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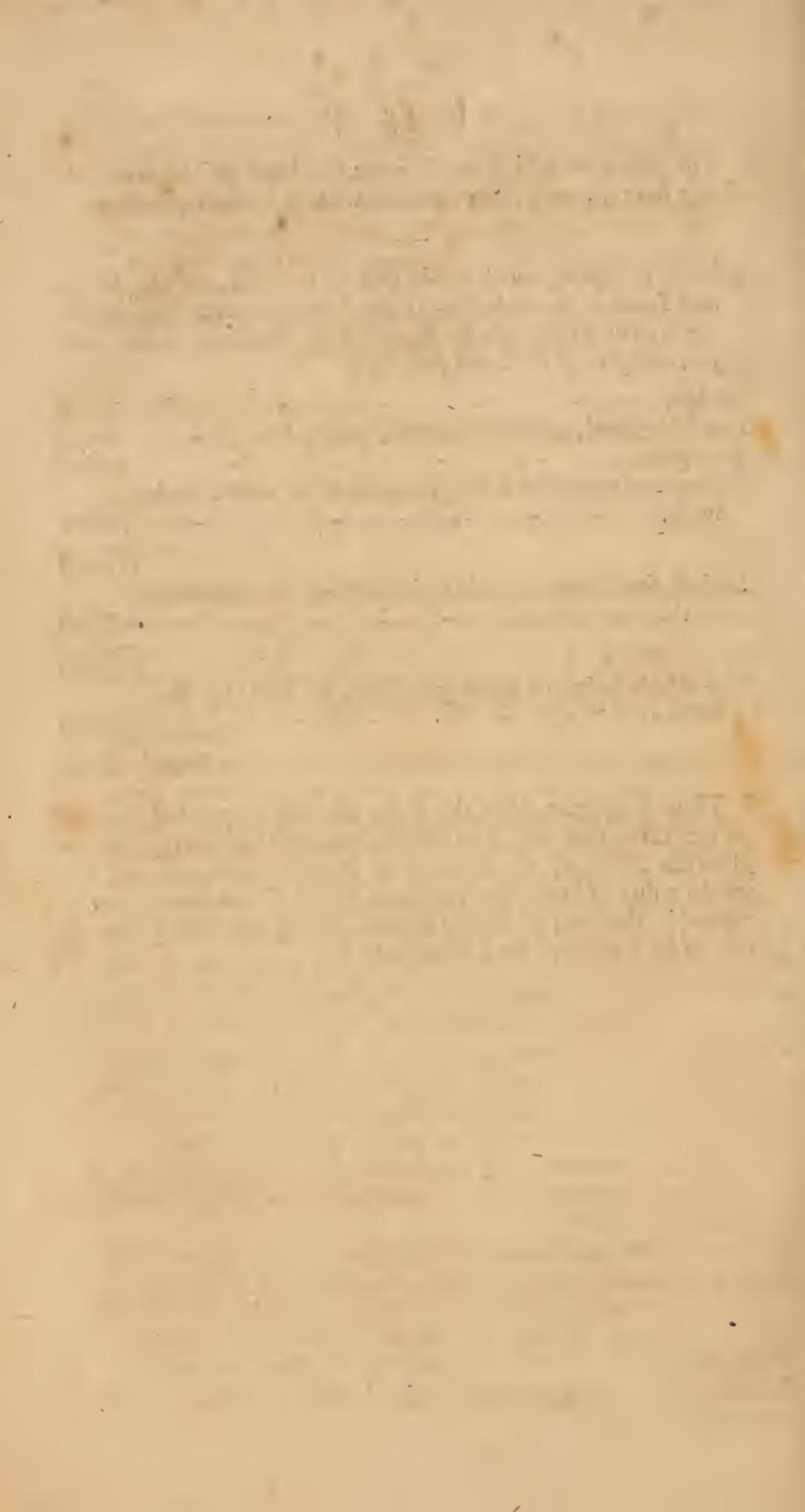
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AN

ANSWER TO A PAMPHLET,

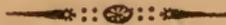
ENTITLED,

“CONSIDERATIONS

ON THE PUBLIC EXPEDIENCY OF A

Bridge

FROM ONE PART OF BOSTON TO THE OTHER.”



Boston:

PRINTED BY E. LINCOLN, WATER STREET.

1806.

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ANSWER TO A PAMPHLET

ADVERTISEMENT.

“NO apology will be considered requisite for a calm and respectful examination of” a pamphlet, “by those who are informed,” that it contains a series of unfounded statements, and that its author has attempted to mislead the public by a suppression of material facts.

Boston, Jan. 29, 1806.

AN ANSWER, &c.

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IN a pamphlet recently issued from the press, the favourers of a Bridge from South Street to South Boston, have ventured on a new and bold attempt to deceive the public, upon the merits of that enterprise. This poison they are now industriously circulating, not only among the citizens, but the members of the legislature. It is the object of the following attempt, to expose its malignant nature, and furnish an antidote to its pernicious effects.

Among the various projects for public improvement, or private aggrandizement, for which our country has been distinguished, the erection of a bridge across the harbour of a great commercial town never was contemplated, until the legislature were supplicated for that purpose by William Tudor and Gardiner Greene. In all grants of bridges over navigable waters, heretofore made, the object has been, without a single exception, to facilitate the communication through the State, upon the public post roads. But that the harbour of the greatest commercial town in New England should be blocked up, not only for its own benefit, but for the general advancement of commerce, is an absurdity which nothing but the blindest self interest could suggest. That such a measure will involve in it the sacrifice of immense private property, without the possible attainment of any public good; that it would be *unprecedented*, in this or any other country; and that the principles of the constitution will warrant no such measure, are facts which no artifice can conceal. It might with equal propriety have been alleged, when the harbour of Boston was heretofore blocked up

by an open and cruel enemy, that the measure was dictated by an affectionate regard to the rights of the people.

Of all the plans which have heretofore "been marshalled" in the pursuit of wealth, "none have been so distinguished for violence and perseverance, as the proposal to build a bridge from one part of Boston to the other." A recurrence to facts will justify this retort. Indeed, were it not for a few round assertions in the pamphlet to which this is intended as an answer, the facts and reasoning it contains would warrant an opinion that the wisest "considerations" of its author were against the expediency of the bridge; and that there existed no hope of success but by "crowding to a bridge town-meeting," or by employing his mercenary agents to skulk in the "chambers of the legislature to persecute them into the" adoption of a public evil.

It is a true remark, "that there has been no bridge granted over a navigable stream by which so few persons will be affected." And it is impossible to disguise the reason of it. In all other bridge corporations, the country at large has been affected; its communications facilitated; and the delays and dangers incident to a passage in boats over rapid and turbulent rivers; annihilated. But in the present instance the few persons to be affected, are on the one part, the petitioners, by an immense accession of wealth; and on the other, the inhabitants of the south end of Boston, by its total sacrifice. Nothing in nature or truth can put this question in any other point of view, notwithstanding the confident but unfounded assertions of the writer of the pamphlet, that the bridge is demanded by public necessity, and that the decision of every public body on the question has been in its favour.

It is advanced as a "universal maxim, that whenever a public question is proposed, its intrinsic merit ought first to be considered by those whose province it is to decide upon its fate." If the friends of this bridge had adhered to this maxim, the subject would now be at rest, and the alarm and agitation which are inseparable from its pursuit, never again revived. What was the

opinion of the inhabitants of Boston upon this "universal maxim," when in full town meeting, a majority of them, led on by Mr. Otis, and fascinated by his eloquence, voted that they *would not* refer the expediency of this bridge to the legislature? Who were then "usurping the sovereign power of the State?" And how dignified was the spectacle, when *three thousand citizens* undertook to relieve the legislature from the weight of its cares, and to decide an important public question, in which both the interest and rights of individuals were deeply involved? Although in a more temperate moment, the authors of this absurd vote, have doubtless become sensible of its iniquitous tendency, yet it is apparent that this and every other measure of the town, have been instigated for the *express purpose of influencing the legislature.*

When measures thus novel are resorted to, it is absurd and contemptible for the writer of the pamphlet to complain that "a body of respectable though interested men, under the cloak of an incorporation, should speak by its members, its neighbours, and its lawyers." It might have occurred to him, that this cloak was furnished for that "respectable body" by the solemn stipulations of the party he espouses; that it was actually put on by the legislature of the Commonwealth; and that if it were ever designed or used for an improper purpose, both they and the legislature must have been parties to the offence. He will find, that this corporation, and the other inhabitants of the south end are not yet silenced; but they will speak for no other purpose than to state to their fellow citizens the true nature of the attack which is made upon their property and privileges, and of unmasking the real designs of their enemies.

An assertion is made with as much ease as if its author believed it to be true, that the opposition to the bridge "becomes hourly less formidable; and that this change must be imputed to the intrinsic merit of the project." It is a species of address common among those who depend more upon intrigue than upon plain dealing for the success of their schemes, to silence inquiry by

assertions without foundation, and even without varnish. Of this nature is the assertion above cited. The author *knew* it to be without foundation ; he *knew* that the force of the former opposition will be augmented by arguments drawn from the most solemn stipulations of the applicants for the bridge, and by the decisions of the legislature. The remonstrances of the town of Roxbury, and of nearly 600 freeholders of the town of Boston, are the proofs of this statement ; both of which are, or will be, presented to the legislature. And although it may comport with the policy of this writer to declare, that such is the affection of the children of Boston for its welfare, that they will sacrifice “at any altar dedicated to the common good, although it were reared by *profane hands*,” yet decency might have taught him to recollect, that the end does not always sanctify the means ; & that he is expressly forbidden “to do evil that good may come.”

“It is assumed (in the pamphlet) as a fact, that the proposed bridge will shorten the distance more than half a mile from the centre of the old town to the shores of the new district.” This is explicitly denied. It is not true in any sense of the phrase. It is not true, if by the centre of the old town, is meant either its territorial centre, or its centre of population. It is so far from being true in any reasonable sense, that it is here assumed as a fact, *capable of complete demonstration, that the public at large are now better accommodated by the present bridge from South Boston, than they possibly can be by a bridge in any other direction from that peninsula.*

If the gentlemen of *Nook Hill* are nettled at this declaration, the first thing they are desired to recollect is, that there are a few persons in the world beside themselves, whom the legislature will consider as proper objects of their care and protection. If the accommodation is to be furnished for our country brethren, the object must be to lessen the distance in their travel, and in the transportation of their produce to such parts of the town, as they will naturally be led to, by their connexions and business. Probably one in ten of these might wish to enter the town by a bridge to South Street ; but

the other nine would prefer to enter it at the junction of the present bridge; in which case the whole town, from that junction to Market Square, become their customers in the disposal of their produce. The whole town should be taken into view, and that point fixed on, at and from which a person could go to any and every other part of the town by a distance, shorter than from any other point. This point is now accurately ascertained. From the intersection of the turnpike and present bridge at South Boston to this central point is 273 rods. From said intersection over proposed bridge by the shortest rout to this central point is 385 rods, making a difference of 112 rods in favour of the present bridge.

The pretended accommodation of the public, is now to be considered in another view. By the establishment of the proposed bridge, all convenient access to a full third part of the sea front of the town, & also to an equal portion of its wharves and quays, would be cut off. It is a fact, the evidence of which is within the reach of all persons disposed to examine it, that since the 1st day of March last, more than 1800 vessels have passed up to these wharves with their cargoes. This right of access, is, at present, common to all the citizens of the United States, and to the people of all foreign countries with whom we have commercial intercourse. Before a grant for this bridge be made for the public accommodation, it should be asked, can the property which will be brought into town by that avenue, be equal to the property which now is, or hereafter will be, brought to the south end, by water? The answer must be that it cannot. How then are the public to be *accommodated*? Is it not evident that such an obstruction would be greatly *detrimental*? and does not this solution of the question remove all doubt upon the subject of public accommodation?

It is further alleged, that by stinting Boston within her ancient limits, the surplus of our commercial capitals would find their way to the greater markets of the Southern States, "through want of accommodation at home, to the detriment of the whole Commonwealth."

The cream of this argument is, that Boston is now stinted within her ancient limits to the detriment of the whole Commonwealth. But the answer is, that its author in the very next sentence has told us, that this subject is "now at rest;" because the town of Boston is enlarged by the addition of 600 acres of land. The town then is not stinted within her ancient limits; because 600 acres of land have been "united by the right hand of fellowship with the opposite shores." Thus our surplus capitals will never find their way to the southern markets, for *want of accommodation*.

But it is no part of the policy of the State, to aid the collections of wealth into a particular spot; it is rather, that it should be diffused for the purposes of a general participation. Were it all accumulated in one great city, we might there have the wealth of Tyre and Sidon, but it would engender the vices and corruptions of Sodom and Gomorrah. The same policy is more strictly applicable to our civil institutions. So long as our happy form of government exists, its principles can only be disseminated in small assemblies, where they can be temperately enforced and understood. Such was the policy of our ancestors in the establishment of these institutions; and they have, for this reason, become the parents of all our intelligence and consequent happiness as a people.

A stranger to the leaders of the South Boston speculation will scarcely credit his senses, when he reads in their pamphlet, that the legislature, by sanctioning the annexation of Dorchester Neck have pledged themselves "*to encourage its settlement, as a part of the capital.*" Here is a direct appeal to the patronage, if not to the treasury of the Commonwealth. It is saying to the legislature, "You have adopted this unfortunate child of ours, and you must now comply with all our visionary schemes for its support and aggrandizement." In truth they ought to be cautious how they gratify them; for there appears to be no limits to their extravagant claims & expectations. They seem to calculate that every branch of government and every class of people, are to be influ-

enced by their delirious dreams. The annexation of a tract of land from one town to another is the occurrence of almost every week; but it was never before considered as an object in the smallest degree affecting the public. A man whose farm has been thus set off may now adopt the reasoning of the pamphlet, and say to the government, your sanction to my annexation "can never be restricted to the mere extension of the limits of the town to which I am annexed; it was your evident intention to *encourage me* in my settlement; *that is the only intention* that can honourably be imputed to you, whatever was the intention of the parties immediately concerned in effecting the union, and whatever were the means by which it was accomplished." Before the government extend this sort of "encouragement" to the visionaries of *Nook Hill*, they ought to do two things; 1st, ascertain to a moral certainty their names and associates, that there may be no more deception with respect to a compromise. 2d, Obtain an explicit statement of the nature of the patronage and "encouragement" they are to afford them. For they may adopt it as a certain rule, that when they give them an inch, they will demand a mile; that if they grant them a bridge, they will ask for a solid road across the harbour. A new edition will then be furnished of the "little code of principles, which these gentlemen carry in their wallets," to prove that such was the "encouragement" which the government had pledged them; and when explained by their compiler, it would appear to be of this effect;—Boston is now stinted within her ancient limits, because 600 acres of land have been added to it;—the commerce of the town must be encouraged, by closing up one third of the harbour; the *health* of the town must be secured, by stopping the flowing of the tide, and providing a reservoir for stagnant waters;—and the privileges and property of our south end brethren improved and protected, by prohibiting all access to their estates. They might, and doubtless would carry their views still further, and tell the government, that the want of a solid road across the harbour "is the obstacle to the effectual success of its good intentions, which it is competent

to remove ; and that their favourite portion of the town *languishes* under this obstacle, “that notwithstanding one bridge has been built upon the terms which they explicitly agreed to,” by which the two districts have been united in one, they would boldly say to the legislature, unless you give us this road your “system *must be monstrous*, and unworthy the patronage of any government ; you have left us in a *mongrel* state, neither town nor country.”

It is further stated in the pamphlet, that the price of land in the old town is so high as to amount to “a prohibition of public buildings, shipyards,” &c. The first answer to this is, Go over to the new town for these purposes. But there is no foundation for the above assertion. There are no public buildings now required or contemplated, excepting a court-house, and a meeting-house at West Boston. As to the latter the people of that society want no accommodation ; for their materials are now collecting for a new meeting-house, upon the spot where the old one stands. And with respect to a court-house, there are so many *scites* for its accommodation that the Fathers of the county are at a loss which of them to select. Thus vanishes the assertion relative to *public buildings*. In fact there are so many eligible *scites* for such buildings, were they required, that even the *female asylum* might have been accommodated in *old Boston*, had not the benevolence of these gentlemen suggested that NOOK HILL was the more *appropriate position*.

The absurdity of requiring a bridge for the accommodation of shipyards at South Boston, is apparent. A man, conversant with the common concerns of life, must laugh at the idea of transporting the materials of a ship to that place, otherwise than by water communication, unless procured from the adjacent country. A bridge would evidently be useless for this purpose, as well as for every other pertaining to shipbuilding, unless it might be considered a more safe calculation to bring them to town *over the bridge*, than to launch them into the region of flats which surround this celebrated promontory.

The authority attached to the decision of “public bodies” upon the question of a bridge will be now examined.

It is stated without equivocation, and probably without a blush, "that the decision of every public body on the question of a *scite* for the bridge to South Boston, has been in favour of South Street; that these public bodies possess the best means of forming a judgment, and are not influenced by the expectation of private advantage"!!! Boston, Dorchester, Roxbury, and the report of a committee of the General Court, are quoted for the truth of these assertions. Were they true, the party interested in opposing the bridge, might well tremble at their impending danger.

If they turn out to be not only essentially but *ridiculously false*, they will stand as monuments both of the folly and depravity of their author.

In the winter of 1804, the projectors of this bridge made their first *appeal to the people of Boston*. Before this "public body," in one of their most numerous assemblies, the parties appeared. On the part of the petitioners for the bridge, every art and allurements was displayed, which could result from the combined efforts of eloquence and intrigue. On this side were witnessed the cruel and meretricious triumphs of wealth, oratory, power, pomp and popularity. On the other, was faintly heard, the still small voice of reason and just complaint. The result was differently anticipated by men of candour, and the men of the world. It was, however, soon ascertained that no correct decision was to be expected from this tribunal; and the disinterested and impartial spectators fled from the scene, as from the "reign of Chaos and old night."

Upon the closing of this scene, so *honourable to a deliberative* "public body," other means to influence them were attempted. An offer was publicly made them, of *a property in one half the bridge* AS THE PRICE OF THEIR VOTE. The subject was thereupon committed to 24 gentlemen, selected from the different wards in the town. Their report was made, and may be found in the appendix to this, though it was suppressed in the other pamphlet.* When this report was afterwards

* See Appendix, No. 1.

discussed, it appeared that the terms of it were not agreeable to the petitioners. A debate ensued ; another scene of *confusion* exhibited ; and ultimately *an offer in cash of 25,000 dollars* was made to the town, as a commutation for half the bridge. By adverting to the report of the town's committee, and the offers of the bridge projectors, the case will appear to stand thus. The town say, "We will not vote for your bridge unless you give us the right to lay out such streets, public squares, and market places as we judge necessary, *without any compensation for the land so appropriated.* We will have two burial grounds, two school house lots, and two lots for houses of public worship, *without any payment therefor.* And in lieu of the offer of one half the proposed bridge, there shall be set off by a joint committee of the proprietors on the one part, and of the town on the other, upon the land to be annexed, in four different parts of the same, *one tenth* of all the land thereon, not used or set apart for public purposes, which shall be held at the disposal of the town of Boston." To these demands (which the proprietors did not esteem *perfectly modest*) they answered ; "No ; we will not give you this price for your vote ;" but we will pledge ourselves to the town to pay them 25,000 dollars in cash, or give you half the bridge ; and also the streets and lots for public accommodation as before proposed, and refer to the legislature the terms and conditions upon which the bridge shall be erected.

The world may now estimate the value, which ought to be attached to the decision of the town of Boston, as a "public body," uninfluenced by the expectation of private advantage. The right to animadvert upon the conduct of a public body, cannot be restricted, especially to those who are attempted to be made its victims. Facts must be adhered to ; one of which is, that the *price* of a vote of the town upon the question of a bridge, *has become a matter of record.* The value of the property *actually demanded* for it is more than \$100,000. The value of what was *actually offered*, somewhat less. But it is not susceptible of denial, that their votes and decisions

upon this question have been the subject of *bargain and sale*; and that if an individual "juror, judge or chancellor" should be influenced by similar motives, it would stamp his character with indelible infamy.

Thus it appears, that the town, as a "public body," *have been* influenced in their decisions, "by the expectation of private advantage," and have even calculated upon it as the mean and source of wealth and pleasure.

But to relinquish this view of their proceedings, there is another in which it is most important to consider them. The question between the parties in this controversy, is in its nature *a question of property and right*. There is no public body existing, competent to the decision of this question, which is not either judicial or legislative. To these alone have the opposers of the bridge been ardently desirous of submitting. Why then have the leaders of the South Street bridge project feared a direct and manly appeal to the legitimate tribunals of public justice? Why do such men demean themselves by playing the demagogue? Why do they enlist the populace as the instruments of their pleasure, and then quote their decisions, as the rule of right, and the standard of other mens' judgments? Independent of the *shameless* nature of the experiment, these gentlemen may hereafter find it a *dangerous* one. No other association in Boston would have dared to hazard, or stooped to employ it. The language is plainly this; "We have but little confidence in the merits or success of our enterprize; we will therefore have an assembly of the people; we will first harangue them, then dazzle them with painted and delusive prospects of wealth and pleasure; if these do not succeed, we will purchase their influence, and pay them in land, money or bridges, as may best comport with their vanity or avarice.

Applications for two other bridges from Boston are now pending; either of which will furnish not only a new avenue to the town, but open a communication with our northern and western interior, doubly important and

extensive to that of South Street.* Why is there no appeal to a Boston town-meeting in these cases? Evidently for two reasons; 1st, because the gentlemen of Nook Hill are either opposed to, or have no interest in them; and 2d, because the petitioners for these bridges are no demagogues. Engage the Nook Hill gentlemen in these projects; give them reasonable hopes of another harvest, and the people of Boston will again be set in motion; another scene of riot and chaos exhibited; and the Syren's tongue, and the serpent's charm again employed to please and deceive them.

It is true that the town of Dorchester has decided in favour of South Street bridge; it is also true, that an attempt was made to purchase its opinions by the offer of money. What other modes of corruption were practised, we know not; but we do know, that they were all rejected with disdain. These facts ought to be made public; because at the same time that they justify the conduct of Dorchester, as fair and honourable, they disclose the scandalous means by which her seduction has been attempted. In short, such is the *furor* with which some of the friends of the bridge seem to have been seized, that they are rendered insensible to the vile debaucheries, which they are the means of propagating.

The town of Roxbury uniformly has been, and still is opposed to the bridge. It has recently voted against it, and elected its agents to enforce their opposition before the legislature. The statement, therefore, respecting this "public body" is groundless.

The last and greatest falsehood respecting the uniform decision of "public bodies" will now be stated. Moses Everett and others presented their petition for this bridge at the May Session of the General Court, A. D. 1804. Notice was thereupon ordered; remonstrances from the people of the south end and the Front Street Corporation were regularly made; the subject was com-

* No opinion, as to the necessity or utility of these bridges, is intended here to be given. The object of introducing them will be readily seen; viz. to show the difference of the conduct of their promoters and the promoters of the South Street Bridge project.

mitted to a most respectable committee, of both Houses ; the parties heard, and the prayer of the petition *unanimously rejected by that committee*. Their report was made at the close of the session and accepted by the Senate, and was referred in the House to the next, which was the last winter session. It was then taken up, debated, and the Hon. House concurred with the Senate, and thus the report was accepted by both branches of the legislature. No longer ago than the last session, the very petition which is now before the legislature, was presented ; and such was the disgust and indignation at the repeated and persecuting attempts to wear out its patience, that *even the ceremony of a commitment was refused*. It was afterwards resuscitated, at the request of the member from Dorchester, upon the ground of his absence at the time of the discussion. From the decisions of this "public body" there was no appeal ; "they possessed the best means of forming a judgment, and they were not influenced in their decision by the expectation of private advantage." The statement in the pamphlet thus turns out to be so *false* as to defy all comment. It will therefore only be followed by an assertion undeniably true, *that every public body of which we have heard (Boston and Dorchester excepted) have decided against a bridge at South Street, since the incorporation of the present bridge from South Boston and Front Street.*

The material facts and observations which were made the basis of five pompous positions in the pamphlet, are now replied to. Unsupported by fact or argument, they vanish "like the morning cloud," and pass away. The town and Commonwealth must doubtless perish with them ; for according to the logic of the pamphlet, the establishment of a bridge from South Street is the only mode by which we can "preserve our health, or keep our riches within the State."

In considering the *objections* to the bridge, the writer of the pamphlet alleges, that the citizens of the south quarter of the town constitute a great "clan or family, coming mostly from the country, of the same habits

and opinions, and liable to common, and consequently to erroneous impulses ;” the meaning of which is evidently this ; a clan of countrymen form similar habits and opinions, and are therefore liable to common and erroneous impulses. Perhaps a more unfortunate sentiment was never engendered by the struggles of avarice and ambition. The author, it may be readily seen, is a *town born child* ; but no liberal man of any party or interest, will thank him for this contemptible sneer upon a numerous and respectable class of citizens. The insincere compliment conferred upon them in a preceding sentence, is no apology for this language. It is, however, a subject of rejoicing to this “clan,” that their cause is ultimately to be decided by men, “coming mostly from the country ;” who can have no interest but to promote the public good, and who will despise the insinuation that a man is liable to erroneous impulses, because he comes from the country ; that he is chargeable with inordinate attachments to his interest, and a deficiency in public spirit, because he comes from the country ; and that he is for that reason bound to lay the fruits of an industrious life at the feet of speculating pride, or hereditary wealth.

It is further affirmed in the pamphlet, “that the only real, *interested* opposition, is the Front Street corporation, or less than 30 individuals.” In its subsequent pages, it is admitted, that the Front Street wharves must forever remain the principal mart for wood and lumber ;” and that if the charges upon these articles should be enhanced by the impediment of a bridge, they must be paid by the customer, “as mere duties.”

From this abstract of the statement, the following positions necessarily result. 1st, The only *interested* opposition is from the Front Street corporation ; 2d, the price of lumber and wood may be enhanced by a bridge ; and 3d, the additional expense upon these articles, occasioned by a bridge, must be paid by the consumer. It is melancholy to contemplate the absurdities into which men of talents frequently plunge themselves. If the Front Street wharves must continue to be the prin-

incipal mart for lumber and wood, and the price of these articles will be enhanced by a bridge, it undeniably follows, that every man in Boston, rich or poor, must be interested in opposing the bridge, in the exact proportion as the bridge increases the price of these articles. Let us look for a moment at the state of things which these facts present. A few powerful individuals, rolling in wealth and swimming in luxury, demand the privilege of obstructing the passage to that quarter of the town "which must forever remain the principal mart for wood and lumber." The commerce of the town is materially injured by this obstruction; but the private fortunes of these individuals are thereby augmented to an immeasurable height; the article of wood is necessary for the upholding of life; and without lumber, many of the inhabitants of the town can only be covered by the canopy of heaven; the price of these articles of necessary consumption is to be greatly enhanced, but the evil must be submitted to, by the poor as well as the rich; and the enhanced price of these articles paid by way of duties, for the gratification and aggrandizement of these powerful individuals! The Nook Hill gentlemen have the citizens of Boston under excellent discipline, if they can bring them to this submission; to obstruct the navigation, and impose a duty on the necessaries of life. But it may be some satisfaction to the poor inhabitants to learn, that the "duty upon the article of wood will never exceed 50 cents, nor be less than 30 cents per cord."

Two other assertions are made with unblushing confidence; that "bridges in no instance have been greatly detrimental to estates situated above them," and that this bridge "would aid instead of impeding the navigation." A single fact shall suffice for the first. The wharves above Charles River bridge in Charlestown, which before the erection of that bridge were the most valuable of any in that town, are now partly covered with stables and partly with grass. With respect to the latter assertion, an appeal is also made to facts. If a bridge be extended from South Street, its direction

must be oblique to the course of the channel, and run a long distance in it. At the season of the year when vessels most frequently visit the south harbour, the southerly and westerly winds prevail. A loaded vessel, therefore, must either beat through the bridge, against the wind, or abandon all attempts to reach the wharves above. The consequence is self evident. But without recurring to these facts, the proceedings of Boston and of the legislature have recognized these impediments.

We pass now to an examination of the most important, if not the only branch of the subject which deserves particular consideration.

On the 18th of February, 1804, a COMPROMISE was effected between all parties concerned, as well those in favour as those opposed to the proposed bridge;† and by this COMPROMISE the interests of the public were not compromised; had they been, it would not have been sanctioned by the legislature. No apology will now be offered, either for telling the whole truth, or calling things by their proper names.

This compromise was originally sought by the gentlemen of Nook Hill. It was readily listened to by the opponents of the bridge, who asked and wished for nothing but the peaceable enjoyment of their property, and to satisfy all claims of the public sentiment. They saw, in this compromise, not only the prospect of such enjoyment and satisfaction, but the termination of the controversy. How cruelly they have been deceived and disappointed will appear, by shewing,

1st, That the petitioners for the bridge, and the petitioners for the annexation of Dorchester Neck, were all of them the *real associates* of Messrs. Mason and Otis, and therefore *bound by their compromise*.

2d, That the stipulations of that compromise have been most perfidiously violated. It will then be shewn,

3d, That in pursuance of this compromise the faith of the legislature has been pledged, that no charter for another bridge shall now be granted.

† See Appendix, No. 2 and 3.

It should be first remarked, that notwithstanding Messrs. Mason and Otis were the prominent leaders of the bridge party in the legislature, in the town-meetings, and upon the exchange, their names do not appear upon a single document, public or private, except the instrument which led to the compromise. After their succeeding conduct, is it an uncharitable presumption that they were thus kept in reserve for the purposes of intrigue? Such a presumption is strengthened by a remarkable circumstance. When Mr. Brown and the other members of the south end committee met these gentlemen on the subject of a compromise, the south end committee had their own *credentials in their hands*. It is an idle pretence, therefore, that Messrs. Mason and Otis "did not know the contracting parties upon the other side." They did explicitly declare themselves satisfied with the powers and credentials of the committee. *They* were then requested to exhibit *their credentials*; but they answered they had no *written* credentials from their associates, but would obtain them if required; but they pledged their sacred honours they were fully authorised by their associates. A suggestion was made that the conference should cease, until those gentlemen obtained written credentials.— They said, they did not even wish possession of the committee's credentials, and observed, that notwithstanding their interests and the interests of the committee had greatly militated, they hoped the committee had not seen any thing in them during the controversy, which would justify it in withdrawing all confidence in their honour.

This *studied concealment* of their powers and party, and their endeavours to inspire the committee with a confidence in their honour, would have excited no suspicion, had not their subsequent conduct, and the exposition of it in the pamphlet, stamped their whole proceedings with the marks of artifice and intrigue. Fortunately, it is not necessary to resort to an equitable or honourable *construction* of their agreement, to prove the point in question. For it shall appear from the words of the agreement itself.

This contract* was executed between Jonathan Mason and H. G. Otis, on behalf of themselves and associ-

* See App. No. 2.

ates, of the first part; and William Brown and the other gentlemen of the committee, on the second part. In the preamble of this agreement, it is recited, "that the parties of the first part contemplate and intend to attempt to procure from the legislature of Massachusetts, an act of incorporation, authorizing them to erect a bridge from the town of Boston's landing, so called, in Orange Street, in said Boston, or from some place *southerly* thereof, to Dorchester point; and also to procure, if practicable, an annexation of said point to the town of Boston." Now it is certain that the *first party* to this contract are *those who contemplated and intended to procure an act of incorporation to erect the bridge; and also those, who intended to procure the annexation of the point to the town of Boston*; it is so expressly recited in the contract. Who then are the persons thus described? It will appear, that the persons who were to erect the bridge were Messrs. Mason, Tudor, Otis and Greene; and that those, who were to procure the annexation, were *the same gentlemen, together with all the petitioners from South Boston*, who subscribed the petitions for the annexation. The evidence of this statement will be now adverted to.

On the 27th of December, 1803, William Tudor, Gardiner Greene, Moses Everett, and seventeen others, petitioned the Selectmen of Boston for its consent to the annexation of Dorchester Neck. This petition contained these words; "we shall and do cheerfully consent to the annexation of all our lands, lying within the peninsula aforesaid, *upon the single condition* that the inhabitants will procure a bridge to be erected between Boston and Dorchester Neck." *The identical subscribers to that petition*, together with seven others, preferred their petition, at the then next session of the General Court, in which last petition they pray for the annexation *to be granted; however, upon condition that a bridge should be granted, connecting the peninsula with the town. The place for the bridge to land on the Boston side is not pointed out in either petition.* Three of the subscribers to the petition, now pending before the legislature, viz.

Moses Everett, Mary Clap and Jonathan Bird, were also subscribers to the two former petitions for the annexation; and in that capacity, they, with all the other petitioners therefor, must have been the associates "of Messrs. Mason and Otis." Thus the associates are dragged from behind the curtain. All connexion with them is boldly disclaimed; and every artifice practised to conceal them. But the contract and compromise are now submitted to public examination, and the other documents are among the public records.

Upon a comparison of these facts and documents, an impartial examiner will see with an indignant smile, a question gravely asked in the pamphlet, "who were the parties to this agreement?" Messrs. Mason and Otis *knew perfectly well*, that their associates were described in the preamble of this agreement, and that this description comprehended themselves, the petitioners for South Street bridge, and all the petitioners for the annexation. They therefore must have contemplated one of two things; either to bind these petitioners, *or conceal their intention of not binding them*; if the former, it is the point contended for; if the latter, they are completely detected, and have forfeited all claims to candour and confidence.

The truth of the statement has been argued from the face of the instrument, compared with other documents to which it refers, and which of course constitute a part of it. For the purpose here intended, no other examination is necessary. But it is amusing to find the writer of the pamphlet dreading and renouncing all verbal explanation on the part of his opponents, and yet repeatedly resorting to it himself. Unfortunately his verbal *explanation* amounts to a *contradiction*; for he verbally alleges that the only associates of Messrs. Mason and Otis were Messrs. Tudor and Greene, and gives as a reason, that it had been *repeatedly so announced*; but the instrument discloses, that these associates were the petitioners for the bridge, and the petitioners for the annexation; and so long as that instrument, and the public records remain, it will be useless to attempt a contrary construction.

2. *The facts to prove the truth of the 2d position, viz. that the stipulations of the compromise have been violated, are now to be stated.* While the first petition for South Street bridge was pending, and before the report of the committee upon that petition had been acted upon, Edward Tuckerman and others preferred their petition, praying leave to erect a bridge where the South Boston bridge is now built, and also to make a new street, to extend from the bridge to Essex Street. These incorporations were requested upon a presumption expressed in the petition, and afterwards recognized by the legislature, *that no liberty would be granted for the erection of any other bridge from Boston to Dorchester peninsula, to the northward of the place above described.* Upon this petition the usual notice was ordered, and the petition committed to a joint committee.

It was at this moment, when the South Street petitioners saw the inevitable fate of their project, that the compromise was by them sought for and effected. The evidence of this compromise is contained in the report of the joint committee, which is here subjoined. § The contract before examined is called, in the pamphlet, the “instrument of compromise.” *But it is not so; it is the instrument which led to the compromise.* The report of the committee last referred to, recites and sanctions the compromise, and is the only written evidence of its nature and existence. To the terms of this compromise, must Messrs. Mason and Otis, and their associates, be compelled to submit.

The most prominent feature in this report is the 2d article, which states, that “*no leave be given to build a bridge from Boston to Dorchester, to the northward of the town's landing.*” The compromise of the parties is made the basis of this report; and thus we have the solemn stipulation of Messrs. Mason and Otis, and all the petitioners for the annexation, (as has been before shown) that no other bridge shall by them be sought for. The above report was accepted by consent of all parties; two incorporations, one for the bridge, and the other for

building Front Street, were passed in pursuance of it; and until after the final adjournment of the General Court of that year, every thing was calm, harmonious and happy.

This harmony was first disturbed by the inhabitants of South Boston, who, before the meeting of the new General Court of 1804, published a "formal protest" against the doings of their own agents, Messrs. Otis and Mason, and (what was tantamount thereto) *against the doings of the legislature consequent thereupon*. This expedient was followed by another more serious, but equally unjustifiable; for as soon as the new legislature convened, they preferred their petition for an *arch bridge*, (as it has been termed) from South Street. This project was probably suggested to them by their *arch enemy*, for surely nothing human or divine could have devised a scheme so pregnant with folly. It has been stated in a former page, that this petition met the fate it deserved. But during its pendency at the last winter session, another bridge town-meeting was demanded of the selectmen of Boston. These gentlemen were averse to a renewal of the former scenes of recrimination and animosity. But they were *told by the agents of the bridge projectors*, that if they did not warn a meeting of the inhabitants, a justice of the peace would be applied to for that purpose. They were finally prevailed upon. A meeting was held, and the bowels of Faneuil hall groaned, and were disgorged. A house of public worship again became the theatre for the performance of another grand farce. Mr. Otis spoke for himself, and "by his neighbours and his lawyers;" and a vote was finally carried, *volens volens*, by which the town in effect said, *they would have a bridge in spite of the legislature*. In addition to all this, it is known to all Boston, that ever since the compromise, Messrs. Mason, Tudor, Otis and Greene have used their utmost endeavours to obtain another bridge, though these endeavours may have been (until lately) urged through the instrumentality of lawyers, runners, and secret agents.

There is evidence enough in these facts to condemn the whole together. Principals and associates must retreat before it, and hide their heads. In every instance, where an infraction of the compromise has been attempted or effected, the unremitting exertions of an agent, publicly known to be the instrument and tool of the bridge party, have been every where seen and recognized. In the town-meeting of Jan. 1805, the citizens were harangued by professional gentlemen, who were known from the beginning to have been employed as counsel. Indeed the mask is now thrown off, and principals and associates have all become the open advocates of another bridge, both in and out of the legislature.

How then stands the account, between these gentlemen and their consciences? Simply thus; they have entered into a solemn stipulation in the face of the legislature, that no bridge from South Street shall be granted at their request; but from the moment of that stipulation to the present time, they have permitted, excited, and promoted every measure in their power to obtain it. For the better information of these gentlemen's consciences in future, a passage from a great moral philosopher* is inserted.

“All promises are to be performed in that sense in which the promissor apprehended, and knew at the time, that the promisee received it.

“The obligation of promises depends also upon the expectations, which we knowingly and voluntarily excite. Consequently any action or conduct towards another, which we are sensible excites expectations in that other, is as much a promise, and creates as strict an obligation as the most express assurances.”

We now proceed to the third point.

From the documents before referred to, it is presumed enough has been shewn to justify the opinion, that the faith of the legislature has been and still is pledged to the Front Street Corporation, and the people of the south end, that no charter for another bridge

* Paley, pages 99 and 100.

shall now be granted. The petitions for that incorporation, and for the building of the present bridge, *were proffered and granted upon that condition.* In the report of the committee upon that petition (which is one of the clearest and best drawn documents upon the files of the legislature) that condition is recognized and sanctioned; and the government by accepting that report, and carrying it into effect by two legislative acts, has thereby done every thing in its power to quiet and satisfy all parties. It would have been useless to have inserted this restriction and condition in those acts; for although the legislature of this year can bind itself, it cannot bind its successor of the next. The legislative power expires annually on the day preceding the last Wednesday in May; and, speaking constitutionally, is revived the next day in a new body, though consisting of many of the old members. Being thus annually organized, it has the power to rescind the old, and to enact new laws. But their *faithfulness is the same.* No correct legislature can be above those moral obligations, which are over all, and binding upon all, and for the conscientious discharge of which, its members are *amenable to the Supreme Government of the universe.* In the application of these principles to the case of the parties contending for and against another Bridge, every impartial member of the General Court will examine for himself into those agreements and stipulations of the parties, *which have been made the basis of, and incorporated with the acts and proceedings of former legislatures.* He will then perceive how impossible it is, that the opposers of another bridge can be deceived by their confidence in the faith and justice of the government. The following observations will discover the nature and extent of the injuries which will be suffered by the Front Street Corporation and other inhabitants of the south end, should it appear that this confidence has been either misconceived or misplaced.

A question is made whether "Front Street Corporation are not gainers by the compromise?" It is roundly asserted in the pamphlet, that they are. *But it is a fact capable of the clearest demonstration, that that Corporation, even now, are great losers by the compromise, and in the event of another bridge, not only they, but many others, will suffer much greater losses than have been already incurred. A part of the loss, however, which has been sustained, was foreseen and calculated, at the time the compromise was made. Total destruction to the business and prosperity of the south end was threatened. The inhabitants preferred a partial loss to entire destruction. The sequel will show, that this loss has been suffered to promote the convenience of the public, the interests of the South Boston Association, and the other owners of the peninsula, and from motives of self preservation actuating those, the whole labour of whose lives was attempted to be grasped by the Vandal hand of speculation, under the imposing pretence of promoting the public good.*

This will be further elucidated, and placed beyond the possibility of denial. An open and avowed denial is solicited. The proofs on our part are ready, and we are willing to rest the whole issue on the point, *that the Front Street Corporation, and other inhabitants of the south end, have been, are, and will be losers, and that the South Boston Association, and the inhabitants of the peninsula have been, are, and will be gainers by the compromise.*

The south end inhabitants petitioned to be incorporated with permission to build Front Street and the present bridge. Their motives for so doing, as expressed in their petition (a copy of which is No. 4, in the Appendix) were to make the south harbour of Boston more commodious for navigation and commerce, and to preserve it from the destruction threatened by a bridge from South Street. The idea of profiting by the street was not entertained. The on-

ly part of the expense to which they thus submitted themselves, and for which they expected to be reimbursed, was the cost of the bridge ; they prayed for a grant of such a toll on the bridge, as would reimburse them for building it. But it was made a *sine qua non* by Otis and Mason, that the bridge should be transferred to them and their associates ; that as their object was solely to benefit the Dorchester land, the bridge must be placed in their hands, that they might lessen the toll at their pleasure, or make it free, to promote the settlement of Nook Hill. *The whole cost of the street was given by the south end inhabitants, as the price of their redemption from the greater evils and losses with which they were threatened by a bridge from South Street.* To give complete and full evidence of this, if more can be required, a recurrence to the bond, which has been often ostentatiously and falsely published, as being the only paper in existence relating to, or having any connexion with the compromise, is again necessary. If building the street promised such immense profit, as the writer of the pamphlet pretends, and which he, by tortured inferences from mistated facts endeavours to show, the Front Street Corporation have realized, why were they subjected to the penalty of 50,000 dollars to build it ? Were their “senses so bewildered” as to require to be put under bonds to do that, by the performance of which, it is pretended, they will realize more than 250,000 dollars ? But it may be asked in return, why were Mason and Otis, and their associates, subjected to the same penalty unless they built the bridge ? *It was to compel them to the performance of their stipulations ; to oblige them to build it ; not that Front Street might thereby be accommodated, but that all pretences of any necessity for another bridge might be rendered futile, and the inhabitants of the south end secured in their great and only object, the prevention of another bridge, and the preservation of their commercial privileges.* In accomplishing these purposes, the Front

Street Corporation have already been assessed for the street dols. 70,912-50 cents, and another assessment of one dollar per foot, amounting to \$3059 will be necessary, making dol. 73,962-50. They have also made other sacrifices to nearly dol. 46,000 (See Appendix, No. 5.) Such have been the cost and sacrifice these people have sustained to furnish a spacious and elegant avenue to South Boston, and destroy all claims and pretences for another bridge. For whose benefit has this sacrifice of \$120,000 been made? Not for the Front Street Corporation, for it is demonstrated in the Appendix to be so much lost by them. The only artifice left to ingenuity basely employed is, to pretend, that the Corporation have profited by what they have redeemed and saved, and have no right to count the requisition and redemption money as loss. But this position would be more than monstrous. If a man, having ten dollars, were threatened to be robbed, and a compromise should be made, by which the knight of the road should consent to take five, who, but the writer of the pamphlet, would pretend, that five dollars were not lost by the compromise?

Having thus shewn the Front Street Corporation *have been* and *are* losers under the compromise, the question remains, whether they *will not be* losers in the event of another bridge? It is conceded in the pamphlet, that another bridge would destroy their commercial privileges. In that event, therefore, not only the price of their redemption, but the *very objects intended to be redeemed, will be destroyed and lost.* Then indeed will they be not only in a state of "exile," but poverty.

That Mason, Otis, Tudor and Greene, and their associates, *have been, are* and *will be* gainers by the compromise in the event of another bridge shall now be concisely and clearly exhibited.

The whole amount vested in the present bridge, by them and others interested in their speculation, is

not \$56,000 (as pretended in the pamphlet) but \$36,000, and no more, (See Appendix No. 6.) Whatever sums they may have expended on turnpikes and other objects have no relevancy to the question. They might, with the same propriety, bring their family expenses into the calculation. It is contended in the pamphlet, that all their interest in the present bridge will be lost in the event of another, and may be considered as a *donation* to Front Street. If the present bridge prove a total loss to its owners, it must arise from there being no passing over it. It being a toll bridge, passing would produce income. If there should be no passing over it, of what advantage can it possibly be as an avenue to Front Street? How liberal would be the "donation"! A gift charitable and generous indeed, and if not worthy to be registered in heaven, deserves a conspicuous column in *all* the Boston newspapers. But for argument's sake it is supposed the 36,000 dls. will be lost. How stands the account of profit and loss with them? The whole peninsula without a bridge is fit only for agricultural purposes, and may, in that view, be considered worth from 150 to 200 dls. per acre. It is known that land owned by the South Boston Association, was purchased *before* the present bridge was built, from less than 100 to 500 dls. per acre, and that since the erection of that bridge and Front Street, land has been sold there at the rate of 25 cts. per square foot or 11,000 dollars per acre.

The 150 acres said in the pamphlet to be owned by Mason, Otis, Tudor and Greene, at that rate are worth *one million six hundred and fifty thousand dollars*. Allow one half this sum to be deducted for sea walls, turnpikes, presents, and other *extraordinary expenses incident to the establishment*; there are left 850,000 dollars. Allow the original cost of the 150 acres to have been even 100,000 dols. How much have the poor sufferers made by expending 36,000 dls. in the present bridge? The small sum of *seven hundred and fifty thousand dollars*, only.

Thus have *they been* and thus *are* they gainers by the compromise; and in the event of another bridge, they *will still be* gainers; for who will pretend that their land, even in the event of another bridge, will not be benefited much more than 36,000 dols. by being connected, as it now is, to a populous part of the old town by a bridge short of 1600 feet in length, especially when it is considered, that a bridge to South Street would be longer by more than a thousand feet.

Thus the facts of loss to Front Street Corporation and other inhabitants of the south end, and of gain to the South Boston Association and other inhabitants and owners of the peninsula, *in any event*, is established beyond the possibility of doubt. It rests on a basis which violence cannot shake nor artifice undermine. It defies the assaults of the open and manly, and despises the low attempts of the cowardly, intriguing and disguised.

In the concluding paragraph of the pamphlet, its writer discloses that the measures of his party are now to be changed. We shall now no longer dread the old experiments of intrigue and deception. There is an open *declaration of war*; and it is the first instance of *frankness* in his party which it has condescended to exhibit; but it is also a specimen of insolence which will meet its merited chastisement. The threat is evidently directed both at the town and the legislature! It marks out the ground, and points out the weapons of the combat. Our answer to the challenge is this; if another bridge is an object, which it is "*impossible to relinquish*," the OPPOSITION to it is an object which will never be relinquished. If the *harmony* of the town is to be interrupted while the pursuit of that object is continued, every exertion will be made to *restore that harmony* by convincing the town of the folly of being made the tool of designing and deceitful men. If the *dignity of the legislature* should be impiously assailed, the author of so nefarious an attempt, will be pointed out by the *singer of*

scorn ; and if “ *eternal jealousies and strife* ” are to be the consequences of deferring the grant, their promoters will be as likely to perish in them, as those for whose destruction they are excited.

We have thus torn the veil and exposed some few of the most gross misrepresentations of the pamphlet, in all their nakedness. We should have turned away disgusted with the sight, did not our duty to the public demand of us to exhibit their deformity. A good cause requires not the aid of artifice or misrepresentation, and a bad cause, with their aid, and the assistance of intelligent heads, actuated by corrupt and depraved hearts, cannot and will not succeed with honest men.

A P P E N D I X.

——
No. 1.

Report of the Town's Committee.

THE Committee chosen by the several wards, agreeable to a vote of the town of the 17th inst. to consider the conditions on which Dorchester Neck shall be annexed to Boston, BEG LEAVE TO REPORT—

That the lands on Dorchester Neck be annexed to, and incorporated with the town of Boston on the following conditions;—

1st, That a good and suitable Bridge be built from South Street, of 42 feet wide, with good accommodations for foot passengers, who shall pass toll free; and having *two draws*, one in the channel of 32 feet wide, and one on the flats, on the northerly side, of 28 feet wide, with a wharf of not less than 25 feet in width to each draw, on each side the bridge, extending below the bridge 200 feet; and above it 100 feet, and having a house on the wharf at the channel draw, for persons to be at, at all hours of the day and night, to hoist the draws, for vessels to pass whenever required, and the whole bridge to be well lighted.

2d, The Proprietors of the Bridge shall pay to the owners or masters of all vessels above 20 tons, passing up above the bridge to discharge their cargoes, at and after the rate of *five cents* per ton, register measurement, but nothing returning below the bridge.

3d, That there be inserted in the act of incorporation a clause, whereby it be provided, that if the inhabitants of the town, on the southern side of the bridge, apply to the legislature at any future period to be set off, as a separate town, or annexed to any other, without the consent of the inhabitants of the northern side, that then and as soon as they do, the charter of the bridge shall cease to the then holders, and shall enure to the sole advantage of the old town of Boston.

4th, The Proprietors of the land to be annexed, shall consent that the Selectmen of the town of Boston shall immediately lay out such streets, public squares and market places, as they shall judge necessary for the public accommodation, without any compensation for the land so appropriated.

5th, There shall be two burial grounds, two school house lots, and two lots for houses of public worship, also to be laid out without any payment therefor.

6th, In lieu of the offer of one half of the proposed bridge, there shall be set off by a joint committee of the proprietors on the one part, and the town of Boston on the other part, upon the land to be annexed in four different parts of the same, *one tenth* of all the land thereon, (that is not used or set apart for public purposes) which shall be held at the disposal of the town of Boston.

All which is submitted.

JOSEPH RUSSELL, *per Order.*

No. 2.

BOND executed between Messrs. Mason, Otis and their associates, and South End Committee, as a measure preparatory to the compromise, which afterwards was ratified before Committee of both Branches of the Legislature.

Articles of agreement made and concluded this 18th day of February, A. D. 1804, between Jonathan Mason and Harrison Gray Otis, of Boston, Esquires, in behalf of themselves and associates, of the first part, and William Brown, Arnold Welles, Esquires, Josiah Knapp and Benjamin Goddard, Merchants, all of Boston, in behalf of themselves and associates, of the second part.

WHEREAS the said parties of the first part contemplate, and intend to attempt to procure from the Legislature of Massachusetts, an act of incorporation, authorising them to erect a bridge, from the town of Boston's landing, so called, in Orange-Street, in said Boston, or from some place *southerly* thereof, to Dorchester Point ; and also to procure, if practicable, the annexation of said point to the town of Boston. And whereas the said parties of the second part, with their associates, contemplate, and intend to form and fill up a new street, running from said bridge to Rainsford's-Lane, so called, as is hereafter described.—Now this agreement witnesseth :

First. The said parties of the first part, for themselves, their executors and administrators, do hereby covenant and agree with the parties of the second part, their executors, administrators and assigns, that they will apply to the Legislature of this Commonwealth, and use their utmost endeavours to obtain an act of incorporation, for the purpose of enabling them to build a bridge, from the Town's Landing in Orange Street, or some place south thereof, to Dorchester Point, and another act for annexing the said point to the town of Boston ; and that when said acts shall be obtained, they will, with all reasonable dispatch, commence the building of said bridge, and complete the same.

Secondly. The parties of the second part, for themselves, their executors and administrators, do hereby covenant with the

parties of the first part, their executors, administrators and assigns, that they will unite in their sincere and constant endeavours to enable the party of the first part to obtain the said two acts of the Legislature, until the same shall be obtained: And that whenever the act authorizing the erection of said bridge shall have passed, and the proprietors thereof shall begin to build said bridge, they will forthwith lay out and make, at their *own expense*, a certain street, or public highway, which shall run from Rainsford's Lane, so called, until it comes to said bridge; the eastern line of said street to be at such a distance from the south western corner of Deacon Brown's house in Orange Street, that no part of said eastern line shall be nearer than 350 feet from the eastern line of Orange Street; said road to be at least 50 feet wide in all its parts, and a good and sufficient stone facing next the sea; and that the same shall be completed, on or before the first day of November, A. D. 1805.

And to the true performance of their respective covenants the parties hereby bind themselves to each other in the penalty of fifty thousand dollars. In testimony whereof the parties have hereunto set their hands and seals the day and year before written.

No. 3.

Report of joint committee of both Houses on the Compromise.

THE committee of both houses appointed to take into consideration the petition of Edward Tuckerman and others, praying that they may be incorporated for the purpose of making a new street from the Town's landing in or near Orange Street, to Essex Street in the town of Boston, and also of erecting a bridge from said landing to Nook Hill in the town of Dorchester, paying however toll to a certain description of vessels; *provided however, that no leave be given for the erection of a bridge to the northward of said landing*, beg leave to report, that the several parties, viz. the petitioners, the petitioners for a bridge from South Street, and the proprietors of Roxbury canal, have effected a *compromise*, which your committee ask leave to make the basis of their report, viz.

1st, That the petitioners make a new street, as they have prayed for in their petition.

2d, *That no leave be given to build a bridge to the northward of said town's landing.*

3d, That a bridge be built at the place they have prayed for, subject to the payment of a reasonable toll, to certain loaded vessels passing the draw of said bridge.

4th, That the right to build said bridge, *with all the conditions connected therewith*, be transferred from the petitioners, to the petitioners for a bridge from South Street in Boston to Nook Hill in Dorchester.

Which is submitted, BEZA HOWARD, per order.
In Senate, Feb. 22d, 1804, Read and Accepted.

DAVID COBB, President.
In House of Representatives, Feb. 23d, 1804,
Read and Concurred.

H. G. OTIS, Speaker.

No. 4.

South End Petition to build Front Street, and the present Bridge.

To the Hon. Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled.

The subscribers humbly shew, that they, with their associates, are desirous of being incorporated into a body politic, for the purpose of erecting a Bridge from, at or near the town's landing place in Orange Street, in the town of Boston, to Dorchester Point—and also for the purpose of making a new Street from Essex Street through Rainsford's lane, so called; running parallel with the main street in Boston, to the place on the Boston side, where they propose to erect the said Bridge, and to continue the said street in a proper direction to the town's land on Boston neck;—said street to be at least fifty feet wide.

By the attainment of this object, a new avenue will be opened to the town of Boston, across the narrowest part of the waters passing between the town and Dorchester Point, from the southeastern part of the Commonwealth. The petitioners would further state, that they are satisfied that this project would occasion impediment and obstruction to the navigation which may pass above the bridge proposed to be built; they are therefore willing that a condition, on which they may be incorporated, shall be, that they pay to the masters of all loaded vessels passing up said bridge, and of more than twenty tons burthen, ten cents per ton, as a premium to induce them to pass said bridge. Your petitioners conceive that the object of their petition embraces many public advantages. *The south harbour of Boston will be made more commodious for navigation and commerce, and its present water privileges will be preserved from the destruction with which they are now threatened, by the erection of another Bridge from South Street.*—A large part of the flats situated at the south part of the town will be covered, and the number of lots proper for building increased.

This petition of your petitioners is founded upon the *presumption that no liberty will be granted for the erection of any other bridge, from Boston to Dorchester peninsula, to the northward of the place where they propose to erect the said bridge, unless at some future period the increased settlement of this part of the country should be such, that the public exigences should require the same, in which case your petitioners will be as ready as any class of their fellow citizens to submit to any sacrifices for the public interest.*

And we further pray, that your Honours will grant us and our associates, *such a toll as will reimburse us for the expense of building said Bridge, as to your Honours shall appear just and reasonable.*

No. 5.

Calculation of the Cost of Front Street; the Loss incurred and to be incurred by the Proprietors, &c.

Certain sales made by Mr. Ellis are brought forward in the Pamphlet as data to show the gain of Front Street Corporation. It will now be demonstrated from the same data, that the Corporation have made and must make great sacrifices.

It ought not to be denied, that Mr. Ellis obtained a *good price*. The purchasers' object was to have a wharf whereon they could continue the business in which they had long been engaged. This purchase was made soon after the compromise, under a conviction that the water communication would be forever secured to them; this appears from their giving \$5000 for a piece of flats on the east side of the street, bounding 100 feet upon the street; the flats on that side, are of little value for house lots.

The three pieces sold by Mr. D. Ellis, on the west side of the street measure 100 feet on Front Street, and 76 deep, including the 10 feet left open by agreement, and contain 7287 square feet which were sold for \$4850 being 66 1-2 cents per square foot. These three pieces, when sold by Mr. Ellis, were in one lot (though conveyed in three parcels to accommodate the purchaser.) And the most eligibly situated of any one upon Front Street, and worth nearly double to many in other parts of the street, because it is within a few rods of the territorial centre of the town, pleasantly fronting on two streets, viz. east on Front Street, south on Harvard Street. Notwithstanding these advantages, and that the payments were accommodated to the wishes of the purchaser, he having eight years to complete them in, let the price of Mr. Ellis's estate (bought by Rice and Bridge)

be the standard by which to prove our statement. In this manner it will be evinced that the Front Street Corporation will suffer a sacrifice of \$73962 50 (the cost of the street) and an additional loss of \$45913 40, all which is considered as so much contributed to the public and those interested in the South Boston speculation, with a view to save the commercial privileges of the South Harbour from destruction by another bridge.

First, to shew the cost of the street.

Length 3050 feet, breadth 50 feet, height averaging 13 feet. The assessments already laid, amounting to \$23 1-4 per foot, is	70912 50
Another assessment will be required, for fencing and finishing the Street, of at least one dollar per foot is	3050 —

Cost of Street 73962 50

which is 48 cents for each superficial square foot.

By making the street there have been cut off and shut within it, and thereby rendered useless, 130491 feet of wharf (exclusive of abutment) valued at 40 cents per square foot, is	52196 40
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Add to this 3050 feet of abutment, averaging at least 60 feet in depth, which was little used but as wharves, say half the value thereof, 20 cents per foot on 183,000 square feet, is	36600 —
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Front Street is built so far into the sea, as to leave the western side flats, to be raised, at least as high as the street, which will cost, taking the cost of the street for a standard, 48 cents per square foot. Now take the width, the same as sold by Mr. Ellis, 76 feet, which multiplied by the length 3050 feet is 231800 square feet to be filled up, at 48 cents per foot, is	111264 —
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\$274022 90

This amount must be expended before the house lots will be fit for sale. Now give credit for these houselots (all of which excepting 3 will be much inferior to that sold by Mr. Ellis for reasons before stated) at the same price Mr. Ellis sold for. The measure being 3050 feet in length and 76 feet in width, is 231,800 square feet at 66 1-2 cents, is	154147
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Loss to the Corporation, \$119875 90

The cunning and deceptive calculator, in the pamphlet, omitted to add to the value of Mr. Ellis' estate, any thing for the general rise. And between twenty two and twenty three thousand

dollars which he has expended upon the premises since his purchase.

To demonstrate this rise, the following is submitted.

Mr. Ellis in 1794 and 1796 purchased his estate, then containing 22960 square feet of land for \$6383 33, which is equal to 27 cents and 8 mills per foot. Mr. Knapp in 1800 (4 years before Front Street was thought of) bought a part of the same land with no building of any kind on it, and on which Mr. Ellis from the time of his purchase to the time of the sale to Mr. Knapp, had not expended a single cent in improvement. Mr. Knapp paid for this piece which measures 5115 square feet \$2000 cash, which is equal to 39 cents and one mill per foot. Accordingly between the time of Mr. Ellis' purchase and the time of the sale to Mr. Knapp, his land had risen in value more than 40 per cent.

To exhibit further evidence of the cost of filling up the flats and to show that the writer of the pamphlet meant wilfully to deceive in the estimate which he gave the public, the following is subjoined, being the cost per square, (of 216 cubic feet,) paid by the proprietors of South Boston bridge for filling up the abutment adjoining the bridge on the Boston side.

The first contract for mud, brought in scows, was \$3 25 per square foot. Another contract for gravel, brought in carts, was at the rate of \$4 per square. The last contract for gravel carted, was as high as 4s. per cart load, or more than \$5 dollars per square. And yet in the pretended calculation, in the pamphlet, of the cost of Front Street, the writer allows but \$2 per square.

No. 6.

Calculations of the Cost of present Bridge, and of the amount vested therein by those interested in the South Boston Speculation.

The whole amount of expenditures by the Treasurer's accounts, was between \$56,000 and 57,000,
say \$56,000

But the money received back by the proprietors, arising from sales of materials not used, and \$5,288 62 cents paid back from the town, being half the amount of filling up the town's land, as per agreement, together amounted to more than \$7,000, say 7,000

Cost of bridge to proprietors \$49,000

which divided by 148, the number of shares, gives about \$338 cost of each share, 39 of which are owned by gentlemen not in any degree interested in the South Boston land, which at \$338 per share, gives \$13,182.

20 of the 39 shares belong to members of the Front Street Corporation, and other gentlemen of the south end ; 10 to another, most of whose connexions, and family, are at that part of the town. The remaining 9 belong to a gentleman of Roxbury. Deduct therefore \$13,182 from \$49,000, the cost of the bridge, leaves \$35,818, or say \$36,000 disbursed for present bridge by those proprietors who may be in favour of another ; making a difference of \$20,000 between the amount asserted to have been disbursed by them and the real sum. For what "*special purposes*" the misrepresentation and exaggeration were made will be readily seen.

The first of the three parts of the book is devoted to a general
 introduction to the subject of the history of the world, and
 to a description of the various states of society which have
 existed from the beginning of the world to the present time.
 The second part is devoted to a description of the various
 states of society which have existed from the beginning of
 the world to the present time, and to a description of the
 various states of society which have existed from the
 beginning of the world to the present time. The third part
 is devoted to a description of the various states of society
 which have existed from the beginning of the world to the
 present time, and to a description of the various states of
 society which have existed from the beginning of the world
 to the present time.

