

Edgar Filing: BANK OF NEW YORK CO INC - Form 424B2

BANK OF NEW YORK CO INC

Form 424B2

March 19, 2007

Filed under Rule 424 (b) (2), Registration Statement No. 333-134738, 333-134738-01, 333-134738-02, 333-134738-03, 333-134738-04 and 333-134738-05

Pricing Supplement No. 40 Subject to Completion - dated March 19, 2007
(To prospectus dated June 5, 2006 and
prospectus supplement dated June 15, 2006)

The Bank of New York Company, Inc. [LOGO]

The Bank of New York Company, Inc.

\$1,000,000,000

The Bank of New York Company, Inc. CoreNotes (Registered Service Mark)

CUSIP Number	Aggregate Principal Amount	Price to Public (1)	Purchasing Agent's Discount (1)	Proceeds Before Expenses (1)
0640P1LQ4	TBD	100%	2.00%	98.00%

Interest Rate Per Annum	Interest Payment Frequency	Stated Maturity Date	Survivor's Option
5.60%	Semi-Annual	3/15/2022	Yes

Senior Subordinated Medium-Term Notes, Series I

Interest Payment Dates: The 15th day of September and March of each year commencing 09/15/2007.

Redemption Information: Redeemable at the option of The Bank of New York Company, Inc. on 03/15/2010 and each Interest Payment Date thereafter, at a price equal to 100% on 30 calendar days notice.

CUSIP Number	Aggregate Principal Amount	Price to Public (1)	Purchasing Agent's Discount (1)	Proceeds Before Expenses (1)
0640P1LR2	TBD	100%	2.50%	97.50%

Interest Rate Per Annum	Interest Payment Frequency	Stated Maturity Date	Survivor's Option
5.65%	Semi-Annual	3/15/2032	Yes

Senior Subordinated Medium-Term Notes, Series I

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Interest Payment Dates: The 15th day of September and March of each year commencing 09/15/2007.

Redemption Information: Redeemable at the option of The Bank of New York Company, Inc. on 03/15/2012 and each Interest Payment Date thereafter, at a price equal to 100% on 30 calendar days notice.

The Bank of New York Company, Inc.
One Wall Street
New York, New York 10286

Trade Date: 03/23/2007
Issue Date: 03/28/2007
Minimum Denominations/Increments: \$1,000/\$1,000
Original Issue Discount: No
All trades settle without accrued interest and clear SDFS: DTC Book-Entry only
Merrill Lynch DTC Participant Number: 161

The defeasance and covenant defeasance provisions of the Senior Indenture and the Senior Subordinated Indenture described under "Description of Senior Debt Securities and Senior Subordinated Debt Securities-Legal Defeasance and Covenant Defeasance" in the Prospectus will apply to the Senior and Senior Subordinated Notes respectively.

(1) Expressed as a percentage of the aggregate principal amount

"CoreNotes(Registered Service Mark)" is a registered service mark of Merrill Lynch & Co., Inc.

Merrill Lynch & Co.
Purchasing Agent
Acting as Principal

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