HILLER, PC

Attorneys at Law
641 Lexington Avenue, 29th Floor
New York, New York 10022
(212) 319-4000

Direct email: mhiller@hillerpc.com www.hillerpc.com

Facsimile: (212) 753-4530

August 12, 2019

Via Email (scarroll@lpc.nyc.gov)

Sarah Carroll, Chair of the NYC LPC New York City Landmarks Preservation Commission One Center Street, 9th Floor David N. Dinkins Manhattan Municipal Building New York, NY 10007

Re: LPC-19-40687

New York Public Library - 476 Fifth Avenue

Dear Ms. Carroll:

We represent the Committee to Save the New York Public Library ("CSNYPL"), Citizens Defending Libraries ("CDL") and their more than 20,000 members (collectively, the "Coalition") who are dedicated to the cause of protecting New York City's treasured libraries, including, in particular, the Main Branch of the New York Public Library at 476 Fifth Avenue in Manhattan ("Main Branch"). We write in opposition to the application ("Application") by the administration at the New York Public Library (the "Applicant") for a certificate of appropriateness ("CofA"), which, if granted, would permit the Applicant to, among other things: (i) add a vertical circulation core adjacent to the landmarked South Court consisting of an enclosed stair, vestibule, and twin elevator bank, requiring new openings cut into the walls of every floor, including, especially, those of the majestic North-South Gallery; (ii) convert certain courtyard windows into doors; (iii) add an asymmetrical doorway entrance to Gottesman Hall; and (iv) reconfigure the gates to the service court on 40th Street (collectively, "Proposed Work").

EXECUTIVE SUMMARY

For the reasons set forth below, the Application is premature and, in any event, must be denied. <u>First</u>, under the provisions of a certain 1978 Agreement ("1978 Agreement") (Ex. 1) between the New York State Department of Parks and Recreation ("State Parks"), which includes the State Historic Preservation Office ("SHPO"), the Applicant cannot make any changes to the structure of, or effect improvements to, the Main Branch without prior approval of State Parks. And, as of this writing, SHPO has not provided its consent to the Proposed Work contemplated by the

Application. We recognize that, thus far, SHPO has suggested that its consent is not required; however, SHPO's position merely reflects a lack of institutional knowledge of the 1978 Agreement, which apparently, SHPO's current leadership is not aware of. Because SHPO has not provided its consent to the Application, the Proposed Work by the Applicant cannot be performed, rendering any CofA premature.

Second, as shown below, the Proposed Work includes, in particular, a twin-elevator bank abutting the landmarked South Court and the non-designated, but equally-as-important North-South Gallery directly adjacent to one already-existing larger elevator, resulting in a redundancy that the Applicant has never explained or justified. A closer examination of the Application and the circumstances surrounding its preparation confirms that the requested CofA is designed to streamline the Applicant's catering business for large special events and receptions (weddings, bar mitzvahs, corporate parties, etc.) that have become the new priority at the Main Branch ("Reception Hall Business"). See the Applicant's Special Events Brochure (Ex. 2). However, as reflected below, the Applicant's Reception Hall Business, which caters to the wealthy and privileged (id.) at the expense of public access to this publicly-owned building sited in a public park, violates: (i) a certain Agreement of Consolidation, dated May 23, 1895, entered into between the three trusts that established the Applicant more than 120 years ago ("Consolidation Agreement") (Ex. 3); (ii) a certain lease between the City of New York and the Applicant, entered into in 1897 (the "Lease") (Ex. 4); (iii) the City Charter (Ex. 5); (iv) a certain Library Construction and Enabling Act of 1897; and (v) the public trust doctrine, which limits use of park spaces to "park uses." Accordingly, the requested CofA would constitute clear violation of law, empowering the Commission under §25-307(b)(3) of the Landmarks Law to deny the Application.

Third, the proposed work, which, we emphasize, is designed solely to enhance an illegal Reception Hall Business in the iconic Main Branch, would destroy architectural and cultural resources (both those which are protected by designation and those certain interiors which have not yet been recognized but which are nevertheless uniquely important spaces), critical to maintaining the integrity of this designated landmark. And the affected interior spaces, although not yet designated, have been the subject of three Requests for Evaluation ("RFEs"), the first of which was filed nearly six (6) years ago ("First RFE"), and as to which, the Commission has not yet taken action (First RFE, Ex. 6). Thus, the Research Department of the Commission has implemented a virtual pocket veto with respect to important cultural and architectural resources, preventing their preservation. Regardless, in the absence of a compelling justification, the Commission should reject the Application as a needless demolition and renovation that would result in permanent disfigurement of the Main Branch.

For these and the reasons set forth below, we respectfully request that the Application be denied or at least deferred pending SHPO's evaluation.

1. The Proposed Work Contemplated by the Application Requires an Approval from SHPO That, in Violation of the 1978 Agreement, Hasn't Even Been Requested Yet

Section 7 of the 1978 Agreement between State Parks, the City and the Applicant states:

The Applicants [City and Applicant herein] hereby agree to maintain and use said property [the Main Branch] in accordance with standards established by [State] Parks and further <u>agrees to make no changes in the structure or improvement of said premises or additions thereto without the prior approval of [State] Parks</u>.

Ex. 1, §7.

On July 8, 2019, we asked SHPO, which is a division of State Parks, to evaluate the Application. We did not reference the 1978 Agreement in our request, instead arguing that the Applicant unlawfully segmented its Master Plan by filing the Application (which consists of purportedly privately-funded work) separately from an earlier application that included interdependent sidewalk work (which is publicly-funded) so as to avoid more rigorous SHPO review of the entire Master Plan, and the Application, in particular. SHPO responded that it had already reviewed the sidewalk work and that its review of the Application is supposedly unnecessary because no public funding would be required to complete the Proposed Work therein. Leaving aside the fact that SHPO mistakenly disregarded the Applicant's segmentation of its Master Plan -- a tactic heavily disfavored by the Courts in New York -- as is clear from the 1978 Agreement, the obligation to obtain SHPO's approval is not conditioned upon the existence of public funding. All that is required to trigger the obligation to obtain SHPO approval is for the work to constitute either: (i) a change in the structure; or (ii) an improvement in the Main Branch. Plainly, the Proposed Work would meet both triggers. Thus, the Application is entirely dependent upon an approval that the Applicant hasn't even requested, much less obtained. As such, the Application is premature and should be deferred pending SHPO's review or, in the alternative, denied without prejudice.

2. The Proposed Work Would Violate an Assortment of Agreements, a Trust, and New York State and City Law

The Proposed Work -- including, in particular, the addition of a twin elevator bank ("Redundant Elevator Bank") -- serves to benefit the Applicant's Reception Hall Business rather than the educational and scholarly needs of the New York Public Library ("NYPL"). Indeed, as the Applicant explained during the July 9th Public Hearing, the purpose of adding the Redundant Elevator Bank is to provide the public with elevator service so that the existing elevator abutting the South Court -- which purportedly makes for a "great service elevator" as it is the "only elevator that goes down to the loading dock" -- can be used to deliver food, and other goods, ostensibly for special events in the Schwarzman Building of the Main Branch, including, in particular, Astor Hall, the

Celeste Bartos Forum, the Edna Barnes Salomon Room, the McGraw Rotunda, the Wachenheim Trustees Room, and the Celeste Auditorium. See also the Applicant's Special Events Brochure (Ex. 2). However, as reflected below, the NYPL was created and funded to provide a public benefit (i.e., the world's greatest free public library system) to <u>all</u> citizens of New York and visitors from all over the world. It was not established to offer high-end catering and special event planning services to the wealthy and elite in order to line the pockets of the Applicant's executives. Yet, this is precisely what the Main Branch is used for.²

Worse still, the Reception Hall Business is being run entirely at the expense of public access to a publicly-owned building sited in a public park insofar as a substantial portion of the Schwarzman Building is regularly dedicated to private special events for those wealthy enough to rent the space rather than to the library's exhibition and collection needs. *See* the Applicant's Special Events Brochure (Ex. 2). As reflected below, such use of the Main Branch is impermissible under: (i) the Consolidation Agreement (Ex. 3); (ii) the Lease (Ex. 4); (iii) the City Charter (Ex. 5); (iv) the Library Construction and Enabling Act of 1897 (Ex. 12); and (v) the public trust doctrine. Accordingly, the requested CofA would constitute a clear violation of law, empowering the Commission to deny the Application under §25-307(b)(3) of the Landmarks Law.

a. The Consolidation Agreement Created the NYPL for the Purpose of Carrying on a Free Public Library in New York City for the Benefit of the Public

Prior to entering into the Consolidation Agreement in May 1895, three corporate entities known as "The Trustees of the Astor Library," "The Trustees of the Lenox Library," and "The Tilden Trust," respectively (collectively, the "Three Library Companies"), were separately incorporated and

President of the Applicant, Anthony M. Marx, was paid \$781,000 during his first full year as President); Serge F. Kovaleski, *New York Library Officials' Pay? Shhh*, THE NEW YORK TIMES (Nov. 19, 2006), https://www.nytimes.com/2006/11/19/nyregion/19library.html (noting that the salaries of the Applicant's President and other high-ranking officers had significantly increased from the salaries of their predecessors beginning in or about 2005).

¹See July 9th LPC Public Hearing at 2:26:28 - 2:27:22, https://www.youtube.com/watch?v=zA9V4OPXcxw.

²See Myelle Lansat, Here's how much it costs to get married at 9 of the most glamorous wedding venues in New York City, BUSINESS INSIDER (Jul. 21, 2018), https://www.businessinsider.com/popular-new-york-wedding-venues-cost-2018-6#the-foundry-9000-150 00-8 (stating that the cost to rent the Main Branch for a wedding begins at \$60,000); LinkedIn Profile of Emily Neidhardt Esposito, Director Of Special Events at The New York Public Library, https://www.linkedin.com/in/emily-neidhardt-esposito-9811b098 (noting that the NYPL generates "4 million dollars in event revenue ... annually"); Robin Pogrebin, Library Reveals President's Salary, ARTSBEAT: NEW YORK TIMES BLOG (May 22, 2014), https://artsbeat.blogs.nytimes.com/2014/05/22/library-reveals-presidents-salary/ (providing that the

"organized as library companies for the purpose of carrying on libraries in the City and County of New York" (Consolidation Agreement, Fourth Recital) (Ex. 3). The Three Library Companies were to be consolidated "in such form that the benefits of the three institutions might be more widely disseminated among the people" (Bulletin of the New York Public Library at 10, Ex. 7). As a condition of consolidation:

[t]he said new corporation shall establish and maintain a free public library and reading-room in the City of New York, with such branches as may be deemed advisable, and <u>shall continue and promote the several objects and purposes set forth in the respective acts of incorporation of "The Trustees of the Astor Library," "The Trustees of the Lenox Library," and "The Tilden Trust."</u>

(Ex. 3). As set forth in the Acts of Incorporation for each of the Three Library Companies, the objects and purposes thereof include:

- "to establish and maintain a *free library and reading room* in the city of New York" (Act of Incorporation of the Tilden Trust, Ex. 8);
- "to render a public benefit to the City of New York and to contribute to the advancement of useful knowledge and the general good of society" (Bulletin of the New York Public Library at 3, Ex. 7);
- to erect and maintain "a building <u>suitable for a public library</u>" (Act of Incorporation of the Astor Library, Ex. 9; Act of Incorporation of the Lenox Library, Ex. 10) (emphasis added);
- to purchase "books, maps, charts, models, drawings, paintings, engravings, casts, statues, furniture, and <u>other things appertaining to a library for general use</u>" (Act of Incorporation of the Astor Library, Ex. 9; see also Act of Incorporation of the Lenox Library, Ex. 10) (emphasis added);
- to invest in a fund for: (a) "paying the value of the site of the building," (b) "maintaining and gradually increasing the said library, and defraying the necessary expenses of taking care of the same," and (c) "the accommodation of persons consulting the library" (Act of Incorporation of the Astor Library, Ex. 9; Act of Incorporation of the Lenox Library, Ex. 10);
- <u>to use of any surplus funds "in procuring public lectures to be delivered in connection with the library, upon useful subjects</u> of literature, philosophy, science, history, and the fine arts, or in promoting in any other mode the objects of the institution as above expressed" (Act of Incorporation of the

Astor Library, Ex. 9; Act of Incorporation of the Lenox Library, Ex. 10) (emphasis added)

(collectively, the "Objects and Purposes"). Thus, upon consolidation of the Three Library Companies into a single corporation — *i.e.*, the NYPL, each of the several Objects and Purposes set forth in each of their respective acts of incorporation was carried over into the NYPL, to be observed and maintained by its Board of Trustees ("Board") (Consolidation Agreement, Paragraph Second, Ex. 3). None of these Objects and Purposes includes maintenance of a private reception hall business – particularly one that comes at the expense of public access to the NYPL's research collection.

b. The NYPL's First Board of Trustees Enlisted the Assistance of the City of New York on the Ground that a Free Public Library System Would Provide a Public Benefit to the People of the City of New York

Although receiving substantial endowments from the Lenox, Tilden, and Astor families for the establishment of the NYPL, the first Board appointed for the NYPL argued that such endowments were insufficient to create and maintain "a library of the first rank" (Board of Trustees' Address to the NYC Mayor at 127, Ex. 11). The Board thus asked the City of New York for approval of legislation that would permit the City to grant to the NYPL: (i) land upon which to erect its library building; and (ii) the funds necessary to construct such a building (*Id.* at 132). In its address to the Hon. William L. Strong (then-Mayor of New York City), the Board of Trustees argued that the City had a duty to provide "adequate support for a great Public Library" (*id.* at 127), which aims at the "circulation of books for home reading ... in addition to supplying the needs of scholars" so that "its benefits are brought by means of many stations within reasonable reach of all" (*Id.* at 128). Thus, the focus of the use of space was as a free public library, not a private reception hall.

Touting the benefits of a free public *library* system, the Board provided that:

[A] popular public library, bringing sound literature within the reach of every man's home, is in a very real sense a part of the educational system of the State. Education ought not to stop with the public school, nor even with the high school. It is necessary also to provide the higher school which a well-equipped popular library can alone afford. Moreover the State has a profound interest in aiding the circulation of ideas that are not ephemeral. The best influence of a popular press must largely depend upon its having within reach a complete storehouse of scientific, economic and historical facts, with

³Reference to these Objects and Purposes appears in the Consolidation Agreement, the Lease, the City Charter, and the Library Construction and Enabling Act of 1897.

which to correct the crudeness of hasty judgments of great social and national movements (*Id.* at 129) (emphasis added).

In response to the Board's plea for financial help, the State Legislature passed a law in May 1896 authorizing the predecessor of State Parks to enter into a contract with the NYPL for the use and occupation of the land currently occupied by the NYPL, "for *establishing and maintaining a free public library and reading room and carrying out the objects and purposes of said corporation* and said contract may provide that such use and occupation may continue so long as the [NYPL] shall maintain such free library and reading room upon said land" (Bulletin of the New York Public Library at 20, Ex. 7) (emphasis added). The "objects and purposes of said corporation" referenced therein are those set forth on pp. 5-6 herein, and do not include a private reception hall business.

The City Charter was thereafter amended to allow the City to enter into a contract with the NYPL to use the land currently occupied by the NYPL "for establishing and maintaining thereon a free public library and reading room, and for carrying out the objects and purposes of said corporation in accordance with the provisions of the [Consolidation Agreement]" (City Charter Amendment at 137, Ex. 5) (emphasis added). The "objects and purposes of said corporation" referenced therein are those set forth on pp. 5-6 herein, and, again, do not include a private reception hall business.

On May 19, 1897, the Governor signed the Library Construction and Enabling Act of 1897, providing for the construction of a library building on the land currently occupied by the NYPL and for the occupation thereof by the NYPL, inter alia, "for <u>carrying out the objects and purposes of said corporation in accordance with the [Consolidation Agreement]</u>, and the several acts incorporating the [Three Library Companies]" (Ex.12 at 141) (emphasis added). The "objects and purposes of said corporation" referenced therein are those set forth on pp. 5-6 herein, and, again, do not include a private reception hall business.

On December 8, 1897, the NYPL entered into the Lease for the NYPL with the City, for "so long as the [NYPL] shall use and occupy such building for the purpose of maintaining therein a public library and reading room and carrying on the objects and purposes of the said corporation, as provided by its [Consolidation Agreement, and the several acts incorporating the Three Library Companies]" (Ex. 4) (emphasis added). The "objects and purposes of said corporation" referenced therein are those set forth on pp. 5-6 herein, and, again, do not include a private reception hall business.

As demonstrated *supra*, the Consolidation Agreement (incorporating therein the several acts of incorporation of the Three Library Companies), the Lease, the City Charter, and the Library Construction and Enabling Act of 1897 (collectively, "NYPL's Governing Documents") each require the Applicant to maintain the NYPL as a free public library and to carry out its Objects and Purposes, none of which contemplate the use of the Main Branch as a catering hall frequented by the wealthy and powerful. Furthermore, the Lease was entered into (and the enabling legislation thereto was

enacted) <u>only after</u> the Board of Trustees represented to the City, in its Address to Mayor Strong, its conviction that the City's support was instrumental to erecting and maintaining a world-renowned <u>free public library system that would benefit persons of all classes and walks of life</u> (see Board of Trustees' Address to the NYC Mayor, Ex. 11). For these reasons, the work contemplated in the Application — which serves to benefit the Applicant's Reception Hall Business rather than the Objects and Purposes necessary to maintaining a free public library of "first rank" — violates the NYPL's Governing Documents and should be rejected by the Commission under §25-307(b)(3) of the Landmarks Law.

c. The Application Further Violates the Public Trust Doctrine and Should be Rejected by the Commission on this Basis As Well

"Only the state legislature has the power to alienate parkland (or other lands held in the public trust) for purposes other than those for which they have been designated." Avella v. City of New York, 29 N.Y.3d 425, 431 (2017). In light of this principle, also known as the Public Trust Doctrine, "a proposed use of parkland [must] fall[] within the scope of legislative authorization once granted." Id. Here, the New York State Legislature plainly authorized occupation of a portion of Bryant Park by NYPL for the sole purposes of carrying on a free public library as required under the Consolidation Agreement and effectuating the Objects and Purposes incorporated by reference therein (Library Construction and Enabling Act of 1897, Ex. 12). Insofar as the Legislature authorized the use of parkland for a library and not a private catering hall, the Proposed Work, were it to be performed, would violate the Public Trust Doctrine, as well as the Lease, the City Charter, and the Library Construction and Enabling Act of 1897. Consequently, the Application must be denied.

3. The Proposed Work Would Needlessly Disfigure the Main Branch, and Irreversibly Damage Cultural and Architectural Features

As the Application a) is incomplete, b) would threaten the existing construction of historically significant interior spaces, and c) would frustrate the conditions of a previous Commission approval, the Application does not satisfy the requirements of the New York City Landmarks Law, and must be denied.

a. The Application Is Incomplete

The Applicant has provided drawings that can only be characterized as schematic. The submitted documents are, not only devoid of information regarding the material, color, and texture of the proposal, but no details of the proposed doors, hardware, casings or mouldings have been provided. Nor, has any information been provided illustrating how the proposed new construction would meet the landmark building facade. These details are critical in determining that the impact the proposed modern construction would have on the aesthetic character of the landmark eastern facade of the South Court. Without this information the public is deprived of its right to view and

comment on the substance of this Application, and the Commission cannot perform its statutorily mandated review under §25-307 (b)(2) of the Landmarks Law. Therefore, the Application must be rejected as incomplete.

b. The Proposed Work Would Threaten the Existing Construction of Historically Significant Interior Spaces

The Applicant's design documents propose construction that would permanently alter two significant interior spaces which are the subject (*inter alia*) of three open RFEs: the North-South Gallery and the Sue and Edgar Wachenheim III Gallery, both of which are historically significant. Therefore, as reflected below, the Commission should not consider the instant application until it has reviewed the open RFEs.

In particular, on March 28, 2013, Simeon Bankoff, Executive Director of The Historic District Council submitted the First RFE to the Commission requesting that interior landmark status be conferred on 13 interior rooms of the Main Branch of the Library (Ex. 6) -- the Rose Main Reading Room; Bill Blass Public Catalogue Room; Miriam and Ira D. Wallace Art & Architecture Room; Brook Russell Astor Reading Room for Rare Books and Manuscripts; Edna B. Salomon Room; 42nd Street Staircases; Sue and Edgar Wachenheim III Trustees Room; North-South Gallery, First Floor; Gottesman Exhibition Hall; Sue and Edgar Wachenheim III Gallery; DeWitt Wallace Periodicals Room; Lionel Pincus and Princess Firyal Map Division; and Celeste Bartos Forum.

When the Commission did not respond, Charles D. Warren President of The Committee to Save the New York Public Library, submitted a second RFE in April of 2017 ("Second RFE"). In a letter dated June 21, 2017, the Commission responded to Mr. Warren's Second RFE, acknowledging its receipt (Ex. 13). However, the Commission chose to review the significance of only two of the proposed thirteen rooms (the Rose Main Reading Room, and the Bill Blass Public Catalogue Room), holding a public hearing of the matter on July 18, 2017. Interior Landmark designation was conferred upon both rooms on August 8, 2018. However, the Commission did not act at that time upon either of the First or Second RFEs to the extent of the other 11 rooms, including the North-South Gallery and the Sue and Edgar Wachenheim III Gallery. Therefore, on April 3, 2019, Mr. Bankoff submitted a third RFE for evaluation of the of the remaining11 interior spaces ("Third RFE") (Ex. 14) (collectively, the "Three RFEs"). At this time, the Commission has yet to act upon any of the Three RFEs (aside from designating just two of the 13 proposed spaces).

Impact to the North-South Gallery

At this time, the Applicant proposes to remove an existing internal stairway, and the women's and men's lavatories currently abutting the southern portion of the western North-South Gallery wall, replacing those spaces with a newly enlarged stair, and elevator lobby, and an elevator shaft containing two new elevator cars. This work would be particularly destructive to this landmark because, the walls of the Astor Hall entry foyer and the North-South Gallery are of a rare type of

construction. The precise cutting, carving and fitting together of large stone blocks to create a load bearing wall with a rusticated finish, a technique known as *stereotomy*, although common in ancient times, is rare in early 20th century interior construction. Disturbing this interior construction would result in a significant change to the existing wall. Even with the best protection and restoration efforts, portions of the existing wall would need to be removed and replaced. Matching of the existing stone and its finish would be close to impossible. Furthermore, the proposed widening of the existing Men's Lavatory doorway to create an adequate entry to the proposed elevator lobby would directly alter the existing wall. Accordingly, it is imperative that this aspect of the Application be rejected.

The Wachenheim Gallery

The Applicant's current submission indicates that a walkway proposed in its July 9th submission, permitting access from the First Floor Mezzanine to an Office, has been removed from the current submission.⁴ Yet the Applicant does not provide information on the use of this now inaccessible room. This begs the question: How is access to this space to be provided? As the spaces adjacent to the eastern and northern walls of this space are open to below, and the southern wall is shared by the proposed new elevator shaft, it appears that access must be provided by significantly altering the room directly below (the Wachenheim Gallery – one of the rooms referred to the Commission for evaluation which has not been addressed).

As the Three RFEs are still open for these two (and other) important interior spaces, and the proposed construction would materially impact both rooms, the Commission should not act upon this Application until such time as a determination is made regarding the architectural, cultural and historical significance of the rooms.

c. The Proposed Alteration Would Frustrate the Conditions of a Previous Commission Approval

Since 1967, the Main Branch of the Library has enjoyed landmark status under National, New York State and New York City designations. In 1965 the Main Branch Library was designated as a National Historic Landmark ("NHL"), in 1966 it was placed on the National Register of Historic Places, and in 1967 the Commission designated the Library as a Landmark. The eastern wall of the Southern Court, as an exterior wall of the original Main Branch Library building, holds the same three landmark designations.

In 2001, the Commission approved the construction of a three-story "freestanding" modern building, designed by the architectural firm Davis Brody Bond ("DBB"), within what was then the

⁴ Compare, "Proposed First Floor Mezzanine Plan - 7/09 Proposal" with "Proposed First Floor Mezzanine Plan" – South Court: Proposed Circulation, at p. 6 of Applicant's Follow-up Submission, August 13, 2019.

open Southern Courtyard. A critical element of The Commission's approval of that design was the construction of an opening measuring approximately 35'-0" by 11'-6" allowing public viewing of the full height of the nearly 90-foot tall landmark facade. The constructed opening contains a freestanding stair from the Celeste Auditorium to the first floor of the DBB addition, and a six-foot wide bridge connecting the first floor of the addition to the first floor of main library building. The Applicant's July 9th submission proposes to eliminate this opening entirely, extending the first floor of the infill building to the extent of the landmark eastern facade. This would prevent a full viewing of the original classical library facade. The Commission directed the Applicant to study alternate designs that would preserve viewing of the full facade. The Applicant's current submission responds with a token gesture, proposing two paltry 4'-2" wide holes in the proposed first floor slab, all but assuring that no one but the most dedicated preservationist with detailed knowledge of the Main Branch and its various designations, would ever take the time to look through. In short, the 4'-2" holes do not preserve the visual identity of the precious landmark or the public's ability to experience it. Accordingly, this aspect of the Application should be denied as well.

Very truly yours,

Fatura ofice

Michael S. Hiller Fatima V. Afia

Exhibit 1

NOW, THELEFORE, it is seriety acress by and between the parties hereto as follows:

- 1. PARES are agent of the fitter is charged with the responsibility of processing and approving applications for funds under the National Historic Preservation Act of 1966, (Public Law 39-605) for historic preservation.
- 2. The National Historic Preservation Act requires assurance that the properties acquired or developed under the Act be satisfactorily maintained so that the historical intergity of features, aterials, appearance, workmanship and evironment be protected and preserved.
- 3. The City of New York is the owner of certain property described as The New York Public Library, and The New York Public Library, Aston, Lenox and Tilden Loundations are the perpetual lesce thereof and said memor and lance have applied to MARKS for funds for historic preservation of said property.
- 4. For the express purpose of inducing PAPAS to approve for lie bringary a payment to the New York/of such funds as may be made available under the Sational Historic Preservation Act of 1966, the APPLICARE hereby agree and obligate the Sational Costs of maintenance, repair and administration of the property hereinafter described so as to protect and perserve the historical integrity of features, materials, appearance, workmanship and environment.

THE POOR COPY

5. The APPLICANT hereby agree that such obligation of said APPLICANT to maintain, repair and administer such property shall bind said APPLICANT and be enforceable against same for a period of time to be determined by the amount of Federal assistance to be received according to the following schedule:

Federal assistance of up to \$9,999: 20 years

Federal assistance of \$ 10,000 to \$ 49,999: 30 years

Federal assistance of \$ 59,000 to \$249,999: 40 years

Federal assistance of \$250,000 and over: 50 years

- APPLICANTS of such funds as may be available under the National Historic Preservation Act of 1966 and specifically earsarked for an acquisition rather than a development project, the APPLICANTS hereby agree to notify PARKS that it has received a bona fide acceptable after to purchase the property, and, in addition, the purchase price and other material terms of such after. PAKKS shall have the right, irrevocable for a period of 30 days after the giving of such notice, to purchase the premises at the purchase price and on the other material terms set forth in said offer.
- 7. The APPLICANTS hereby agree to maintain and use said property in accordance with standards established by PARKS and further agrees to make no changes in the structure or improvements of said premises or additions thereto without the prior approval of PARKS.
- 8. The APPLICAND hereby agree to hold, maintain and administer such property for the benefit of the public at large according to the public benefit guidelines that shall be promulgated by the National Park Service pursuant to powers granted it by the National Historic Preservation Act of 1966 and which shall be published from time to time in <u>Historic Preservation Grants-in-Aid Policies and Procedures</u>. A copy of the

eurrently applicable public benefit guidelines is attached hereto labeled Appendix I, and thereby incorporated herein.

- 9. The APPLICANTE hereby agree that it shall maintain such property for the public benefit according to the terms set forth in the immediately preceding paragraph for a period of time to be determined by the amount of the grant. Such period of time shall be determined in the same manner and according to the schedule set forth above in paragraph 4.
- 10. As a further consideration for the payment to the APPLICANTS of such funds as may be available under the National Historic Preservation Act of 1966, the APPLICANS hereby agree to discover through consultation with PARKS whether or not the property of the APPLICAMES, for which funds are requested, lies within an area designated by the U.S. Department of Housing and Urban Development as a "special flood hazard area," and in all cases where such property is found to lie within such "special flood basard area" APPLICAMB further agree to purchase a policy of flood insurance. The amount of such required insurance shall be determined according to standards adopted by the Federal Government and shall be subject to the approval of the National Park Service. In all instances where such insurance is deemed necessary the APPLICARTS hereby agree to include a loss payee clause in the policy which identifies the National Park Service. The APPLICANTS acknowledge that failure to comply with this provision shall render the APPLICANT inclimible to receive Federal funds,

- II. The APILICARE hereby grant to PARKS the right to enter upon the premises and inspect same from time to time providing, however, that PARKS shall mail to the APPLICARE, at least one week prior to such inspection date, written notice of such inspection and providing further that such inspection shall be conducted in such a manner as not to unreasonably disturb or interfere with the APPLICARES' use of said property.
 - 12. If in the opinion of PARES the APPLICARIS are not satisfactorily maintaining the property so as to preserve its historical integrity, PARES shall give notice in writing of any such breach of condition and within a period of 60 days after receipt of such notice, the APPLICABISagree—to take such steps as are necessary to rectify the situation and to undertake the required maintenance at its ewn cost and expense.
 - II. In the event the APPLICARTS do not effectuate the maintenance within such 60 ear period, PARCS small have the right to commence such legal action as it overs necessary or desirable to enforce the provisions of this agreement including, but not limited to, the seeking of a sandatory imprection compelling the APPLICARTS to effectuate such maintenance as is required to preserve the historical integrity of the property.
 - 14. This agreement shall be exacting on the successors and assigns of the parties bereto and the conditions hereinabeve I specified shall constitute covenants running with the land.
 - 15. It is hereby agreed by the parties to this agreement that this agreement shall be binding only to the extent that monies therefor are rade available by the Federal Covernment in accordance with the Nation (Lin tori) Preservation Act of 1966 and amendments thereto.

16) It is further agreed that The New York Public Library,
Astor, Lenox and Tilden Foundations signs this agreement
in its capacity as lesee of the property and agrees to
assume all those obligations consistent with its obligations
under its LEASE AND AGREEMENTS FOR THE USE AND OCCUPATION OF
THE LIBRARY BUILDING TO BE CONSTRUCTED IN BRYANT PARK, which
is attached hereto and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have this 206 day of JUDE . 1978, affixed their hands and scals and have signed or caused these presents to be signed by their duly authorized representatives.

OFFICE OF PARKS AND RECREATION

by Om Jehn

TITLE

APPLICANTS

by to marchel

TITLE

RONAY MENSCHEL
THE CITY OF NEW YORK
DEFUTY MAYOR FOR
HTTPGOVERNMENTAL RELATIONS

my Ments

By Sonald Roll Business Honegy The New York Public Libion

477 ... 403

of the Office of

STATE OF NEW YORK)
COUNTY OF ALBABY)

on this day of , 1977, before me personally case , to see known and known to me to be the Commissioner

of the Office of Parks and Recreation, the person described as such in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same as such

Parks and Recreation for the purpose therein mentioned.

Notary Public

STATE OF NEW YORK () SS.:

Committee at

personally care Roby Medschel, to see known, who being by me duly sworn, did depose and say that she is the Intercovery Mayor for Intercovery Mayor for described in and who executed the foregoing instrument; that she has been duly authorized by the governing body of the City of New York to execute the foregoing instrument on behalf of said City of New York , and that she signed his name thereto by order of the governing body of said City of New York for the governing body of said City of New York to receive the foregoing instrument on behalf name thereto by order of the governing body of said City of New York for the purposes and uses therein described.

PRANKIN J. INVESTICK

Notes, Cobis forms of flow York

10 Of display

Construct on Jan Warn Comby

Construction Law York Comby

1. -

COUNTY OF New York SS.:

personally came GERALD Got D, to me known, who being by me duly sworn, did depose and say that he is the Business Manager of the Board of the New York Public Libra, the corporation described in and which executed the foregoing instrument; that he has been duly authorized by the Board of Truster Directors of said corporation to execute the foregoing instrument on behalf of said corporation and that he signed his name thereto by order of raid corporation for the purposes and uses therein described.

RORMA A SCHUSTER
R to the state of New York
No. 24 4691485

Quartery in Rese County
For County
For County
For County

Morning Purile

STATE OF NEW YORK) SSL:

On this day of , 1977, before me personally care , to me known and known to me to be the person described in and who executed the foregoing instrument and he duly acknowledged that he executed the same.

Betary Public

- 1-

A STATE OF THE PARTY OF THE PAR

$\approx~477~\cdot~405$

GUIDELINES FOR FUBLIC BENEFIT CONDIANTS

FROFERIY CLASSIFIG.	TYPE OF	DESCRIPTION OF FUNDING SITUATION	COVENANT REQUIRED
Object or	Acquisit†n	Historic qualities of object or site are appre- ciable from the dublic right-of-way.	No covenant required.
91	5.0	Historic qualities of object or site ere not appreciable from the public right-of-way.	Covenant to insure that property will be open to public no less than 12 days a year on an e- cuitably spaced basis 8 other times by appoint
r+	Develops't	distoric qualities of object or site are appre- ciable from the public right-of-way.	No covenant required.
bi	В	Historic qualities of a feet or site are not appreciable from the public right-of-way.	Exertant to insure that projectly will be open to public no less than 12 days a year on sme- critably speced basis 5 other times by appoint
Structure/ Puilding	Acquisit'n	Exterior alone possesses significant historic midities, appresiable from public right-of-way.	No covenant required.
47	žer.	Exterior along posserous significant historic qualities, not appreciable from public right-of-way.	Covenent to insure that property will be open to public for exterior visitation no less than 12 days a year on an equitably spaced busic & other times by appointment.
1:		inferror passesses significant historic quali- ties.	Covenant to insure that property will be open to public for interior visitation no less than 12 days a year on an equitably spaced basis & other times by appointment.
. \$1	pevelopm's	inspect word limited to exterior or to interior structural or utility improvements, and exter- for qualities are appreciable from the public right-of-way.	No covenant required.
•	9.5	orrectoral or utility improvements, but exter- ior qualities are not appreciable from the	Covenant to insure that property will be open to public for exterior visitation no less than 12 days a year on an equitably spaced basis & other times by appointment.
*1	4.6	Interior <u>restoration</u> is accomplished.	Covenant to insure that property will be open to public for interior visitation no less that 12 days a year on an equitably spaced basis & other times by appointment.

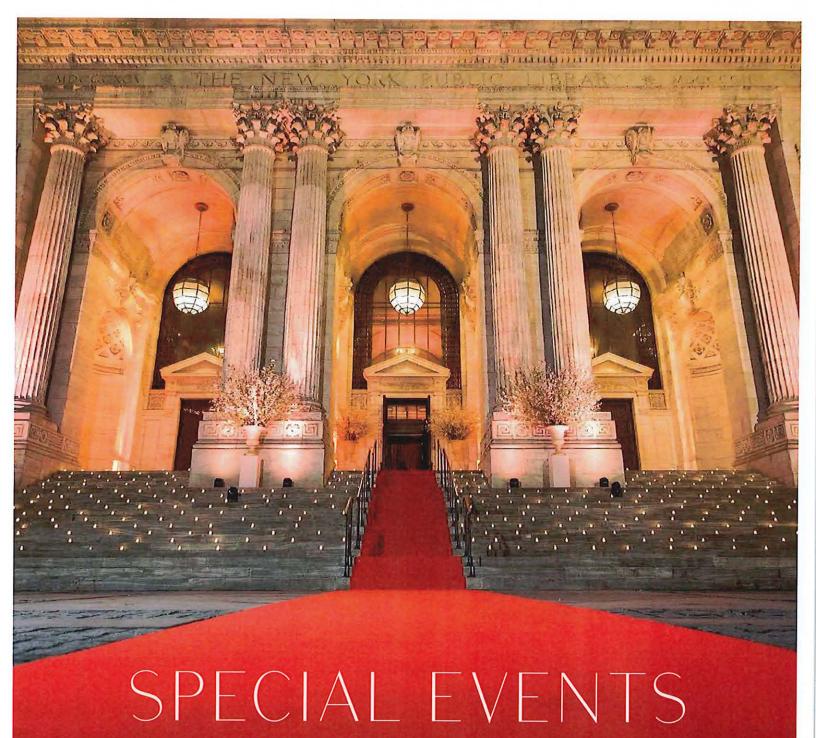
×

 $r^2/477 \approx 408$ ext. but i Econotin Em to chet by
inc "hung bety of cirs
that fety of security weekler in 01:753 .. a - 3 FX12: 45

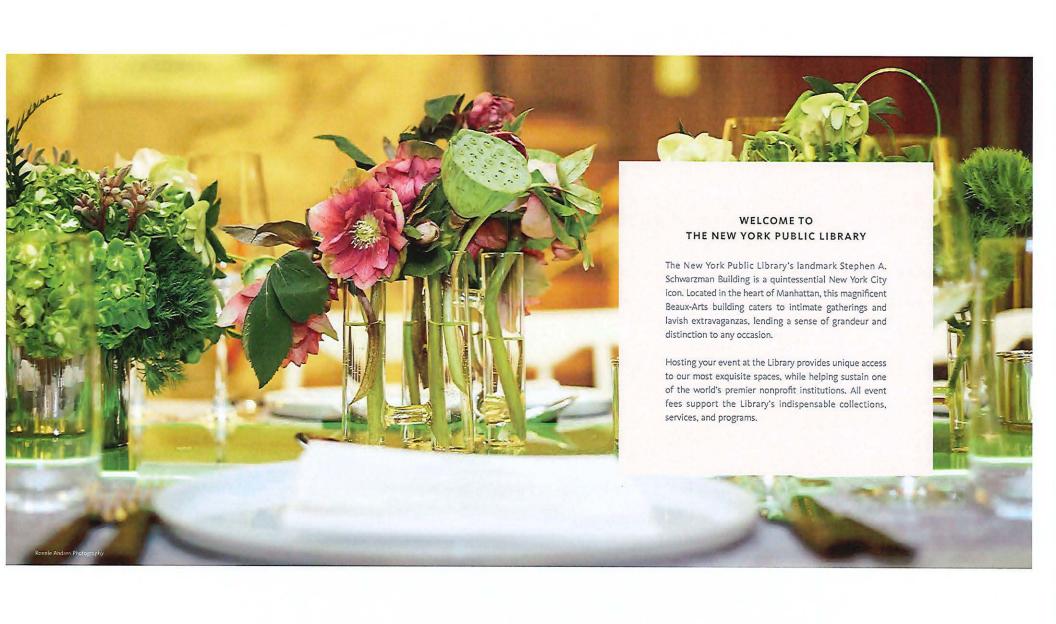
11. 化双氯化物 (1)

7.

Exhibit 2



THE NEW YORK PUBLIC LIBRARY



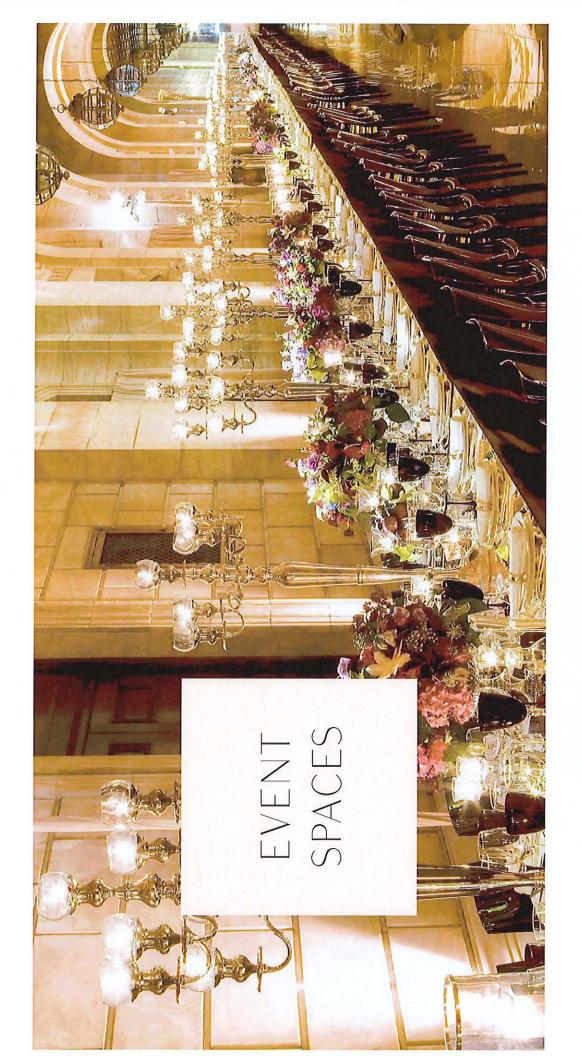


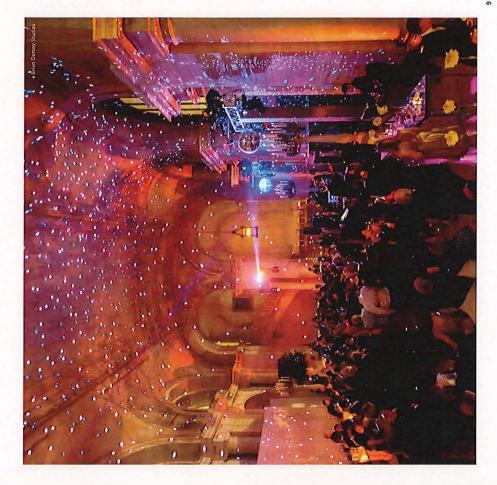
A QUINTESSENTIAL NEW YORK CITY ICON

ABOUT THE NEW YORK PUBLIC LIBRARY

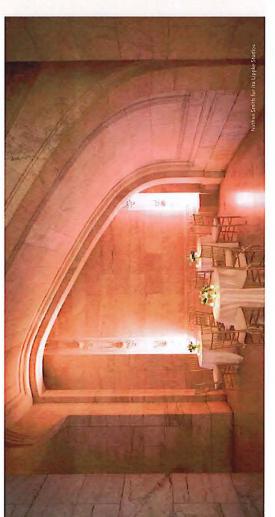
The New York Public Library has been an essential provider of free books, information, ideas, and education for all New Yorkers for more than 100 years. Founded in 1895, NYPL is the nation's largest public library system, featuring a unique combination of 88 neighborhood branches and four scholarly research centers, bringing together an extraordinary richness of resources and opportunities available to all. NYPL is a haven for New Yorkers of all ages and from all walks of life — providing much-needed free programs and resources that improve lives and strengthen communities.

Built upon what was once a Revolutionary War battlefield, and later the home of the Croton Reservoir, the landmark Stephen A. Schwarzman Building is the cornerstone of The New York Public Library. Patience and Fortitude, the world-renowned pair of marble lions that stand proudly before this majestic building at Fifth Avenue and 42nd Street, have captured the imagination and affection of New Yorkers and visitors from all over the world since the Library opened on May 23, 1911.

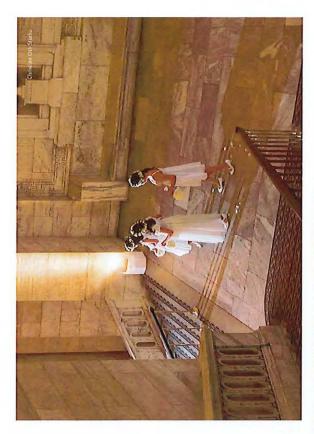


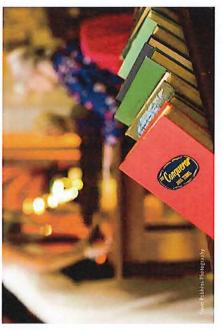


ASTOR HALL





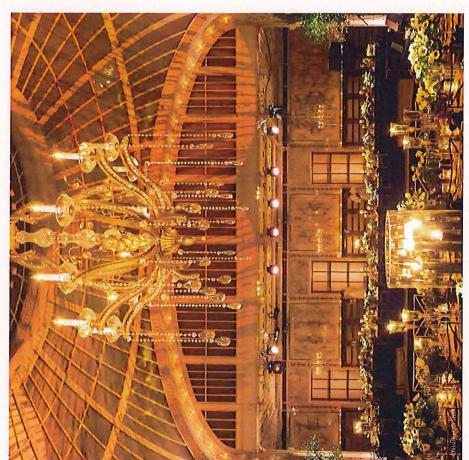




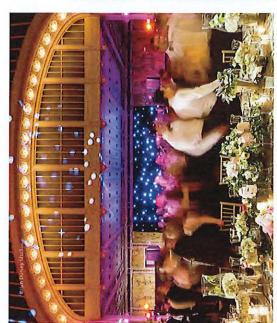


CELESTE BARTOS FORUM

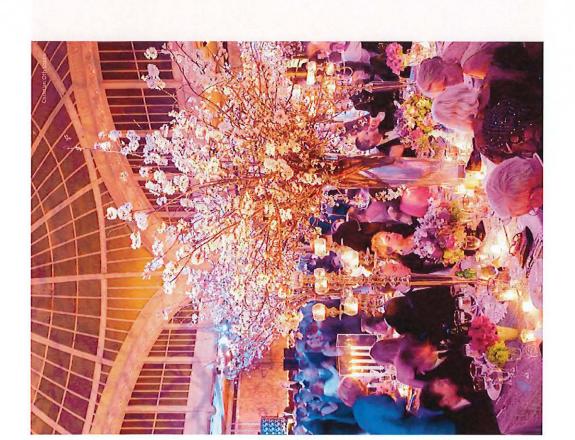






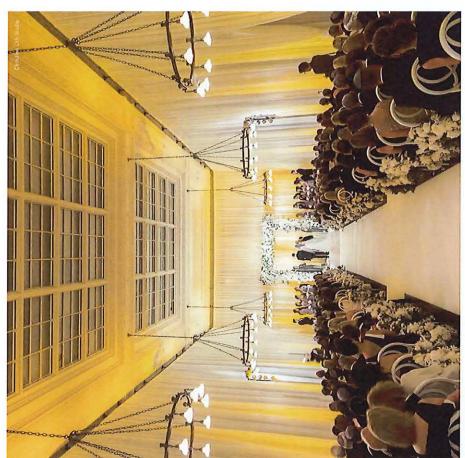






EDNA BARNES SALOMON ROOM





Credit Of States

McGRAW ROTUNDA

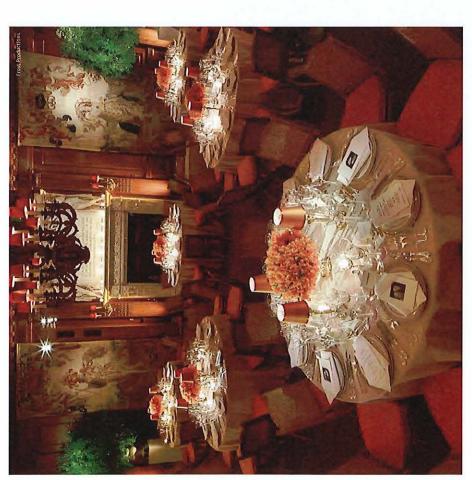








TRUSTEES ROOM



CELESTE AUDITORIUM



ROOM CAPACITIES

Cocktail Reception
Seated Dinner

ASTOR HALL

7 750 guests 250 guests Public space

CELESTE BARTOS FORUM

T 500 guests 425 guests Private space

EDNA BARNES SALOMON ROOM

🕇 325 guests 📮 300 guests 👂 Private space

MCGRAW ROTUNDA

🝸 300 guests 🔑 150 guests 🔑 Public space

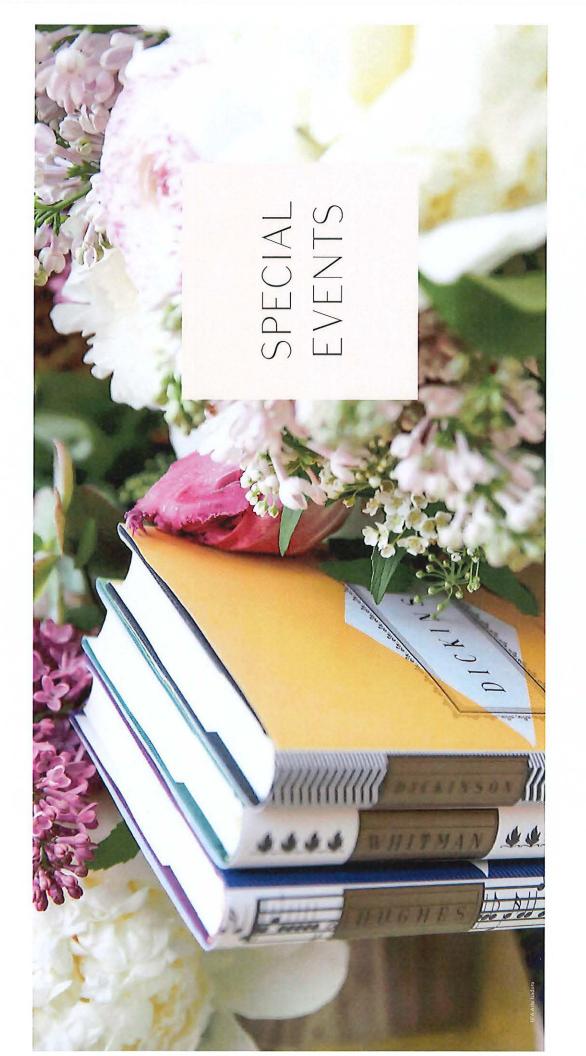
WACHENHEIM TRUSTEES ROOM

T 125 guests 🏳 110 guests 🔑 Private space

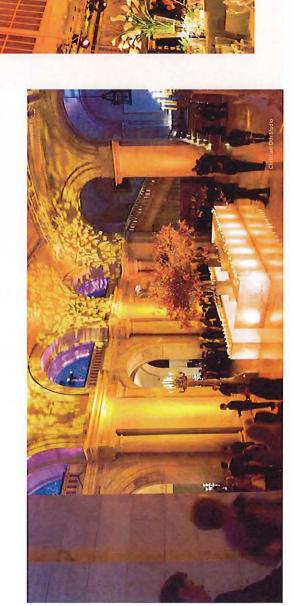
CELESTE AUDITORIUM

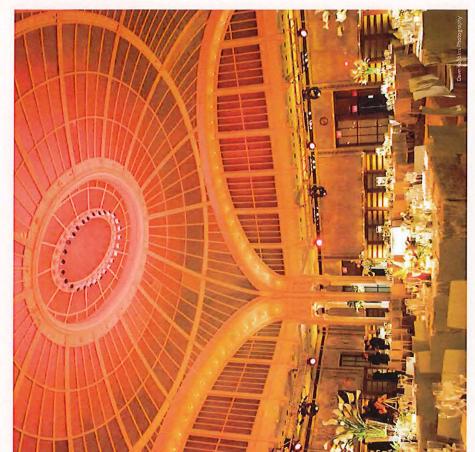
Auditorium 177 guests Private space

Guest counts may vary depending on room setup. Public spaces are available after closing.

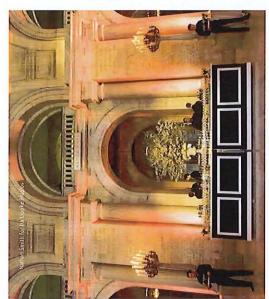


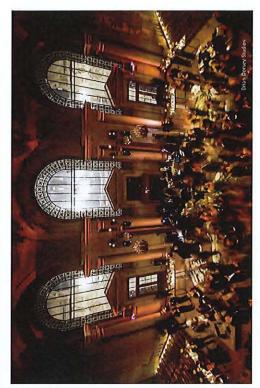
CORPORATE & NONPROFIT EVENTS







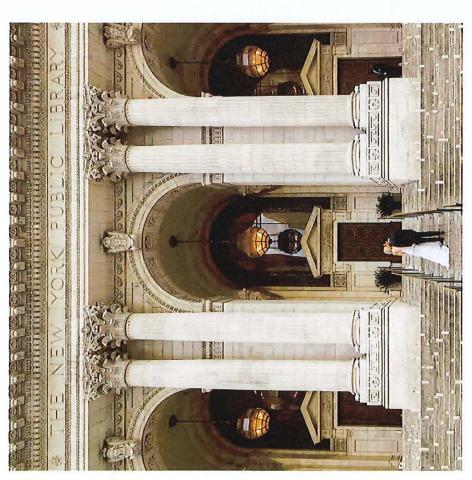






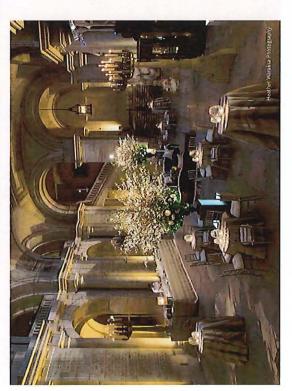


WEDDING CEREMONIES & RECEPTIONS

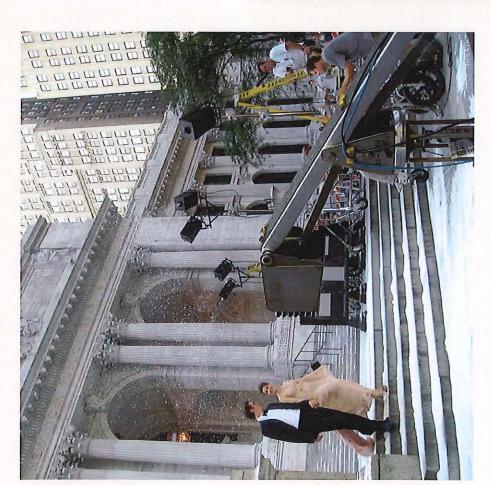








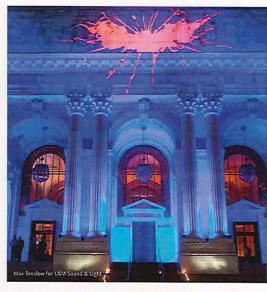
FASHION SHOWS & PHOTO SHOOTS



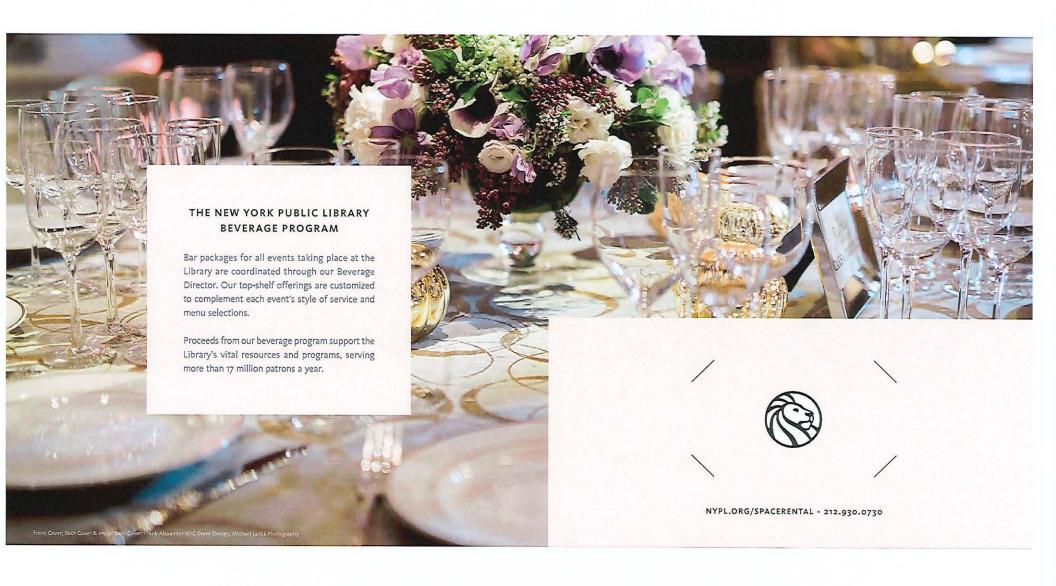
FILM SHOOTS & PREMIERES











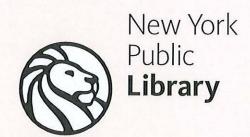




Exhibit 3

XXIX.

AGREEMENT OF CONSOLIDATION.*

AN AGREEMENT TO CONSOLIDATE THE TRUSTEES OF THE ASTOR LIBRARY, THE TRUSTEES OF THE LENOX LIBRARY, AND THE TILDEN TRUST, INTO THE NEW YORK PUBLIC LIBRARY, ASTOR, LENOX AND TILDEN FOUNDATIONS.

DATED, 23 MAY, 1895.

FILED AND RECORDED IN THE OFFICES OF THE
CLERK OF THE CITY AND COUNTY OF NEW
YORK AND OF THE SECRETARY OF STATE,
24 MAY, 1895,

This Agreement made this twenty-third day of May, in the year one thousand eight hundred and ninety-five, by and between the respective Boards of Trustees of the corporations known as "The Trustees of the Astor Library," "The Trustees of the Lenox Library," and "The Tilden Trust."

*At the time this agreement was entered into the Boards of Trustees of the three constituent bodies were composed of the following members:

The Trustees of the Astor Library were: The Mayor of the City of New York (ex-officio), Thomas M. Markoe, M.D. (President), Edward King (Treasurer), Henry Drisler, LL.D. (Secretary), John Cadwalader, Rt. Rev. Henry C. Potter, D.D., Stephen Van Rensselaer Cruger, Robbins Little, Stephen H. Olin, Charles H. Russell, and Philip Schuyler.

The Trustees of the Lenox Library were: John S. Kennedy (President), Alexander Maitland (Treasurer and Secretary), Daniel Huntington, Frederick Sturges, H. Van Rensselaer Kennedy, Stephen Baker, William S. Tod, Charles Scribner, John Sloane, William F. Havemeyer, George L. Rives, William Allen Butler, J. Henry Harper, Samuel P. Avery, and Nicholas Murray Butler.

The Trustees of The Tilden Trust were: John Bigelow, Andrew H. Green, George W. Smith, Alexander E. Orr, and Lewis Cass Ledyard.

Whereas, The Trustees of the Astor Library are a corporation heretofore organized under an Act of the Legislature of the State of New York, entitled "An Act to incorporate The Trustees of the Astor Library," approved January 18th, 1849, and the several amendments thereto, for the purpose (among others) of erecting, maintaining and carrying on a public library in the City of New York; and

Whereas, The Trustees of the Lenox Library are a corporation heretofore organized under an Act of the Legislature of the State of New York, entitled "An Act to incorporate the Trustees of the Lenox Library," approved January 20th, 1870, and the several amendments thereto, for the purpose (among others) of erecting, maintaining and carrying on a public library in the City of New York; and

Inhereus, The Tilden Trust is a corporation heretofore organized under an Act of the Legislature of the State of New York, entitled "An Act to incorporate The Tilden Trust for the establishment and maintenance of a free Library and Reading Room in the City of New York," approved March 26th, 1887; and

Whereas, the said three corporations, being all organized as library companies or for the purpose of carrying on libraries in the City and County of New York, are desirous of consolidating with each other into a single corporation, pursuant to the provisions of Chapter 541 of the Laws of 1892, being an Act of the Legislature of the State of New York entitled "An Act to permit the consolidation of library Companies in the City of New York," approved May 13th, 1892, and the amendments thereto, and particularly as the same is amended by Chapter 209 of the Laws of 1895, being an Act of the Legislature of the State of New York entitled "An Act to amend Chapter 541 of the Laws of 1892 entitled 'An Act to permit the consolidation of library companies in the City of New York;" and

Whereas, neither of said three corporations is a stock company, and neither of the same has members or stockholders other than its Directors or Trustees;

Now Therefore, this Agreement of Consolidation Witnesseth that the respective Boards of Trustees of the said "The Trustees of the Astor Library," "The Trustees of the Lenox Library," and "The Tilden Trust," have agreed, and do hereby agree, with each other and with each of the others as follows:

First. The said several corporations shall be consolidated and hereby are consolidated into a single corporation.

Second. The terms and conditions of said consolidation are as follows: The said new corporation shall establish and maintain a free public library and reading-room in the City of New York, with such branches as may be deemed advisable, and shall continue and promote the several objects and purposes set forth in the respective acts of incorporation of "The Trustees of the Astor Library," "The Trustees of the Lenox Library," and "The Tilden Trust."

Chird. The mode of carrying this agreement into effect is as follows: Immediately upon the execution of this agreement, duplicates or counterparts thereof shall be filed in the office of the Clerk of the City and County of New York and in the office of the Secretary of State. Thereafter, the first meeting of the Trustees of the new corporation shall be called by John L. Cadwalader, George L. Rives and Lewis Cass Ledyard, or any two of them, by giving a notice in person or by mail addressed to each Trustee at his place of residence, of the time and place of such meeting. The said Trustees, or a majority of them, being assembled, shall organize by the election of a President, one or more Vice-Presidents, a Treasurer and a Secretary, and of such other officers, if any, as shall be deemed necessary or proper; and the said Trustees, on behalf of the new corporation, shall thereupon receive, take over, and enter into possession, custody and management of the existing libraries of the said three several corporations and of all property, real or personal, owned by them or either of them of any description whatever. The several treasurers, superintendents, librarians or other persons having charge of any of the funds, books, works of art or other property, real or personal, of either of the said three corporations, parties hereto, shall on demand deliver all property in their respective custody to the persons appointed by the Trustees of the new corporation to receive the same.

The Board of Trustees of the said three existing corporations shall take such action as may be necessary for the purpose of transferring to the new corporation the title to all real estate, securities, and all other property of whatever kind, standing in their several names, or owned by them, respectively, and for that purpose, and for the purpose of adjusting and closing the affairs of said corporations respectively and the accounts of the respective officers thereof, the Boards of Trustees of the said three corporations, parties hereto, may meet, notwithstanding the merger of said corporations in the new corporation hereby created, and carry out the purposes of this agreement.

.The Trustees of the said new corporation shall, as soon as may be, adopt suitable by-laws, which, among other things, shall provide for the manner of election of new Trustees after the expiration of the first year, their respective terms of office and the manner of filling vacancies in the Board; shall fix and define the duties of the Trustees, the appointment of Committees and the powers and duties thereof; the number, grade, duties, terms of office and compensation of the several persons employed by the new corporation; and shall provide proper regulations for the investment, safe keeping, management and expenditure of the funds of the corporation; and the said by-laws shall, moreover, provide for the general custody, care, conduct and management of the affairs and property of said new corporation, and a method by which the said by-laws may be altered. amended or repealed. The said new corporation shall by its by-laws or otherwise make appropriate provisions with reference to the limitations, conditions or restrictions under which any of the funds or property of the said several corporations are now held or are to be used or enjoyed by the said several corporations, or any of them, in order that the same may be fully kept and observed.

fourth. The name of the new corporation is "The New York Public Library, Astor, Lenox and Tilden Foundations."

Fifth. The number of Trustees of the new corporation shall be twenty-one.

Bixth. The names of the Trustees who shall manage the concerns of the new corporation for the first year, and until others shall be elected in their places, are:

Thomas M. Markoe, Henry Drisler, John L. Cadwalader, Henry C. Potter, S. Van Rensselaer Cruger, Stephen H. Olin, Edward King, Daniel Huntington, Frederick Sturges, Alexander Maitland, John S. Kennedy, H. Van Rensselaer Kennedy, William Allen Butler, George L. Rives, John Bigelow, Andrew H. Green, George W. Smith, Alexander E. Orr, Lewis Cass Ledyard, Samuel P. Avery and Philip Schuyler.

In Witness Where'r, The several Boards of Trustees of the three corporations, parties hereto, have caused the corporate seals of the three several corporations to be affixed to these presents, in triplicate, and these presents to be attested by their respective Presidents and Secretaries, thereunto duly authorized, on the day and year first above written.

THE TRUSTEES OF THE ASTOR LIBRARY, (CORPORATE SEAL.) By T. M. MARKOE, President.

Attest:

HENRY DRISLER, Secretary.

THE TRUSTEES OF THE LENOX LIBRARY,
By JOHN S. KENNEDY, President.

Attest:

ALEXANDER MAITLAND, Secretary.

THE TILDEN TRUST,

(CORPORATE SEAL.)

(CORPORATE SEAL.)

A. E. ORR, Vice-Prest.

L. V. RANDOLPH, Secretary.

Exhibit 4

XXXVII.

LEASE AND AGREEMENT FOR THE USE AND OCCU-PATION OF THE LIBRARY BUILDING TO BE CONSTRUCTED IN BRYANT PARK.

DATED 8 DECEMBER, 1897.

Chis Agreement, made and concluded this eighth day of December, in the year one thousand eight hundred and ninety-seven, by and between the Mayor, Aldermen and Commonalty of the City of New York by the Board of Estimate and Apportionment of said city, party of the first part, and The New York Public Library, Astor, Lenox and Tilden Foundations, party of the second party, witnessell:

Whereas, the land now occupied by the reservoir upon Fifth avenue, between 40th and 42d streets, in the City of New York, has been made a portion of a public park, and by an act of the Legislature of the State of New York, passed May 19, 1897, entitled "An Act to provide for the construction of a public building in Bryant Park, in the City of New York, to be occupied by the New York Public Library, Astor, Lenox and Tilden Foundations," the Department of Public Parks was authorized to remove the said reservoir occupying a portion of said Bryant Park, and to erect, construct, maintain, equip and furnish in the said Bryant Park, or some portion thereof, a suitable and appropriate fire-proof building in accordance with plans to be made and

prepared by the party of the second part, and to be approved by the party of the first part, such building to be used and occupied as a public library and reading-room by the said party of the second part for the purpose of carrying out the objects and purposes of the said corporation and of its consolidation;

And whereas, the said party of the first part, in and by the said act, was authorized at any time after the passage of said act to enter into a contract with the said party of the second part for the use and occupation by the said party of the second part and its successors of the building so to be erected, constructed, equipped and furnished, for the purpose of maintaining therein a public library and reading-room and carrying out the objects and purposes of the said corporation as provided by its agreement of consolidation, and any amendments to be hereafter authorized to the same, and which contract by the terms of said act was to provide for such use and occupation so long as the said party of the second part shall maintain such public library and reading-room therein and shall use said building so to be erected for the purposes thereof;

And whereas, the said party of the second part has made and prepared plans for such library building so to be erected, which said plans provide for a building to be erected in said Bryant Park, facing Fifth avenue, at a distance of about 75 feet therefrom, and being about 350 feet in width, front and rear, and about 250 feet in depth;

And whereas, the said Board of Estimate and Apportionment has duly approved the said plans pursuant to the terms of said Act, and has requested the Department of Public Parks to remove the reservoir now occupying a portion of Bryant Park, and to erect, construct, maintain, equip and furnish in said Park a fire-proof building, in accordance with said plans; such building to be used and occupied as a public library and reading room by the said The New York Public Library, Astor, Lenox and Tilden Foundations, and to be constructed either of marble or Indiana limestone, or of such other stone as may hereafter be suggested by the architects and approved by the Trustees of

The New York Public Library, Astor, Lenox and Tilden Foundations, and by the Board of Estimate and Apportionment;

And whereas, it is the intention of the party of the second part to arrange to dispose of certain real estate and property owned by it, and in other respects to prepare for the occupation of the said building, and the carrying on of the public purposes of said corporation therein;

Now, therefore, it is agreed by and between the parties hereto as follows:

first.—The party of the first part has granted, demised and let, and doth by these presents grant, demise and let, unto the party of the second part and its successors the said library building so to be erected within or upon said Bryant Park upon the site now occupied by said reservoir, together with the appurtenances thereunto belonging, TO HAVE AND TO HOLD the same unto the party of the second part and its successors so long as the said party of the second part shall continue to maintain such public library and reading-room therein, and so long as the said party of the second part shall use and occupy such building for the purpose of maintaining therein a public library and readingroom and carrying on the objects and purposes of the said corporation, as provided by its said agreement of consolidation and the several acts incorporating the Trustees of the Astor Library, the Trustees of the Lenox Library and the Tilden Trust, respectively, and any amendments to be hereafter authorized to the same, and so long as the party of the second part shall faithfully keep, perform and observe the covenants and conditions herein contained on its part to be kept, performed and observed.

Gerond.—Neither the party of the first part, its successors or successor, nor the Mayor, Aldermen and Commonalty of the City of New York, nor their successors, shall be chargeable or liable for the preservation of said building or the property of the party of the second part therein, against fire, or for any damage or injury to be caused by fire to the said property; but it is agreed that, the damages aforesaid excepted, the said party

of the first part shall, on reasonable demand, at all times maintain and keep the said building in repair.

Chird.—As soon after the completion and equipment of said building as practicable, the said party of the second part shall transfer to, place and arrange in said building, its library and collections, and shall have and enjoy the exclusive use of the whole of said building, subject to the provisions herein contained and the rules and regulations herein prescribed, during the continuance of the term hereinbefore granted.

Fourth.—The said library shall be accessible at all reasonable hours and times for general use, free of expense to persons resorting thereto, subject only to such control and regulation as the party of the second part, its successor or successors, from time to time may exercise and establish for general convenience; provided, however, that one or more reading rooms in said library shall be open and accessible to the public upon every day of the week except Sundays, but including all legal or public holidays, from at least nine o'clock A. M. until at least nine o'clock P. M. and on Sundays from one o'clock P. M. until nine o'clock P. M., under such rules and regulations as the said Board of Trustees shall prescribe from time to time; and provided that there shall at all times be established and maintained in the said library a free circulating branch, and that the same shall be opened for the use of the public during the day time on Sunday and during the evening of each other day of the week for such time as may be prescribed by the said Board of Trustees in control of said library, the hour for closing said branch of the library, however, on each evening to be not earlier than to o'clock.

Fifth.—The said library collections and all other property of the said party of the second part which shall or may be placed in said building shall continue to be and remain absolutely the property of said party of the second part, and neither the party of the first part, nor said Mayor, Aldermen and Commonalty of the City of New York, nor their successors, shall by reason of said property being placed in the said building, or continuing therein, have any right, title, property or interest therein, nor

shall the party of the second part, by reason of its use and occupation of this building under said agreement, acquire, or be deemed to have acquired, any right, title, property or interest in the said building and the appurtenances, or the land on which the same is erected, except in so far as expressly granted by this agreement.

Sixth.—The said party of the second part shall, on or before the 31st day of December in each year, during the continuance of this agreement, submit to the Mayor of the City of New York a detailed printed report of the operations and transactions of said party of the second part, and of all its receipts and payments for the year ending with the 30th day of June next preceding.

Seventh.—The authorities of the City of New York shall have at all times access to every part of said building for general police visitation and supervision; and also for the purpose of the performance of the duties devolved upon them by the laws of the State of New York or of the City of New York now enacted or hereafter to be enacted; and the police powers of the said party of the first part shall extend in, through and by the said building. The party of the second part, however, shall appoint, direct, control and remove all persons employed within said building, in and about the care of the building, and the library and collections therein contained, excepting the regular policeman on duty within the building or grounds, if any, and the employes of the Park Department engaged in gardening or construction.

Eighth.—The city shall annually provide funds for the maintenance and repair of the building, and the city authorities, or Department of Public Parks acting under its direction, shall, at all times, provide and care for the roads, walks, fences, grading and general care of the grounds and appurtenances attached thereto. The city, in addition, shall, at all times, furnish a supply of water and adequate police patrol and protection. With the limitations already defined, the party of the second part shall exercise entire direction and management over all the affairs of the library building and the books, collections and appurtenances.

としてことがは、 のでは、 Ninth.—It is further expressly understood and agreed by and between the parties hereto that this agreement may be wholly cancelled and annulled, or from time to time altered or modified, as may be agreed upon in writing between the said parties or their successors, anything herein to the contrary in anywise notwithstanding.

In Witness Whereof, the party of the first part has caused this Agreement to be executed by the Board of Estimate and Apportionment, pursuant to a resolution of the said Board adopted at a meeting held on the first day of December, in the year one thousand eight hundred and ninety-seven; and the said party of the second part has caused the same to be executed by its President and its official seal affixed thereto, pursuant to resolution of the Trustees of the New York Public Library, Astor, Lenox and Tilden Foundations, and adopted at a meeting held on the eighth day of December, in the year one thousand eight hundred and ninety-seven.

W. L. STRONG, Mayor.

ASHBEL P. FITCH, Comptroller.

John Jeroloman,

President of the Board of Alderman,

E. P. BARKER,

President of the Department of Taxes and Assessments,

Francis M. Scott,

Counsel to the Corporation.

JOHN BIGELOW,

President New York Public Library,

Astor, Lenox and Tilden Foundations.

Attest:

G. L. RIVES,
Secretary.

(CORPORATE SEAL.)

A CONTRACTOR OF THE PROPERTY O

Exhibit 5

XXXII.

PROVISION OF THE GREATER NEW YORK CHARTER, AUTHORIZING AND DIRECTING THE COMMISSIONER OF PARKS TO MAKE A CONTRACT WITH THE NEW YORK PUBLIC LIBRARY, ASTOR, LENOX AND TILDEN FOUNDATIONS, FOR THE USE AND OCCUPATION OF THE LAND OCCUPIED BY THE RESERVOIR AT FIFTH AVENUE AND FORTIETH AND FORTY-SECOND STREETS, FOR THE ESTABLISHMENT AND MAINTENANCE OF A FREE PUBLIC LIBRARY AND READING ROOM.*

CHAPTER XII.

Department of Parks.

TITLE I.

The Parks.

§ 623. Whenever, pursuant to lawful authority, the land at present occupied by the reservoir at Fifth avenue and Fortieth

This provision was amended (Laws of 1896, Chapter 714) by the substitution therefor of a provision substantially identical with the above-quoted Section 623 of the Greater New York Charter (Laws of 1897, Chapter 378, as amended Laws of 1901, Chapter 466).

186

BONE WIND CONTROL OF THE SECOND CONTROL OF T

^{*} Chapter 516 of the Laws of 1893 amended Section 696 of the Consolidation Act (Laws of 1882, Chapter 410), which related to the occupation by the American Museum of Natural History of buildings in Manhattan Square, by the addition of the following provision:

[&]quot;The department of public parks is hereby authorized, in their discretion, to make and enter into a contract with the Tilden trust, a corporation duly organized under the laws of this state, for the use and occupation by such corporation of any building that may be hereafter erected in pursuance of law upon lands belonging to the mayor, aldermen and commonalty of the city of New York, between Fortieth and Forty-second streets and Fifth and Sixth avenues in said city and establishing and maintaining therein a free library and reading room and carrying out the objects and purposes of said corporation."

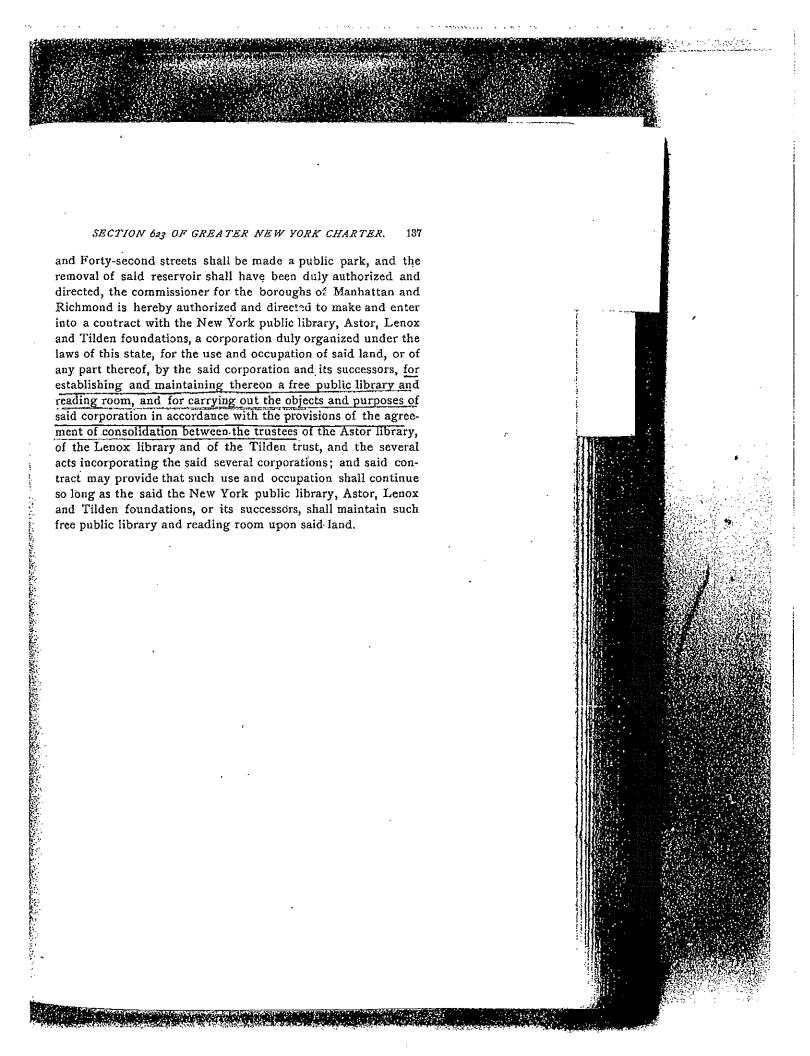


Exhibit 6

March 28, 2013

Hon. Robert Tierney, Chair Landmarks Preservation Commission One Centre Street, 9th Floor New York City, New York 10007

Dear Commissioner Tierney:

The Historic Districts Council submits for your consideration Requests for Evaluation for twelve magnificent, public spaces in one of the city's most beloved individual landmarks, the main branch building of the New York Public Library. The rooms – the South-North Gallery, the D. Samuel and Jeane H. Gottesman Exhibition Hall, the Sue and Edward Wachenheim III Gallery, the DeWitt Wallace Periodicals Room, the Lionel Pincus and Princess Firyal Map Division, the Celeste Bartos Forum, the 42nd Street Staircases, the Edna B. Salomon Room, the Bill Blass Public Catalog Room, the Deborah, Jonathan F.P., Samuel Priest, and Adam Raphael Rose Main Reading Room, the Miriam and Ira D. Wallach Art & Architecture Room, and the Brooke Russell Astor Reading Room for Rare Books and Manuscriptsare all important pieces that add up to the memorable experience of visiting the library.

As the 1974 LPC designation report for interior spaces of the library stated, "The interior of this great building is as magnificent as its exterior". Only the main lobby, north and south staircases, and the McGraw Rotunda were landmarked at that time. We feel that other public spaces of the building are equally magnificent and are due equal protection. The progression to the Rose Main Reading Room - from the street, up the monumental steps of the exterior landmark, through Astor Hall, up the sweeping stairs, and through the McGraw Rotunda - has been aptly described by architectural historian Kate Lemos as like "an unfolding book, with anticipation mounting at every turn." It seems strange that the climax of the book, of the experience of the library - the Bill Blass Public Catalog Room and the Rose Main Reading Room - are not part of the landmarked story.

These spectacular, soaring rooms, which many people have automatically assumed were already designated, along with the special collections and reading rooms, having the more intimate scale of private libraries or clubrooms, provide dignified spaces for learning and work for all. They certainly fit the bill for possessing a special sense of place and include the "monumental scale and outstanding quality, ... some of the finest stonework and vaulting in the City,... ornamental plaster ceilings ... of great elegance, ... [and] murals and decorative objects [that] are among the best of their kind" lauded in the 1974 report.

The following RFEs are but brief overviews of the library's highly ornate interiors. Much more in depth descriptions can be found in Mark Allan Hewitt, Kate Lemos, William Morrison and Charles D. Warren's Carrère & Hastings: Architects (Acanthus Press, 2006) and Henry Hope Reed and Francis Morrone's The New York Public Library: The Architecture and Decoration of the Stephen A. Schwarzman Building (W.W. Norton & Company, 2011).

As always, we thank you for your attention and work to preserve and protect our city's architectural and cultural heritage.

Sincerely,

Simeon Bankoff Executive Director

Exhibit 7

BULLETIN

OF THE

NEW YORK PUBLIC LIBRARY

ASTOR LENOX AND TILDEN FOUNDATIONS

Volume 1 · Number 1 · January 1897

CONTENTS

INTRODUCTORY STATEMENT		*		•		,	8
ADDRESS PRESENTED TO THE	MAYO	r, Ma	RCH	25,	1896		23
REPORT OF THE DIRECTOR PO	эк 189	Ø					28
THE OF PRINCIPLE BOXOUS							38

NEW YORK 1897

CONTENTS.

ALBANY CONGRESS OF 1754 (EMMET COLLECTION),	page 6–81
AMERICAN GENEALOGIES. See Genealogies, American.	
American Newspapers, etc., received in 1895-96,	-140
	2-84
Archæology, Periodicals relating to,	
ASTRONOMY, PERIODICALS RELATING TO,	
Boston Tea Party, Franklin and the,	
CHEMISTRY AND PHYSICS, PERIODICALS RELATING TO,	
Columbia University Library, See Periodicals.	-550
Confederate States Attorneys-General, Records of,	
4	
	*
CONTINENTAL CONGRESS OF 1774 (EMMET COLLECTION),	-130
See also Members of the Continental Congress,	
Declaration of Independence (Emmet Collection), 351-	-
EDUCATION, HIGHER, OF WOMEN, DOCUMENTS RELATIVE TO,	
EMMET LIBRARY, MANUSCRIPT COLLECTIONS IN, 6	z-63
EMMET Collection:	
. Albany Congress of 1754,	58 <u>1</u>
Stamp Act Congress of 1765,	
Continental Congress of 1774,	-136
Members of the Continental Congress of 1774-89,	
159-172, 191-200, 227-236, 257-267, 289-	-299
Presidents of Congress and of the United States,	332
Declaration of Independence,	-364
FRANKLIN, BENJAMIN, AND THE BOSTON TEA PARTY,	244
Genealogies, American:—Part 1, A-D, 247-256; Part 2, E-L, 280-288;	
Part 3, M-R, 316-322; Part 4, S-Z, 343-350.	
Geology and Mineralogy, Periodicals relating to, 300-	303
Y	-56
Laws and Legislative Journals, American, received in 1895 and 1896, 82	
Y A	-96
Longfellow and "Arcturus,"	-
MANUSCRIPT COLLECTIONS. See Emmet Library; Emmet Collection;	
Smyth of Nibley Papers.	
Martingaries Dynamics and Company	-75
MEMBERS OF THE CONTINENTAL CONGRESS (EMMET COLLECTION):-New	13
Hampshire to Connecticut, 159-172; New York and New Jersey,	
191-200; Pennsylvania and Delaware, 227-236; Maryland and	
Virginia, 257-267; Carolinas and Georgia, 289-299.	
M-10-10-10-10-10-10-10-10-10-10-10-10-10-	
A Francisco Titure of the second seco	
	120
Mrss. Van. (C.) B.	184
NEW YORK OATH ROLLS OF 1753-57, NEW YORK PUBLIC LIBRARY, INTRODUCTORY STATEMENT:—The Astor	-50
Library, 3-5: The Lenox Library 5-8: The Tilden Trust 8-70:	

Charles D.D. Charles S.D. Gallet J.D. Gredhad Loan Horses, Phys. Rev. B. (1979) 6873.
 Charlet D. Watter W.S. Herr Grenger, Appl. 1975, 1985, 1978 (1978) 1987 (1979) 1987 (1

CONTENTS

	PAG					
The Consolidation, 10-11; The Organization of the Library, 11-14;						
Additions and Improvements, 14-16; The Future Site of the Library,						
16-21; Address to the Mayor, Aldermen and Commonalty, 22-27;						
Book purchases and gifts, 85-87, 109-111, 141-143, 173-175, 201-						
203, 237-239; Classed purchases and gifts, 268-271, 304-307, 333-						
335, 365-367; Donors in 1895 and 1896, 38-40; Donors in 1897,						
64, 88, 112, 144, 176, 204, 240, 272, 308, 336, 368; Gifts in 1895 and						
1896, 57–61, 82–84, 139–140. See also Report.						
Newspapers, Early American, received in 1895–96,	139-140					
NISBET, DR. CHARLES, VIEWS OF AMERICAN SOCIETY:-No. 1, 116-120;						
No. 2, 180–183; No. 3, 312–315.						
PAYNE, JOHN HOWARD, TWO LETTERS,	151					
PERIODICALS AND SERIALS IN THE NEW YORK PUBLIC LIBRARY AND						
COLUMBIA UNIVERSITY LIBRARY:-						
Archæology, ,	212-226					
Astronomy,						
Chemistry,	152-158					
Geology, ,	•					
Language and Philology,						
Mathematics,	73-75					
Mineralogy,						
Physics,	152-158					
Physics and Chemistry, Periodicals relating to,	152-158					
PLEA OF NEW HAVEN FOR NON-IMPORTATION, 1770,	18 ₄					
PRESIDENTS OF CONGRESS, AND OF THE UNITED STATES (EMMET COLLECTION)	_					
REPORT OF THE DIRECTOR FOR 1896, WITH SOME STATISTICS FOR 1895:	3-5 30-					
Catalogues, 28-29; Classification and Shelf Location, 29; Char-						
acter of the Collections, 30-31; Gifts, 31-32; Purchases, 32-33.						
REPORT for January (open reference shelves, purchases and gifts),						
43-44; February, 67; March, 91; April (Treadway collection, trans-						
fers, Emmet catalogue), 115-116; May (use of periodicals, prelimi-						
nary competition for plan of building, Hebrew collection), 147-148;						
June, 179; July, 207; August, 243; September (new index cata-						
logue), 275; October, 311; November (site and plans of the new						
library building, Mr. Cadwalader's gift, new index catalogue at						
Lenox branch, check list of genealogies), 339-340.						
	* 0 6 + 0 4					
	186-190					
· · · · · · · · · · · · · · · · · · ·	801-101					
Virginia, Yate's Account of a Voyage to, in 1619,	68-72					
Virginia, Geo. Yeardlev's Letter from, 1619,	72					
VIRGINIA PAPERS, SMYTH OF NIBLEY, 1613-74,	186–190					
WASHINGTON'S COPY-PRESS LETTERS:—Part 1, 1792-94, 208-211; Part 2,						
1794, 276-279.						
Weare, Meshech, Plan for Colonial Union, 1754,	149-150					
Women, Higher Education of, Documents relative to,	137-138					
YATE'S ACCOUNT OF A VOYAGE TO VIRGINIA IN 1619,	68-72					
Yeardley, George, Letter from Virginia, 1619,	72					

o or ordocyte tit i defentiat of the find of the first section for our months.



BULLETIN

OF THE

NEW YORK PUBLIC LIBRARY

ASTOR LENOX AND TILDEN FOUNDATIONS

Vol. I. January, 1897. No. 1-

INTRODUCTORY STATEMENT.

As introductory to the first number of the Library Bulletin, the following historical outline of the foundation of The New York Public Library, Astor, Lenox and Tilden Foundations, and of the origin of its three constituent corporations,—together with a brief account of the present condition and future prospects of the Library,—has been prepared under the authority of the Board of Trustees. It is hoped that this statement may serve to make clear to the citizens of New York, and to all lovers of literature, the great possibilities of usefulness which are open to the Library, and that it may also explain the limitations which have been imposed upon the action of the Trustees.

THE ASTOR LIBRARY.

The Trustees of the Astor Library were incorporated by an Act of the Legislature of the State of New York, passed January 18, 1849. The original endowment came from a legacy under the will of John Jacob Astor, who died in New York early in the year 1848. His desire, as expressed in his will, was "to render a public benefit to the City of New York and to contribute to the advancement of useful knowledge and the general good of society," and he accordingly left the sum of four hundred thousand dollars for the "establishment of a Public Library to be accessible at all reasonable hours and times, for general use, free of expense to persons resorting thereto."

بعياهما والمطابية فالرب يديمها فالمداد القلام فيعاضه يتوافق المدا للهراك كهدات يحتضانا المطافاة الدائدة

是"我说是是是不是有的的,我们就是一个,我们就是一个,我们的,我们也是一个,我们的一个,我们的一个,我们的一个,我们们的一个,我们们们的一个,我们们们们们们们的一个,

Following the detailed instructions of the testator, his Trustees applied to the Legislature of the State for such a charter as should "fully secure, establish and perpetuate this Institution and render its

activity and and 12 page spath foregoing transfer any problem of considering

management easy, convenient and safe, both to themselves and the public"; and having obtained it they next proceeded to acquire from Mr. Astor's Executors a plot of land on Lafayette Place in the City of New York, to erect thereon a suitable building, and to purchase books sufficient to constitute a respectable nucleus for what should ultimately prove a great collection.

William B, Astor, the son of the founder, was one of the first trustees of the Library, under his father's will, and was himself a liberal benefactor. During his lifetime he gave to the corporation a plot of land as an addition to its site, doubled the Library building, advanced money for the purchase of books, and added to the endowment. His donations during his life amounted to \$201,000, and by his will he left to the Library an additional sum of \$249,000, bringing his gifts up to a total of \$450,000.

In the third generation of the Astor family, JOHN JACOB ASTOR, JR., a son of William B. Astor, was for many years a diligent Trustee, serving as Treasurer of the corporation from 1868 until his death in 1890. During his lifetime he also presented to the Library an addition to its site, erected a wing to the building corresponding to that which his father had built, and gave largely for the purchase of books and for the preparation of the printed catalogue; and by his will he bequeathed to the corporation the sum of \$450,000.

Another son of William B. Astor, WILLIAM ASTOR, who died in 1892, bequeathed to the corporation the sum of \$50,000.

These and other benefactions of lesser amounts were so carefully and wisely invested by the Trustees that on December 31, 1894, the total endowment fund of the corporation, consisting of securities and cash on hand, amounted to \$941,266.99. This was, of course, in addition to its site and buildings, and its books.

The income of the Astor Library for the year 1894 was \$47,054.05. The number of bound volumes was 260,611.

The daily average of persons using the Library was 287.

The Trustees of the Astor Library, at a very early period in its history, expressed their conviction "that not only the convenience of the public, but the preservation and safety of the library absolutely demanded, that the books should not be lent out or taken from the library building, under any circumstances. In a library of reference, intended for students, properly economical of time, and often coming from a distance for consultation, the necessity for every book required being always ready for examination without delay, must be apparent."

And in a report made to the Legislature of the State of New York in 1858, the Trustees reiterated their convictions, and further stated that they had "deemed it proper and necessary to prevent any further agitation of the subject by entering on their records a stipulation expressing those views in such a form as to furnish a pledge, not only to the public, but to every friend of learning, who may hereafter feel disposed to aid the library by donations or endowments."

A reference to the minutes of the Trustees shows that this pledge was adopted at their meeting on the 29th of July, 1857, in the following terms:

"Mr. [William B.] Astor stated, that the donations by him made, and some intended to be bereafter made, were on the understanding that it was the settled and unchangeable basis of administering the Library, that its contents should remain in the Library rooms, for use by readers there, and should not be lent out or allowed to be taken from the rooms; and he requested that the views of the Board be freely and fully expressed. It was thereupon

"Resolved, That the settled and unchangeable plan of administering the Library is the one above expressed and understood by Mr. Astor; and the donations in money, land and otherwise, received from Mr. Astor, and to be hereafter received from him, and from other friends of learning, are received and will be administered according to such plan, and not otherwise."

Upon these terms, therefore, the larger part of the endowments of the Astor Library were expressly received, and its property was in consequence regarded by its Trustees as being held by them solely for the maintenance of a library of reference for students. To that purpose alone could their funds be rightfully devoted.

THE LENOX LIBRARY.

The Trustees of the Lenox Library were incorporated by an Act of the Legislature of the State of New York, passed January 20, 1870, which closely followed the language of the charter of the Astor Library, in empowering the Trustees to maintain a public library which should be "accessible at all reasonable hours during the day, for general use, free of expense to persons resorting thereto, subject only to such control and regulations as the said Trustees, from time to time, may exercise and establish for general convenience." The original endowment of the Library came from the gift made by James Lenox of New York, in his lifetime, of a valuable site on Fifth Avenue,—comprising the entire front upon Fifth Avenue of the block between 70th and 71st Streets and running back 125 feet; of the great collection of manuscripts, Bibles, early printed books, engravings, maps, statuary, paintings, drawings and other works of art which he had gathered during a long life;

क्षा है ने कि ता ता के कि के कि ता के कि ता कि कि ता के ता कि ता के ता के कि ता के कि ता कि के कि के ता कि के

COMPANY OF SECTION OF SECTION OF SECTIONS AND SECTION OF SECTIONS OF SECTION OF SECTION

in 1986 with the track at the found attack to a group of the properties. The second of the foundation of the second of the secon

and of a fund of three hundred thousand dollars. Mr. Lenox subsequently added largely to the fund he had first given, and lived to see the Library building completed.

His sister, Miss Henrietta A. Lenox, who died in 1886, bequeathed to the Library the sum of \$100,000, "to be applied to the purchase of books only," and it was out of this bequest that the library of the late George Bancroft was purchased at a cost of over \$80,000. Miss Lenox also devised to the Trustees of the Library the remainder of the block of land on which the building stands; so that the Trustees came into possession of the entire parcel bounded by 70th and 71st Streets and Fifth and Madison Avenues, a part of it, however, being subject (under Miss Lenox's will) to certain conditions as to its use more fully mentioned below.

MARGARET WOLFE DUYCKINCK (widow of Evert A. Duyckinck), by her will, proved in 1890, enriched the Lenox Library by a legacy of all the valuable printed books, manuscripts and engravings she possessed, most of which had been collected by her late husband, and she left to the Library in addition all the rest of her property of every kind, subject to a still existing life estate. The value of this residuary devise is known to be large, but as the property has not yet come into the possession of the Trustees no valuation has been put upon it.

It is possible to speak in more definite terms of the pecuniary bequest made by MARY STUART (widow of Robert L. Stuart), who died in 1891, and not only left to the Trustees of the Lenox Library all her costly books, manuscripts, works of art and an extensive collection of minerals and shells, but also a share of her large residuary estate. The books, works of art and collections of natural history, under the express requirements of the will, are placed in a separate room of the Lenox building, and are held on condition that they "shall never be exhibited on the Lord's day." The share of Mrs. Stuart's residuary estate received from her executors amounts to \$303,693.06.

The collections of the Library were also largely increased by the valuable bequest by Joseph W. Drexel of so much of his library as consisted of "works relating to the science of music, also all musical compositions and treatises, or other works on musical subjects."

The additions made by these specific legacies, or by purchases, to some extent changed the character of the Library, which was at first composed solely of the books and manuscripts of Mr. Lenox, many of which were quite unsuited to the general public; the collection comprising numerous rare and costly editions of the Bible, the scarcer

Americana and specimens of early printing, besides many priceless manuscripts, of which the draft of Washington's Farewell Address is perhaps the finest.

The Trustees, in their report made to the State Legislature, dated January 12, 1882, discussed at some length the peculiar characteristics of this Library. It was not, in their view, a great general library, intended for the use of readers in all or most of the departments of human knowledge, but was rather a group of special collections of books to which the generous taste and liberal scholarship of Mr. Lenox had been devoted; and they considered that the permanent security and preservation of these collections was their first duty, as it had been the primary purpose of the founder. They regarded the Library as having been established "for the public exhibition and scholarly use of some of the most rare and precious of such monuments and memorials of the typographic art and the historic past" as had escaped the wreck of time; and such volumes were "not to be subjected to the constant service of circulation or use in which they may be worn out or destroyed." In other words, they treated their books as constituting a museum rather than a library, and to a certain extent this must always be the policy of those who are entrusted with the duty of preserving the collections of Mr. Lenox.

With the growth of the Library a larger proportion of books became available for general use, and in November, 1887, the requirement of tickets of admission which had theretofore prevailed was dispensed with and the Library was thrown open freely to all visitors.

On December 31, 1894, the securities and cash on hand, belonging to the Lenox Library, amounted in all to \$505,080.99; besides which the Corporation had a vested remainder in fee, subject to an outstanding life estate, in all the property of Margaret Wolfe Duyckinck.

The receipts for the year 1894 (exclusive of payments on account of legacies) were \$20,497.78.

The number of bound volumes was about 86,000.

ral schools debe to the exposer all a second red to be apply to the exposer of th

The daily average of readers was 22, and in addition many thousands came to inspect the works of art and the exhibition of early books and manuscripts, bringing the daily average of visitors in 1894 up to 84.

The books of the Lenox Library were not held upon any express trust limiting their use; but the collection was so largely composed of rare and costly works that it was manifestly unfitted for a lending library, or even for general popular use, and thus by its nature it was

carried out under the law as it then stood in the State of New York, and a suit was begun to test the validity of the testamentary provisions above mentioned. This suit was memorable, not only for the unusually large amounts involved, but also for the great diversity of legal and judicial opinion which the controversy elicited. Of eleven judges in the Supreme Court and Court of Appeals, five held that the residuary clauses were valid and six held that they were invalid. It was not until October 27, 1891, that the case was finally determined by the decision of the Court of Appeals, holding by a bare majority that the attempted disposition of the residue was void.

This unfavorable result of the litigation would have stripped The Tilden Trust of all its property, but for the fact that before the determination of the Court of Appeals, an agreement of compromise was arrived at between Mr. Tilden's executors and The Tilden Trust on the one hand and Mrs. Hazard—a niece of Mr. Tilden's—on the other. Mrs. Hazard, as the only surviving child of Mr. Tilden's sister, was entitled to one-half of the residuary estate in case the Court of Appeals should declare against the validity of the residuary clauses, whereas if the Court should uphold those clauses, she would not be entitled to any part of it. The compromise agreement, which bears date May 29, 1891, provided that the executors should pay Mrs. Hazard the sum of \$975,000, in consideration of which she released to The Tilden Trust all the interest she would have in the estate in the event of the residuary clauses being held invalid. The result of this arrangement was that upon the final determination by the Courts The Tilden Trust remained possessed of one-half of Mr. Tilden's residuary estate, less the \$975,000 paid to Mrs. Hazard, while the other half of the residuary estate was vested in certain other relatives of the testator.

In March, 1892, an agreement was entered into for an amicable partition of the estate. Under this agreement certain securities, estimated to be worth \$500,000, were set apart to provide for the payment of possible debts and liabilities, and for carrying out certain doubtful provisions of the will in the event of those provisions being sustained by the Courts. The remainder of the money and securities was accounted for and distributed. The real estate remaining in the hands of the executors was left undivided to await a favorable opportunity for disposing of it. And finally the household and personal effects of the testator were so divided that The Tilden Trust acquired Mr. Tilden's entire library, books, manuscripts, prints, engravings, pictures and

on to the training of the training of minimages and other contractions. The contractions of the training of the groups of the training of the contraction of the cont

en protocoligis I Julio objeti i programa karela novemborio i ormone espesi. Prefette objeti el formo i del grandigatio el presento del tres un objete en uglio disdese espesym statuary, with the exception of one portrait which was set apart for the heirs.

The Tilden Trust, therefore, on December 31, 1894, was in possession of Mr. Tilden's fine private library, containing about 20,000 volumes. As an endowment fund, it held first, a large amount of personal property, the value of which could not be accurately stated owing to the fact that many of the securities of which it was composed were of a kind not generally dealt in upon the market; second, a half-interest in so much of the contingent fund of \$500,000 as might turn out not to be needed for debts, liabilities and doubtful trusts; third, a half-interest in the testator's real estate, including Mr. Tilden's residences in the City of New York, and at Yonkers. It was the opinion of the executors that the entire endowment might fairly be estimated to be worth \$2,000,000; the residuary estate having turned out to be more valuable than they had at first ventured to anticipate.

THE CONSOLIDATION.

As a result of an exchange of views during the year 1894, between certain members of the respective Boards of Trustees, negotiations were begun early in 1895 between the three corporations whose history has been briefly sketched above, looking to a consolidation in such form that the benefits of the three institutions might be more widely dissem-The Astor and Lenox Libraries, occupying inated among the people. somewhat the same field, were—to a certain extent—duplicating each other's work; and their endowments, great as they were, produced revenues which were plainly insufficient to enable them to maintain reference libraries on a proper scale. It was, for example, impossible for either Library to incur the increased expenses incident to the lighting of their buildings and of keeping them open to the public except during the hours of daylight; and it was equally impossible to fill up the numerous important gaps existing in their collections, or even to keep fairly abreast of current publications. The Tilden Trust, on the other hand, while possessing an important endowment, had only the bare nucleus of a collection of books, and having no suitable building, it was apparent that any effort by its Trustees to create an independent library would simply result in leaving The Tilden Trust in a position not quite so favorable as that of either the Astor or the Lenox Libraries.

Under these circumstances, the advantages of a consolidation were abundantly manifest. The difficulties in the way, however, were serious.

The diversity of the trusts under which the properties of the three corporations were held, and the legal perplexities arising therefrom, as well as from the then existing legislation of the State of New York, not to speak of what may be termed the moral obligations tacitly assumed by the Trustees of one or other of the several bodies towards the founders and their families, were such as to make it necessary to proceed with extreme caution. But by February 22, 1895, a provisional understanding was arrived at by the representatives of the three corporations.

The legal difficulties arising from the condition of the statute law were removed by the passage of an Act of the Legislature on April 2, 1805, amending the previous act relative to the Consolidation of Library Corporations. Immediately thereafter negotiations were resumed and carried to a favorable conclusion by the separate action of the three corporations. On May 23, 1895, a formal agreement was executed, pursuant to the terms of the enabling acts, whereby a consolidated corporation was formed under the name of THE NEW YORK PUBLIC LIBRARY, ASTOR, LENOX AND TILDEN FOUNDATIONS. The terms of the agreement were as simple as possible. The new corporation was to establish and maintain a free public library and reading room in the City of New York, with such branches as might be deemed advisable, and was to "continue and promote the several objects and purposes set forth in the several acts of incorporation of The Trustees of the Astor Library, The Trustees of the Lenox Library and The Tilden Trust." It was distinctly provided that the new corporation should make appropriate provision for faithfully keeping and observing all the limitations, conditions or restrictions under which any of the funds or property of the several constituent corporations were to be used or enjoyed.

The agreement of consolidation was duly filed in the proper offices on May 24, 1895, as required by the Act, and the first meeting of the Trustees of The New York Public Library was held on Monday, May 27th, 1895. At this meeting officers were elected, who are still in discharge of their duties, and standing committees were chosen. At a subsequent meeting By-Laws were adopted whereby the Trustees are to hold office continuously and not for a stated term, and vacancies are to be filled by a vote of the remaining Trustees. No vacancies have as yet occurred.

THE ORGANIZATION OF THE LIBRARY.

The problems involved in the administration of so large an estate as that created by the union of the three original corporations, and the

o o o o o en transferio de 1902 de 1777 d'objective transferio d'Orgente de 1908 de 1907 de 1907 de 1907 de 19 Esta o en entre de transferio d'Orgente d'Orgente d'Orgente de 1907 de 1907 de 1907 de 1907 de 1907 de 1907 de

1 /

and the gathering together of their libraries and collections in the main building, and the furnishing to them of facilities for meetings; and arrangements for the giving of lectures on scientific, literary and popular subjects.

In attempting to carry out these aims, it seemed to the Trustees to be not only just, but absolutely essential that public aid should be extended to such forms of instruction, designed solely for the benefit of the public. It was their belief that the time had come when at least an opportunity should be offered to the City for doing its appropriate part in the great work of extending the very best library facilities to all our citizens, although it was not then and never has been the intention of the Trustees to ask the City to do the whole or the greater part. By far the larger share has already been done by private munificence. The Trustees were of opinion that if they, representing the great gifts of the founders of the Astor, Lenox and Tilden Libraries, should appeal to the authorities of the City for such aid as might be necessary to render those benefactions of the greatest benefit and usefulness to the people, their appeal would be met by the public authorities in a liberal spirit, in which they would be cordially sustained by public opinion.

They accordingly resolved to apply to the City authorities for approval of such legislation as would enable the City to grant to the Corporation, by some permanent tenure, á proper site for its library building, and such funds as might be necessary to enable the Corporation to construct and equip a suitable building thereon.

It was, of course, apparent that no land belonging to the City was so favorably situated for the purpose suggested as the site of the present reservoir on Fifth Avenue, between Fortieth and Forty-second Streets.

The Trustees, therefore, on March 25th, 1896, presented to the Mayor of the City a formal address, a copy of which is appended. The views of the Trustees were further explained upon the same occasion in addresses by the President and First Vice-President of the Corporation. The Mayor expressed his approval of these views so far as they related to the establishment of the Library upon the reservoir site, and, in accordance with his wishes, the Trustees proposed to apply in the first place only for such legislation as should enable the City to grant a site upon that ground, stating, however, that they reserved the right to apply at a future time for the grant of such funds as might be necessary to construct and equip a building.

Upon examination of the Statutes relating to the subject it was found that authority had already been lodged in the Board of Alder-

Productive to the compact of the state of the content of the conte

men and the Board of Estimate and Apportionment by concurrent action to place the site of the reservoir under the control and management of the Department of Public Parks, and to remove the reservoir. And by an act passed in 1893 the Department of Public Parks was empowered to contract with The Tilden Trust for the use and occupation of any building that might thereafter be erected upon the site of the reservoir. All that was needed, therefore, was such an amendment of the last mentioned act as should fit the altered circumstances of the case.

Early in May, 1896, the Legislature passed a law which authorized the Department of Public Parks, upon the removal of the reservoir, to enter into a contract with this Corporation "for the use and occupation of said land, or of any part thereof, by the said corporation and its successors for establishing and maintaining a free public library and reading room and carrying out the objects and purposes of said corporation * * * and said contract may provide that such use and occupation may continue so long as the said The New York Public Library, Astor, Lenox and Tilden Foundations, or its successors, shall maintain such free library and reading room upon said land."

This Act, under the provisions of the State Constitution, was submitted to the Mayor for approval, and a public hearing was had before him on May 12th, 1896. Some opposition was made by various citizens at this hearing. The Board of Fire Underwriters objected on the ground of the supposed necessity of the reservoir as a part of the City's system of water supply. Certain residents of the vicinity objected on the ground that if the reservoir were removed, the whole of the land which it occupied should become an open park. The Mayor, nevertheless, approved the act, and it became law on May 19th,

1896, by the signature of the Governor.

The Trustees then applied to the Board of Aldermen for the passage of a resolution by which the land occupied by the reservoir should be placed under the control and management of the Department of Public Parks, that being under the existing statutes the first step towards procuring a removal of the reservoir. Public hearings were again had before a Committee of the Board of Aldermen and a large amount of testimony was offered upon the subject of the value of the reservoir as a means for storing and distributing water. It was, on the whole, the unanimous judgment of those most competent to form an opinion, that when the large water mains, now being laid in Fifth Avenue, should have been completed south of the reservoir, its usefulness would unquestionably be at an end.

1. m. 1917, p.n." mit 1977, iz uzett 7. kispuzikoal barako ersilaristaka prizikasigiza. Parto iko Parkua Eusko e Goego ersakoal 7. lata errema barako erangan ozo errema. On June 30th, 1896, the Committee of the Board of Aldermen reported in favor of passing a resolution placing the reservoir site under the control and management of the Department of Public Parks, but with a proviso that the reservoir should not be removed until the new mains had been laid and were ready for use as far south as Thirty-eighth Street. The Aldermen, however, took no action on this report until December 22d, 1896, when the resolution recommended by the Committee was unanimously adopted. It was approved by the Mayor two days later.

It still remains for the Trustees to secure from the Board of Estimate and Apportionment the proper authority for the removal of the reservoir; and then to enter into negotiations with the Department of Public Parks for a contract allowing the use of the reservoir site for the establishment of a library building. The Trustees feel confident that the enlightened views of the public authorities will lead to a favorable consideration of both applications.

The question of the source from which the means are to be provided for erecting and equipping a building on the reservoir site is still open. The Trustees are of the opinion that the City authorities would be amply justified in approving an expenditure of the City's funds for that purpose. Precedents for such an outlay on the most generous scale may be found in the recent action of the Cities of Boston and Chicago. But if the City authorities are unable to see their way to incurring the necessary addition to the public debt, it is hoped by the Trustees that private liberality may make good the needs of the library. Certainly no man could erect for himself more splendid memorial than such a building freely given to his fellow-citizens.

ं तेन्या पत्ती नक्षी पक्ष ठेडा त्राच्या या सम्प्रतीयत क्षित्रमान सम्प्रतीय हात्रा सम्बन्धन द्वार १९ - पर नेवरीय, क्रियेन्स टीनोबल संबन्धी नेब्नुपिकनी र निक्किन सम्बन्धनीय सम्बन्धन सन्य पर देवनीय प्राप्त क्षि

Exhibit 8

harbored or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in, for any term less than a week. A cellar shall be taken to "cellar" mean and include every basement or lower story of any building or defined. house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

§ 14. All acts and parts of acts inconsistent with the provisions of accent.

this act are hereby repealed.

§ 15. This act shall take effect immediately.

Chap. 85.

AN ACT to incorporate the Tilden Trust, for the establishment and maintenance of a free library and reading room in the city of New York.

PASSED March 26, 1887; three-fifths being present.

Whereas, John Bigelow, Andrew II. Green and George W. Smith, Premide, the executors and trustees of the last will and testament of Samuel J. Tilden, deceased, have, in pursuance of provisions of said will and testament, made application to the Legislature for the enactment of the

following act; and,
Whereas, The said executors and trustees deem it inexpedient to designate any purposes of the corporation herein and hereby created other than the establishment and maintenance of a free library and reading room in the city of New York, in accordance with the purpose

and intention of said testator; therefore,

The People of the State of New York, represented in Senate and $oldsymbol{A}$ ssembly, do enact as follows:

Section 1. The said John Bigelow, of Highland Falls, in Orange Tilden county, and Andrew II. Green and George W. Smith, of the city of created. New York, and such other persons as they may associate with themselves, and their successors, are hereby created a body corporate and politic under the name and title of the Tilden Trust.

§ 2. The said John Bigelow, Andrew II. Green and George W. Smith Permashall be permanent trustees of such corporation in accordance with the nest trusintention of the said will in that behalf. Within ninety days from the thereof passage of this act they shall designate and appoint, in writing, other Additiontrustees, so that the number of trustees shall be not less than five.

§ 3. One-half of the other trustees so designated and appointed Terms of shall hold office for the term of one year and the other half thereof for trustees. the term of two years. After such designation and appointment shall have been made, every trustee appointed to fill any vacancy in the board of trustees shall hold office for the term of two years. Any Vacanvacancy which may at any time occur in said board through death, mich. resignation, incapacity, expiration of term, or otherwise, shall be filled by the remaining trustees.

§ 4. All the powers of the said corporation shall be vested in the Onicors of trustees. They shall have the power to appoint a president and vice- tion. president, secretary and treasurer, of whom the secretary and treasurer need not be members of said board. Such officers shall held

Tenure of their offices upon such tenure, and shall receive such compensation as the by-laws may prescribe. Said trustees shall also have power to appoint such other officers and agents as the proper conduct of the affairs of said corporation shall require, removable at the pleasure of the board, and to fix their compensation.

Powers of corpora-May establish free beary, tic. May 10 celio property under will, etc.

Manage. ment of property.

§ 5. The said corporation shall have, in addition to the powers now conferred by law upon all corporations as such, the capacity and power to establish and maintain a free library and reading room in the city of New York, and for these purposes it shall have power to demand, recover, accept and receive all such money and other property, real or personal, as is given to it by virtue of the will of Samuel J. Tilden, or shall be conveyed or transferred to, or in any manner bestowed upon, it by the aforesaid executors and trustees by virtue of the powers therein conferred upon them; and the said corporation shall have power to hold, manage, improve, dispose of and convey all property at any time received or acquired by it in such manner as may be best calculated to carry out its objects and purposes.

Tilden S 6. The said corporation shall accept and receive all such money or terms and other property as is given to it by the said will of Sacquel J. Tilden, \$ 6. The said corporation shall accept and receive all such money or obligation or shall be conveyed or transferred to, or in any manner bestowed upon, tuns in.

pased up- it as aforesaid by the aforesaid executors and trustees, subject to the der will terms and conditions expressed in and imposed by the said will of terms and conditions expressed in and imposed by the said will of

Samuel J. Tilden, in respect to the gift or gifts therein and thereby made or provided for, to a corporation to be formed and to be known as the Tilden Trust, and the said corporation shall have power to make and enter into any obligation or obligations to secure due compliance

with such terms and conditions.

General

to pend-ing no-tions,

§ 7. The said corporation shall possess the powers and, except as and habit may be otherwise provided by this act, be subject to the provisions, lines. liabilities and restrictions contained in the third title of the eighteenth liabilities and restrictions contained in the third title of the eighteenth Provisors chapter of the first part of the Revised Statutes, but nothing herein contained shall affect the rights of any parties to any action now pending or of any heir-at-law of said Samuel J. Tilden, deceased.

§ 8. This act shall take effect immediately.

Chap. 86.

AN ACT to legalize and validate the report of the United States Telephone Manufacturing Company, verified January fifteenth, eighteen hundred and eighty-five.

Passed March 28, 1887; three-fifths being present; without the approval of the

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The report of the United States Telephone Manufacturing Company, signed by its president and secretary, and verified by the onth of said secretary on January afteenth, eighteen hundred and eighty-live, and thereafter filed and published, is hereby made as effectual, legal and valid as if the said report had been signed by the president and a majority of the trustees of said company, and by them

Not returned by the Governor within ten days after it was presented to him, and became a law without his signature. [Art. IV, Sec. 9, Constitution of the State of New York.]

Exhibit 9

LAWS

OF THE

STATE OF NEW-YORK,

PASSED AT THE SEVENTY-SECOND SESSION OF THE LEGIS-LATURE, BEGUN THE SECOND DAY OF JANUARY AND ENDED THE ELEVENTH DAY OF APRIL, 1849, AT THE CITY OF ALBANY.

Chapter 1.

AN ACT to incorporate the trustees of the Astor Library.

Passed January 18, 1849.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. The mayor of the city of New-York for the time being in Corporation respect to his office, and Washington Irving, William B. Astor, Created. Daniel Lord, James G. King, Joseph G. Cogswell, Fitzgreen Halicek, Samuel B. Ruggles, Samuel Ward, Charles A. Bristed and their successors, are hereby created and declared to be a body corporate, by the name and style of "The Trustees of the Name and Astor Library;" by which name they and their successors may style. sue and be sued, plead and be impleaded, contract and be contracted with, and be known in all courts and places whatever, and may also have a common seal, and change and alter the same at pleasure.

§ 2. The direction and management of the affairs of the said Affairs to be corporation, and the control and disposal of its property and funds managed by trustees. Shall be vested in the said trustees and their successors. The number of such trustees shall be cleven: and they are hereby empowered.

1. To receive from the executors of the will of John Jacob To receive Astor, as recorded with the codicils thereto annexed, in the office from the of the surrogate of the city and county of New-York, the sum of executors of four hundred thousand dollars, by him therein bequeathed for the

establishment of a public library in said city; including in said sum the price of the site selected for the said library, on the easterly side of La Fayette Place in said city, as authorised by the said testator; which site, with its appurtenances, the said corporation is hereby empowered to take and hold in fee simple for the purpose of the said library, and on condition to be applied and used therefor.

To orect a building.

2. To expend a portion of the said sum, not exceeding seventyfive thousand dollars, in erecting and maintaining upon the said site a building suitable for a public library.

To purchase books.

3. To expend a further amount, not exceeding one hundred and twenty thousand dollars, in the purchase of books, maps, charts, models, drawings, paintings, engravings, easts, statues, furniture, and other things appertaining to a library for general use.

To invest money.

4. To invest the residue of said sum of four hundred thousand dollars as a fund for paying the value of the site of the building and for maintaining and gradually increasing the said library, and to defray the necessary expenses of taking care of the same, and of the accommodation of persons consulting the library. And in case the income of the fund shall at any time exceed the amounts which the said trustees may find useful to expend for the purposes above named and particularised, then to expend such surplus in procuring public lectures to be delivered in connection with the library, upon useful subjects of literature, philosopy, science, history, and the fine arts, or in promoting in any other mode the objects of the institution as above expressed.

To direct the

5. To direct the expenditure of the funds, and the investment, exponditure, safekeeping and management thereof, and of the property and effects of the said corporation; also to make such ordinances and regulations from time to time, as the said trustees may think proper for the good order and convenience of those who may resort to the library or use the same; to make such by-laws as may be necessary and convenient in conducting the business of the said corporation; to appoint, direct, control, and at their pleasure remove a superintendent of the library and all librarians and other persons necessary to be employed about the same, and in general to have and use all powers and authority necessary for promoting the objects of the institution as expressed in the said will and codicils of the said John Jacob Astor.

Library to he free of expense.

§ 3. The said library shall be accessible at all reasonable hours and times for general use, free of expense to persons resorting thereto, subject only to such control and regulations as the said trustees from time to time may exercise and establish for general convenience.

Funds how

§ 4. All investments of the funds of the said corporation shall be made in bonds secured by mortgage of productive real estate, or in the public debt of the United States, or of the States of the Union, or of the city of New-York, or of portions thereof in any of those riodes, except that in the investment in said public debts preference shall be given according to the order in which they are herein above named.

§ 5. The said corporation shall be subject to the visitation of Corporation any courts of justice which now are or hereafter may be thereunto visitation of empowered, for the purpose of preventing and redressing any courts.

mismanagement, waste, or breach of trust.

§ 6. The said trustees shall elect one of their number to preside Trustees to over their board, who shall hold such office during their pleasure, deat a prostand they may also appoint and at any time remove a secretary crotary, &c. and any other officers which their business may require. The acts of a majority of the trustees at any meeting duly notified according to the by-laws, shall be valid. Any vacancies in the number of said trustees occurring by death, resignation, incapacity or removal from this state, shall be filled by persons to be appointed by the remaining trustees or a majority of them, except that the mayor of the city of New-York, during his continuance in office, shall always be a trustee. The trustees shall not receive To receive any compensation for their services, except that if any one of their no pay. number shall at any time be superintendent, he may receive compensation as such.

§ 7. The said corporation may take and hold any additional May take donations, grants, devises or bequests, which may be made in and hold donations, further support of the said library, or the lectures or literary and

scientific objects connected therewith.

§ 8. The property, real and personal, of the said corporation, The proshall be exempt from taxation, in the same manner as that of the exempt from other incorporated public libraries of this state: and it shall be taxation and the duty of the said trustees to effect such insurances as can be obtained upon such buildings and library, and other property against loss by fire or otherwise, and pay the expense thereof out of the fund described in the fourth sub-division of section second of this act.

of this act.
§ 9. The said trustees shall in the month of January in every Annual reyear make a report to the Legislature for the year ending on the made.
thirty-first day of December preceding, of the condition of the
said library, of the funds and other property of the corporation

and of its receipts and expenditures during such year.

§ 10. If any debts of the said corporation lawfully contracted, Lindblity of shall not be paid out of its funds when due, the trustees shall be individually liable for such funds to the creditors in such cases, and to such extent as they would be if not incorporated.

Exhibit 10

Chap. 2.

AN ACT to incorporate the Trustees of the Lenox Library.

PASSED January 20, 1870.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. James Lenox, William II. Aspinwall, Ham- Corporators ilton Fish, Robert Ray, Alexander Van Rensselaer, Daniel Huntington, John Fisher Sheafe, James Donaldson and Aaron B. Belknap, and their successors, are hereby created and declared to be a body corporate by the name and style of "The Trustees of the Lenox Corporate name and Library," by which name they and their successors may powers. sue and be sued, plead and be impleaded, contract and be contracted with, and be known in all courts and places whatever; and may also have a common seal, and alter the same at pleasure.

§ 2. The direction and management of the affairs of Managethe said corporation, and the control and disposal of its property and funds, shall be vested in the said trustees and their successors. The number of such trustees shall Trustees,

be nine, and they are hereby empowered:

1. To receive from the said James Lenox his collection of manuscripts, printed hooks, engravings and maps, paintstatuary, paintings, drawings and other works of art. statuary, paintings, drawings and other works of art, Also the sum of three hundred thousand dollars to be Endowment used for the establishment of a public library in the city library. of New York, and such real estate as he may convey for a site for the same in the Nineteenth ward of the said Location city, in the vicinity of the Central park; which site, with its appurtenances, the said corporation is hereby empowered to take and hold in fee simple for the purposes of the said library, and to be applied and used in connection with the same, and for no other purpose.

2. To expend a portion, not exceeding two-thirds, of Building to such sum above referred to in erecting upon the said site a building suitable for a public library, and in the purchase of furniture and other things appertaining to a furniture. library for general use.

3. To invest the residue of such sum for maintaining nesidue to and gradually increasing the said library, and to defray

When to be expended for lectures, &c.

the necessary expenses of taking care of the same, and of the accommodation of persons consulting the library, and in ease the income of the fund shall, at any time, exceed the amount which the said trustees may find useful to expend for the purposes above named and particularized, then to expend such surplus in procuring public lectures to be delivered, in connection with the library, upon useful subjects of science, history, literature and the fine arts; or in promoting, in any other mode, the objects of the institution as above expressed; or, if it become necessary, in increasing the capacity of the building.

Expenditure of funds.

Ordinances and by laws.

Superlutendent and librarians.

Library to be free.

Investments. 4. To direct the expenditure of the funds, and the investment, safe keeping and management thereof, and of the property and effects of the said corporation:— also to make such ordinances and regulations, from time to time, as the said trustees may think proper for the good order and convenience of those who may resort to the library or use the same:—to make such by-laws as may be necessary and convenient in conducting the business of the said corporation:—to appoint, direct, control, and at their pleasure remove a superintendent of the library, and all librarians and other persons necessary to be employed about the same:—and in general, to have and use all powers and authority necessary for promoting the objects of the institution.

'§ 3. The library shall be accessible at all reasonable hours during the day, for general use, free of expense to persons resorting thereto, subject only to such control and regulations as the said trustees, from time to time, may exercise and establish for general convenience.

§ 4. All investments of the funds of the said corporation shall be made in bonds secured by mortgage of productive real estate in the cities of New York and Brooklyn; or in the public debt of the United States, or of the State of New York, or of the cities of New York and Brooklyn; or portions thereof in any of these ways; except that, in the investment in said public debts, preference shall be given according to the order in which they are hereinabove named.

Visitation by supreme court. § 5. The said corporation shall be subject to the visitation of the Supreme Court of this State for the purpose of preventing any mismanagement, waste or breach of trust.

Trustees to elect officers. § 6. The said trustees shall elect one of their number to preside over their board, who shall hold such office

during their pleasure; and they may also appoint, and at any time remove; a secretary, and any other officers whom their business may require. The acts of a majority Business of the trustees at any meeting duly notified according to the by-laws, shall be valid. Any vacancies in the number of the said trustees occurring by death, resignation, or removal from this State shall be filled by a vote of two-thirds of the remaining trustees. The trustees shall not receive any compensation for their services, except Compenthat if any one of their number shall at any time be superintendent, he may receive compensation as such.

§ 7. The said corporation may take and hold any addi- Donations, tional donations, grants, devises or bequests, subject to bequests. all the provisions of law relating to devises or bequests by last will and testament, which may be made in further support of the said library and its collections, or of the lectures on literary and scientific objects connected there-

§ 8. The property, real and personal, of the said corficements poration shall be exempt from taxation in the same man- ilon. ner as that of the other incorporated public libraries of this State. And it shall be the duty of the said trustees Insurance. to effect such insurance as can be obtained upon the said buildings and library and other property against loss by fire, or otherwise, and pay the expense thereof out of the fund mentioned in the third subdivision of section second of this act.

§ 9. The said trustees shall in the month of January in Annual report. each year make a report to the legislature for the year ending on the thirty-first day of December preceding, of the condition of the said library, of the funds and other property of the corporation, of its receipts and expenditures, during such year.

§ 10. This corporation shall possess the general powers, restricand be subject to the provisions, restrictions and liabili- tions. ties contained in the third title of the eighteenth chapter

of the first part of the Revised Statutes.

§ 11. This act shall take effect immediately.

Exhibit 11

XXX.

ADDRESS TO THE MAYOR, ALDERMEN AND COMMONALTY OF THE CITY OF NEW YORK,

PRESENTED BY THE BOARD OF TRUSTEES TO THE HON. WILLIAM L. STRONG, MAYOR, AT THE CITY HALL, MARCH 25, 1896.

Che New York Public Library, formed by the consolidation of the Astor and Lenox Libraries, and the Tilden Trust, having perfected its legal organization, the Trustees must now decide as to the scope of the work to be undertaken by the consolidated body, and as to the site and character of its building.

The charters of the individual corporations and the trusts assumed towards the founders of the libraries and other benefactors, render it necessary in any event that the Astor and Lenox collections shall always remain in the library for use by readers there, and shall not be lent out or allowed to be taken by individuals from the building. This necessarily involves the erection of a building adequate for convenient access by the public, and with sufficient accommodation for the large additions which are necessary to make these collections such a library of reference as is required in this City.

While the present collections are of great value as a foundation, they are, nevertheless, small and incomplete in comparison with the great libraries of other countries, and the present buildings are in many respects unsuitable and wholly inadequate to the future needs of the Corporation.

The annual income of the Corporation at the present time is about \$160,000. This amount will eventually be somewhat increased by the sale of property now unproductive, including one

or both of the present library buildings. On the other lincome will be reduced, if the Corporation is compell its own funds, to erect a suitable building.

The expenses of such a reference library as must tained will be necessarily very large. In order to companiate the present collections, an outlay of not less that a year is necessary. In addition, large sums must be et as opportunity offers, to fill up the numerous exist. The Astor and Lenox Libraries are now kept open du hours of daylight only; but the cost of maintenance and istration, including repairs, heating, lighting, cleaning loguing, &c., will amount to \$75,000 a year—and this increase with the increase of the collections. If the are to be kept open during the evening, there will be increase in the cost of administration.

The Trustees are, therefore, satisfied that although solidated Corporation will probably have means suff enable it to maintain a free reference library with ample rooms and accommodation for students; nevertheles Corporation shall provide its own site, whether from Is owned or to be acquired, and erect thereon a building s the future needs of such a library alone, its income will ficient to do more than to maintain the same in full effic

To accomplish this result will, indeed, be no small ment, because in considering the subject, no one can f impressed with the meagre and unsatisfactory provisio ing in the City of New York, either for scholars and stua reference library, or for home reading through a licirculation.

The following table shows the number of books in th pal Libraries of the World:

Library.	CITY.
Bibliothèque Nationale	Paris
British Museum	
Imperial Library	.St, Petersburg
Royal Library	. Munich
Royal Public	Berlin
Strasburg University	Strasburg
Library of Congress	

- LIBRARY.	CITY.	VOLUMES.
Public Library	Boston	600,000
Imperial Library	Vienna	570,000
Bodleian Library	Oxford	530,000
Leipsic University	,Leipsic	504,000
Royal Library	Copenhagen	500,000
Stuttgard University	Stuttgard	500,000
Buda-Pesth Library	Buda-Pesth	463,000
Cambridge University	Cambridge, England	450,000
Biblioteca Nacional	Madrid	450,000
Göttingen University	Göttingen	450,000
National Central	Florence	437,000
Vienna University	Vienna	418,000
St. Mark's National	Venice	415,000
Public Library	Hamburg	410,000
Royal Library	Brussels	405,000
Royal Library	Dresden	400,000
National Library	The Hague	400,000
Heidelberg University	Heidelberg	400,000
Harvard University	Cambridge, Mass	400.000
Chicago University	Chicago	380.000
New York Public Library	New York	350,000

In other countries, and in other portions of our own country, it has been considered an essential duty of the State to provide adequate support for a great Public Library. In our City no real obligation in that respect has been assumed on the part of the public authorities; and the entire subject has been practically left to private enterprise or private benefaction. While millions have been spent upon Parks, Armories and Public Improvements, public contributions to libraries have been insignificant. But private benefactions, however generous, cannot be expected to supply, unaided, the means that are essential to the establishment and maintenance of a library of the first rank. Thus the Parliamentary appropriations for the current year for the British Museum amount to £157,784, or about \$750,000; to which must be added the income from six funded bequests, and the value of all the books, pictures, charts and other publications of the British press, which it receives without cost under the operation of the copyright laws.

The following table exhibits the amount expended by the public authorities of the City of New York for library work, as

compared with the expenditures of some other cities in this country:

CITY,	POPULATION IN 1890.	PUBLIC LIBRARY INCOME.	INCOME PER 1,000 OF POPULATION,
Springfield, Mass	44,179	 \$25,000	\$565.88
Boston, Mass.*	448,477	170,000 ·	379.06
Peoria, Ill	41,024	15,000	365, 63
Minneapolis, Minn	164,738	55,000	333.86
Worcester, Mass	84,655	28,360	335,00
Hartford, Conn	53,220	15,000	281.84
Newark, N. J.	181,830	41,000	225.48
Lowell, Mass	77,696	14,639	188.41
Toledo, O	1 81,434	15,000	184.1g
Omaha, Neb	140,452	24,000	170,87
Providence, R. I	132,146	22,000	166.48
Detroit, Mich	205,876	34,000	165, 14
Cincinnati, O	296,908	41,000	138.06
San Francisco, Cal	298,997	40,000	133.78
Milwaukee, Wis	204,468	25,000	122,21
Chicago, Ill.	r,099,850	125,000	113,65
St. Louis, Mo	451,770	54,000	119.53
Baltimore, Md	434,439	50,000	115.00
Cleveland, O	261,353	28,000	107, 13
New York	1,515,301	- 40,000	26.39

Past experience seems to have demonstrated that no reference library—no matter how complete or how freely thrown open to the public—can really and thoroughly either interest the public or provide for its wants. To accomplish this result an adequate and satisfactory Free Public Library System must aim at the circulation of books for home reading, both for cultivation and recreation, in addition to supplying the needs of scholars. In no other way can the benefits of education and training of the public school system be preserved and made effective.

Moreover, the providing of a single library from which the public may draw books is not sufficient in a large city, and the system is only successful where its benefits are brought by means of many stations within reasonable reach of all. In other words,

^{*} Land and building provided by City. Cost of building about \$2,361,000. Land and building provided by City. Cost of building about \$1,325,800.

what is necessary for real public interest and lasting public benefit, is a great central library of reference and exhibit, and in addition, the public must be provided with the means of procuring books for home reading within some reasonable distance of their residences.

The beginning of a movement for free circulation of books has been made by the New York Free Circulating Library, and on a smaller scale by other associations; but their means and facilities are entirely inadequate to the demands and needs of the public. The Trustees are satisfied that that organization will gladly co-operate in the establishment of a satisfactory Public Library System.

As early as 1847 the State of Massachusetts authorized a tax to establish a free library in Boston, and in 1851 such law was made general throughout the State of Massachusetts. As the result of this legislation, over two hundred towns in that State now have public libraries, containing an aggregate considerably in excess of two million volumes. Many other States have nearly kept up to the Massachusetts standard, and in New Hampshire it was proposed, in 1893, for the first time to make it obligatory on towns to have and maintain public libraries in the same manner in which public schools are maintained. An act to this effect was passed in 1895.

The promoters of this legislation proceeded on the theory that it was unpardonable to make large yearly expenditures for common schools, and then deny to the public the means of further education. Indeed, a popular public library, bringing sound literature within the reach of every man's home, is in a very real sense a part of the educational system of the State. Education ought not to stop with the public school, nor even with the high school. It is necessary also to provide the higher school which a well-equipped popular library can alone afford. Moreover the State has a profound interest in aiding the circulation of ideas that are not ephemeral. The best influence of a popular press must largely depend upon its having within reach a complete storehouse of scientific, economic and historical facts, with which to correct the crudeness of hasty judgments of great social and national movements.

The State of New York, although under early laws some provision was made for district school libraries, was one of the most backward of all the States of the Union, having until very lately no free library law; but public libraries are now a part of the educational system of the State, and good results should be expected from the present law in the smaller towns and cities. Nevertheless no Public Library System has been adopted for the City of New York, and the modest contributions made by it to the general object of libraries, bear a sad comparison with the amounts contributed for other laudable objects.

It is plain that the City of New York should have a broad and comprehensive Library System, adequate to furnish recreation and instruction to all. It is equally plain that while the means at the command of this Corporation are entirely inadequate to undertake the whole work, nevertheless its existing organization and the resources at its command offer to the public an opportunity to secure at a minimum cost such a Public Library System as shall be in keeping with the importance, dignity and magnitude of the City. If the present opportunity be lost, long delay will ensue in establishing any such system; the expense must be enormously increased; and as this Corporation will have entered on its work, within the limits possible to it with its present resources, a new library will, to a considerable extent, again create the very evils from which the several organizations, by their consolidation, have sought to escape.

In this condition of affairs, the Trustees of The New York Public Library have deemed it their duty to make a frank presentation of these facts, and to tender to the public their aid and all the resources at their command toward the foundation of a Great Public Library, able to supply the needs of all classes, and which shall do honor to the City.

If the City of New York will furnish a proper site, and provide the means to erect thereon a suitable building for the purposes of the New York Public Library, excluding for the present the requirements of branch libraries or delivery stations other than those now controlled by the Free Circulating Library, then the New York Public Library can, through the sale of its present sites, obtain such an addition to its funds as will justify it

in providing for the circulation of books from its main building. If further funds can be supplied from private benefaction or otherwise, sufficient to establish and maintain an adequate number of branches for circulation, it is certain that the City of New York can and will have a free Public Library on the broadest and most comprehensive plan.

It must be borne in mind that in suggesting that the City should thus do something towards securing the amplest results from the endowments which we owe to the munificence and wise forethought of three successive generations of the Astor family, of James and Henrietta Lenox, and of Samuel J. Tilden, the Trustees are asking no favors for themselves or the Corporation they represent. They are seeking only to supply the best service possible for all the people of the City. Every dollar diverted into buildings will simply diminish the means that would otherwise be available for the supply and distribution of books. Nor will any aid that the City may give prove an unproductive outlay. On the contrary, it is believed to be susceptible of demonstration that the erection by the City of such a building as this Corporation requires, in a fitting locality, will add to the City's revenue; for it will largely increase the taxable value of all neighboring property.

Should the suggestions of the Trustees be favorably received, no site within the control of the City could accomplish the ends in view as well as that of the Reservoir upon Fifth Avenue, between Fortieth and Forty-second Streets.

The site is an ideal one for such a building. It is to-day the most central and easily accessible spot on the Island, and will be rendered even more so by new means of communication. Within a single block are two lines of surface cars and two elevated railroads, running north and south. The Forty-second Street surface road intersects all the chief thoroughfares that connect the upper with the lower part of the City. Less than three hundred yards away is the common terminus of the three principal railroads running into the City. And not only does this site command these incomparable advantages at the present time, but it is impossible to foresee a time when it cannot

retain a like superiority. At no point further north can any similar convergence of public modes of travel ever be anticipated.

On this site it will be possible to erect a library building, dignified, ample in size, visible from all sides, with uninterrupted light, free from all danger of fire, in no respect encroaching upon the existing Bryant Park, and which will be an ornament to the City. The Park area would indeed be increased by substituting a library building for the Reservoir. The Reservoir measures 455 feet by 420. A library building 350 feet by 300 would offer all the accommodations which the most sanguine would probably think it wise at present to provide; and even this would leave a margin of more than 100 feet on the avenue and more than 50 feet on each side street, to be laid out with grass and shrubbery. The City would then have no quarter more inviting. The library would in effect bring the Park to Fifth Avenue; while reciprocally the Park would add enormously to the attractiveness, security and usefulness of the library.

In order to afford the City and the public the opportunity of determining whether they will now have such a great, well-equipped, and really popular library, for the benefit of all the people—the Board of Trustees of The New York Public Library hereby respectfully apply to the City authorities for their approval of such legislation as will enable the City to grant to this Corporation, by some permanent tenure, a proper site for its Library Building and such funds as may be necessary to enable this Corporation to construct and equip its building thereon; and that the site of the present reservoir on Fifth Avenue, between Fortieth and Forty-second Streets, be granted for that purpose, if compatible with the public interest.

When we consider the extent to which an institution of the character proposed may fairly be expected to strengthen the police, diminish crime, raise public standards of morality, attract to our city men from every department of industry and every walk of life, add to the operative power of our people, and extend the influence of our Commonwealth, it can hardly

ADDRESS TO THE MAYOR.

be regarded otherwise than a privilege for the City to share in the work.

THE NEW YORK PUBLIC LIBRARY, ASTOR, LENOX AND TILDEN FOUNDATIONS.

John Bigelow,

President.

GEORGE L. RIVES, Secretary.

Exhibit 12

XXXV:

ACT PROVIDING FOR THE CONSTRUCTION BY T CITY OF NEW YORK OF A PUBLIC LIBRARY BUILDING IN BRYANT PARK.

An Acr to provide for the construction of a pul building in Bryant park in the city of New Yc to be occupied by the New York public libra Astor, Lenox and Tilden foundations.*

PASSED 19 MAY, 1897.

LAWS OF 1897, CHAPTER

AMENDED 23 APRIL, 1900.

LAWS OF 1900, CHAPTER

The People of the State of New York, represented in Senate Assembly, do enact as follows:

Bertion 1. The land now occupied by the reservoir upsifth avenue, between Fortieth and Forty-second streets, the city of New York, having been made, pursuant to law authority, a portion of a public park, known as Bryant pathe department of public parks in the city of New York is her authorized to remove the reservoir, now occupying a portion such Bryant park, and to erect, construct, maintain, equipaturnish in said Bryant park, or in or upon any portion there a suitable and appropriate fire-proof building, in accorda with plans to be made and prepared by the trustees of the Nyork public library, Astor, Lenox and Tilden foundation and to be approved by the board of estimate and apporti

^{*} Amendments of 1900 are printed in Italics.

ment in the city of New York; such building to be used and occupied as a public library and reading room by the said the New York public library, Astor, Lenox and Tilden foundations, a consolidated corporation organized and existing under the laws of the state of New York, and for the purpose of carrying out the objects and purposes of said corporation, in accordance with the agreement of consolidation whereby said corporations was constituted, and the several acts incorporating the trustees of the Astor library, the trustees of the Lenox library and the Tilden trust.

Bertion 2. The said department of public parks shall prepare and submit to the board of estimate and apportionment forms of contracts, specifications and bonds for the faithful performance of the work and the furnishing of materials required, from time to time, to be approved by the corporation counsel of the city of New York as to form. When such contracts and specifications, and the form of bond, shall have been approved by the board of estimate and apportionment, the commissioners of public parks shall advertise for sealed bids or proposals for doing the work and furnishing the materials, as called for by the contract; which advertisement shall be published in the City Record and in two daily newspapers to be designated by the said commissioners at least fifteen days consecutively before the time fixed for the closing of the bids.

All bids or proposals shall be enclosed in sealed envelopes addressed to the said commissioners of public parks, and shall be accompanied by a deposit of such amount, if any, as said commissioners shall decide. The contracts may be several, and cover such portion or portions of the work respectively as the said board of estimate and apportionment shall decide. The bids shall be opened by said commissioners, and shall be submitted to the board of estimate and apportionment. Said board may select such bid or bids, proposal or proposals, the acceptance of which will, in their judgment, best secure the efficient performance of the work, or they may reject any or all of said bids and direct a readvertisement, as herein above provided.

A COLON CONTRACTOR OF THE PROPERTY OF THE PROP

The said department of parks, is hereby authorized to use and

142

employ in and about such erection and construction the materials composing said reservoir or any part thereof, or wholly to remove the same, or to sell and dispose of the same, or any part thereof, provided, however, that the actual removal of such reservoir shall not be made until that portion of the mains for an additional supply of water, authorized by chapter 669 of the Laws of 1896, shall have been laid and made ready for use, as far south as Thirty-eighth street, and until the department of public works of said city of New York, shall have made such connections and readjustments of the water pipes for distribution of the water supply as may be necessary; and shall certify to the board of estimate and apportionment that such connections and readjustments have been made.

Section 3. The said board of estimate and apportionment in said city is further authorized, at any time after the passage of this act, to enter into a contract with the said the New York public library, Astor, Lenox and Tilden foundations, for the use and occupation by such corporation and its successors of the building so to be erected, constructed, equipped and furnished for the purpose of maintaining therein a public library and reading-room and carrying on the objects and purposes of the said corporation as provided by the said agreement of consolidation and the several acts incorporating the said several corporations respectively, and any amendments to be hereafter authorized to the same, which contract shall provide for such use and occupation so long as the said the New York public library, Astor, Lenox and Tilden foundations shall maintain such public library and reading-room therein and shall use said building so to be erected for the purpose thereof. The said contract shall provide for the establishment and maintenance of a free circulating branch in said library and that the same shall be open for the use of the public during the day time on Sunday and during the evening of each other day of the week for such term as may be prescribed by the proper authorities in control of said library when the same is opened, the hour for the closing of said branch of the library on each evening to be not earlier than ten o'clock.

Section 4. For the purpose of providing means for carrying into effect the provisions of this act, including the cost of the removal of the reservoir and the erection, construction, equipment and furnishing of the building hereinbefore authorized, and the grading and terracing of the land about said building, and the construction of suitable sidewalks, terruces, steps and other approaches, it shall be the duty of the comptroller of the city of New York, upon being thereunto authorized by the board of estimate and apportionment, to issue and sell consolidated stock of said city in such amounts as said board shall from time to time in its discretion determine to be needed, and at such a rate of interest as may be fixed by said comptroller, not exceeding four per centum per annum. Said stock shall provide for the payment of the principal and interest in gold coin of the United States of America, and shall be free from taxation and shall be redeemable within a period of time not exceeding forty-five years from the date of their issue. It shall not be sold for less than the par value thereof. The proceeds of the same shall be paid out and expended for the purposes for which the same are issued upon vouchers certified by the department of public parks. The aggregate amount of said stock, to be issued under the provisions of this act, shall be fixed by the board of estimate and apportionment in its discretion.*

Section 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 6. This act shall take effect immediately.

^{**} The act of 1897 provided as follows:

The aggregate amount of said stock, to be issued under provision of this act, shall not exceed two millions, five hundred thousand dollars."

Exhibit 13



Meenakshi Srinivasan

Chair

June 21, 2017

Kate Lemos McHale

Director of Research klemosmchale@lpc.nyc.gov

Kiemosinonaie@ipc.nyc.go

1 Centre Street 9th Floor North New York, NY 10007

212 669 7801 tel 212 669 7818 fax Charles D. Warren, President Committee to Save the New York Public Library 232 East 11th Street New York, NY 10003

Re: New York Public Library Interiors: Rose Main Reading Room; Bill Blass Public Catalog Room; Miriam and Ira D Wallach Art & Architecture Room; Brook Russell Astor Reading Room for Rare Books and Manuscripts; Edna B. Śalomon Room; 42nd Street Staircases; Sue and Edgar Wachenheim III Trustees Room; South-North Gallery, First Floor; Gottesman Exhibition Hall; Sue and Edgar Wachenheim III Gallery; DeWitt Wallace Periodicals Room; Lionel Pincus and Princess Firyal Map Division; Celeste Bartos Forum

Dear Mr. Warren:

Thank you for your request for evaluation of the interiors of the New York Public Library listed above, and the supporting petitions. The Commission calendared the two primary public spaces, the Rose Main Reading Room and Bill Blass Public Catalog Room, on June 6, 2017.

We appreciate your commitment to historic preservation and your interest in the work of the Landmarks Preservation Commission.

Sincerely,

Kate Lemos McHale

cc: Theodore Grunewald, Vice President

Thomas H. Collins, Treasurer Monica Straus, Secretary

Exhibit 14

April 3, 2019

Hon. Sarah Carroll, Chair NYC Landmarks Preservation Commission The Municipal Building, 9th Floor One Centre Street New York, NY 10007

RE: NYPL Main Building Interior Spaces

Dear Chair Carroll,

The Historic Districts Council has long been interested in gaining protections for the remarkable interiors of the New York Public Library's Main Branch at 475 Fifth Avenue. Thanks to the prescient actions of the Landmarks Preservation Commission, portions of Carrere and Hastings building have been designated as interior landmarks, ensuring their civic grandeur will continue to benefit New Yorkers for years to come. The commission has even seen fit to recently expand the original 1974 interior designation by adding the Main Reading Room and the Catalog Room, a move which we greatly applaud, especially considering the multi-year ceiling restoration which the Reading Room underwent. In that instance, the expert oversight of the Landmarks Commission was incredibly welcome.

At this time, HDC would like the Landmarks Commission to reconsider further expanding the interior designation of this building to include additional public spaces of architectural beauty and design excellence. Specifically, we request that the Landmarks Preservation Commission consider the following spaces within the Main Branch of the New York Public Library (called the Stephen A. Schwarzman Building) as potential

New York City Interior Landmarks: the South-North Gallery; D. Samuel and Jeane H. Gottesman Exhibition Hall; Sue and Edgar Wachenheim III GalleryRoom 112; DeWitt Wallace Periodicals Room; Lionel Pincus and Princess Firyal Map Division; Celeste Bartos Forum; 42nd Street Staircases; Edna B. Salomon Room; Miriam and Ira D. Wallach Art & Architecture Room; and the Brooke Russell Astor Reading Room for Rare Books and Manuscripts. Enclosed with this letter is our 2013 Request for Evaluation for these rooms, as well as the Main Reading Room and the Catalog Room which, as noted above, were designated in 2017. This request for evaluation was occasioned by the commissioners' comments during the conversation about the recent proposal for a new 40th Street entrance to the Schwarzman Building. We felt that between the completed Reading Room restoration and the Library's exciting renovation plans, this would be a good time to look at the building again. We hope you agree.

Thank you for your consideration.

Sincerely,

Simeon Bankoff

Executive Director