situation.

Respectfully submitted,

5-28-28

(Orig)

WHG:BKM

MAYOR

5-28-28.

P & F.

Recommendations adopted.

LP

R R2

R W

R M

R B

R. E. Bowkley, City Clerk
22 Miners' Bank, Pittston, Penna.

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

May 31, 1928.

Mr. R. E. Bowkley,
City Clerk,
Pittston, Penna.

Dear Sir:

I enclose herewith copy of the petition presented by the Wyoming Valley Autobus Company, filed with the Public Service Commission of Pennsylvania, together with notice that a public hearing on said application will be had before the Public Service Commission, June 7, 1928, when the petitioner will ask for a certificate of public convenience as a common carrier over a portion of Main street in this city. Kindly file the enclosed petition as a matter of record.

Very truly yours,

W H Gillespie

MAYOR

Enc:
WHG:BKM

MAYOR'S OFFICE

WILLIAM H. GILLESPIE
MAYOR

City of Pittston

PENNSYLVANIA

January 11, 1928.

To the Members of Council,

City of Pittston.

Gentlemen:

I submit herewith a communication, dated December 29, 1927, which I received recently from H. Sillcox, District Tax and Land Agent of the Lehigh Valley Railroad Company at Wilkes-Barre, in reply to my letter of December 28, 1927, relative to the lot of land located on Tompkins Street and leased by the said Lehigh Valley Railroad Company to the City of Pittston for use by the Street Department.

The letter states that it is not the desire or intention of the railroad company to terminate the lease in question, but that the company wished to make an inquiry whether the City was in a position to take up the matter of the purchase of the property in question.

I would suggest that Council consider this matter and in due time advise the Lehigh Valley Railroad Company whether the City will take up the question of purchasing the above mentioned property.

Very truly yours,

W. H. Gillespie

MAYOR.

WHG*MEM

1-16-28

R. F. Bowlby, City Clerk
Pittston, Penna.

Lehigh Valley Railroad Company

Wilkes-Barre, Pa. December 29, 1927.

H. SILLCOX
DISTRICT LAND AND TAX AGENT

Hon. Wm. H. Gillespie,
Mayor, City of Pittston,
Miners Bank Bldg.,
Pittston, Pa.

My dear Mr. Gillespie:

In reply to yours of the 28th inst. relative to the purchase of property on Tompkins Street, Pittston, Pa., and your question as to whether we have definitely decided to terminate your lease, wish to advise that it is not our desire or intention to terminate your lease, but we were just making inquiry as to whether or not you were now in a position to take up the purchase of the property mentioned above.

1-16-28

Yours very truly,

District Land and Tax Agent.

R. E. Bowkley, City Clerk,
22 Miners' Bank, Pittston, Pa.

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

January 26, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Dear Sir:

I send you herewith four copies of orders of the Court of Common Pleas of Luzerne County in the matter of assessment and valuation of coal lands of the Lehigh Valley Coal Company in the City of Pittston, Luzerne County, Pennsylvania, entered to No. 630, October Term, 1925, and No. 1360, July Term, 1928, respectively, in the Court of Common Pleas of Luzerne County.

I also enclose forms of agreement which the said Lehigh Valley Coal Company wishes to have executed on behalf of the City of Pittston and the said Lehigh Valley Coal Company to carry out the terms and provisions of the said orders and decrees of court; together with a copy of resolution prepared and submitted by the said Lehigh Valley Coal Company which it desires to have adopted by the Council of the City of Pittston for the purpose of authorizing the refunding of which is claimed by the said Lehigh Valley Coal Company to be an overpayment of $2,189.08 because of the reduction of assessments for the years 1926, 1927, 1929 and 1930, of which is set forth in detail in the said decrees of court, proposed agreements and the resolution in question. Please bring this matter to the attention of Council for such action as it may see fit.

Very truly yours,

W. H. Gillespie

SOLICITOR.

Enc:
WHG:BKM

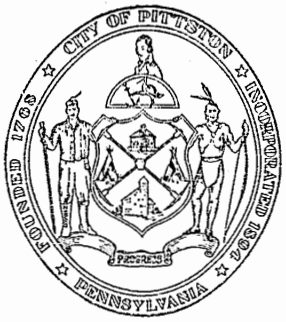
WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA



November 20, 1930.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Re: Mrs. Marie G. Ford vs.
City of Pittston.

Dear Sir:

This will acknowledge receipt of the letter of Anthony T. Walsh, Esq., attorney for the above named plaintiff, addressed to the members of Council under date of October 31, 1930, and referred to me by your office. The attorney's letter suggests that the matter be referred to me as City Solicitor with a view to settling the claim.

Permit me to say that the claim should be investigated by the city police, as customary in such cases, in order to obtain information which may be of assistance to the city in defending against the claim if it is not well founded. I suggest, therefore, that you ask the Mayor to assign a police officer and a representative of the Street Department to make this investigation.

I have no information whatever as to the alleged claim and, of course, I will not meet the attorney for the claimant unless instructed by Council to do so. In the meantime, however, a thorough investigation should be made and a report made to your office by the representatives of the city.

Very truly yours,

W H Gillespie

WHG:BKM

CITY SOLICITOR.

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

April 2, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Re: City of Pittston, appellant, vs. the Public Service Commission of Pennsylvania, No. 3, March Term, 1932, In the Superior Court of Pennsylvania.

Dear Sir:

I wish to advise you that the Superior Court of Pennsylvania made an order yesterday granting the request of the City of Scranton, the City of Wilkes-Barre and the City of Pittston to continue the hearing in the above case from April 20, 1931, to November 16, 1931. The petition of the said appellants was presented to the Superior Court at Philadelphia on March 26th by the City Solicitors of the respective cities above named.

Very truly yours,

W. H. Gillespie

CITY SOLICITOR.

WHG:BKM

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

May 2, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Re: Agnes E. Munley vs. the City of Pittston, No. 1516 March Term, 1930.

Dear Sir:

I enclose herewith a bill or statement of Dr. James L. English, for services rendered to the City of Pittston in the above stated case to the amount of twenty-five (25.00) dollars. It was necessary to secure the services of a physician to make a physical examination of the above named plaintiff and to make Xray photographs of the injury which she claimed to have sustained when she fell upon an icy sidewalk in the City of Pittston, upon December 27, 1929, and for which she entered suit against the City of Pittston to recover damages in the sum of twenty-five thousand (25,000.00) dollars.

Dr. English made a very thorough examination of plaintiff in the presence of her own physician, examined the plates of the Xray photographs taken of her injured limb at the Pittston Hospital at the time of her injury and on subsequent occasions, and by my direction caused Xray photographs to be taken of her injured limb upon Sunday, April 26, 1931, under an order issued by the Court of Common Pleas of Luzerne County. He was present at the taking of the photographs and made a thorough examination of plates at that time.

He consulted with me on several occasions in preparing the defense and held himself in readiness to appear in court on Tuesday, April 28th, when the case was listed for trial. However, the case was continued by agreement of the parties in court on the day it was called for trial. This continuance will be of advantage to the City of Pittston when the case is next called to trial which will probably be at the next term of court, when we will call Dr. English as the principal witness for the defense as to the extent of the injuries sustained by the plaintiff.

Very truly yours,

W. H. Gillespie

SOLICITOR.

WHG:BKM

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

May 19, 1931.

Mr. Wm. H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

At a meeting ot City Council held May 4, 1931, I was instructed by the above body to notify you that you are authorized to proceed to settle the claim of Mr. & Mrs John F. Lynnch of Old Forge, vs. City of Pittston for the sum of Eight ($800.00) Hundred dollars.

Yours respectfully,

F. P. Wall
City Clerk

April 20, 1931.

Mr. Wm. H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

Enclosed find letter received from Attorney Flannery regarding the Munley case.

Yours respectfully,

City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

June 9, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Re: Marie G. Ford vs. City of Pittston,
No. 371, July Term, 1931.

Dear Sir:

I wish to inform you that an action in trespass for damages not to exceed ten thousand (10,000.00) dollars was entered in the Court of Common Pleas of Luzerne County in the above case upon May 1, 1931, and summons served upon me, and service thereof accepted by me, upon this date.

No statement has yet been filed or served upon me in this case. I understand, however, that this suit is based upon damages alleged to have been sustained by plaintiff as a result of slipping and falling upon an icy sidewalk in the City of Pittston. When the statement has been filed, I shall give you the information contained therein. In the meantime, I suggest that you inform Council that suit has been entered as aforesaid.

Very truly yours,

W. H. Gillespie
SOLICITOR.

WHG:BKM

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

July 11, 1931.

F. W. Wall, City Clerk ,
Miners Bank Building,
Pittston, Penna.

Dear Sir:

I enclose herewith circular announcing the thirty-second annual convention of Pennsylvania cities of the third class which will be held in Bradford on August 18th, 19th and 20th. You have probably already received official notice of the convention. If so, it may be well to bring the matter before the next meeting of Council and suggest that some official be designated to represent the City at the convention.

Very truly yours,

W. H. Gillespie
CITY SOLICITOR.

Enc:
WHG:BKM

Ordered
Recd & Filed
Aug 3/1931

THE BOND BUYER
"THE AUTHORITY ON MUNICIPAL BONDS"
DAILY AND WEEKLY EDITIONS
67 PEARL STREET
NEW YORK, N.Y.

September 4, 1931.

William H. Gillespie, Esq.,
City Attorney,
Pittston, Pa.

Dear Sir:

In accordance with your letter of September 3rd we have scheduled the notice of sale of $150,000 City of Pittston bonds for an addtional insertion in THE DAILY BOND BUYER on September 15th.

Thanking you for this order and with best wishes, we remain

Very truly yours,

THE BOND BUYER

William T. Hall, Jr.
Secretary.

WTH Jr/HW

September 23, 1931.

Mr. Wm. H. Gillespie,
City Solicitor,
Wilkes Barre, Pa.

Dear Sir;-

At the meeting of Council held Aug. 31, 1931 the Delahunty Machine Co., presented a request for the payment of a police-tower, as near as I can understand this was not purchased on requisition and that they also refused to accept the return of same, it was never used and it still lies in the City Yard.

The Council requests your opinion on this matter.

Yours respectfully,

City Clerk.

September 23, 1931.

Mr. Wm. H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

At a meeting of City Council held August 31, 1931, I presented the enclosed communication, Council in turn ordered that the same be referred to you for an opinion as to whether or not the City is liable for the amount requested.

When you forward me your opinion please return the attached letters as they will be necessary for my files.

Yours respectfully,

City Clerk.

Cable Address,
Jaybee, Philadelphia

Telephone
"Bell" Rittenhouse 4304

Townsend, Elliott & Munson

Attorneys at Law

Provident Trust Building
17th and Chestnut Streets

JOSEPH B. TOWNSEND, JR.

J. CHARLES MURTAGH
GEORGE S. MUNSON
CHAS. HENRY SCOTT, JR.
CASPAR W. B. TOWNSEND

CHARLES C. TOWNSEND
GEORGE F. BAER APPEL

EDMUND G. HAMERSLY

JOSEPH B. TOWNSEND
1842 - 1896

Philadelphia, Pa. Sept. 18, 1931

$150,000. City of Pittston 4s

Wm. H. Gillespie, Esq.
City Solicitor
Dime Bank Building
Pittston, Penna.

Dear Mr. Gillespie:

I have your letter of September 17th and with reference to the printing of the bonds, I have secured an estimate from the Security Bank Note Company, who do excellent work at reasonable prices. The amount of the estimate for this printing is $95.00.

I do not see the necessity of having the bonds printed until after the sale thereof, in view of the fact that they are not dated until November 1st and cannot be delivered before that time.

Very truly yours,

Caspar W. B. Townsend

CWBT:G

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

September 19, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Dear Sir:

I enclose herewith letter from Caspar W. B. Townsend, to which I called your attention over the telephone today, regarding the printing of the proposed funding bonds, so that you may call the attention of the Council to the matter of printing the bonds under the supervision of the Philadelphia attorneys.

This, of course, is done without additional charge by the attorneys and will save a great deal of time, as well as assure the approval of the attorneys to the bond after it has been printed. The estimate for printing, as stated in the letter, to wit, $95.00, seems to be a very reasonable charge.

Very truly yours,

W. H. Gillespie

CITY SOLICITOR.

Enc:
WHG:BKM

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

September 14, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Re: Agnes E. Munley vs. City of Pittston, No. 1516, March Term, 1930.

Dear Sir:

The above noted case is upon the Common Pleas Trial List for trial during the week beginning Monday, October 19, 1931, and will probably be called upon Tuesday of that week. Kindly call at my office before the day fixed for the trial so that we may be prepared for trial when the case is called.

Very truly yours,

W. H. Gillespie
CITY SOLICITOR.

WHG:PEM

ordered referred to City Solicitor to adjust
Sept 28-1931
W R
W S H
W H
W C
W K
F P Wall
City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

September 24, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Re: Compensation claim of Charles F. Donnelly--Joseph McNamara.

Dear Sir:

This will acknowledge receipt of your letter of September 23rd, enclosing two letters addressed to the Chief of Police by the Ocean Accident & Guarantee Corporation, Ltd., compensation carriers of the above named parties.

In reply, permit me to say that I learned from the letters in question that the claim of compensation was based upon an accident suffered by Mr. Joseph McNamara when some shots or pellets fired from a gun by one of the police officers of the city, in dispatching a dog, accidentally struck Mr. McNamara. It is established by the law governing third class cities that the city is not liable for the acts of its police officers, especially as indicated in the letters in question.

Very truly yours,

CITY SOLICITOR.

WHG:BKM

P. S. I return herewith, as you requested, the two letters referred to in my communication.

W. H. G.

ordered
Rec'd & filed

THE OCEAN ACCIDENT & GUARANTEE CORPORATION, LIMITED
UNITED STATES BRANCH
ONE PARK AVENUE, NEW YORK
CHARLES H. NEELY
MANAGER AND ATTORNEY

DEPARTMENT OF CLAIMS
1222-1226 Miners Bank Building
WILKES-BARRE, PA.

WILKES-BARRE, PA. Aug. 26, 1931

RE: CHARLES F. DONNELLY - JOSEPH McNAMARA

IN REPLYING QUOTE FILE NO. 20EY-131 22

Chief of Police,
Pittston, Pa.

Dear Sir:

We are the Compensation Carriers of Charles F. Donnelly, 10 Dock St., Pittston, Pa. One of their employes was struck by a bullet which was fired by a policeman on June 8, 1931. These shots were fired at a female dog which, apparently, was harmless, but had become a nuisance. The shots went wild and two of them entered the flesh of Mr. Joseph McNamara, an employe of our assured, causing painful wounds.

We are confronted with a bill in the amount of $20.00 for services rendered Mr. McNamara as a result of these gun shot wounds. Will you kindly advise us what are your intentions of reimbursing us for this expenditure. If this letter is not addressed to the proper person, will you kindly see that it is brought to the attention of the person who has charge of these matters for the City of Pittston.

Thanking you for your co-operation in this matter, we are

Very truly yours,

T. E. Cairns

T. E. CAIRNS.
SUPT. OF CLAIMS.

TEC.EMH.

Refer to City Solicitor for an opinion
Aug 31-1931
R
E
W
S
L
J. Howell
City Clerk

THE OCEAN ACCIDENT & GUARANTEE CORPORATION, LIMITED
UNITED STATES BRANCH
ONE PARK AVENUE, NEW YORK
HENRY COLLINS
MANAGER AND ATTORNEY

DEPARTMENT OF CLAIMS
632 Miners Bank Building
WILKES-BARRE, PA.

WILKES-BARRE, PA. Sept. 19, 1931

RE: CHARLES F. DONNELLY - JOSEPH McNAMARA
IN REPLYING QUOTE FILE NO. 20EY-13122

Chief of Police,
Pittston, Pa.

Dear Sir:

Kindly favor us with an early reply to our letter of August 26th in reference to our claim of $20.00 against the City of Pittston which represents amount expended by us for medical treatment necessary to Joseph McNamara who was struck by a bullet fired by a policeman.

Very truly yours,

T. E. Cairns

T.E.CAIRNS.
SUPT. OF CLAIMS.

FMH.

October 13, 1931.

Wm. H. Gillespie, City Solicitor,
Dime Bank Building,
Pittston, Pa.

Dear Sir:

Re: Hastings Pavement Company vs. City of Pittston, will say that at a meeting of City Council held October 13, 1931, a motion prevailed directing me to write you a letter authorizing you to agree that a verdict be rendered against the city for the amount due the above Company without cost to the city.

You may use this letter for your authority.

Yours respectfully,

City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

October 13, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Re: Hastings Pavement Co.,
vs City of Pittston.

Dear Sir:

Pursuant to resolution adopted by Council last evening authorizing me to permit a verdict to be entered in favor of the above named plaintiff and against the above named defendant, for the sum of $983.59, with interest and without costs, A. T. Walsh, Esq., representing plaintiff and myself representing defendant agreed before Judge McLean that a verdict be taken for the plaintiff and against the defendant for the sum of $983.59, together with interest thereon to date.

Very truly yours,

W. H. Gillespie
CITY SOLICITOR.

WHG:BKM

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

October 9, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Re: Hastings Pavement Company vs.
City of Pittston, No. 486,
January Term, 1930.

Dear Sir:

As I previously advised you, the above noted case is on the list for trial in the Court of Common Pleas of Luzerne County during the week commencing Monday, October 12th, being No. 43 upon the Trial List, and may be reached upon Tuesday of said week.

My letter was referred to Mr. Gallagher, Superintendent of Finance, who informed me that the plaintiff had given service to the city, that its bill for the amount of its claim, to wit, $983.59, was approved on the 14h of December, 1925, by P. J. Kearney, then the Superintendent of Department of Streets, and that upon the same day, the claim was ordered paid by the Council. If those are the circumstances, then the city, in my opinion, has no legal defense to the said suit.

However, before permitting the plaintiff to obtain a verdict by agreement or by default, I wish to secure the express consent of Council thereto in order to absolve me from liability for so doing. If satisfactory to Council therefor, kindly ask that you be directed to write me a letter authorizing me to agree that a verdict may be rendered against the city for the amount alleged to be due without cost to the city.

Very truly yours,

W. H. Gillespie

CITY SOLICITOR.

Ordered
Authority Authorized
Oct 12-1931

WHGLBKM

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

November 30, 1931.

Wm. H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

At a meeting of City Council held September 28, 1931, a communication from you relative to the Agnes Munley vs. City of Pittston was read.

"A motion by Mr. Gallagher that the adjustment of this matter be left to the judgment of the City Solicitor, and that the settlement made by him be satisfactory to Council, was seconded by Mr. White, and carried by a unanimous vote on roll call."

Therefore the above motion will be your authority to proceed to make a satisfactory settlement in this case.

Yours truly,

City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

November 6, 1931.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Re: City of Wilkes-Barre, City of Scranton and City of Pittston vs. Scranton-Spring Brook Water Service Company.

Dear Sir:

I wish to advise you that the argument upon the appeal from the decision of the Public Service Commission of Pennsylvania to the Superior Court of Pennsylvania will be heard by the Superior Court in Philadelphia upon Monday, November 16, when the City Solicitors of the above named cities which are the appellants in the case, together with special counsel for the appellants, are expected to be in attendance at the Court.

Will you kindly call the attention of the Council to the matter and advise me whether they will authorize my appearance at the Court and pay my necessary expenses for attending.

Very truly yours,

W. H. Gillespie

CITY SOLICITOR.

WHG:BKM

Instructed to attend hearing

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

January 19, 1932.

Mr. William H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

Enclosed you will find a copy of Resolution #1892 adopted at the meeting of Council held January 18, 1932. As soon as the City Engineer forwards his report to me I will in turn get same to you.

At the same meeting a committee composed of Mr. I. Langan and A. Fullager representing the Foreign War Veterans requested the Council make them a monthly contribution same to be used to help them defray the expenses of maintaining their new quarters at N. Main St., this matter was referred to the City Solicitor for an opinion as to the extent of the authority of the City Council on a matter of this kind.

Yours respectfully,

F P Wall

City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

January 20, 1932.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Dear Sir:

This will acknowledge receipt of your letter of January 19th, with which you enclosed a certified copy of resolution No. 1892 adopted at meeting of Council held January 18, 1932, requesting that the City Solicitor furnish an opinion as to the status of the property involved in the recent settling of the surface caused by mining of coal in the vicinity of Chapel Street.

In reply, permit me to say that when the engineer has furnished me with a report of his investigation of the mining conditions in that vicinity, as provided for in the resolution, I shall be pleased to submit an opinion to Council as requested in the said resolution.

Respectfully submitted,

W. H. Gillespie

CITY SOLICITOR.

WHG:BKM

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

January 20, 1932.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Dear Sir:

This will acknowledge receipt of your letter of January 19, 1932, in which you inform me that the Veterans' of Foreign Wars in this city have requested Council to make them a monthly contribution to help defray the expense of maintaining their new quarters in this city, and in which you further ask me for an opinion as to the power of Council to comply with their request.

In reply, permit me to advise you that Section 2401, Paragraph 40, of the Act of June 23, 1931, (Act No. 317), setting forth the corporate powers of cities of the third class, reads as follows:

> "Payment of rent for veterans' posts and camps.-By a two-thirds vote of the Council, to appropriate money to any incorporated camp or post of veterans' of any war in which the United States was engaged, to be used in the payment of rent of any building or rooms in which such camp or post has its regular meetings."

I wish to call your attention specifically to the requirement that the recipient of such appropriation must be an incorporated camp or post. Therefore, while Council may comply with the request of the camp or post in question, it can do so only if the said camp or post has been duly incorporated according to the laws of the State of Pennsylvania. This restriction or requirement in the law is intended, no doubt, to prevent a duplication of payments or appropriations to more than one group of war veterans of any organization who may ask for the assistance afforded by the said Act of Assembly within a third class city.

Respectfully submitted,

W. H. Gillespie

CITY SOLICITOR.

WHG:BKM

RBWSL

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

May 21, 1932.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Pennsylvania.

Dear Sir:

I enclose herewith a letter which I received yesterday from the Secretary of the Greater Pittston Chamber of Commerce, asking me, as a member of the Board of Directors of the said Chamber of Commerce, to bring to the attention of Council the matter of cleaning and sweeping the Main Street in the business district daily.

Will you kindly present this letter and the enclosed letter from the Chamber of Commerce to Council at its next meeting and oblige,

Very truly yours,

W. H. Gillespie
CITY SOLICITOR.

Enc.
WHG:BKM

GREATER PITTSTON CHAMBER OF COMMERCE

PITTSTON, PENNSYLVANIA

ROOM 34-36
MINERS BANK BLDG.

May 20, 1932

Mr. William H. Gillespie,
Dime Bank Bldg.,
Pittston, Pa.

Dear Sir:

At the last meeting of our board of directors there was considerable discussion on street cleaning on Main street in the shopping district. A plan was proposed that the merchants be requested not to sweep the debris from their stores into the street, which is some cases is now being done, and that the city be requested to keep the street clean, sweeping it daily or having the gutters swept early each day.

Many of our merchants feel the small cost of cleaning the gutters early each morning would be small and it would greatly improve the appearance of our street and eliminate much of the dust and dirt which now blows into our business places.

We felt the plan should be presented to you and if it meets with your approval we would like you to present it to the mayor and members of city council. I feel quite certain we can guarantee the cooperation of all our merchants to any plan the city officials may consider in this matter.

Very truly yours,

Silas McHenry
Secretary.

SMcH:E.

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

June 2, 1932.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Dear Sir:

Re: Application of Wyoming Valley Autobus Company for certificate of Public Convenience, File A.7905-Folder 4.

I enclose herewith copy of order which I received today from the secretary of the Public Service Commission of the Commonwealth of Pennsylvania, in the matter of application of the Wyoming Valley Autobus Company for approval of the additional right and privilege of operating motor vehicles as common carrier for the transportation of persons between the Public Square in the City of Wilkes-Barre and the City of Pittston via Kingston, Forty-Fort, Wyoming, Exeter and West Pittston.

This is one of the matters heard before the Public Service Commission at Wilkes-Barre May 18, 1932. I suggest that you file this report in your office for reference.

Very truly yours,

W. H. Gillespie
CITY SOLICITOR.

Enc:
WHG:BKM

Ordered Rec'd & filed June 6-32

THE PUBLIC SERVICE COMMISSION
OF THE
COMMONWEALTH OF PENNSYLVANIA

Application Docket No. 7905-1932.
(Folder No. 54)

In re: Application of WYOMING VALLEY AUTOBUS COMPANY, a corporation of the State of Pennsylvania, for approval of the additional right and privilege of operating motor vehicles as a common carrier for the transportation of persons on schedule between the Public Square in the City of Wilkes-Barre and City of Pittston, Luzerne County, via Kingston, Forty Fort, Wyoming, Exeter and West Pittston.

REPORT AND ORDER

BY THE COMMISSION:

This matter being before the Commission upon petition of WYOMING VALLEY AUTOBUS COMPANY, a corporation of the State of Pennsylvania, dated April 5, 1932, for a certificate of public convenience evidencing the Commission's approval of the additional right and privilege of operating motor vehicles as a common carrier for the transportation of persons on schedule over the following route:

> Beginning at the Public Square in the City of Wilkes-Barre, thence via West Market Street across the Susquehanna River to Kingston Borough; thence via Market Street to Kingston Corners, and thence via Wyoming Avenue through the Boroughs of Kingston, Forty Fort, Wyoming, Exeter and West Pittston to the Fort Jenkins Bridge; thence crossing the same to Main Street in Pittston City; thence on Main Street to Water Street, and thence on Water Street to the Lehigh Valley Railroad Station; returning via the Water Street Bridge to West Pittston Borough; thence to Wyoming Avenue and return to Wilkes-Barre via Wyoming Avenue and Market Street, all in Luzerne County,

and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, the Commission finds and determines that the approval of the application and the issuance of a certificate of public convenience in evidence thereof, subject to the following conditions, and limited to the operation of the equipment named and described in Equipment Certificate, heretofore issued, is necessary and proper for the service, accommodation, convenience and safety of the public:

> FIRST: That the rights, powers and privileges hereby granted shall cease and terminate on June 1, 1934, unless renewal of said rights is duly granted by the Commission.

A. 7905-1932.
Folder No. 34.

SECOND: That the applicant shall comply with all the provisions of the Public Service Company Law as now existing or as may hereafter be amended, and revised General Order No. 18, effective April 1, 1929, or as may hereafter be revised and any other rules and regulations as may hereafter be prescribed by the Commission.

NOW, to-wit, May 23, 1932, IT IS ORDERED: That a certificate of public convenience issue evidencing the Commission's approval of the right to operate, as above determined.

THE PUBLIC SERVICE COMMISSION
OF THE
COMMONWEALTH OF PENNSYLVANIA.

WM. D. B. AINEY

Chairman.

ATTEST:

LOUIS TEVELL

Secretary.

M & T TRUST COMPANY
BUFFALO, NEW YORK

March 9th, 1932

Mr. Frank P. Wall,
City Clerk,
Pittston, Pa.

Dear Sir:-

In connection with the $150,000 City of Pittston, Pa. 4% bonds which you advertised for bids under date of October 12th, will you please be good enough to advise if these bonds have been sold?

If you have not sold the bonds will you advise if you would sell at private sale and about what price you would expect to receive?

Furthermore, in this event, please be good enough to give us the financial statement. Also advise if bonds are tax free and in coupon form.

In responding please address the writer.

Thanking you, we are

Yours very truly,

W. C. Braswell.

Assistant Manager,
Bond Department

W CB:RW

Par or Over

March 11, 1932.

W. C. Basuell, Asst. Manager,
M. & T. Trust Company,
Buffalo, New York.

Dear Sir:

This will acknowledge receipt of your letter of March 9th in which you ask for information in regard to the bond issue of the City of Pittston, Pennsylvania, $150,000 4% bonds, which were advertised for sale as of October 12, 1931.

In reply, permit me to say that the bonds in question were not sold upon that date because of a lack of bidders, nor had they been since advertised for sale because of the financial depression. Under the law in Pennsylvania, it is necessary to advertise municipal bonds for sale and receive sealed bids which are opened publicly at a meeting of Council. The law does not permit a private sale under any circumstances. The bonds in question are tax free and in coupon form. For your information, I enclose a copy of the financial statement of the City of Pittston and a copy of the ordinance which authorized the bond issue in question.

The only way, therefore, in which you may purchase these bonds will be as indicated above, in compliance with the requirements of law. However, it is possible that Council might direct a re-advertisement if it had any assurance from your company that you would submit a bid for the bonds in question, which cannot be sold, however, below par.

Respectfully yours,

CITY CLERK.

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

June 9, 1932.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Re: Claim of Mary Osticco against City of Pittston.

Dear Sir:

This will acknowledge receipt of your letter of June 8th in the above matter, with which you enclosed a letter presented to Council by M. N. Donnelly, attorney for the above named claimant, in which he states that his client received injuries due to the icy condition of Elizabeth Street upon March 12, 1932.

As suggested in your letter, it will be advisable to secure all the information possible about the alleged accident so that we may be prepared to defend the case if action is brought against the city. Kindly let me hear from you when you secure such information. I return herewith Attorney Donnelly's letter which you enclosed.

Very truly yours,

W. H. Gillespie

CITY SOLICITOR.

Enc:
WHG:BKM

M. N. DONNELLY
ATTORNEY-AT-LAW
Miners Bank Building
Phone 799

PITTSTON, PA. June 6th, 32.

Mayor and Council of the City of Pittston.

Gentlemen,

Mrs. Mary O'sticco of Elizabeth St. City, received a fracture of her leg, due to fall on icy condition of the street, on March 12, last. May I take the question of the City's liability up with you, for adjustment. Mrs. O'sticco blames the City for her injury.

Respt.

M. N. Donnelly

Refer to Solicitor
June-6-1932
J. W. S. L.
Joe Wall
City Clerk

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

September 26, 1932.

Mr. Wm. H. Gillespie,
Dime Bank Bldg.,
Pittston, Pa.

Dear Sir;-

Enclosed you will find resolution #1913 recently adopted by City Council.

Please forward your opinion so that I may have same for the next meeting of Council.

Yours respectfully,

City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

August 29, 1932.

Frank P. Wall, City Clerk,
Miners Bank Building,
Pittston, Penna.

Dear Sir:

I enclose herewith copies of the agreement and release to be executed by the heirs of James Thompson in granting to the City of Pittston the right to use a certain portion of their land at the rear of Bolin Avenue for the purpose of carrying surface water across a portion thereof. Have both copies of this agreement signed by all parties, to wit, Mrs. Harriet Thompson, Norman James Thompson and James Norman Morgan, Mayor Langan and yourself as City Clerk.

I also enclose the deed which one of the heirs left at my office some weeks ago in connection with this matter. You may return the same to him when he calls to execute the agreement.

It will be necessary, of course, for Council to pass a resolution, if it has not already done so, authorizing the execution of this agreement by the City and the payment of the sum of seventy-five (75.00) dollars provided for in the said agreement.

Very truly yours,

W. H. Gillespie

CITY SOLICITOR.

Enc:
WHG:BKM

That proper authorities be authorized to execute agreement with Harriet Thompson & heirs

refer to Resolution #1912

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

February 9, 1933.

Mr. William Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

This is to advise you, that at the meeting of City Council held February 6, 1933 a resolution was adopted instructing the City Clerk to advertise for the sale of $150,000 City Bonds bearing 5% interest and that the City Solicitor prepare the necessary papers.

At the same meeting there appeared before City Council a committee representing the Foreign War Veterans asking that the City lot on Broad Street be sold to them for the consideration of $1.00, they in turn stated that in the event they faild to erect a home or building on this lot within 3 years the lot was to revert to the City, however the matter was referred to the City Solicitor for an opinion as to how far the City Council could go on this matter.

Yours respectfully,

City Clerk

The Public Service Commission

of the

Commonwealth of Pennsylvania

Harrisburg, February 7, 1933.

IN REPLY PLEASE REFER TO OUR FILE

C. 7652, etc.

City of Scranton, et al.
v.
Scranton-Spring Brook Water Service Company

Wm. H. Gillespie, Esq.,
City Solicitor,
Pittston, Penna.

Dear Sir:

I am enclosing herewith copy of a supplemental interim report adopted by the Commission in the above entitled proceedings on February 7, 1933.

Please acknowledge receipt and accept service on the form enclosed.

Very truly yours,

Louis Tevell

LOUIS TEVELL
Secretary.

JSH:14
ENCLOSURES - 2
REGISTERED MAIL

WILLIAM H. GILLESPIE
ATTORNEY AT LAW
DIME BANK BUILDING
PITTSTON, PENNA.

February 11, 1933.

Frank P. Wall,
City Clerk,
Miners Bank Bldg.,
Pittston, Penna.

Dear Sir:

This will acknowledge your letter of February 9th, advising me that Council has instructed me to prepare an advertisement for the sale of $150,000 City bonds, bearing interest at 5%, and second to advise as to the legal power of Council to legally transfer the city lot on Broad Street to the Veterans of Foreign Wars,, under the proposition presented to Council at the meeting held February 6th. I have been away from my office because of illness since Monday last until this, Saturday, afternoon. I shall not be able to advise you as to the law relating to the latter proposition. With reference to the first matter, namely, that of readvertising for sale of City bonds, you and I can make the necessary changes in the original advertisement if you will kindly call at my office at any time next week that you find it convenient.

Very truly yours,

W. H. Gillespie
City Solicitor.

WHG*MEL

WILLIAM H. GILLESPIE
ATTORNEY AT LAW
DIME BANK BUILDING
PITTSTON, PENNA.

February 11, 1933.

Frank P. Wall,
City Clerk,
Miners Bank Building,
Pittston, Penna.

Re, City of Pittston, et al., vs. Scranton Spring Brook Water Service Company.

Dear Sir:

I wish to advise you that by writing dated February 7, 1933, notice was given to the City of Pittston that further testimony concerning the above matter will be received by the Public Service Commission upon February 15, 1933, in the office of the said Public Service Commission, under such restrictions as are laid down in the said notice. I have accepted service of the notice thereof.

I enclose herewith original letter from the Secretary of the Public Service Commission to myself.

Very truly yours,

W. H. Gillespie
City Solicitor.

WHG*MEL

April 21, 1933.

Frank P. Wall,
City Clerk,
Miners Bank Bldg.,
Pittston, Penna.

Re, County of Luzerne vs. City of Pittston, In the Court of Common Pleas of Luzerne County, No. 761, May Term, 1933.

Dear Sir:

I wish to inform you that a summons in assumpsit issued out of the Prothonotary's office of Luzerne County in the above case upon April 17, 1933, returnable May 1, 1933, was served upon me as City Solicitor upon April 20, 1933, upon which writ I accepted service upon that date. No statement was served upon me with the said summons. Therefore, I am unable to inform you as to the nature of the case. It is possible, however, that it is a suit to recover the City's share of the money advanced by the County of Luzerne in purchasing the land for the approach to the Pittston entrance of the Fort Jenkins bridge. I know of no other matter which would be the subject of litigation between the City of Pittston and the County of Luzerne.

Please present this letter to Council, so that the members thereof may be informed of the suit. When the statement has been filed and served upon me I shall notify you, so that we may prepare the case for trial.

Very truly yours,

WHG*MIL

City Solicitor.

WILLIAM H. GILLESPIE
ATTORNEY AT LAW
DIME BANK BUILDING
PITTSTON, PENNA.

April 21, 1933.

Frank P. Wall,
City Clerk,
Miners Bank Bldg.,
Pittston, Penna.

Re, County of Luzerne vs. City of Pittston, In the Court of Common Pleas of Luzerne County, No. 761, May Term, 1933.

Dear Sir:

I wish to inform you that a summons in assumpsit issued out of the Prothonotary's office of Luzerne County in the above case upon April 17, 1933, returnable May 1, 1933, was served upon me as City Solicitor upon April 20, 1933, upon which writ I accepted service upon that date. No statement was served upon me with the said summons. Therefore, I am unable to inform you as to the nature of the case. It is possible, however, that it is a suit to recover the City's share of the money advanced by the County of Luzerne in purchasing the land for the approach to the Pittston entrance of the Fort Jenkins bridge. I know of no other matter which would be the subject of litigation between the City of Pittston and the County of Luzerne.

Please present this letter to Council, so that the members thereof may be informed of the suit. When the statement has been filed and served upon me I shall notify you, so that we may prepare the case for trial.

Very truly yours,

W. H. Gillespie

City Solicitor.

WHG*MEL

ELEANOR FARRELL, a minor, by her parents and next friends, MATTHEW FARRELL and MARY FARRELL, and MATTHEW FARRELL and MARY FARRELL, in their own right,	:	IN THE COURT OF COMMON PLEAS OF LUZERNE COUNTY
	:	December Term 1932
vs	:	
CITY OF PITTSTON	:	No. 516

PLAINTIFFS' STATEMENT OF CLAIM

The plaintiff, Eleanor Farrell, a minor, by her parents and next friends, Matthew Farrell and Mary Farrell, claims of the defendant, City of Pittston, the sum of Ten Thousand Dollars ($10,000) damages, and Matthew Farrell and Mary Farrell, in their own right, claim of the aforesaid defendant, the sum of Five Thousand Dollars ($5,000) damages upon a cause of action whereof the following is a statement:

1. That on the fourth day of October, 1931, the date of the occurrence hereinafter complained of, the defendant was a municipality of the State of Pennsylvania.

2. That notwithstanding its duties in the premises, the defendant did, on the date aforesaid, and for a long time prior thereto, carelessly and negligently allow and permit a certain large housing around a water shut off, or water shut off box, or similar obstacle to be, remain, and protrude above the surface in the roadway of a certain public roadway, said roadway connecting Hunter and Searle Streets, and lying between and parallel with Mill and Center Streets, in the City of Pittston, and the said housing around said water shut off, or water shut off box, being situate approximately three feet from the intersection of said public highway with the sidewalk of Hunter Street, and being about seven feet from the south side of said public highway and about five feet from the north side, and the dimensions of said protruding housing around said water shut off, or water shut off box, being about nine inches in diameter and about three inches high.

3. That on the date aforesaid at about 6:30 p.m., while the minor plaintiff, Eleanor Farrell, was walking over the said public highway, she did trip, stumble and fall to the ground by reason of coming in contact with the housing around said water shut off, or water shut off box, or other obstacle, as a result of which she sustained injuries which will hereinafter be more fully set forth.

4. Plaintiffs aver that the defendant had, or should have had, due notice of the existence of said housing around water shut off, or water shut off box, or other obstacle in the public highway mentioned above, and had ample time within which to repair it prior to the happening of the accident to the said minor plaintiff.

5. As a result and in consequence of the aforesaid negligence of the defendant, the said minor plaintiff, Eleanor Farrell, sustained severe lacerations, abrasions and contusions of the right side, dorsal surface of the left hand and left arm, mid-dorsal-volar surface, requiring several sutures and leaving permanent scars; severe nervous shock, and various other serious injuries in and about her head, back, body and spine, both internal and external. She has not fully recovered, but on the contrary has been permanently injured and her earning capacity has been permanently impaired thereby. She has suffered and will in the future suffer greatly from general physical and mental pain, shock and inconvenience and has been otherwise injured and damaged.

6. Also as a result and in consequence of the aforesaid negligence of the defendant, the plaintiffs, Matthew Farrell and Mary Farrell, parents of the aforesaid minor plaintiff, have expended and will in the future be compelled to expend large sums of money for medicines and medical attention in an effort to effect a cure of their said daughter's injuries and have been and will in the future be deprived of their said daughter's earnings during her minority.

Wherefore, the minor plaintiff, Eleanor Farrell, by her parents, Matthew Farrell and Mary Farrell, claims of the aforesaid defendant, the sum of Ten Thousand Dollars ($10,000) damages, and the plaintiffs, Matthew Farrell and Mary Farrell, in their orn right, claim of the aforesaid defendant, the sum of Five Thousand Dollars ($5,000) damages.

M. F. McDonald

Bernard J. Kelley
Attorneys for Plaintiffs.

COMMONWEALTH OF PENNSYLVANIA :
SS
COUNTY OF LUZERNE :

Mary Farrell, being duly sworn according to law, deposes and says that she is one of the within named plaintiffs; that the facts set forth in the foregoing Statement of Claim, as the basis thereof, are true and correct.

Sworn to and subscribed :
before me this 14th day :"
of December, A.D. 1932 :

Mary Farrell

Lawrence S. McHugh
(Seal) Notary Public

My com. expires April 13, 1933

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

January 16, 1934.

Mr. Wm. H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

Enclosed you will find a communication which was taken up before Council, and as you will note it was referred to you for an opinion.

As you will see in their communication they state they are incorporated, I mentioned to Council there are other organizations such as the Spanish American Veterans who may incorporate and ask the same thing.

However there was nothing appropriated in the 1934 budget and in my opinion the only way for Council to ease out is the slow manner in which taxes are coming in that it is impossible at this time to grant their request.

Yours truly,

City Clerk

City of Pittston

April 19, 1934.

Mr. Wm. H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

Enclosed you will find a communication which I received from Attorney K. J. English and the same was taken up at the Council meeting held April 16, 1934, and upon motion was referred to you.

Enclosed you will also find a report as made by Mr. Seibel Director of Streets.

Yours truly,

City Clerk

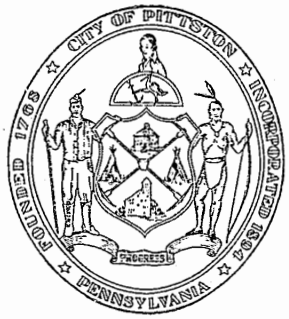
WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA



September 27, 1934.

Mr. Frank P. Wall,
City Clerk,
Pittston,
Penna.

Dear sir, - RE: Farrell vs. City of Pittston.

I enclose herewith a communication addressed to the members of Council concerning the above stated case, together with copies of other papers, which I ask you to submit to the members of Council before their next session of Council which, I am informed will be held Monday next. Mr. Gallagher, with whom I have conferred about the matters contained in my letter, will further advise the members of Council when they consider the said matters before the meeting of Council takes place, since the information he has in his possession should not be made public.

I remain,

Yours very truly,

W. H. Gillespie

William H. Gillespie,
City Solicitor.

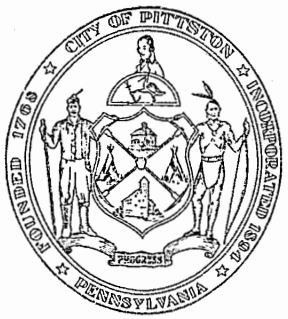
WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA



September 27, 1934.

To the Members of Council,
City of Pittston,
Pennsylvania.

Gentlemen, -

RE: Eleanor Farrell, a minor, et al., vs. City of Pittston, No. 516, December Term, 1932.

I wish to advise you that the above stated case is on the trial list for trial in the Court of Common Pleas of Luzerne County upon Thursday, October 25, 1934. Suit was entered by the above named Eleanor Farrell and her parents upon October 28, 1932, and a statement was filed December 15, 1932, and a copy thereof was accepted by me December 19, 1932. Upon November 12, 1932, I wrote to the City Clerk advising him of the entry of suit, enclosing copy of summons served upon me as City Solicitor, and asking him to enquire of the city police as to any accident which might have occurred within their knowledge involving the plaintiff in the said case. I later conferred with Mr. R. N. Myers, City Engineer, with reference to the suit, laying before him the facts which I had obtained from counsel for the plaintiffs in a letter dated November 19, 1932, copy of which I enclose herewith. Mr. Myers subsequently informed me that in company with Mr. Monroe, Superintendent of the Scranton-Spring Brook Water Supply Company, he had visited the place where the accident is alleged to have occurred, and found that the water shut off box in question protruded above the surface of the street and that it could have caused a person to trip and fall. I have not been able to obtain any further information as to the condition of the street or of the said water shut off box prior to the accident. In the absence of any proof to the contrary, it will be assumed that the plaintiff and her witnesses will be able to show that the dangerous condition of the street at that point existed when the accident occurred and that it was the cause of her accident and injury. Moreover, the injured person was a stranger in the neighborhood and was not presumed to know of the existence of the obstacle in the street.

So that you may know the nature of the allegations contained in the statement filed by the plaintiffs in this case, I enclose a copy thereof which I ask you to examine.

The case in question has been of the trial list for trial on two previous occasions but was continued upon application of the counsel for plaintiffs with the consent of the Court. It is again on the list for trial upon Thursday, October 25th as above stated.

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

(2) Council, City of Pittston.

I am bringing this case to your attention at this time because I received a letter today from counsel for the plaintiffs,(copy of which I enclose), offering to accept the sum of Four hundred (400) dollars in full settlement of their claim in this case.

Under all the circumstances, I Believe it to be my duty to advise you to accept the offer of compromise made in the letter in question. I fear that in the event the case goes to trial a verdict will be rendered against the City of Pittston in excess of the amount for which they agree to settle their claim. In addition thereto, in the event that a verdict for any sum be rendered against the city, the judgment thereon will carry costs which the city will be obliged to pay in addition to the amount of the verdict.

I have already discussed the proposed settlement with the Director of accounts and Finance, and have submitted all the papers in the case to him, including the enclosed statement and letters, and in addition thereto, stated further reasons which prompted me to advise a settlement of the case, and which I do not deem advisable to set forth in this letter, and which he will, as I requested, repeat to you when you consider the matter of settlement suggested herein, and which I shall, if you desire, repeat to you at your conference.

Therefore, if you agree with me as to the advisability of settling this case by paying the sum named above, I suggest that you pass a resolution in Council before the date fixed for the trial of the case authorizing me to agree to the entry of a verdict in favor of the plaintiffs and against the City of Pittston for the sum of four hundred (400) dollars, without costs.

Respectfully submitted,

William H. Gillespie,
City Solicitor.

September 26, 1934.

William H. Gillespie,
Attornet-at-Law,
Dime Bank Building,
Pittston, Pa.

Dear sir, -

In Re: Farrell v. City of Pittston

I notice the case of Farrell v. City of Pittston is on the trial list for Thursday, October 25th, No. 14. I had a letter this morning from Mr. Bernard J. Kelley, my associate, in the above case, and he suggests that I submit to you a figure of $400.00 for a final settlement of this case.

I would be pleased to hear from you as to your reaction to this offer.

Very truly yours,

M. F. McDonald.

November 19, 1932.

William H. Gillespie,
Attorney-at-Law,
Box 98,
Pittston, Penna.

In Re: Farrell vs. City of Pittston

Dear Mr. Gillespie:

In accordance with your request contained in your recent letter, I am herewith submitting the following resume of the facts.

The injured party was Eleanor Farrell, a minor 19 years of age, whose parents are Matthew Farrell and Mary Farrell, residing at the rear of 34 E. 7thSt., Wyoming, Pa. The date of the accident was October 4, 1931.

The place was a public alley or street connecting Hunter and Searle Sts. and running between and parallel with Mill and Center Streets, Pittston, at a point made by a projecting water ~~cutout box~~ or other obstacle about five feet from Hunter St. and three feet from the property line in the rear of Center Street, or approximately in the rear of Hoag's property.

FACTS: Miss Farrell was called to the home of her sister, Mrs. Clonan, who lives in the vicinity of the accident, to take care of the household, Mrs. Clonan being about to give birth to a child. Apparently Mrs. Clonan lived on a property facing the alley or street in question, and it became necessary for Miss Farrell to go to a store at the corner of Hunter and Mill Streets for bread. It was dark at the time; she was unacquainted with the neighborhood, and on her return from the store she fell over this projecting object, and was thrown, so that she sustained injuries, consisting of lacerations of the left arm - a cut on the upper left elbow, requiring two sutures, and a cut on the upper left wrist requiring five stitches, and she now has a circular scar resembling a keloid. The nerves of her arm were injured, as was the left thumb, with the result that she cannot follow her usual occupation as a stenographer, and cannot use the typewriter.

She was attended by Dr. M. J. Murphy, whom she saw every other day for a period of two months, during which time

her arm was in a sling or bandage. She has therefore sustained permanent injuries.

I trust this information will be sufficient for your present purposes.

I thank you very much for this acceptance of service.

Very truly yours,

MF:LM

M. F. McDonald.

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

October 29, 1934.

Mr. Frank P. Wall,
City Clerk,
Pittston,
Penna.

Dear sir, -

RE: Eleanor Farrell, et al., vs the City of Pittston, No. 516, December Term, 1932.

I wish to advise you that pursuant to the resolution adopted by Council October 16, 1934, I consented to the return of a verdict by a jury in Court of Common Pleas of Luzerne County on Thursday, October 25, 1934, in favor of the plaintiffs and against the City of Pittston, defendant, for the sum of four hundred (400) dollars, without costs, in the above stated case.

Please report the fact to Council at its next meeting so that it may appear upon the records.

Very truly yours,

City Solicitor

Ordered Recd & filed
Nov 22-1934

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

March 7, 1935.

Mr. Frank P. Wall, City Clerk,
Miners Savings Bank Building,
Pittston, Penna.

Dear Sir: Re: County of Luzerne vs. City of Pittston,
No. 761, May Term, 1933.

Please advise Council that the above noted case is on the Common Pleas trial list for trial upon Monday, March18, 1935. This suit is based upon a resolution duly adopted by Council February 18, 1924 and approved by P. R. Brown, Mayor, copy of which I enclose herewith for the information of Council In this resolution Council bound the City of Pittston to assume the land damages occasioned by the change in the approach to the new Fort Jenkins bridge on North Main Street, and further bound itself to appropriate such sum of money as might be awarded by viewers in the assessment of damages occasioned by the condemnation of the property necessary to make a change in the said approach.

Proceedings were had before a board of view, and subsequently on trial in Court before a jury, damages were awarded to Jacob Silverblott against the County of Luzerne in the amount of $7,323, which, with interest and cost, amounted to $7,458.21. These proceedings were entered to No. 82, May Term, 1925.

Subsequently suit in assumpsit was entered by the County of Luzerne against the City of Pittston upon April 17, 1933, to No. 761, May Term, 1933, to recover the amount of money for which the said County of Luzerne was held liable to compensate the above named Jacob Silverblott for the property appropriated by the County of Luzerne in the above stated case. Later, to wit, March 1, 1934, a statement was filed by the County of Luzerne in the above stated case and served upon the undersigned as City Solicitor. In this statement the plaintiff, County of Luzerne, claims from the defendant, City of Pittston, the above noted sum of $7,458.21, with interest from February 18, 1929. This case is now upon the trial list for trial upon Monday, March 18, 1935, as above stated.

I now desire Council to advise me whether Council proposes to enter a defense to the above action or whether it prefers to permit judgment to be entered in favor of the County of Luzerne and

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

against the City of Pittston by default. In arriving at a conclusion, it lies with Council to determine whether it should honor its obligations in the above matter as expressed in the resolution in question, or whether it wishes me as its legal representative to interpose any technical defense which I may find available. Kindly submit this letter to Council so that it may advise me as to its wishes in the matter.

Very truly yours,

William H. Gillespie,
City Solicitor.

WHG:RAF
Enclosure.

Ordered to Instruct City Solicitor to prepare defense March 7-1935
✓ S
✓ S
W absent
✓ S
✓ L
F P Wall
City Clerk

COPY OF RESOLUTION ADOPTED BY PITTSTON CITY COUNCIL

IN RE: FORT JENKINS BRIDGE.

" Be it resolved, by the City Council of the City of Pittston; and it is hereby resolved by the authority of the same, that the City of Pittston, Pa. hereby assumes the land damages occasioned by the change in the approach of the proposed new County bridge on North Main Street, conditioned that the Commissioners of Luzerne County petition the Court of Common Pleas to appoint overseers to assess damages and benefits, the right to intervene and appeal is reserved, if in the judgment of the Council the award is unreasonable or excessive.

Be it further resolved, That the Council of the City of Pittston binds itself to appropriate by ordinance and pay to the Treasurer of Luzerne County the amount of such award or value on final adjudication.

Submitted by P. J. Kearney, On Motion of Mr. McNamara.

Approved resolution was adopted February 18, 1924.

Approved: P. R. Brown, Mayor.

Attest: Thos. H. Hopkins, City Clerk.

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

March 9th, 1935.

Mr. William H. Gillespie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

At a special meeting of City Council held March 7, 1935, a motion carried instructing the City Solicitor to prepare a defense in the suit of Luzerne County vs. City of Pittston No. 761, May Term, 1933.

If there is any way in which I may be of any assistance to you in the above case, advise me and I will gladly do so.

Very Truly yours,

F. P. Wall
City Clerk

F. P. WALL
CITY CLERK

OFFICES, MINERS BANK BUILDING

City of Pittston

April 1st, 1935.

Mr. Wm. H. Gillsepie,
City Solicitor,
Pittston, Pa.

Dear Sir;-

At the Council meeting held April 1st, The Property Owners Association of Pittston, Pa. presented a resolution asking the elimination of occupation tax from the year of 1931.

A motion prevailed instructing the City Solicitor to render an opinion on this matter.

Further on or about the 4th of March, 1935 the Hook & Ladder truck hit an automobile on N. Main St., at Mill, and caused damage to the amount of about $30, the City Solicitor was requested to render an opinion as to whether or not the City is liable, the name of party whose machine was damaged is a Mr. Golensky of Dupont.

Respectfully yours,

F P Wall

City Clerk

The Property Owners Association
of Pittston

Pittston, Pa. March 24, 1935

At a regular meeting held March 24, 1935, the Property Owners Association of Pittston adopted the following resolution:

WHEREAS: The estimate of the occupation assessment, for the purpose of taxation, is based upon the nature of the occupation to which ones's efforts are devoted or in which one is regularly or habitually engaged, and

WHEREAS: The present economic crisis has caused general disoccupation and has shut out the means of income, be it therefore,

RESOLVED: That council be requested to eliminate the occupation tax from those not employed in manual or other labor or other means of income, and

THAT: The elimination of such occupation tax shall be excluded from 1931 to the present time to such person or persons that have been unemployed since then or from the date that such person or persons have become unemployed, and further that

THAT: Such resolution be presented to council.

Witness ..... Roger Lorentino .....
..... Dominick Cocco .....
..... Luigi Gograsto .....
..... Alex. Cordania .....

Refer to City Solicitor for opinion
April 1-1935
✓ S
✓ G
✓ W
✓ S
✓ L
F O'Hall
City Clerk

WILLIAM H. GILLESPIE
CITY SOLICITOR

OFFICE
DIME BANK BUILDING

DEPARTMENT OF LAW

City of Pittston

PENNSYLVANIA

April 11, 1935.

Frank P. Wall, City Clerk,
Miners Savings Bank Building,
Pittston, Penna.

Dear Sir:

I enclose herewith two copies of an ~~ordinance~~ Resolution authorizing me as City Solicitor to enter my appearance of record and to confess judgment in favor of the Charles B. Scott Company and against the City of Pittston in a scire facias proceeding now pending in court to revive judgment originally entered to No. 508, October Term, 1928, in the said case.

The said original judgment was entered by agreement with the City of Pittston in 1928, in order to avoid cost of loss suit against the City of Pittston and now at the end of five years the plaintiff wishes to revive the said judgment with the cost to the City. Kindly submit the ordinance to Council so that the said judgment may be revived by me as City Solicitor for the City of Pittston.

Very truly yours,

William H. Gillespie,
City Solicitor.

WHG:RAF
Enclosures.

adopted April 22 1935

An ordinance to authorize William H. Gillespie, Esq., City Solicitor for the City of Pittston, to enter his appearance of record on the docket in the office of the Prothonotary of Luzerne County in the case of the Charles B. Scott Company vs. City of Pittston, filed to No. 354, October Term, 1933, and to act as Attorney in fact for and on behalf of the City of Pittston in all matters pertaining thereto.

WHEREAS, under and by virtue of an ordinance of the said City duly ordained and enacted upon June 12, 1928, and approved by the Mayor of the said City, June 12, 1928, J. Harold Flannery, Esq., City Solicitor of the City of Pittston, entered his appearance of record with the Prothonotary of Luzerne County, for and on behalf of the City of Pittston, and admitted an indebtedness in favor of The Charles B. Scott Company and against the said City of Pittston in the sum of $1656.26, with interest thereon from January 24, 1928, and;

WHEREAS, on June 18, 1928, an agreement pursuant to the authority invested in J. Harold Flannery, Esq., City Solicitor aforesaid, an amicable action of assumpsit was instituted in the Court of Common Pleas of Luzerne County, with the same force and effect as though a summons had been issued to the Sheriff and as though it had been regularly served upon the said defendant and his appearance entered in the regular course, and;

WHEREAS, in pursuance of said agreement the Court directed that judgment be entered in favor of The Charles B. Scott Company, plaintiff, and against the City of Pittston, defendant, for the said sum, to No. 508, October Term, 1928, and;

WHEREAS, the said Charles B. Scott Company, plaintiff aforesaid, had caused a writ of scire facias to be entered to No. 354, October Term, 1933, to revive the judgment originally entered to No. 508, October Term, 1928 aforesaid;

NOW, THEREFORE, William H. Gillespie, Esq., City Solicitor, for the City of Pittston, is hereby authorized, directed and empowered to enter his appearance of record in the office of the Prothonotary of Luzerne County for and on behalf of the City of Pittston in the said case, and to authorize the Prothonotary of Luzerne County to enter judgment in favor of the said plaintiff and against said defendant in the said scire facias proceedings, entered as aforesaid to No. 354, October Term, 1933, to revive the said original judgment entered to No. 508, October Term, 1928.