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[] Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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ITEM 8.01 Other Events

On November 4, 2005, The Bank of New York entered into a non-prosecution agreement with the U.S. Attorney's Offices for the Eastern and Southern Districts of New York. The Company issued a press release related to the non-prosecution agreement on November 8, 2005, a copy of which is being filed as Exhibit 99 to this Form 8-K. The text of the non-prosecution agreement is filed herewith as Exhibit 99.1.

ITEM 9.01 Financial Statements and Exhibits

Index to and Description of Exhibits

(c) Exhibit	Description
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99	Press release dated November 8, 2005 related to the non-prosecution agreement with the U.S. Attorney's Offices for the Eastern and Southern Districts of New York.
99.1	Non-prosecution agreement with the U.S. Attorney's Offices for the Eastern and Southern Districts of New York.

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SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: November 8, 2005

THE BANK OF NEW YORK COMPANY, INC.
(Registrant)

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By: /s/ Thomas J. Mastro

Name: Thomas J. Mastro

Title: Comptroller