

# HYDE RESIDENCE ON SEVENTIETH ST. SOLD

## Bought by a Well Known Man for Occupancy—Cost \$100,000 to Build Two Years Ago

One of the fine new residences on the old Lenox Library block, on part of which Henry C. Frick is erecting his \$3,000,000 home, has passed to a new owner, who will occupy it. The house is that built and occupied by William T. Hyde at 11 East Seventieth street, north side, 242 feet east of Fifth avenue. William B. May & Co., who negotiated the sale, would not name the buyer, but they did state that he is a well known resident of this city.

The house is a new six story English basement building of fireproof construction, from plans by C. P. H. Gilbert. It has a street frontage of 30 feet and a depth of almost 100 feet, the depth of the lot. Dr. Walter James recently purchased the 41 foot lot to the west of the Hyde house and plans to erect a house to cost \$100,000. The home of Mrs. R. A. Bruce-Brown adjoins the Hyde house on the east, while other houses on the block are owned and occupied by Alvin W. Kitch, Mrs. H. D. Bookman, John Chandler Moore and Davo H. Morris.

**34TH STREET DWELLING SOLD.**  
WEST 34TH STREET—Harriet S. James has sold to a client of J. Arthur Fischer 448 West Thirty-fourth street, a three story dwelling, on lot 20,104 86.9.

**BROOKLYN DWELLING SALE.**  
Charles E. Rickerson has resold the three story limestone American basement dwelling, on lot 21x100, at 555 First street, between Eighth and Avenue C, Prospect Park West, which was sold last week for Charles F. Helm to Frank L. Patterson. The dwelling is leased to the Chilean Consul, Ricardo Sanchez.

B. F. Sizoo has sold to Henry Stevenson and others the lot, 20x100, with one story frame taxpayer, at 6016 Fourteenth avenue, junction of New Utrecht avenue.

**SALES AT MANHATTAN BEACH.**  
Manhattan Beach Estates has sold a plot 60x100 west side of Exeter street, north of Hampton avenue, plot 60x100, east side of Exeter street north of Hampton avenue, 40x100, east side of Exeter street south of Hampton avenue, and 60x100 on the west side of Exeter street south of Hampton avenue.

**L. I. CITY SITE FOR FACTORY.**  
Floyd S. Corbin has sold for the Long Island City Real Estate Company to the American Bar Lock Company of Philadelphia six lots on Bordent avenue, near Hayward street, Long Island City. The property will be improved by the purchasers.

**\$25,000 FOR ROCKAWAY PLOT.**  
Guy C. Mott has sold at Rockaway to Samuel B. Althouse for about \$25,000 a site with a frontage of 167 feet on Mott avenue and 400 feet on Sheridan avenue, extending to the Long Island electric railroad right of way at Remsen avenue.

**DEAL NEAR STEWART R. R.**  
George Hendrickson has sold to Thomas Deo of Columbus, Miss., and Joseph Donoghue of Flushing fifty-eight and one-half acres of land, having a frontage of 1,437 feet on Queens road in the vicinity of the line of the old Stewart Railroad.

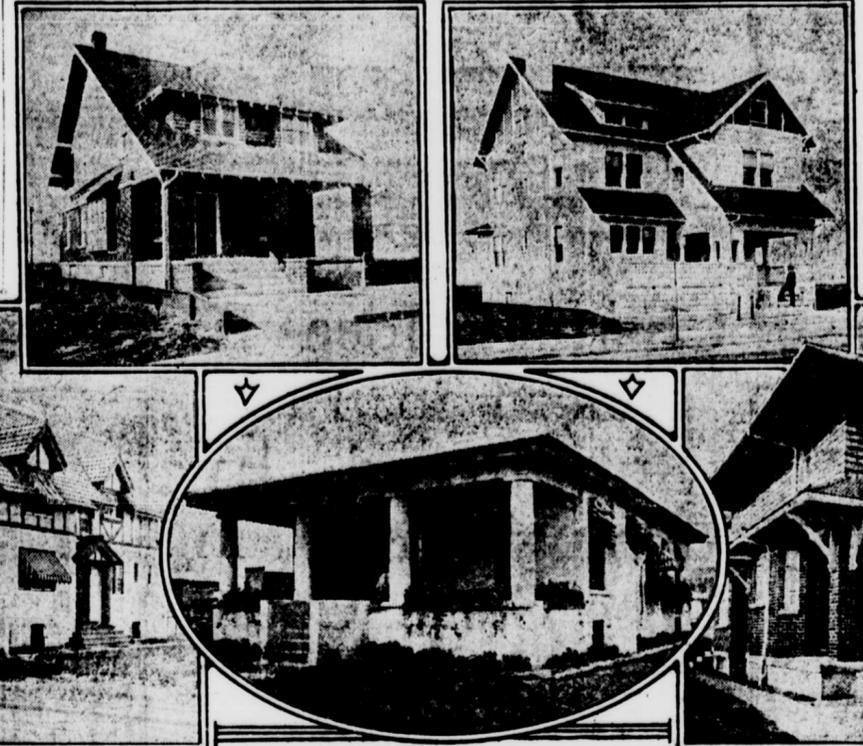
**BUYS BIG KENSINGTON PLOT.**  
The Rickert-Flinley Realty Company has sold on its Kensington, Great Neck, property to D. J. Leary a plot comprising 12,206 square feet and having a frontage of 104 feet on Avelign road, between Shore road and Netherwood road, close to Manhasset Bay. Mr. Leary is having plans prepared for a handsome residence.

**BUYS BRONXVILLE SITE.**  
Fish & Marvin have sold for H. Ward Leonard his property, known as plot 5.

## Hyde Residence on 70th St., Sold Yesterday



# Comfortable Neponsit Homes Make Seashore Attractive in Winter



VALUE of beach property for home sites is rapidly increasing. Incidents of it are seen almost daily. People are buying and builders are building along the ocean-front property that heretofore was forgotten in the rush for farms and sites in the interior sections. The movement of homeseekers is now to the water's edge, where one's views are not limited to a few acres. The seashore has the advantage of the interior in that it encompasses a better view of nature, which makes suburban living attractive. The change in the inclination of homeseekers has resulted in the building of better homes along the waterfront, homes that may be used the year around. Heretofore seashore homes were for summer use only. Had builders put up more substantial structures all beaches near New York might to-day be as popular and as valuable as that of Coney Island.

To the developers of Neponsit, down on the Rockaway peninsula, may be given credit for supplying what people have been wishing for many years. It was these men, developers of other property, not only in the suburbs but in the heart of the greater city, who first saw how the tide was turning and began the development of Neponsit, at the west end of Rockaway Beach and next to the property which the city bought a few years ago as a site for a great seaside park. Fine homes have been put up, streets opened, graded and put in shape that would do credit to a village of many years. Not only did the company lay streets but it attended the subsurface improvements, which in some developments are left to the homeseeker, who in the excitement of the thought of a home of his own and out of the narrow bounds of a big city forgets everything but the surface appearance of the property on which he probably will spend the rest of his days.

This company attended to that and many other things to make the district genuinely attractive. After the houses were erected and then the property was put on the market to be sold. The manner in which the property, which extends from the Atlantic across the peninsula to Jamaica Bay, has been developed and the construction and design of the houses erected have brought to Neponsit a volume of popularity which was not expected so soon. Values there are climbing rapidly. Every parcel sold brings enhancement not only to the adjoining land but to every plot in the tract.

The principle in the suburbs is the same as in the city. Crowds bring value. It is the crowds that boosted rents and fee values along Fifth avenue, Broadway, 125th street and other popular streets of the city. In other words it is the popularity of these streets that has made it possible for owners to get fortunes from the ownership of real estate. Popularity is nodding at Neponsit. Crowds have gone there, some to build homes, others to buy land for future home building, and others with an eye to affixing their names to parcels of Neponsit real estate. Neponsit is just far enough away to be out of the dense crowds that frequent the seashore in summer time. Yet it is not further from the business centre and the theatrical districts of New York than many parts of Brooklyn and the Bronx usually looked upon as being close by.

Served by high powered electric trains it is only a matter of minutes from Neponsit to New York. Train service is gradually being improved with the increase in population, more trains running in the Rockaways during the frosty months of the year than in the summer seasons of a decade ago.

Usually October was the time residents returned to the city, fearing the months

that followed would make living near the water unpleasant. This has been found to be incorrect, as records show that the waterfront about New York is many degrees warmer than in the heart of the city. It was this knowledge that led to the development of Neponsit and other ocean front colonies.

Neponsit is approached through an ornamental gateway of white stone. From the gate leads a 100 foot thoroughfare, a continuation of Washington avenue, the main street of the Rockaways. Within the Neponsit development, Washington avenue is parked. It is the plan of the developers to continue this avenue all the way to Rockaway Point, a distance of about six miles from the Neponsit gateway. Crossing Washington avenue are two avenues which run from the ocean to Jamaica Bay. They are treated in the same way as Washington avenue. Both are broad, which gives the property the appearance of freedom and sturdy planning. These avenues mark the division of the properties. Between Washington avenue and the ocean are plots a quarter acre or more in area. North of the avenue plots are smaller and adapted to different improvement than those in the ocean front sections.

Houses have been built with an eye to the general beauty of the development. Nearly two score of houses have been erected and probably a dozen more will be finished before the summer has arrived. The houses are built of hollow tile covered with stucco, which is colored any shade desired by the owner. Many houses are pure white, while others have been left the natural stucco shade.

Neponsit has a club where the residents of the park most to dance and chat and engage in other amusements.

The club affords comforts and pleasures which in the city would be possible only to the wealthy.

# COURT COMES TO AID OF MIDTOWN OWNERS

## Decision in 26th St. Restriction Fight Means Sixty-five Year Old Courtyard Covenant Is No More

Restrictive covenants of one form or another against the use of property except for some set and defined purpose, generally residential, have been sources of trouble and worry and expense to thousands of owners and traders in real estate in this city for many years. They have been fertile of litigation also, and where at rare intervals the courts have sustained old restrictions one result has often been

again secured a reversal of the lower court.

This time the Appellate Division sent the case back with instructions to the lower court either to issue the injunction requiring the removal of the front of the twelve story building from the courtyard or to find substantial damages for the plaintiff. Justice Erlanger gave nominal damages in the sum of \$1 and, in obedience to the prior Appellate Division decision, directing a permanent injunction to issue and also directing the removal of the portion of the defendants' building covering the old courtyard space.

The Hinkles appealed first to the Appellate Division, where they were beaten, the court ruling in conformity with its two previous decisions, and then to the Court of Appeals. And now, five and a half years after the beginning of the litigation in the Supreme Court, the decision of the court of last resort has just been handed down.

The Court of Appeals decided that the courtyards were established for ornamental purposes and in the half century since 1849, when the covenant was made, a great change had come over the neighborhood. Business had encroached upon it and the land to which the covenant related was no longer a desirable location for residences.

The court finds that the network restriction therefore becomes a detriment to the property, as it curtailed the floor space in buildings by which the rental value is fixed; that the plaintiff had suffered no damage from the erection of the defendants' building out to the street line, but on the contrary that both the market and the rental value of her property and of all other property in the block had been enhanced.

The judgment appealed from was accordingly reversed, with costs. In this decision the Court of Appeals Judges agreed unanimously.

Throughout the litigation the plaintiff was represented by Merrill & Rogers, while James W. McElhinney was attorney for the defendants. The effect of the decision relieves the defendants forever from any necessity of removing the front of their building from the old courtyard. But it is of interest and importance to all owners of property under the covenant, since it establishes the principle in equity that the courts will not lend their power to the enforcement of any such restrictions unless the party seeking their enforcement can prove substantial damage from their violation.

In the two blocks directly affected by the covenant in question in this case there are about twenty modern buildings, all of which save the Hinkles Building are built back of the five foot courtyard. Even in Twenty-sixth street since the beginning of this litigation a well known builder who was an expert witness for the defendants on the first trial in the Supreme Court, after the first decision in the Appellate Division, planned and contracted to put up two two story buildings with fronts on the street line, but in view of the reversal by the Appellate Division set his buildings back of the five foot line because he could not await the result of the second trial, let alone the three trials this case went through.

## SALE OF 2,000 N. J. LOTS ORDERED

Banking Dept. to Sell Realty of Industrial Savings & Loan Company.

The Banking Department of the State of New York has obtained authority from the Supreme Court to offer for sale the real estate of the Industrial Savings & Loan Company in liquidation. A large part of the assets of the company were invested in real estate located along the Palisades, about opposite Grant's Tomb, at Grantwood, Hudson Heights, Mooremore, Lenox and Edgewater.

In order that the properties may be disposed of as soon as possible prices are said to have been fixed at an average of 50 per cent. below those asked by former owners.

The properties consist of about one hundred houses and over two thousand building lots. The houses are practically all modern houses, and the building lots are in localities where the progress and character of the development already in existence will insure the future prospects of the property.

**W. F. MORGAN JR.'S NEW HOME.**  
Douglas L. Elliman & Co. have leased for Joseph Laroque, for a term of years, his former residence, at 264 Lexington avenue, a three story high stucco house, to William Fellows Morgan, Jr.

**LAZARD FRERES IN EQUITABLE.**  
The Douglas Robinson, Charles S. Brown Company has leased to Lazard Freres, bankers, 6,000 square feet of space on the second floor of the Equitable Building, which will be completed in 1915. The space contracted for by Lazard Freres is at the corner of Nassau and Pine streets and will have direct access through a private entrance and elevator. Aside from the Equitable Life Assurance Society, which arranged to occupy three floors of the huge building when it sold the land to the Du Pont syndicate, this concern is the first to close for space.

**MERCHANT MARINE LEASES.**  
The International Mercantile Marine has taken additional space besides reselling its lease of the entire Broadway frontage of the Bowling Green Building, 11 Broadway, for its freight department, including a rental of about \$250,000. Frederick Southack and Alwyn Hall, Jr., who negotiated this lease, also rented two floors in the same building to the Insurance Company for a term at a rental aggregating more than \$240,000.

**STORE AND LOFT LEASES.**  
Horace S. Ely & Co. have leased the entire building at 29 Warren street, for a term of years, to a prominent wholesale house.

F. & C. Pfommler have leased the store and basement at 27 West Twenty-seventh street for a term of years to Horschner & Follinger, for cafe and restaurant purposes; also leased the store at 1159 Broadway, corner of Twenty-seventh street, for a term to Aaronson, a Boston shoe dealer.

The Cross & Brown Company has leased to Adolph Spear & Co. the first loft at 840 Broadway, and space in 286 Broadway to the Globe Import Company.

Tucker, Speyers & Co. have leased at 26 West Thirty-eighth street the sixth floor to Max Berger and the fourth floor to Louis Ackerman, also space at 256 Fifth avenue to C. T. Willard & Co.

The firm of L. J. Carpenter has leased to Louis Wassell the store in Claremont Hall, at the northwest corner of Broadway and 112th street, for a term of years.

Leroy Conventry has rented the store at 2049 Seventh avenue, in the Hotel Theresa, of the New York Central and Hudson River Railroad for a term of ten years.

Sidney L. Warsawer has leased for a term of years the store at 581 Eighth avenue to Joseph Kantrowitz.

John Peters has leased to Louis Wexler the store at 272 Third avenue for the term of five years.

James A. Sheeran has leased to George J. Baker the first loft in Loew's Orpheum Theatre Building, Eighty-sixth street near Third avenue, for a term of years.

J. Arthur Fischer has leased the basement store at 767 Sixth avenue to Hall Co. for a billiard parlor and the parlor store at 105 West Thirty-eighth street to the Star Dancing Academy.

The Duroos Company has leased the store at 80 Sixth avenue to Maria Schmitt for five years; the store at 23 Eleventh avenue to Lipshitz & Davis and the store 513 Hudson street to Frederick W. Snyder for a term of years.

**BRONXVILLE COTTAGE RENTALS.**  
Fish & Marvin have leased Mrs. J. Mitchell Clark's house on Sagamore road, Bronxville, to Dr. Edmund Hill for two years; the Dolbeek House on Rossmore avenue, Bronxville, to W. N. Mills of Yonkers; for the Meadowdale Company their house at Meadowdale, Bronxville, to E. G. Bullock of Jamestown, N. Y., for a long term.

**LAWRENCE COTTAGE RENTAL.**  
John F. Scott has rented for the Cedarhurst Estates Realty house No. 3, on Seely Lane, Lawrence, L. I., to E. S. Faine.

**DEMAND FOR EDGEWATER HOUSES.**  
The Lewis H. May Company has leased at Edgewater, L. I., for M. J. Mulqueen cottage on Wave Crest avenue to I. Sperry and for S. L. Construction Company cottage on Harriman avenue to Louis Wolfshim.

**HEALTH EXPERT RENTS OFFICES.**  
Pease & Elliman have leased offices on the eighth floor in 25 West Forty-fifth street to Dr. Herman M. Biggs, head of the State Department of Health. One of the reasons for the locating by Dr. Biggs in this building is that the tenth floor houses the Life Extension Society, which is devoted, under the direction of some of the most eminent men in the country, to the prolongation of human life, a work closely allied with that in which Dr. Biggs has been interested.

**NEW BRONX PHONE EXCHANGE.**  
Plans were filed yesterday in the Bronx by McKensie Voorhis & Gmelin for a three story brick telephone exchange building, 47.6xv7, on the southeast corner of West Farms road and Fox Square for the New York Telephone Company at a cost of \$75,400.

**EAST SIDE DWELLING RENTALS.**  
James A. Sheeran has leased the three story and basement dwelling at 1236 Lexington avenue to William Von der Horst, and the four story and basement dwelling at 118 East Eighty-sixth street to Kalnan Veras.

**16 STORY THEATRE BUILDING.**  
Site on 42d Street Near 8th Avenue—Upper Part for Offices.

Sixteen story offices, with a theatre occupying the lower part, are to be erected at 251 to 257 West Forty-second street by the Finance Company of Philadelphia, of which George H. Earle, Jr., is the head, on a site acquired by the company a year ago last January. The Hoffman Company, Philadelphia architects, are preparing the plans for the structure, which is estimated to cost about \$400,000.

The site of the proposed building is 125 feet east of Eighth avenue. It is now covered by an old dwelling and the six story Clinton apartment house. The plot owned by the company measures 29x100.5. It is directly opposite the Harris Theatre.

**\$200,000 NEW DRIVE APARTMENT.**  
Samuel Katz, architect for the Sand Construction Company, of which Nathan Wilson is the president, has filed plans for a six story apartment house at 329 to 344 Riverside Drive. It will have a frontage of 102.10 feet and a depth of 123.3 feet, and according to the estimate of the architect will cost \$200,000.

**CARRY THE FIGHT TO ALBANY.**  
Herrick-Schnapp Bill Opponents to Appear Before Cities Committee.

There will be an invasion of Albany on Tuesday by practically every real estate owner, broker, builder, mortgage lender and lawyer who can find time to appear before the Cities Committee to protest against the passing of the Herrick-Schnapp bill, which proposes a referendum on the matter of reducing the tax rate on buildings to one-half the rate on land. It is doubtful if any representatives of the city administration will be at the hearing, but resolutions adopted last week by the Board of Estimate deprecating the passing of the bill will be presented to the members of the Cities Committee. The movement will be led by the Realty Owners of the City of New York,

an organization which includes the Allied Real Estate Interests, Allan Robinson president, and practically all of the property owners' and taxpayers' organizations of the city. The Real Estate Board of New York, the realty brokers' organization, will be strongly represented, as will the Citizens Union, the Chamber of Commerce, the Queens Chamber of Commerce and many more civic bodies.

So many men have indicated to the Realty Owners of the City of New York that they would like to attend the hearing that a special train has been chartered to carry the delegation. The train will leave the Grand Central Station on Tuesday morning at 8:50 sharp and will return from Albany as soon after the hearing as possible. Tickets for the train can be had from Mr. Robinson at the office of the Allied Real Estate Interests, 165 Broadway.

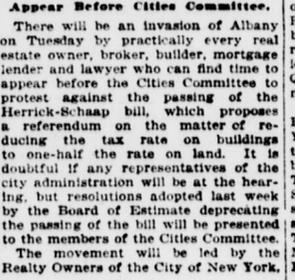
**TO PROTECT PARK AVENUE.**  
Owners and Residents to Organize for Its Welfare.

Stirred by the agitation of Fifth avenue property owners to restrict commercial vehicular traffic on that thoroughfare, and believing that such restriction would deflect it to Park avenue, owners there have arranged preliminaries for the formation of an association for the protection and development of Park avenue from Forty-fifth to Ninety-third street.

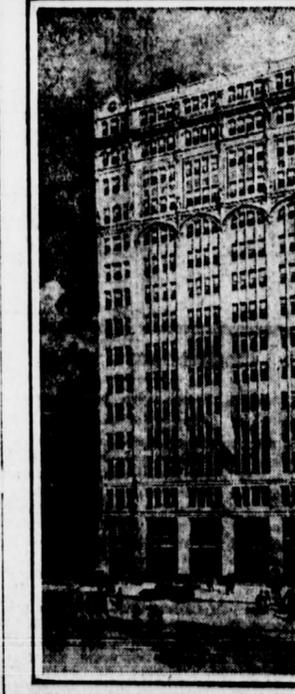
Circulars sent broadcast by Douglas L. Elliman & Co. to owners and residents who would be interested in such a movement brought unmistakable evidence of the popularity of the plan, and a meeting for this purpose has been arranged for Thursday, March 5, at 5 o'clock in the big apartment house, 373 Park avenue, at Fifty-third street.

Among those who have indicated their desire to participate are I. N. Phelps Stokes, John Sherman Hoyt, Edward Corning, John M. Stearns, Edward W. and Tracy H. Harris, E. Clifford Potter, Robert H. Minton, Benjamin Mordcaui, Morgan J. O'Brien, Paul Tuckerman, S. Fullerton Weaver, Leo S. Bing, Eugene Meyer, Jr., George R. Coughlin, Reginald de Koven and Edgar A. Levy.

## Design for New Hallenbeck Building



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## HOUSE-BUILDING, DECORATING AND FURNISHING

In these columns will be found the announcements of standard concerns, dealing in everything essential to the building, decorating and furnishings of the modern suburban home.

## RICHARDSON & BOYNTON CO. Heaters & Cooking Ranges

Will solve two important household problems  
Perfect Warm Air Heaters  
Specify Richardson Steam Boilers  
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They will please your client  
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