

615400

NEW YORK DOCK RY

1978

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R-3

Class III Railroads
Approved by GAO
B-180230 (R0583)
Expires 12-31-81

annual report

INTERSTATE
COMMERCE COMMISSION
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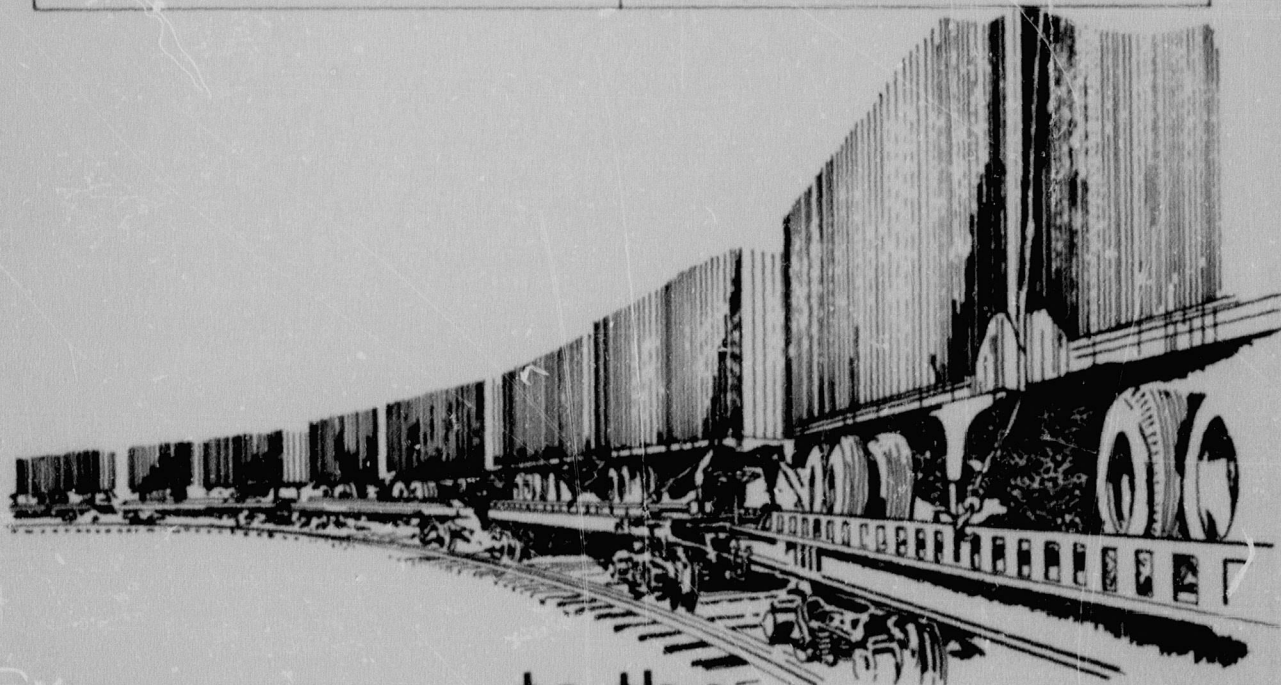
JUN 3 - 1979

ADMINISTRATIVE SERVICES
MAIL UNIT

RC004540 NEW YORK 3 0 3 615400
NYD NEW YORK DOCK RY
JORALEMON E FURMAN S
BROOKLYN NY 11201

correct name and address if different than shown

full name and address of reporting carrier
(use mailing label on original, copy in full on duplicate)



to the
Interstate Commerce Commission
for the year ended December 31, 1978

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A. SCHEDULES OMITTED BY RESPONDENT

1. The respondent, at it's option, may omit pages from this report provided there is nothing to report or the schedules are not applicable.
2. Show below the pages excluded and indicate the schedule number and title in this space provided below.
3. If no schedules were omitted indicate "NONE".

Page	Schedule No.	Title
7	210	RESULTS OF OPERATIONS
15	710	INVENTORY OF EQUIPMENT

101. IDENTITY OF RESPONDENT

1. Give the exact name* by which the respondent was known in law at the close of the year NEW YORK DELIC RAILWAY
2. State whether or not the respondent made an annual report to the Interstate Commerce Commission for the preceding year, or for any part thereof. If so, in what name was such report made? YES, NEW YORK DELIC RAILWAY
3. If any change was made in the name of the respondent during the year, state all such changes and the dates on which they were made
4. Give the location (including street and number) of the main business office of the respondent at the close of the year 334
FURMAN ST., BROOKLYN, N.Y. 11201
5. Give the titles, names, and office addresses of all general officers of the respondent at the close of the year. If there are receivers who are recognized as in the controlling management of the road, give also their names and titles, and the location of their offices.

Line No.	Title of general officer (a)	Name and office address of person holding office at close of year (b)
1	President	<u>B. HARRY 334 FURMAN ST. BROOKLYN, N.Y. 11201</u>
2	Vice president	<u>A. Mahant</u>
3	Secretary	<u>C. PASQUARIELLO</u>
4	Treasurer	<u>H. L. LIND</u>
5	Controller or auditor	<u>J. P. RAY</u>
6	Attorney or general counsel	
7	General manager	
8	General superintendent	
9	General freight agent	
10	General passenger agent	
11	General land agent	
12	Chief engineer	
13		

6. Give the names and office addresses of the several directors of the respondent at the close of the year, and the dates of expiration of their respective terms.

Line No.	Name of director (a)	Office address (b)	Term expires (c)
14	<u>DASHKOWSKY</u>	<u>334 FURMAN ST. BROOKLYN, N.Y. 11201</u>	<u>4-22-1980</u>
15	<u>R. ASHAWAY</u>		<u>4-22-1980</u>
16	<u>O. HARRY</u>		<u>4-22-1980</u>
17	<u>C. ZERBO</u>		<u>4-22-1980</u>
18	<u>W. M. M. M. M.</u>		<u>4-22-1980</u>
19	<u>M. M. M. M. M.</u>		<u>4-22-1980</u>
20			
21			
22			
23			

7. Give the date of incorporation of the respondent 4-2-10 8. State the character of motive power used DIESEL
9. Class of switching and terminal company S-S

10. Under the laws of what Government, State, or Territory was the respondent organized? If more than one, name all. Give reference to each statute and all amendments thereof, effected during the year. If previously effected, show the year(s) of the report(s) setting forth details. If in bankruptcy, give court of jurisdiction and dates of beginning of receivership or trusteeship and of appointment of receivers or trustees

NEW YORK STATE

11. State whether or not any corporation or association or group of corporations had, at the close of the year, the right to name the major part of the board of directors, managers, or trustees of the respondent; and if so, give the names of all such corporations and state whether such right was derived through (a) title to capital stock or other securities issued or assumed by the respondent, (b) claims for advances of funds made for the construction of the road and equipment of the respondent, or (c) express agreement or some other source

12. Give hereunder a history of the respondent from its inception to date, showing all consolidations, mergers, reorganizations, etc., and if a consolidated or merging corporation give like particulars for all constituent and subconstituent corporations. Describe also the course of construction of the road of the respondent, and its financing SEE OVER

*Use the initial word the when (and only when) it is a part of the name, and distinguish between the words railroad and railway and between company and corporation

107. STOCKHOLDERS

Give the names of the 30 security holders of the respondent who, at the date of the latest closing of the stock book or compilation of list of stockholders of the respondent (if within 1 year prior to the actual filing of this report), had the highest voting powers in the respondent, showing for each his address, the number of votes which he would have had a right to cast on that date had a meeting then been in order, and the classification of the number of votes to which he was entitled, with respect to securities held by him, such securities being classified as common stock, second preferred stock, first preferred stock, and other securities, stating in a footnote the names of such other securities (if any). If any such holder held in trust, give (in a footnote) the particulars of the trust. In the case of voting trust agreements give, as supplemental information in schedule No. 705, the names and addresses of the 30 largest holders of the voting trust certificates and the amount of their individual holdings. If the stock book was not closed or the list of stockholders compiled within such year, show such 30 security holders as of the close of the year.

Line No.	Name of security holder	Address of security holder	NUMBER OF VOTES, CLASSIFIED WITH RESPECT TO SECURITIES ON WHICH BASED				
			Number of votes to which security holder was entitled	Stocks			Other securities with voting power
				Common	Second Preferred	First	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1							
2	NYD PROPERTIES, INC.	334 FURMAN ST.					
3		BROOKLYN, N.Y. 11201	3	3			
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
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23							
24							
25							
26							
27							
28							
29							
30							

Footnotes and Remarks

STOCKHOLDERS REPORTS

1. The respondent is required to send to the Bureau of Accounts, immediately upon preparation, two copies of its latest annual report to stockholders.

Check appropriate box:

☐ Two copies are attached to this report.

☐ Two copies will be submitted _____ (date)

☒ No annual report to stockholders is prepared.

200. COMPARATIVE STATEMENT OF FINANCIAL POSITION - ASSETS

Line No.	Item (a)	Respondent Only	
		Balance at Close of Year (b)	Balance at Beginning of Year (c)
CURRENT ASSETS		\$	\$
1	Cash	185166	228110
2	Temporary Cash Investments		
3	Special Deposits		
4	Accounts Receivable	441280	351189
5	Less: Allowance for Uncollectible Accounts		
6	Accumulated Deferred Income Tax Charges		
7	Other Current Assets	171301	126873
8	Total Current Assets	797747	706171
OTHER ASSETS			
9	Special Funds	15608	15608
10	Other Investments and Advances - (Less Allowances and adjustments \$)	1028240	1182200
11	Other Assets (Less Depreciation and Amortization \$)		
12	Other Deferred Debits	58643	96127
13	Total Other Assets	1102491	1293935
ROAD AND EQUIPMENT			
14	Road and Equipment Property and Improvements on Leased Property	3010808	2830369
15	Less: Accumulated Depreciation and Amortization	(1527018)	(1411008)
16	Net Road and Equipment	1483790	1419361
17	Total Assets	3384028	3419467
CURRENT LIABILITIES			
18	Loans and Notes Payable		
19	Accounts Payable	744569	519438
20	Interest and Dividends Payable		
21	Federal Income Taxes Accrued		
22	Other Taxes Accrued	228170	204689
23	Other Current Liabilities		
24	Equipment Obligations and Other long-term Debt Due Within One Year	253784	251341
25	Total Current Liabilities	1226523	980468
NON CURRENT LIABILITIES			
26	Funded Debt Unmatured	768220	950620
27	Equipment Obligations	259890	284874
28	Capitalized Lease Obligations		
29	Accumulated Deferred Income Tax Credits		
30	Other Long-term Liabilities and Deferred Credits	1576586	1669637
31	Total Non current Liabilities	2603896	2905131
SHAREHOLDERS' EQUITY			
Capital Stock:			
32	Common Stock	300	300
33	Preferred Stock		
34	Discount on Capital Stock		
35	Additional Capital	2503000	2503000

200. COMPARATIVE STATEMENT OF FINANCIAL POSITION - LIABILITIES AND SHAREHOLDERS' EQUITY—Continued

Line No.	Item (a)	Respondent Only	
		Balance at Close of Year (b)	Balance at Beginning of Year (c)
	SHAREHOLDERS' EQUITY—Continued	\$	\$
	Retained Earnings:		
36	Appropriated		
37	Unappropriated		
38	Net unrealized Loss on Noncurrent Marketable Equity Securities	<2949.691>	<2969.432>
39	Less: Treasury Stock		
40	Net Shareholders' Equity	(446,391)	
41	Total Liabilities and Shareholders' Equity	338,408	341,946

200. COMPARATIVE STATEMENT OF FINANCIAL POSITION - EXPLANATORY NOTES

The notes listed below are provided for the purpose of disclosing supplementary information concerning matters which have an important effect on the financial condition of the carrier. The carrier shall give the particulars called for herein and where there is nothing to report, insert the word "none"; and in addition thereto shall enter in separate notes with suitable particulars other matters involving material amounts of the character commonly disclosed in financial statements under generally accepted accounting and reporting principles, except as shown in other schedules. This includes explanatory statements explaining (1) service interruption insurance policies and indicate the amount of indemnity to which respondent will be entitled for work stoppage losses and the maximum amount of additional premium respondent may be obligated to pay in the event such losses are sustained by other railroads; (2) particulars concerning obligations for stock purchase options granted to officers and employees; and (3) what entries have been made for net income or retained income restricted under provisions of mortgages and other arrangements.

1. Amount (estimated, if necessary) of net income or retained income which has to be provided for capital expenditures, and for sinking and other funds pursuant to provisions of reorganization plans, mortgages, deeds of trust, or other contracts \$ NONE

2. Estimated amount of future earnings which can be realized before paying Federal income taxes because of unused and available net operating loss carryover on January 1 of the year following that for which the report is made \$ NONE

3. (a) Explain the procedure in accounting for pension funds and recording in the accounts the current and past service pension costs, indicating whether or not consistent with the prior year: NO PENSION FUNDS

(b) State amount, if any, representing the excess of the actuarially computed value of vested benefits over the total of the pension fund \$ NONE

(c) Is any part of pension plan funded? Specify Yes ☐ No ☒

(i) If funding is by insurance, give name of insuring company NONE

(ii) If funding is by trust agreement list trustee(s) NONE

Date of trust agreement or latest amendment NONE

• If respondent is affiliated in any way with the trustee(s), explain affiliation NONE

(d) List affiliated companies which are included in the pension plan funding agreement and describe basis for allocating charges under the agreement NONE

(e)(i) Is any part of the pension plan fund invested in stock or other securities of the respondent or any of its affiliates? Specify Yes ☐ No ☒

If yes, give number of the shares for each class of stock or other security: NONE

(ii) Are voting rights attached to any securities held by the pension plan? Specify Yes ☐ No ☒ If yes, who determines how stock is voted?

4. State whether a segregated political fund has been established as provided by the Federal Election Campaign Act of 1971 (18 U.S.C. 610). YES ☐ NO ☒

210. RESULTS OF OPERATIONS

Line No.	Item (a)	Amount for Current Year (b)
	ORDINARY ITEMS	
	OPERATING INCOME	
	Railway Operating Income	
1	Freight	2389089
2	Passenger	
3	Other	
4	Total Railway Operating Revenues	2389089
5	Railway Operating Expenses	1926691
6	*Net Revenue from Railway Operations	462398
	OTHER INCOME	
7	Dividend income	
8	Interest income	48515
9	Other income; Other	208586
	Income from affiliated companies:	
10	Dividends	
11	Equity in undistributed earnings (losses)	
12	*Total other income (Lines 7-11)	257101
13	Total income (Lines 6, 12)	719499
	OTHER DEDUCTIONS	
14	Miscellaneous deductions from income	844759
15	Fixed charges	
	UNUSUAL OR INFREQUENT ITEMS	
16	Unusual or infrequent items (debit) credit	
17	Income (loss) from continuing operations (before income taxes) (Line 13 less Lines 14-16)	(125160)
	PROVISIONS FOR INCOME TAXES	
	Income taxes on ordinary income:	
18	Federal income taxes	(145000)
19	State income taxes	
20	Other income taxes	
21	Provisions for deferring income taxes	
22	Income before extraordinary items (Line 17 less Lines 18-22)	19740
	EXTRAORDINARY ITEMS AND ACCOUNTING CHANGES	
23	Extraordinary items (net)	
24	Income taxes on extraordinary items	
25	Provisions for deferred taxes - Extraordinary items	
26	Total extraordinary items (Lines 23-25)	
27	Cumulative effect of changes in accounting principles	
28	(Less applicable income taxes of \$)	
29	Net income	19740

210. RESULTS OF OPERATIONS—Continued

Line No.	Item (a)	Amount for Current Year (b)
RECONCILIATION OF NET RAILWAY OPERATING INCOME (NROI)		
30	Net revenues from railway operations	467398
31	Income taxes on ordinary income	(145000)
32	Provisions for deferred income taxes	-
33	Income from Lease of Road and Equipment	-
34	Rent for leased Roads and Equipment	129088
35	Net Railway Operating Income	478310
	Ton-miles, Revenue Freight (in thousands)	19740

330. ROAD AND EQUIPMENT PROPERTY

11

1. Give particulars of changes during the year in Road and Equipment property, and Improvements on leased property.
2. Gross charges during the year should include disbursements made for the specific purpose of purchasing, constructing, and equipping new lines, extensions of old lines, and for additions and betterments. Both the debit and credit involved in each transfer, adjustment, or clearance between road and equipment accounts, should be included in columns (c) and (d), as may be appropriate, depending on the nature of the item. Adjustments in excess of \$100,000 should be explained.
3. Report on line 35 amounts not includable in the primary road accounts. The items reported should be briefly identified and explained in a footnote on page 10.

Line No.	ITEM (a)	Balance at beginning of year (b)	Gross charges during year (c)	Credits for property retired during year (d)	Balance at close of year (e)	Accrued depreciation at close of year (f)
1 (1)	Engineering	23620			23620	5973
2 (2)	Land for transportation purposes					
3 (2 1/2)	Other right-of-way expenditures					
4 (3)	Grading	10966			10966	412
5 (5)	Tunnels and subways					
6 (6)	Bridges, trestles, and culverts					
7 (7)	Elevated structures					
8 (8)	Ties	50411			50411	
9 (9)	Rails	135222			135222	
10 (10)	Other track material	85052			85052	
11 (11)	Ballast	19289			19289	
12 (12)	Track laying and surfacing	75476			75476	
13 (13)	Fences, snowsheds, and signs	21528		2191	19337	9485
14 (16)	Station and office buildings	397466	23800		421266	40452
15 (17)	Roadway buildings	7509			7509	7213
16 (18)	Water stations					
17 (19)	Fuel stations	6995			6995	6995
18 (20)	Shops and enginehouses	1743			1743	1172
19 (21)	Grain elevators					
20 (22)	Storage warehouses					
21 (23)	Wharves and docks	305555			305555	163778
22 (24)	Coal and ore wharves					
23 (25)	TOFC/COFC terminals					
24 (26)	Communication systems					
25 (27)	Signals and interlockers					
26 (29)	Power plants					
27 (31)	Power-transmission systems					
28 (35)	Miscellaneous structures					
29 (37)	Roadway machines	4072			4072	4072
30 (38)	Roadway small tools	4483			4483	
31 (39)	Public improvements - Construction	741			741	741
32 (43)	Other expenditures - Road					
33 (44)	Shop machinery	7645			7645	3665
34 (45)	Power-plant machinery					
35	Other (specify and explain)					
36	Total Expenditures for Road	1152774	23800	2191	1179383	293958
37 (52)	Locomotives	296456			296456	285730
38 (53)	Freight-train cars	45757			45757	24383
39 (54)	Passenger-train cars					
40 (55)	Highway revenue equipment					
41 (56)	Floating equipment	1252430	163173		1415603	888073
42 (57)	Work equipment					
43 (58)	Miscellaneous equipment	72672	4050	8393	68329	34873
44	Total Expenditures for Equipment	1662315	167223	8393	1826145	1233059

330. ROAD AND EQUIPMENT PROPERTY—Continued

Line No.	ITEM (a)	Balance at beginning of year (b)	Gross charges during year (c)	Credits for property retired during year (d)	Balance at close of year (e)	Accrued depreciation at close of year (f)
45 (71)	Organization expenses	5280			5280	
46 (76)	Interest during construction					
47 (77)	Other expenditures - General					
48	Total General Expenditures	5280			5280	
49	Total	2830369	191023	10584	3010808	1527017
50 (80)	Other elements of investments					
51 (90)	Construction work in progress					
52	Grand Total	2830369	191023	10584	3010808	1527017

710. INVENTORY OF EQUIPMENT

INSTRUCTIONS

1. Give particulars of each of the various classes of equipment which respondent owned or leased during the year.
2. In column (c) give the number of units of equipment purchased, built in company shops, or otherwise acquired.
3. Units leased to others for a period of one year or more are reportable in column (i); units temporarily out of respondent's service and rented to others for less than one year are to be included in column (e); units rented from others for a period less than one year should not be included in column (f). Units installed during the year and subsequently leased to others for a year or more should be shown as added in column (c), as retired in column (d), and included in column (i).
4. For reporting purposes, a "locomotive unit" is a self-propelled vehicle generating or converting energy into motion, and designed solely for moving other equipment. An "A" unit is the least number of wheel bases with superstructure designed for use singly or as a lead locomotive unit in combination with other locomotive units. A "B" unit is similar to an "A" unit, but not equipped for use singly or as a lead locomotive unit. A "B" unit may be equipped with hostler controls for independent operating at terminals.
5. A "self-propelled car" is a rail motor car propelled by electric motors receiving power from third rail or overhead, or internal combustion engines located on the car itself. Trailers equipped for use only in trains of cars that are self-propelled are to be included as self-propelled equipment.
6. A "Diesel" unit includes all units propelled by diesel internal combustion engines irrespective of final drive, and whether power may at times be supplied from external conductor. Units other than diesel-electric, e.g., diesel-hydraulic, should be identified in a footnote giving the number and a brief description. An "Electric" unit includes all units which receive electric power from an overhead contact wire or third rail, and use the power to drive one or more electric motors that propel the vehicle. An "Other self-powered unit" includes all units other than diesel or electric, e.g., steam, gas turbine. Show the type of unit, service and number, as appropriate, in a brief description sufficient for positive identification. An "Auxiliary unit" includes all units used in conjunction with locomotives but which draw their power from the "mother" unit, e.g., boosters, slugs, etc.
7. Column (h) should show aggregate capacity for all units reported in column (g), as follows: For locomotive units, report the manufacturers' rated horsepower (the maximum continuous power output from the diesel engine or engines delivered to the main generator or generators for tractive purposes); or tractive effort of steam locomotive units; for freight-train cars report the nominal capacity (in tons of 2,000 lbs.) as provided for in Rule 86 of the AAR Code of Rules Governing Cars in Interchange. Convert the capacity of tank cars to capacity in tons of the commodity which the car is intended to carry customarily; for passenger-train cars report the number of passenger seats available for revenue service, counting one passenger to each berth in sleeping cars.

UNITS OWNED, INCLUDED IN INVESTMENT ACCOUNT, AND LEASED FROM OTHERS

Line No.	Item	Units in service of respondent at beginning of year (b)	Number added during year (c)	Number retired during year (d)	Number at close of year			Aggregate capacity of units reported in col. (g) (see ins. 7) (h)	Number leased to others at close of year (i)
					Owned and used (e)	Leased from others (f)	Total in service of respondent (e + f) (g)		
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
	LOCOMOTIVE UNITS								
1	Diesel-Freight ————— A units	7			7		7	5,200 (h.p.)	0
2	Diesel-Freight ————— B units								
3	Diesel-Passenger ————— A units								
4	Diesel-Passenger ————— B units								
5	Diesel-Multiple purpose ————— A units								
6	Diesel-Multiple purpose ————— B units								
7	Diesel-Switching ————— A units								
8	Diesel-Switching ————— B units								
9	Total (lines 1-8)	7			7		7	XXXXXX	0
10	Electric Locomotives —————								
11	Other self-powered units —————								
12	Total (lines 9, 10 and 11)	7			7		7	XXXXXX	0
13	Auxiliary units —————								
14	Total Locomotive Units (lines 12 and 13)	7			7		7	XXXXXX	0

UNITS OWNED, INCLUDED IN INVESTMENT ACCOUNT, AND LEASED FROM OTHERS—Cont.

Line No.	Item (a)	Units in service of respondent at beginning of year (b)	Number added during year (c)	Number retired during year (d)	Number at close of year			Aggregate capacity of units reported in col. (g) (see ins. 7) (h)	Number leased to others at close of year (i)
					Owned and used (e)	Leased from others (f)	Total in service of respondent (e + f) (g)		
	FREIGHT TRAINCARS							Tons	
15	Plain Box Cars - 40' (B100-125)								
16	Plain Box Cars - 50' (B200-27 300-329)								
17	Equipped Box Cars (All Codes A and B)								
18	Plain Gondola Cars (G092-392; G401-492)								
19	Equipped Gondola Cars (All Codes C and E)								
20	Covered Hopper Cars (L 151-154; 251-254; 351-354; 451-454; 551-554; 651-654; 751-754)								
21	Open Top Hopper Cars - General Service (All Code H)								
22	Open Top Hopper Cars - Special Service (All Codes J and K)								
23	Refrigerator Cars - Non Mechanical (R 100, 101, 102, 103, 105, 106, 107, 108, 109, 113, 114, 115, 116, R 200, 201, 202, 203, 205, 206, 207, 208, 209, 213, 214, 215, 216)								
24	Refrigerator Cars - Mechanical (R 104, 110, 112, 117, 118, R 204, 210, 211, 212, 217, 218)								
25	Flat Cars - TOFC/COFC (F 071-078 F 871-978)								
26	Flat Cars - Multi-level (All Code V)								
27	Flat Cars - General Service (F 101-109; F 201-209)								
28	Flat Cars - Other (F 11-189; 211-289; 301-389; 401-540)								
29	Tank Cars - Under 22,000 Gallons (T-0, T-1, T-2, T-3, T-4, T-5)								
30	Tank Cars - 22,000 Gallons and over (T-6, T-7, T-8, T-9)								
31	All Other Freight Cars (F 191-199; 291-299; 391-399; L 006-048; L 070, L 080 L 090 - All "L" with second numeric 6; L 161-1764)								
32	Total (lines 15-31)							XXXXXX	
33	Caboose (All N)							XXXXXX	
34	Total (lines 32-33)								

NONE

720. TRACKS

- (1) Show, by State, total mileage of tracks owned and operated by respondent 14 MILES - NEW YORK STATE
- (2) Show, by State, mileage of tracks owned but not operated by respondent: First main track, NONE
 second and additional main tracks, _____; industrial tracks, _____
 yard track and sidings, _____; total, all tracks, _____ (1)
- (3) Road is completed from (Line Haul Railways only)* _____ to _____ Total distance, _____ miles
- (4) Road located at (Switching and Terminal Companies only)* _____
- (5) Gage of track 4 ft. 8.5 in.
- (6) Weight of rail 100 lb. per yard.
- (7) Kind and number per mile of cross-ties NOT AVAILABLE
- (8) State number of miles electrified: First main track, NONE; second and additional main tracks, _____
 passing tracks, cross-overs, and turn-outs, _____; yard switching tracks, _____
- (9) Ties applied in replacement during year: Number of cross-ties, 300; average cost per tie, \$14/tie; number of feet (B.M.) of switch and bridge ties, _____; average cost per M feet (B.M.), \$ _____
- (10) Rail applied in replacement during year: Tons (2,000 pounds), 20; Weight per year, _____; average cost per ton, \$ _____

*Insert names of places.

(1) Mileage should be stated to the nearest whole mile.

Fulton Terminal, Brooklyn, N.Y. 2 miles
Atlantic Terminal, Brooklyn, N.Y. 5 miles
Bush Terminal, Brooklyn, N.Y. 7 miles

[illegible]

VERIFICATION

The foregoing report must be verified by the oath of the officer having control of the accounting of the respondent. It should be verified, also by the oath of the president or other chief officer of the respondent, unless the respondent states on the last preceding page of this report that such chief officer has no control over the accounting of the respondent. The oath required may be taken before any person authorized to administer an oath by the laws of the State in which the same is taken.

OATH

(To be made by the officer having control of the accounting of the respondent)

State of NEW YORK
 County of KINGS
JAMES W. PERRY makes oath and says that he is COMPTROLLER
 (Insert here the name of the affiant) (Insert here the official title of the affiant)
 of NEW YORK DOCK RAILWAY
 (Insert here the exact legal title or name of the respondent)

that it is his duty to have supervision over the books of account of the respondent and to control the manner in which such books are kept; that he knows that such books have, during the period covered by the foregoing report, been kept in good faith in accordance with the accounting and other orders of the Interstate Commerce Commission, effective during the said period; that he has carefully examined the said report, and to the best of his knowledge and belief the entries contained in the said report have, so far as they relate to matters of account, been accurately taken from the said books of account and are in exact accordance therewith; that he believes that all other statements of fact contained in the said report are true, and that the said report is a correct and complete statement of the business and affairs of the above-named respondent during the period

of time from and including January 1, 1978, to and including December 31, 1978

James W. Perry
 (Signature of affiant)

Subscribed and sworn to before me, a NOTARY PUBLIC in and for the State and
 county above named, this 21 day of May 19 79
 My commission expires March 30, 1980

James M. Caprio
 (Signature of officer authorized to administer oaths)

SUPPLEMENTAL OATH

(By the president or other chief officer of the respondent)

LENA M. CAPRIO
 No. 215567100
 Notary Public, State of New York
 Qualified in Kings County
 Commission Expires March 30, 1980

State of NEW YORK
 County of KINGS
O. Carey makes oath and says that he is PRESIDENT
 (Insert here the name of the affiant) (Insert here the official title of the affiant)
 of NEW YORK DOCK RAILWAY
 (Insert here the exact legal title or name of the respondent)

that he has carefully examined the foregoing report; that he believes that all statements of fact contained in the said report are true, and that the said report is a correct and complete statement of the business and affairs of the above-named respondent and the operation of its property during

the period of time from and including January 1, 19 78, to and including December 31, 19 78

O. Carey
 (Signature of affiant)

Subscribed and sworn to before me, a NOTARY PUBLIC in and for the State and
 county above named, this 21 day of May 19 79
 My commission expires MARCH 30, 1980

LENA M. CAPRIO
 No. 215567100
 Notary Public, State of New York
 Qualified in Kings County
 Commission Expires March 30, 1980

James M. Caprio
 (Signature of officer authorized to administer oaths)