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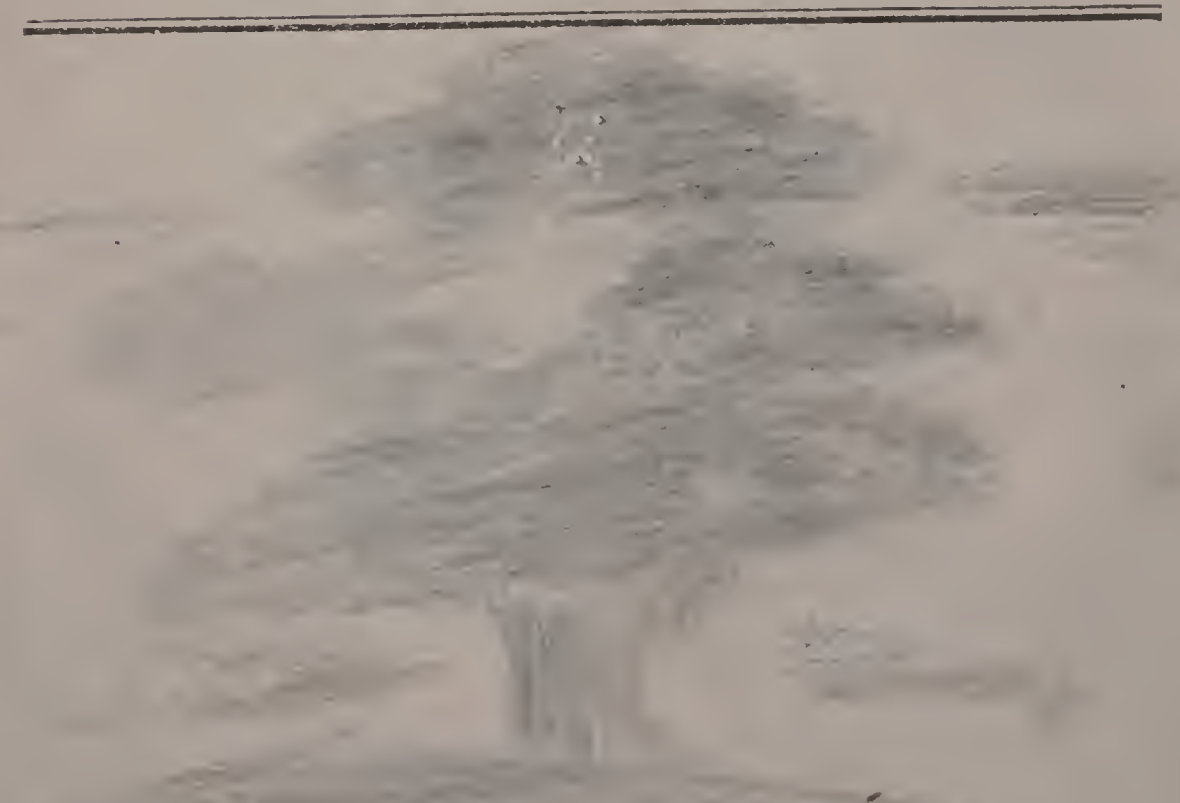
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BOSTON AQUEDUCT

AND

THE CITY OF BOSTON.

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# BOSTON AQUEDUCT

AND

## THE CITY OF BOSTON.

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[These numbers were first published, in the Daily Evening Transcript, in July and August, 1849.]

### THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

NO. I.

It is stated, in the Atlas of the 13th instant, that, on the preceding evening, Mr. Putnam offered an order, "that the Mayor be authorized to purchase the property and franchise of the Boston Aqueduct Corporation, provided, that the same can be had for the sum of \$20,000."

The relation, between the Boston Aqueduct and the city of Boston, is of interest, not only to the stockholders of the Aqueduct, but to the stockholders of certain other corporations, whose property, in the course of what may be termed *municipal progress*, may be sacrificed to the popular demand for improvement. It is also a legitimate subject, for the diligent study of every citizen, and involves the consideration of high moral principles.

It is my purpose to consider this relation, in some of its aspects. Men are prone to suspect their neighbors of those very sins, with which they themselves are most familiar, in life and practice: I doubt not, that many of my readers already suspect me of being actuated, by the stimulus of personal interest. That suspicion is perfectly just. I have been a director of the Aqueduct Corporation, for many years. I am also the largest stockholder. My

interest, at a just valuation, is rated, on the books of the corporation, at \$42,000. And for several years it has yielded in dividends, \$4200 per annum, or six per cent. on \$70,000. Such is my personal interest.

There are higher and holier interests, however, which are not to be forgotten. I have an interest, deep rooted and sincere, in the prosperity of this highly-favored city, in which I was born and reared, and where some few memorials of my youth, which were standing, some sixty years ago, are standing still. I have taken my full share of filial pleasure, in the boast, that, of all the cities of the earth, Boston was the last, in which any individual, or body of individuals, relying upon their wealth or power, could oppress a feeble brother with impunity, and continue to breathe, in peace, the atmosphere of public indignation.

There is yet another interest: however considerable my individual loss, by the injury done to the Boston Aqueduct, since the introduction of the Cochituate water, that loss has not left me destitute. Such is, by no means, the case with all. There are examples, among the stockholders, in which the loss is hard to be borne; and in which the principal reliance of aged persons has been, for years, upon the semi-annual dividends of the old Boston Aqueduct, of which they are now utterly deprived. The expenses of conducting the affairs of such a corporation are very great. The water rents, at present received, may possibly be worth the consideration of the city, inasmuch as they subtract from its revenues, *pro tanto*, but are not more than the claims of the officers and operatives absorb. Not only is no dividend declared, but not one dollar is in hand or expectancy, for such an object.

Before I proceed, it is just to every other stockholder, to say, that no one of them all is responsible, for the spirit or the freedom of my remarks. I have called no one of them to consultation, nor shall I, upon the fitness or expediency of the articles, which I am about to publish. The affair is my own exclusively, and, if any member of the city government, or the counsellor, or mover of any member, after the perusal, should be sensible of an aggravation

of bitterness—a stronger will to say—*we have gotten the old Aqueduct into a clever fix, and we'll keep it there*—I earnestly beseech that worthy functionary or adviser to remember, that no member of the corporation is, in any way, responsible for these remarks, but myself.

As I shall have occasion to employ great freedom of speech, and refer to certain members of the city government and others, by name, I beg it may be understood, that *I am not an anonymous writer*, as any one may ascertain, upon application at the office of this journal.

Justice is a right; and there is something wrong in every government, whether of a city or a state, where it is accounted a favor. I am aware, from observation—not from experience—that, far short of bribery and corruption, there is a great deal of propitiating, cottoning, and cringing, booing, and buttonholding to be done, occasionally, before men can obtain their simple rights. It may therefore appear to the members of a city government—to the very humblest functionary of them all—the very height of insolence, for any citizen, to forsake the cap-in-hand style of solicitation, and demand, as a right, that, which is so commonly received, as a favor. For one, *I ask no favor in this matter, from the City of Boston*. I demand my right. If it is refused, to-day, by the government in being, the time may come, when men of different views may be in office; whose training has been somewhat more liberal; who do not conceive, that their office requires them to grind the individual *citizen*, for the benefit of the *whole city*; who recognize the principle, that, when the property of one or more citizens is either taken away, or injured, or destroyed, for the public good, a just and righteous compensation should be made. Such compensation is drawn from the taxes of the whole people; and the taxes of the injured themselves necessarily form a part of the indemnity.

It is my humble opinion, very deliberately formed, nevertheless, that the proprietors of the Boston Aqueduct have been treated, by the City Government of Boston, with a measure of injustice, illiberality, and even meanness, which has no parallel here, since Boston was founded,

in 1630. It is quite surprising, how readily one or more individuals will bear his or their per-centage of an act of injustice, who would shrink from the imputation, if called to endure it, in the aggregate, single-handed and alone. From this charge I except, of course, a very large proportion of the city government. The act of the majority, however, has stamped the government with whatever there may be of glory or of shame, in the rejection of the recommendation of the mayor, the joint standing committee on water, and the board of aldermen, of the former year, to render a compensation, however inadequate, to the proprietors of the Boston Aqueduct, the amount, then proposed by them, being \$75,000.

I would not go into that detail, which may be necessary to sustain these opinions, were the matter in hand simply a pecuniary, and in no sense a moral question, affecting the reputation of the city, for magnanimity, and a becoming reverence for impartial justice.

Upon whose suggestion Mr. Putnam proposed, that \$20,000 should be offered, for the *property* and *franchise* of the Boston Aqueduct, I cannot imagine. I have too much consideration for that gentleman, to suppose, that he intended to add insult to injury. Until the time, when this property, belonging to a few citizens and tax-payers, was crushed and sacrificed, for the benefit of the whole community, it yielded an income of six per centum, per annum, on more than \$350,000, and divided annually, for several years, among the stockholders, \$20,000, the very sum proposed by Mr. Putnam to be paid *for the whole property and franchise*.

It is possible, that the statements, which I propose to offer, may produce no sensible effect upon the public mind. The citizens of Boston may be contented to enjoy their present blessing, in utter disregard of the fact, that the boon has been obtained, by the destruction of the property of their neighbors. Be it so. I shall have the satisfaction of having set forth my facts and opinions, with a freedom and directness, which are never unacceptable to frank and honorable minds, however they may offend, and even provoke, the resentment of narrow-minded men.

## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

## NO. II.

The Boston Aqueduct was incorporated in 1795, and the stock was divided into one hundred shares, which number has never been increased. No dividend was made until 1807. In this interval of twelve years, proprietors, after having paid in \$1000 per share, occasionally sold out, at \$300. In 1807, a dividend was declared of \$20, on a share, then rated, on the books, at \$1300, or about one and an half per cent., for twelve years.

The average of all dividends, for thirty years, from 1807, was \$51 76, or a fraction less than 4 per cent. per annum, rating the share at \$1300. The dividend, for the last of those years, 1837, was \$100. Actual sales of this stock were unfrequent, prices varying, at that time, from \$500 to \$600 per share; and, when the dividends became greater, from year to year, with a reasonable prospect, in proportion to the increasing efforts and outlay of the company, of still greater dividends, there was, during several years, no perceptible addition to the *market* value; though, in the settlement of the estates of deceased proprietors, shares were transferred at a much higher rate. On the 30th day of August, 1844, the dividends, having become steady, at \$200 on a share, per annum, I paid Mr. Henry B. Rogers, now an alderman of this city, by check on the Globe Bank, six thousand dollars, for five shares, that is \$1200 per share. I state this fact with precision, because, when referred to, as an argument, I am told it has been supposed or alleged, by certain persons, members of the city government, and others, to have been a barter trade, or a nominal sale.

At that time, in consequence of an outlay of \$70,000 in 1840, for an iron main from Jamaica Pond, &c., the valuation of a share, on the books, was \$2000. The cause of this difference, between the productive value and the market value, will be perfectly intelligible to such as remember, that, for many years, with irregular intermissions, the permanency of this property was rendered

questionable, by the prospect of that, which has, at length, been accomplished—the introduction of water at the expense of the city, on the plan adopted in New York and Philadelphia.

The proprietors of the Boston Aqueduct had always supposed, that, from considerations of economy, and from a regard to the relation, in which they were placed to the community, as the proprietors of an aqueduct, already established, and which was about to remunerate its stockholders, for many years of unproductiveness, it would be finally decided to follow the example of London, Edinburgh, Glasgow, Greenock, and other cities. Those cities are supplied by private companies. There appears to have been nothing unreasonable in this opinion. The proprietors of the Boston Aqueduct were, therefore, opposed to the city project; and the directors would have been faithless to their trust, if they had omitted the use of all honorable means to procure the adoption, in this city, of the London, instead of the Philadelphia plan.

The stand, taken by the proprietors of the Boston Aqueduct, upon that occasion, begot, for them and their successors, a feeling of animosity from the water party, which broke forth, in a torrent of abuse, at the time, without the slightest regard to the boundary lines of truth and falsehood, and a spirit of persecution, which has not yet ceased to rankle, and which, doubtless, is the father of the sentiment—*we have gotten the old Aqueduct into a clever fix, and we'll keep it there.*

It may not be amiss, in course, to refer to some few of the preposterous and utterly false statements, which have been made in this connection. The Boston Aqueduct was charged, from all quarters, with striving to retain a monopoly. This the people were taught to receive, for a truth. Nothing was more false. However opposed to annihilation by the overwhelming force of a colossal city aqueduct, the proprietors desired and courted competition. They were perfectly sensible of their inability to supply the growing wants of the community. When, therefore, the project of a private company arose, to bring the water from Spot Pond, the proprietors of the Boston



Aqueduct promoted that project, with whatever power they possessed.

Whether the directors of the Boston Aqueduct may be suspected of employing any unworthy means, for the attainment of corporate ends, may be gathered, in some degree, from the knowledge of who those directors were. The directors, since my connection with the company, in addition to the late William Pratt, Timothy Williams, and Jeremiah Belknap, have been Ebenezer T. Andrews, Henry Codman, William H. Boardman, William Powell Mason, Henry B. Rogers, and George H. Kuhn. The crying sin of the Boston Aqueduct, as far as I am able to discover, has been its preference to live and thrive, on the London plan, along side of other private water companies, rather than to meet utter destruction, as it has done, by the adoption of the Philadelphia plan.

The proprietors were not alone: tens of thousands of their fellow-citizens were opposed to the water project. Two gentlemen, now aldermen of the city, Messrs. Rogers and Wilkins, published pamphlets in opposition to it. The Spot Pond Company was incorporated. Many, among the most wealthy and intelligent of our citizens, in August, 1845, petitioned the city to take one third of the stock, the charter having been framed "to meet the suggestions and wishes of the city government." All these opponents of the Long Pond water project were obnoxious to its friends; but none seem to have been so much "in danger of the council," as the proprietors of the Boston Aqueduct. Their property was visible and tangible, by the official besom of destruction.

The proprietors of the Boston Aqueduct, in their preference for Spot Pond, were also influenced by the following consideration: whenever a failure occurs, in the supply of any one of the eight London companies, some one or more of the remainder come to the rescue, and their works are constructed to admit of a junction, in such emergencies. It seemed desirable, as a similar comity would, probably, be established, among the Boston companies, to select a source, whose purity would, in such contingencies, compare, as nearly as possible, with

the water of Jamaica Pond. The proprietors placed due reliance upon the opinions of Messieurs Daniel Treadwell, James F. Baldwin, and Nathan Hale—the two last of whom are now water commissioners—published in their very elaborate report, of November 23, 1837.

These gentlemen had said, page 12—“*The water of this (Spot) pond is less colored than any water, in the vicinity of Boston, except Jamaica Pond and Baptist Pond.*”—Again, on page 34, Messieurs Treadwell and Hale remarked—“*As regards the fourth point of comparison, namely, the purity of the water, the analyses show both Spot and Mystic Ponds to be more pure than Long Pond.*” Mr. Baldwin published a separate report, in which, so far as the Mystic water is concerned, he dissents from his colleagues. Of this water he says, page 50—“I object to the color and character of the water, which composes this source. Much of the water is derived from the Middlesex Canal, from the leaks and wastes on a large portion of its length. The canal is fed from Concord River, in Billerica, a large part of whose waters lie every year nearly motionless through the dog-days, steeping the grass on the Sudbury meadows, for many miles in extent. There are also upon the streams which flow into this pond, 15 or 20 dams and water privileges, where various kinds of mills and factories are in operation; and, although there may not be, at present, any more objectionable than hat manufactories, tanneries, &c., still, at some future day, they all may contribute, more or less, to render the water unfit for domestic purposes.” Loathsome as Mr. James F. Baldwin represents the water of Mystic Pond, yet, if the analyses show it to be “more pure than Long Pond,” and such is the assertion of Mr. Daniel Treadwell and Mr. Nathan Hale, is it not manifest injustice, for the members of the common council, or any other persons, to cherish angry feelings towards the proprietors of the Boston Aqueduct, for expressing a decided preference, for the purer waters of Spot Pond?

In reply to Mr. Baldwin's objection, Messieurs Treadwell and Hale offered a moral reflection, in their reply,

page 62—“*It is by no means pleasant to dwell upon the sources of impurity, to which all waters, which can be procured in civilized life, are exposed.*” This is a very sensible observation; and I deeply regret, that the proprietors of the Boston Aqueduct have never thought of opposing it to the cry of EELS! Messieurs Treadwell and Hale still adhered to the *analysis*, and say—“*We need not repeat, that the analysis shows the water (of Mystic Pond) to be more pure than that of Long Pond, which receives, in the dry season, the drainage from an extensive swamp or meadows.*” Tempora mutantur, et nos, &c. If censure is applicable anywhere, for undervaluing the waters of Long Pond, it should be cast at the doors of these gentlemen, the commissioners, and not laid upon the shoulders of the proprietors of the Boston Aqueduct, whom certain persons have determined to *punish*.

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## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

### NO. III.

In November, 1848, the proprietors offered a memorial to the city government. In this memorial, they set forth their origin, the cost of their works, amounting to \$200,000; the anxious desire of Mr. Brimmer, the late mayor, when the Long Pond water act was passed, for an adjustment with the Boston Aqueduct, and that, upon that gentleman's suggestion, power was given to the city, in the first bill, to purchase the company's franchise; that, upon a representation to the legislative committee, who reported the second bill, of the injury and injustice, which would be done to this corporation, by the overwhelming influence of the city, section 16, was added to the bill, as follows:—“*The said city of Boston is hereby authorized to purchase and hold all the property, estates, and privileges of the Aqueduct Corporation, incorporated by an act, passed 1795.*” The memorial farther set forth, that, in 1846, the water committee made a report, recommending a purchase by the city, predicated upon a report

of the water commissioners. The memorial states—"that your memorialists cannot be contradicted, when they assert, that the vast accession of taxable property, which the city have secured, by the compact and substantial structures, on the new made lands of South Cove, and Mill Pond, and the new streets, projecting southerly from Pleasant street, could not have been acquired, without the distribution of Jamaica Pond water, through all the streets of those districts." It will be presently seen, that this fact was unanimously acknowledged, by the mayor, Mr. Quincy, and the joint standing committee on water.

The memorialists further state, that they "do not ask redress as equals, who suffer in competition with equals, but as a few private individuals, who are sacrificed on the altar of public accommodation—whose property is destroyed, for the benefit of the whole remainder." The memorial concludes, with an alternative request, for a reference, in the event of failure to agree upon the amount of compensation.

After the presentation of this memorial, several conferences took place, between the mayor, Mr. Quincy, and the water committee, on the one part, and a committee, appointed by the directors of the Aqueduct, consisting of William Appleton, Thomas A. Dexter, and Charles Amory, on the other. Mr. Quincy expressed the opinion distinctly, that the proprietors ought to receive \$100,000, but, after considerable delay, occasioned by the necessity of sounding different individuals, he arrived at the conclusion, that the utmost, which could be obtained, was \$75,000. That this sum would be given by the city government, he appeared to be confident. Thereupon, at a meeting of the stockholders, it was finally, though reluctantly, agreed to surrender a property, which had yielded, up to that time, six per cent. on \$350,000, for \$75,000.

The following report and orders, were then offered:—

"The joint standing committee on water, to whom was referred a memorial of the Aqueduct Corporation, asking for a conference on matters of importance to both corporations, report:—That, after several meetings with

the committee of their directors, and in consideration of the memorial, which is herewith submitted, the committee agreed, unanimously, to report an order, recommending the purchase of the franchise and all the property, belonging to the Aqueduct Corporation, (except real estate not necessarily connected with the works in the city of Boston and the funds they have on hand,) for the sum of seventy-five thousand dollars, on condition the said corporation would agree to sell the same for that sum, provided the city council authorized the purchase, before the first day of January next."

"As there was not time for a legal meeting, the shareholders individually signed the agreement, which, with a supplementary memorandum, are herewith submitted—which being satisfactory to the committee, they submit the following orders:—

"The reasons which led the committee to this result, are two fold. The city of Boston, by the construction of the Aqueduct, will lessen, if it does not entirely deprive the Aqueduct Corporation of the income of their property, and, as since the commencement of the undertaking, they have been of great benefit to the city, in increasing the taxable property, and in ministering to the convenience and safety of the citizens, the corporation should, in the opinion of your committee, be treated with liberality."

"The principal reason, however, arose from the conviction, that the rights of the Aqueduct Corporation, in a mere business point of view, should be extinguished."

"They are competitors with the city for the sale of water, which they can deliver, at a moderate height in most of the city, as it is at present, and in all that may hereafter be reclaimed from the ocean."

"Their charter is perpetual, they will forever have the right to take up our streets, and to take advantage of any rise, that may hereafter be deemed expedient, in the amount of the city water rents."

"Even if the superior advantages of the city should ultimately cause the proprietors to abandon their property, it will be after a protracted struggle, during which

time all that they receive will be a loss of an equal amount to the city, as it would be able to supply their takers, without any additional expense to itself."

"With these views the committee report the following resolutions for the consideration of the council.

JOSIAH QUINCY, JR., *Chairman.*"

Here follow the usual orders, for the payment of \$75,000.

This unanimous report of the joint standing committee on water, having been accepted in the board of aldermen, was sent down, for concurrence, to the common council, and rejected, by a majority. Upon this occasion, the president of the council, Mr. Benjamin Seaver, left the chair, and made a speech, and knocked down the property of his fellow-citizens, which had produced six per cent. on \$350,000, as summarily, as if it were a cask or a bale of damaged merchandise, under his professional hammer.

In this speech, Mr. Benjamin Seaver asserted, that the proprietors had been offered \$80,000, which they refused. The only rational application of this argument, in the logical mind of Mr. Benjamin Seaver, must be an inference, that this refusal to accept \$80,000, rendered them unworthy of \$75,000, perhaps of any compensation whatever. This is a strange *non sequitur*, for a world like ours: it is not in accordance with the custom of merchants, or men of common sense. It is in truer keeping with the relation, between a bashaw of three or more tails, and his slaves—if they dare to refuse, for their possessions, whatever he shall condescend to offer, they shall resign them forever and receive nothing!

But, suppose Mr. Benjamin Seaver rather overrated the sum, offered to the proprietors. Suppose it was only \$10,000. Suppose it was nothing! Now it happens, that this assertion of Mr. Benjamin Seaver was *utterly false—false in whole and in part*. Not one dollar has ever been offered to the proprietors of the Boston Aqueduct for their franchise or property, *directly or indirectly!* The false statement passed for truth, for the occasion, at least. It had its *ad captandum* effect, with those, who had predetermined to "*punish*" the proprietors of the

Boston Aqueduct. A day or two after, Mr. T. A. Dexter called on Mr. Benjamin Seaver, and told him there was not a particle of truth, in his bold statement. And what said Mr. Benjamin Seaver? "*Why, Norcross told us so!*" And thus, upon an *on dit*, the twaddle of Norcross, this president of the common council trifles with the rights and property of other men! Did he ever publicly correct this statement before the council? Never, that I ever heard of; and even if he did, it was too late.

Mr. Benjamin Seaver also said, that his conscience, under his oath of office, forbade him to vote away the city's money as a gratuity. Really! and what does this conscientious gentleman, who officially argues against his neighbor's rights, on utterly false statements, understand, by a *gratuity*? Dinners for mayors, aldermen, and councilmen—pray what are they? But, on no such ground, do I rest the claims of the Boston Aqueduct, of course, as I shall presently show. It is quite remarkable, that this unanimous report of the joint standing committee on water should have been accepted by the board of aldermen, without troubling the *conscience* of anybody, till it came to this president of the common council. His chief argument was this, that we took our charter at our peril, and must take the consequences of *competition*. It is difficult to conceive of a position more unjust and absurd, when applied, not to private corporations, or individuals, but to the relation between the *whole city* of Boston and a *small corporation* of one hundred shares, with a capital of only \$200,000. We may as well talk of competition, between a giant and a child. It is quite likely, that Mr. Benjamin Seaver never read or understood that part of the memorial, which says, the proprietors "*do not ask redress, as equals, who suffer in competition with equals, but as a few private individuals, who are sacrificed on the altar of public accommodation, whose property is destroyed, for the benefit of the whole remainder.*" Other persons figured upon this occasion, with so very little dignity or even decency, that it would be an act of injustice to pass them over in silence. They courted notoriety, and ought not to be disappointed.

## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

NO. IV.

Mr. Benjamin Seaver has addressed the following letter to Mr. Thomas A. Dexter, of which I am desirous that the writer should be enabled to reap the most ample advantage:—

BOSTON, July 28, 1849. Dear Sir,—Mr. Sargent states in his article in the Transcript of yesterday, on the subject of your Aqueduct, that I “asserted that the proprietors had been offered 80,000 dollars, which they refused.” This is *not true*. I stated that the water commissioners estimated its *value* at 80,000 dollars two and a half years ago. One of the main grounds of estimate being the income that would accrue to the city from the property, *before* the great aqueduct would be finished.

That ground of estimate was removed on the completion of the latter. Mr. Norcross did state to me (and will so state now) that he tried to induce you to say that you would sell at 100,000 dollars, and said to you that if you would authorize him to say that it could be had for that sum, he could carry it through the council.

You replied that you would not listen to it for a moment. This was the manner in which the question first presented itself to the council. It seemed a very strange way then, for us to offer 100,000 dollars, when you indicated no disposition to accept *any thing* like it, and which was 20,000 dollars beyond the estimate of the commissioners, based upon an income of (I think) 32,000 dollars, to accrue to the city before our Aqueduct could be completed. I did not and do not now, intend to notice Mr. Sargent’s remarks, for I care nothing about them, having done only what I deemed it my duty to do in the premises. But I am not willing that he should state in relation to myself what is untrue, and as your name is introduced into the article referred to, I have taken the liberty to trouble you with this note, that *you* at least, should understand the fact.

If Mr. Sargent thinks he can sell his Aqueduct by



such articles, I have no objection, provided, that, as far as I am concerned, he tells the truth.

With esteem, I remain, your friend and servant,

BENJAMIN SEAVER.

THOMAS A. DEXTER, Esq., State Street.

Mr. Benjamin Seaver says it is *not true*, that he “asserted, that the proprietors had been offered \$80,000, which they refused.” It behoves me, therefore, to sustain my allegation, that Mr. Benjamin Seaver *did make that assertion*. Before the meeting of the common council, upon the occasion referred to, the directors deemed it of great importance, to have a faithful report of the proceedings: two persons, well known and long trusted by them, and in whose accuracy and intelligence they have implicit confidence, were spectators and auditors, then and there. I annex their certificate, given under oath, and attested by a magistrate:—

BOSTON, July 28, 1849. We, the undersigned, do say and declare,—that, at a meeting of the common council, at which the report of the joint standing committee on water, to pay the Boston Aqueduct seventy-five thousand dollars, was rejected, we understood Mr. Benjamin Seaver to say, that the company had been offered eighty thousand dollars, which they had refused, and that the time for negotiation was past—and we stated this on the following day to Mr. Thomas A. Dexter and others.

THACHER BEAL,

NATHAN UNDERWOOD.

COMMONWEALTH OF MASSACHUSETTS.

*Suffolk, ss.* Boston, July 30, 1849. Then personally appeared before me, the above-named Thacher Beal and Nathan Underwood, and severally made oath to the truth of the foregoing declaration, by them subscribed in my presence. CHARLES HAYWARD, *Justice of the Peace*.

Mr. Benjamin Seaver’s memory must be singularly treacherous and short. Mr. Thomas A. Dexter called on him, soon after he made this assertion, and told him it was utterly false. He replied to Mr. Dexter—“*Why, Norcross told us so.*” He offered nothing like the state-

ment made in his letter above ; and now he writes to the very gentleman, to whom he admitted, that he made the assertion, by his answer, "*Norcross told us so,*" to convince that gentleman, that he, Mr. Seaver, never made that assertion ! Mr. Dexter is at hand to verify these statements, of course.

Mr. Benjamin Seaver next informs us, that this Mr. Norcross tried to induce Mr. Dexter to say, that he would sell, for \$100,000, and that Mr. Dexter would say no such thing. Mr. Dexter, doubtless, thought, as General Jackson thought, when asked by an *unauthorized* person, if he would accept the presidency, that certain things were neither to be accepted nor rejected, too hastily. I appeal to Mr. Seaver himself, who knows so much more about trade, than he knows about any thing else, in this world, if Mr. Dexter's course was not prudent and wise. Besides, who is this Mr. Norcross, who was so sure, that, if Mr. Dexter would agree to take \$100,000, *he could carry it through the council!* Mr. Quincy, the late mayor, confidently thought he could carry the measure of \$75,000, and yet he failed ; and the present unanimous mayor deputed a member of the water committee to propose \$20,000, in the present common council, and they laid *that* on the table ! What man, then, of common discretion, would have put his faith in unauthorized Norcrosses ?

I have heard of a Scotch weaver, who read the Edinburgh Review, upon his stoop, till he thought he wrote it ; and thus it is, with some of our petty functionaries, whose official turgescence would be positively alarming, if it were not quite so ridiculous. Mr. Benjamin Seaver says, "*I did not and do not now, intend to notice Mr. Sargent's remarks, for I care nothing about them.*" Precisely so. This is the true official spirit. A proprietor sits down, to point out the gross injustice, suffered by himself and his associates, at the hands of the city government ; and a president of the common council, who has been a principal minister of all this injustice, exclaims, *I shall not notice his remarks, for I care nothing about them!* It is quite time for official coxcombs to receive a few lessons of profitable humiliation.

The last remark of Mr. Benjamin Seaver is characteristic. "*If Mr. Sargent thinks he can sell his Aqueduct, by such articles, I have no objection,*" &c. Here the president of the common council abandons the chair, and goes back to the tub and the hammer. All his thoughts are on a trade! If Mr. Sargent thinks he can sell, &c.! Principles are nothing—the reputation of the city, for liberality and justice, is nothing—the credit and dignity of the city councils are nothing—the individual rights of the citizens are nothing—there is nothing of value but money—there is no employment, worth the consideration of an immortal being, but trade—"If Mr. Sargent can sell his Aqueduct," &c.

The proprietors have asked for a reference of a question of moral right; their application has been five months before the city, unanswered. Their property, so far as they can look at the present and the future, is ruined. They ask for justice—they demand it, as a right. There are, in the board of aldermen, and in the common council, gentlemen, men of intelligence, and a just sense of honor and justice—there are, also, men of slender capacity and contracted notions; by whom the good, old city of Boston is represented, about as truly, as the senatorial wisdom would be, by a parcel of overgrown boys, who acquired the ascendancy, elected Punch for president, and proceeded to the formal mockery of legislation.

Should any gentleman of the government, for the love of justice, and the honor of the city, be moved to lift his voice, in their behalf, and call for action, upon the memorial for a reference, which memorial is now with the water committee, having been referred to them, by the board of aldermen, five months ago—be it so. Otherwise the proprietors will abide their time, trusting that a change of men may be followed, by a change of measures.

The Boston Aqueduct has been trodden down like a worm; it will not nullify the proverb, by omitting to turn upon its oppressors; enlivening in the breasts of some of them, peradventure, that worm, which, however torpid occasionally—never dies.

## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

## NO. V.

Upon the occasion, when the unanimous report of the water committee, in favor of compensating the proprietors, having been accepted in the board of aldermen, was rejected by the common council, the proceedings of the council were carefully noted, and the memoranda are preserved. After the president, Mr. Benjamin Seaver, had left the chair, to make his speech, and had made his speech, he continued moving about, and conferring with the members, and did not return to the chair, till the vote was about to be taken. In the course of his speech, he said, he did not blame the company for defending their property, in a fair and honorable manner, but that they had used unfair means. When this statement was reported to me, the next day, I should have publicly demanded the evidence of this impudent assertion, had I not yielded to the wish of my colleagues, who thought patience had not then had its perfect work. But, if the corporation is doomed to destruction, it shall not fall dishonored. If the corporation has used unfair means to preserve its existence, they could not have been used, without my knowledge and approbation, as a director. I believe this assertion of Mr. Benjamin Seaver to be a reckless and an impudent allegation, without the slightest foundation, unless, perhaps, as in the case of the offer of \$80,000—*Norcross told him so!* Now, I call on Mr. Benjamin Seaver, if his conscience and his oath of office will permit, to put his finger upon a tittle of unfairness, practised by the company, while struggling for its life, under the hands of municipal assassins.

Among the most zealous and virulent common councilmen, upon that occasion, was a Mr. George R. Sampson. The proprietors of the Boston Aqueduct had supposed, that some of their customers might prefer to remain, rather than incur the additional expense of lateral pipes, from the main into their dwellings. This Mr. Sampson, who seems to have taken particular pleasure in destroying

this hope of the corporation, exclaimed, with great emphasis and exultation, that, by furnishing these lateral pipes gratuitously, they had "*killed the Boston Aqueduct.*" What spirit is this? Is this the temper, in which the rights and properties of corporations and individuals are treated, in our city council? If such be the case, the Cochituate water—*after it is thoroughly filtered*—might be as useful there, as the waters of the river Alpheus, in the stables of Augæas. If this spirit is not a vile, contemptible, unchristian spirit, a vulgar and a grovelling spirit, I am unable to conjecture what may be the component elements of malice and uncharitableness.

It might almost be supposed, that, instead of being their neighbors, and fellow citizens, and some of them their constituents, the proprietors of the Boston Aqueduct were an outlawed banditti, and Messieurs Seaver, Sampson, and their retinue had been appointed *killers*—we have "*killed the Boston Aqueduct!*"

If a number of jurymen, under oath, should combine and predetermine their verdict before trial, the act would not only be iniquitous, but every such jurymen would be punished with exemplary severity. Upon the occasion referred to, the rights of the proprietors of the Boston Aqueduct were as completely and directly in issue, as if the members of the common council were a jury to try a question of property. I enquire then, was there or was there not a *concert*—a *conspiracy*, previously to the meeting? Was it, or was it not, *predetermined* to reject the unanimous report of the mayor and water committee? Did certain members, or did they not, go to that meeting, with the fixed and settled purpose of accomplishing that, which they did accomplish? Did they, or did they not, resolve, *beforehand*, to come from that meeting, with the precious and magnanimous reflection, that they had "*killed the Boston Aqueduct*"? I put these matters interrogatively. Perhaps some one of *certain members* of the common council will venture upon the experiment of replying to these interrogatories, in the negative.

It became, at this period, wonderfully popular, to abuse the Boston Aqueduct. When the water became affected,

for a time, by some unaccountable cause,—and there never was, and there never will be an aqueduct, known among men, whose water will not be, occasionally and temporarily, affected in a similar manner,—a perfect hue-and-cry was commenced, at Winnisimmit Ferry, and carried forward to the Fortification gates. The Aqueduct was proclaimed to be a nuisance that ought to be abated. Probably, it would be about as wise, to proclaim the whole city a nuisance, at this moment, because there are certain atmospheric influences in operation, here as elsewhere, which tend to cholera. These, and some other evils, in this world, are grievous, in the words of St. Paul, though, *for the present*. Attacks were made upon the Company from all quarters.

It would have been quite superfluous, formerly, when an execution took place in London, to have inquired, if George Selwyn was *there*. It would have been equally superfluous, whenever a funeral occurred, in this city, some forty or fifty years ago, to have inquired if Col. Waters was *there*, who attended, at almost every funeral, as an amateur. Whenever, of late years, an opportunity has occurred, for thrusting one's-self forward, in a matter, in which the party had no other than a common interest, it is equally superfluous to inquire, if Doctor Walter Channing was *there*. It was popular to assail the Boston Aqueduct, and that was enough for this amiable citizen; and, accordingly, he wrote a pamphlet, in the form of a letter to his friend, Mr. Henry Williams. I cannot say how Dr. Channing's water production would appear, if it were filtered: as it is, fresh from the fountain, it is insufferably cloudy. His style appears to be formed, upon the model of that of the rainwater doctor. Nobody would have regarded this pamphlet, probably, had it been less remarkable, for its singular mixture of foolishness and falsehood. For example, he put forth the story, which became current, exciting an agrarian prejudice against the Company, that, during the preceding year, it had divided *forty per cent*. The Company never divided more, in any one year, than *ten per cent*.

He stated, that most of the property, in the Boston

Aqueduct, was owned out of the city, and, therefore, that the owners could not be taxed, personally, for the expenses of the city. This, also, was a *positive falsehood*. Nearly three fourths were then owned, by the citizens of Boston, and the taxes, paid by the owners of the remainder, on their real estate there, the preceding year, was \$2600.

He also stated, that the Boston Aqueduct had "*failed of its function.*" If the *function* of the Aqueduct was to perform an impossibility—to supply the calls of the city and its increasing population forever, from its limited resources—it had certainly *failed of its function*. It had failed of its function, in the same way, in which the first of the eight London companies failed of its function, when the requirements of the citizens demanded a second. And, one after another, seven of those companies have *failed of their functions*. Suppose, that, owing to the increase of population, in a community, having but one man-midwife, there should be more obstetric cases, than he could possibly attend to, would it be just to say he had *failed of his function*, and kick the man-midwife out of town, or patronize another and another man-midwife, or have accouchments performed, on a great scale, at the expense of the city?

He also stated, that the experience of all great cities abundantly proved, that private water companies had not succeeded. Now the experience of London, Edinburgh, Glasgow, Greenock, and other great cities, proves precisely the contrary of this reckless writer's statement.

Upon the occasion, when Mr. Benjamin Seaver made his speech, justice and right were not altogether without defenders. Mr. Wales ably and uprightly sustained the report of the water committee. So did Mr. Greenough and Mr. Smith, of Ward twelve. In reply to Mr. Seaver's remarks, on the subject of his conscience, Mr. Green, of Ward eleven, remarked, that the dictates of his own conscience had taught him to respect the rights of his neighbors, and he called upon the council to remember, that they were Bostonians, and to uphold the credit of the city, for liberality and justice. Mr. Marvin was in favor of a righteous adjustment. One individual stated,

that he had heard the loss would fall heavily, on some of the stockholders. The list was exhibited, and the names were read over, with considerable merriment, and the consciences of the *killers* were greatly comforted, with the thought, that so many of the proprietors might be *robbed*, without being *ruined*! Propositions of various kinds were offered, by members, disposed to render some show, at least, of justice to the Corporation. All efforts, however, were in vain. Nothing would satisfy the consciences of Seaver, Sampson, and Company, but the *killing of the Boston Aqueduct*, outright.

Such was the treatment of the proprietors by the former city government. Let us compare it with their treatment, by the present.

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## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

### NO. VI.

When Mr. Quincy resigned, and the present incumbent was elected mayor of the city of Boston, it was thought proper, by the proprietors, to make one more trial. The memorial to the former city government had asked for compensation, and, in the alternative, for a reference. The first proposition had been refused, only in the council however, without any allusion to the second.

The following memorial was presented to the present city government, about the first day of March, 1849:

“Whereas, after sundry conferences between the late mayor and a committee, *appointed by the common council*, on the one part, and a committee, appointed by the proprietors of the Boston Aqueduct, on the other part, the said proprietors were satisfied and firmly believed, and still believe, that the mayor and the *committee appointed by the common council*, were confident, that the sum of \$75,000 would be paid to said proprietors, in the form of purchase money, and for the overwhelming injury, done to their property, by the introduction of the Cochituate water; and, thereupon, the said proprietors did consent to receive that sum, for a property, yielding six per cent. per



annum on \$350,000, and for all claims for damages, done to their property, during the process of laying the city pipes.

And, whereas the late mayor and joint standing committee unanimously recommended the payment of said sum of \$75,000, setting forth their reasons therefor, in their report, which was accompanied with the memorial of said proprietors, which recommendation was rejected by the common council—

Now the said proprietors respectfully ask, that the city government would grant their alternative request, set forth in said memorial, and that the subject matter of said memorial, and the matter of damages, incurred during the process of laying down the city pipes, may be referred to a committee of three of their fellow-citizens, chosen in the manner set forth in said memorial, before whom said proprietors shall be heard by their counsel.”

In the first memorial, herein referred to, it had been proposed, by the proprietors, that they should give in a list of twenty names, and that the city government should have the selection of the three referees from that list. The proprietors, as will soon appear, had no strong preference to this mode of choosing the referees. It happened to occur to Mr. Thomas A. Dexter, the treasurer and superintendent; was by him inserted in the first draft of the memorial; and was not objected to, in the reading, by any proprietor.

After waiting much more than a reasonable time, Mr. Dexter called upon Mr. J. P. Bigelow, the mayor, to learn the fate of our memorial. Mr. Bigelow stated to him, that they never could consent to our mode of choosing the referees, because—because of what!—*because we might name our own stockholders, from whom the city government were to select the three!* Mr. Dexter could not restrain a generous expression of personal indignation, at a suggestion like this.

When this statement was made to the directors, it was immediately proposed, to rebuke such an unworthy and ungentlemanly suspicion, by an offer to leave the whole matter to the decision of the mayor and aldermen. A

very frank conversation ensued, among the directors, which, though not intended for the public, is quite at its service. I was asked, if I had confidence enough in Mr. Bigelow, the mayor, after the relation of this incident, to trust this important matter to him. I replied, that I did not propose to trust *him* at all—that, whenever a question of justice, or liberality, or public morals, came up for consideration, before the mayor and aldermen, experience had shown us, upon several occasions, the exact amount of Mr. Bigelow's influence with the board. His inaugural hobbies were beggarly retrenchment, and liquor for the people, and, upon his very first attempt to ride them, in public, the good sense of the aldermen had compelled him to dismount immediately.

I stated, that, from his inaugural speech, it was clearly his highest ambition, to overthrow the system of his predecessor, and license retailers; and that, when petitions came in, and were referred, and the committee of aldermen reported *against* granting licenses, eight aldermen, all who were present, voted in favor of the report, and Mr. J. P. Bigelow, alone, voted in opposition?

I also stated, that his efforts to introduce a system—not of respectable economy, but of niggardly retrenchment, had been neutralized, upon another occasion, by the good sense and firmness of the board of aldermen; and therefore I was perfectly willing to submit the entire decision upon our rights, after argument, to the *mayor and aldermen* of Boston, believing his will and ability, to do mischief, to be no match for the good sense and respect for justice, in the board of aldermen.

After a conference with the shareholders, Mr. Dexter was authorized to signify our readiness to submit all matters to the *mayor and aldermen*: and, accordingly, he communicated our decision to Mr. Pope and Mr. Putnam, members of the water committee, who expressed their opinion, that it was extremely liberal, on the part of the proprietors of the Boston Aqueduct.

Nearly five months have passed, during which Mr. Dexter has danced attendance upon this mayor and the water committee, to whom our last memorial was re-

ferred, by the board of aldermen. No definite action, so far as we are informed, has been taken upon the subject. It appears, however, upon a personal application to Mr. Putnam, by Mr. T. A. Dexter, that the motion, made by the former, July 12, in the common council, that the mayor be authorized to pay \$20,000, for the *property* and *franchise* of the Boston Aqueduct, if to be had for that sum, was, by no means, his own spontaneous motion, nor in accordance with his own sense of right and justice, but, that he was *instructed* to make that motion, in the common council, *by the mayor and water committee!* The board of aldermen, about five months ago, committed, to the water committee, the memorial of the proprietors, asking, *not for any sum of money*, but for A REFERENCE. No answer has ever been given to this application. But, at a time, when it is known the council is about, that very evening, to take a recess, till September, a member of this water committee is instructed to bring this bootless and insulting motion, before that body, to be *laid on the table!*

The Boston Aqueduct appears to have been thrown among the overgrown boys of the Council, the "*killers*," I mean, in lieu of a football, just as they were starting for a frolic.

Not a word of reply has been offered to our request for a reference, presented five months ago. Can it be possible, that the board of aldermen, by whom our memorial was committed to the water committee, can look upon a delay of five months, without one syllable, in the shape of a report, as either respectful to the board, just to the proprietors, or conformable to the common rules and usages of business! The master key for all this mystery is this. In an evil hour, and under a terrible but very general mistake, as to his qualifications for the office, and the policy he intended to pursue, on certain points, vital to the moral weal and the dignity of this metropolis, Mr. Bigelow was elected mayor of this city, and permitted to occupy a chair, on which he sits, as upon a fence, utterly disabled from acting with a liberal and independent spirit, by a miserable dread of doing the unpopular

thing! Suppose the water committee, of which he is chairman, should agree to refer, either to the mayor and aldermen, or to three impartial citizens, a question of right and equity, between the city, and a few citizens and others—suppose the referees, after listening to able argument, instead of \$75,000, should award us \$200,000, or \$100,000, the sum originally recommended by Mr. Quincy. This would be awful! But, if, by delay, and neglect, and insult, he can weary the proprietors down, until they are contented, cap in hand, to receive a miserable pittance, what an incomparable functionary he will appear to be! What a delightful economist, compared with his predecessor! How dignified, how graceful this penny-saving spirit, in the mayor of the metropolis of New England! Afraid to refer the question, this mayor and the water committee depute one of their number to propose the beggarly order in the council, to pay \$20,000 for a property, valued by the water commissioners at \$80,000, for which Mr. Quincy formerly recommended that \$100,000 should be paid, and \$75,000 more recently, and which has yielded 6 per cent. on \$350,000.

Why is it that I never think of the present mayor, nor of that incomparable casuist, the president of the common council, without thinking of Moses Primrose, and of the *“coat, made of that cloth they call thunder and lightning;”* and of his fond mother’s commendation—*“He always stands out and higgles, and actually tires them, till he gets a bargain.”*

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## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

### NO. VII.

The city government are often styled the fathers of the city. Now it seems to me, that Deacon Seaver, who presides over the council, has proved himself to be a very harsh, tyrannical, and unnatural father. It also appears to me, that he has exhibited an ignorance of natural right, for which a boy, of twelve years old, would have

been regularly horsed and birched, by good old Master Cheever.

The proprietors, says this municipal casuist, deserve nothing, because their loss is the obvious result of unsuccessful *competition*, to which all adventurers are liable. Now, it is perfectly clear, that Mr. Benjamin Seaver is entirely ignorant of the meaning of the word he employs. A *competitor* is a rival: *competition*, in its obvious and authorized sense, involves the idea of *something, like equality*, between the parties. When a city, with its one hundred and twenty or thirty thousand inhabitants, comes down, with its millions of money, and all its appliances and power, upon a petty corporation, of some five and twenty citizens and tax payers, having a small capital of \$200,000, what sort of a *competition* is this! When I reflect, upon the bitter and oppressive spirit, in which this *competition* has been carried forward, it appears to me to have no parallel, under heaven, but in the *competition*, recorded by Æsop, between the wolf and lamb.

Any person, who can, for one moment, rely upon an argument, so very wild and monstrous as this, is entitled to the first cap and bells, which may be relinquished, by the South Carolina convention. Surely, *competition* is at an end, when the giant has "killed" the dwarf—when the city, as Mr. Sampson exultingly observed, has "*killed the Boston Aqueduct.*" *Competition* is also ordinarily predicated, in regard to followers, and not to such, as go before. We did not set up an Aqueduct, in opposition to the city. The city government, after we had been more than fifty years in operation, and for a large part of that period, without any profit, came down upon us, when we were obtaining the reward of our labors; destroyed our property; refused us one dollar, in the form of compensation; treated our memorial with utter neglect, for five months; shrunk back fearfully from our request, for a reference, even to the mayor and aldermen themselves; and now give, to these accumulated acts of injustice and oppression, the name of COMPETITION!

This unjust and illogical view of our relation to the city was in direct opposition to the sentiments of the late

mayor. He thought the proprietors were entitled to \$100,000, though he named \$75,000, to meet the views of some others in the government. Every member of the joint standing committee on water was of opinion, that the proprietors were entitled to that sum. The late board of aldermen voted, in approval of that opinion. Many of the common council were in favor of according compensation. Mr. Nathan Hale, the water commissioner, stated his opinion, expressly, to Mr. Thomas A. Dexter, that the proprietors were entitled to compensation, on moral grounds. After the rejection, by the council, of Mr. Quincy's report, Mr. Nathan Hale observed to Mr. Dexter, that it was very wrong, and that he was very sorry for it.

I have heard, repeatedly, that Mr. Thomas B. Curtis, another water commissioner, was opposed to the Boston Aqueduct, and to its claims for compensation. I am sensible, that we live in a very ticklish and uncertain world, but I give credence to such rumors with great reluctance. After the introduction of the Long Pond water had become a matter resolved upon, I said, upon one occasion, to Mr. Thomas B. Curtis, in my office, that compensation ought to be made to the proprietors of the Boston Aqueduct. To this he promptly replied, in the affirmative, referring to Mr. Thomas A. Dexter, by name, and to Mr. Henry Codman, who was there, and to myself, by an emphatic movement of the hand, as persons whose interests he should regard.

Should the city authorities order a store or dwelling house to be destroyed, for the purpose of arresting the progress of conflagration, no person—unless perhaps the president of the common council—would think of refusing compensation to the owner. The destruction of the Boston Aqueduct is, in no sense, less the deliberate act of the city government. The means were sufficient for the end, which was the obvious and necessary result of their employment. No one will doubt, as to the *quo animo*: Mr. Sampson avowed and gloried in the avowal, that they had "*killed the Boston Aqueduct*," and had high satisfaction, in showing precisely how it was done. We

have heard of some cases of competition, between the owners of canal boats, stages, and steamers, where the longest purse was the *prestige* of victory; and, in which, passengers were carried and fed for nothing. It was a very felicitous thought, and could have originated only with a high-minded projector, to throw in the cost of the lateral pipes, and lay them down for nothing!

In time of war, certificates are given for the goods and chattels, taken for the public service, and compensation is subsequently made. This is true, even, in an enemy's country, in respect to the property of non-combatants. Neither Gen. Taylor nor Gen. Scott would have said to an inhabitant of Mexico — "Your property is worth \$350,000 to you—we have offered you \$80,000—you have refused it—we shall take your property, and *give you nothing.*" They might have taken the property, for the public service, but they would have given a certificate of the fact, referring the valuation to commissioners, who would have investigated the case, and listened to the evidence.

Upon what principle of equity, can the city government of Boston deprive a few individuals of property, to the amount of \$350,000, in this particular form, for the advantage of the whole community, without giving one cent of compensation; when it would be deemed an abominable outrage, to wrest a square foot of land, in a similar manner, from the humblest citizen? Proprietors of the soil are numerous, and a common wrong would combine tens of thousands, for common resistance: the proprietors of the Boston Aqueduct stand alone.

There are no other aqueducts, whose proprietors, apprehensive of similar aggression, will join them, in the defence of a common interest. As I have stated, a few gentlemen of the common council have lifted their voices in defence of justice. The former mayor and joint standing committee on water have stood by the right. The board of aldermen of the former year have respected our claims. Individually, as I am told by our superintendent, Mr. Dexter, there is no lack of fair-minded men, not only among the citizens at large, but among the

members of the board of aldermen and common council, who express their opinions frankly, *to him*, that the proprietors of the Boston Aqueduct have been *shamefully used*. Nothing is necessary but for those members of the city government to express that very sentiment—not to Mr. Dexter—but *frankly and officially to one another!*

Mr. Hale observes, in his address, prepared for the water celebration, and which was not delivered, for want of time, but subsequently published, that *the money of the city has been poured forth like water*, for the accomplishment of the city project. And yet the application even of a dollar has been refused to a demand for justice, which manifestly does not *run down our streets like water*. Is it possible, that the city government will refuse the request of the proprietors, for a reference to the mayor and aldermen, or three impartial arbitrators! Individually, I should be happy to submit the question, upon an agreed statement of facts, and without argument, to the citizens of Boston, in Faneuil Hall. Let it not remain on record, that we have ever had a city government, that had not enough of moral courage and respect for right, to submit a question of equity, between a great city and a few of its own citizens and others, to impartial arbitration!

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## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

### NO. VIII.

The voice of a counsellor, whose counsel obviously inclines towards the advancement of his own interest, is not *always* safely disregarded: for such counsel is, occasionally, the very best counsel, for all parties. Some sagacious gentlemen soon made the curious discovery, that, while advocating the London plan of supply, by private companies, the proprietors of the Boston Aqueduct had their eyes wide open to the interest of their own corporation. Without any careful examination of their counsel or its elements, it was therefore deemed utterly worthless; and the counsellors themselves were styled *selfish monopolists*; and a number of busy, clamor-



ous and singularly *disinterested* agitators, by the aid of the press, and of street-corner talks, and popular harangues, taught the populace to believe these things, and thus the very name of the *Boston Aqueduct* became a by-word and a reproach.

The Boston Aqueduct was doomed—a sacrifice to the popular will—that will was shaped and actuated, by the agitators, to whom I have referred; and who were they? The present commissioners, who had misty imaginings of being just what they are, from the beginning, the solemn, published declaration of one of them, that no consideration should ever induce an acceptance of the office, to the contrary notwithstanding—thousands, who, in some way or other, anticipated their reward, in the way of traffic, or in employment, and have received it—and thousands, who have been bitterly disappointed and aggrieved, and cut short of their reward,—by the substitution of foreign artisans and mechanics for Bostonians. All the ramifications of selfishness were followed out, by these agitators, to discover some spring of action, by whose pressure to increase the number of voices, in favor of the great city project.

But what is the use of these reflections now? The *city* cannot retrace its steps, cost however many millions the project may. I am not thinking of the city alone; though there are men, who view the *city* as an *abstraction*, and are unable to see the *citizens* individually, or any justice in their claims. The proprietors and directors of the Boston Aqueduct have been treated with contempt: the *wise* men in the councils of the city have called them *foolish*—and the *disinterested* gentlemen, who have figured, so signally, in this matter, have called them *selfish*. Besides, say they, “Look at our magnificent works—and above all, behold our Fountain on Boston Common, our costly plaything, and—be dumb!”

Let us pause and take breath—suppose a *loftier* fountain, from a *purser* source, could have been placed precisely there, without any cost whatever to the city! I beseech those gentlemen, whose pride, and, more than all, whose bread and butter are identified with the city pro-

ject, to bear with me a little and suffer me, in defence of the old Boston Aqueduct, to say over some of those very *foolish sayings and suggestions* of its proprietors, in former years.

The Spot Pond Aqueduct Company was incorporated in 1845, and was prevented from going into operation through fear, and that only, of being crushed, by the city project, whose execution was evidently resolved upon. It would have been executed by private individuals, and cost the city NOTHING. The ability of these individuals may be inferred from the names of the stockholders:—Messieurs R. G. Shaw, T. Wigglesworth, Cyrus Alger, S. T. Armstrong, J. D. Williams, and many men of like substance, were subscribers.

Spot Pond is about 20 feet higher than Long Pond, the latter being only 123.52 above high water, and the former 143.01. For this fact we were indebted to the Report of 1837, page 7, of Daniel Treadwell, Nathan Hale, and James F. Baldwin. To the two former of these gentlemen we were also indebted, for our knowledge of the superior purity of the water of Spot Pond to that of Long Pond, p. 11. The proprietors of the Boston Aqueduct entreated the public to respect the deliberate and reiterated opinions of their own commissioners, and to give a preference for Spot Pond, before Long Pond, whose water, upon the authority of the analyses, and for other considerations, set forth by them, Messieurs Treadwell and Hale asserted, positively and repeatedly, to be less pure, than even that of Mystic Pond, which Mr. Baldwin said was extremely objectionable, and likely to become unfit for domestic purposes. Ibid, pp. 34, 35, 62.

The proprietors employed every argument to induce the city to suffer the supply to be brought in, by a private company, from the sources greatly preferred by these commissioners, in 1837; showing clearly a saving to the city, not only of the whole expense of the work, but of the cost of supporting a little standing army of engineers and operatives, headed by the commissioners themselves, who, from a *disinterested* regard for the *interest* of the

city—and a small part of the *principal*,—might be over-persuaded to vote their sittings perpetual.

The proprietors also hinted at the amount of additional municipal legislation, which would be saved, by suffering the London plan, already begun here, by one private company, to be followed by others.

It was *not* supposed, that Spot Pond alone, coöperating with the Boston Aqueduct, would suffice forever; but, it *was* supposed, that, if Spot Pond, with its accessory ponds and streams, were pronounced the very best source, by the commissioners, in 1837, for a *City Aqueduct*, those sources would surely suffice, for one of a number of aqueducts, on the London plan. Spot Pond covers 283 acres; Mystic, 228; Long, 600—Ibid 7. Had these counsels been followed, the proprietors of the Boston Aqueduct, assured of their continued existence, by the adoption of the London plan, would have resorted to Baptist Pond, and other sources of additional supply. But, with the sword of Damocles suspended above their heads—under the continual menace of municipal destruction, from year to year,—they were reasonably deterred from additional expenditure.

The disbursement of \$70,000 a few years since, to meet the increasing demands for water, and quiet the importunity of their fellow-citizens, was not effected, without solemn apprehension, on the part of certain proprietors, of that very injustice; which we now suffer, at the hands of the city government.

Spot Pond is 8 miles only from the State House; Long Pond, 18—Ibid 7. In the estimates of cost by the commissioners in 1837, the proprietors of the Boston Aqueduct placed *no confidence whatever*. The commissioners estimated the whole “cost of supply from Long Pond,” at \$1,016,63,70—Ibid 86; and the whole cost of distribution, including South Boston, at \$673,224—Ibid 89; making a total of less than seventeen hundred thousand dollars, for a supply of the water of Long Pond.

The proprietors of the Boston Aqueduct ventured to suggest, that the cost would exceed *three millions of dollars*, and excited, by this act of offensive presumption,

the wrath, indignation, and ridicule of the projectors. What will be the *ultimate* cost is a *vision* still. What number of dollars has been paid, for this project, out of the treasury, is a *result*, a *fixed fact*. That we know; the record from the city treasurer's office lies before me; and I am confident, if the present cost and the prospective cost had been foreseen, the London plan would have been adopted, and we should have had a *more lofty* fountain of *purser* water—*giving credit to Messieurs Hale and Treadwell*—on Boston Common, without this colossal cost and charge to the city.

The amount charged to the "*Water Works*," on the treasurer's books, to July 25, 1849, is *three millions, seven hundred and one thousand, seven hundred and ninety dollars, and ten cents*. The interest on the water loan, to the same date, is *three hundred and forty-five thousand, six hundred and sixty-seven dollars, and ten cents*, making an aggregate of *four millions and forty-seven thousand, four hundred and fifty-seven dollars, and twenty cents*. From this sum are to be deducted, for amounts received for sales of engines, &c. &c., of the commissioners, and for water rates, a sum, as per treasurer's statement, amounting, on that day, to *ninety-three thousand, three hundred and twenty-seven dollars, and sixty cents*, reducing the cost to *three millions, nine hundred and fifty-four thousand, one hundred and twenty-nine dollars, and sixty cents*. To this sum we must add, for surveys, engineering, printing, &c., from 1834 to 1846, *thirty-five thousand, nine hundred and thirty dollars, and forty-nine cents*; making the cost to the city, for water, July 25, 1849, *three millions, nine hundred and ninety thousand, and sixty dollars and nine cents*.

Should the commissioners assure us, that the prospective expense, for distribution—for carrying the water to East Boston—for all damages and outstanding claims, and contingencies, will not exceed any sum, which they may think proper to *chalk for*, what, with the record of the past before us, will that assurance be worth?

The above calculation is no fancy piece, but composed from the treasurer's books. Of the above sum *thirty-*

one thousand five hundred dollars are charged, as paid to the commissioners; that is ten thousand, five hundred dollars more, than the present mayor instructed Mr. Putnam to propose, for the whole property and franchise of the Boston Aqueduct.

The manifest anxiety, expressed by the commissioners about *the truth*, in their short missive, in the Advertiser of August 10, is highly commendable. I am very much inclined, however, to go for *the integer—the whole truth*. A *little truth*, like a *little learning*, is a dangerous thing.

That solemn *truth*, proclaimed by Mr. Nathan Hale, in his undelivered speech, will long be remembered by the tax payers of Boston—"THE MONEY OF THE CITY HAS BEEN POURED FORTH LIKE WATER."

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## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

### NO. IX.

I am seriously apprehensive, that, amid the fog of futurity, our great, great, grandchildren—the darlings—while wrapt in admiration at the achievements of former ages, may fall into the mistake of confounding the Mr. Sampson, who "*killed the Boston Aqueduct*," with the gentleman, who tied the firebrands to the foxes' tails. This can easily be prevented, if Deacon Seaver will so far get over his scruples, on the subject of *gratuities*, as, with the consent of the council, and at the cost of the city, to put forth a new *Assembly's Catechism*. In this, the questions could be distinctly set forth—"Who killed the Boston Aqueduct?—Who was the most conscientious president of the council?—Who was the most independent mayor?" &c.

Let us be grave—however difficult, in such a presence—grave as a coroner—and solemnly inquire, as to the manner of the old Aqueduct's death, and somewhat, as to the cost of its destruction, and the funeral expenses.

A post-mortem examination shows, that it came to its untimely end, by violence; and the avowal of one of the

*killers*, Mr. George R. Sampson, establishes that fact. Historians tell us, that immense fees have been, occasionally, paid for assassination. At this moment, I can recall no case, in which so large a sum has been paid, for such an object, as the city of Boston has *already paid*, and *engaged to pay*, for *killing the Boston Aqueduct*.

However willing, that the old Aqueduct should be put out of the way, and quietly strangled, the water commissioners were decidedly opposed to the costly process, proposed by the "*killers*." Mr. Sampson's plan consisted, in charging nothing to the water takers, for the lateral pipes, digging up the streets, drilling the mains, attaching the pipes, laying them down, breaking through the outer walls of the tenements, inserting the pipes, closing up the walls, filling up the trenches, ramming the earth, and repaving the streets—that is to say, *the lateral pipes and all incidental expenses* this ingenious councilman proposed to confer, as a *bonus*—a *gratuity*, upon the water takers, for the purpose of *killing the Boston Aqueduct*, and gloried in the result.

This has no precedent, in the history of any other aqueduct, and was opposed by the commissioners. Should any lead remain, the citizens, after reading the present article, may decide, whether medals ought not to be decreed to Mr. Sampson and his confederates, commemorative of their *prudence and forecast*. These admirable managers, who, while *killing* the Aqueduct, have punished the city so severely, as I shall presently show, resemble that sagacious farmer, who, for the purpose of destroying a hornet's nest, burnt down his entire dwelling. I never think of this Mr. Sampson, without an immediate vision of that deaf, old gentleman, formerly of Jamaica Plain, who, while trimming a lofty apple tree, regardless of the warnings of his friends below, actually sawed off the limb on which he was sitting, and came with it to the ground. *Nullum simile quatuor pedibus currit*—there is a difference; while Mr. Sampson exults over the effect of his ingenious experiment, the old gentleman, I have been told, was very much ashamed of his palpable stupidity.

I proceed to prove, that this act was without precedent, and, as it was done, against the voice of the commissioners, so it was in direct opposition to the practice of the Boston, New York, and Philadelphia Aqueducts—that it was done to “*kill*” the Boston Aqueduct—that this measure will ultimately cost the city several hundred thousand dollars, while the Boston Aqueduct might have been had *alive*, and *killed* at the city’s leisure, for seventy five thousand dollars—that this act is precisely equivalent to the free gift, to every water taker forever, of so much money, as the labor and material, connected with the lateral pipe, will cost—that this *enormous gratuity* had the entire approbation of Deacon Benjamin Seaver, *in spite of his conscience*, which forbids him to vote away the money of the city, *as a gratuity!*

For more than twenty years, I have been a director of the Boston Aqueduct. The lateral pipe, and all expense connected therewith, have always been paid for, by the water taker. It has been a perfectly established custom—a matter of course.

A letter was addressed to Nicholas Dean, Esquire, President of the “Croton Aqueduct Department,” New York, inquiring, who paid for the lateral pipe and its incidental expenses; and what was the average cost. To these inquiries he replies, under date August 2, 1849, as follows:—

“1st. *The water taker pays in all cases—the city never, except for its charitable institutions.*

“2d. *The cost for putting the water inside the front wall of a house may be assumed to average as below:—*

30 feet lead pipe, digging, filling, and repav-	
ing, 30 cents per foot, . . . . .	\$9.00
Tap and inserting in the main, . . . . .	2.25
Stop cock and faucet, . . . . .	5.00

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\$16.25”

The same questions were proposed to Frederick Graff, Esquire, superintendent of the Fairmount Water Works, Philadelphia, who replies, under date, August 4, 1849, as follows—“The lateral supply pipes from the mains to the

dwellings are put in at the expense of the water takers ; the city drilling the hole in the main, and attaching the private pipe thereto, for which services the city charges the water taker \$2.00, and furnishes the ferrule for the purpose. This charge is to pay the city for repaving over the trench, for the ferrule, &c., &c.

“The plumber’s charges for introducing the water from the main to the front line of the houses, are from \$12 to \$15, they finding all materials and work, and including the charge made by the city as above.”

With all the fine things we shall do, water will cost the city of Boston *six millions of dollars*, at least. I am perfectly prepared for three smiles of derision from the water commissioners—that will make six smiles of derision—we had three, in 1837, when, after a laborious analysis of their estimate of something less than seventeen hundred thousand dollars, for bringing in and distributing the water of Long Pond in the city, including South Boston, we predicted, that their estimate would prove *utterly worthless*, and that the cost would exceed *three millions of dollars*.

I shall not predicate my calculation, upon the coming reality, but upon the fact, as it is, this very hour. The project had already cost *four millions of dollars*, July 25, 1849, within a fraction, so small, that the occasions of a very few days would outrun that amount. The annual interest, upon this sum, is \$240,000—two hundred and forty thousand dollars.

Messieurs Hale, Treadwell, and Baldwin, in their elaborate report of 1837, page 44, reminded me, at the time, of that sanguine spinster, who calculated, so accurately, the price of her eggs, and even indulged some pleasant visions, as to the color of her gown. Having set down the entire cost, at less than \$1,700,000, and *established the fact*, that the rate of interest would be 5 per cent. on loans, and counted on 12,000 takers, at an average of \$6, they proceed to talk of a sinking fund to pay off the principal! A sinking fund with a vengeance! Who can reflect upon these *amiable* delusions, without thinking of the gross of green spectacles, with silver rims, and the



good old vicar's exclamation—"they are no more silver than your saucepan!"

To calculate, with all fairness, let us assume \$7 00 and not \$6 00, as the average water rate. At \$7 00, to pay the interest, on the present cost of \$4,000,000—34,285 customers will be required. But the commissioners do not live on air, like chameleons, however easily they may change their colors—neither do the operatives and subalterns of all sorts. We must have more customers, to raise a fund for their support. And, after we get the water over to East Boston, and have settled our outstanding accounts, and paid all claims for damages, and distributed the pipes more extensively, and *bought a few more ponds*, and done some other fine things, and annually compounded our arrearages of interest, and raised the cost to six millions, which will be speedily accomplished, then, to meet our interest account, we must have 51,427 customers, at \$7 00 each, and a goodly number more, to feed the commissioners and operatives.

But, as I proposed, I take the fact as it is, 34,285 customers, at \$7 00 each, will pay the interest on \$4,000,000 at 6 per cent., and every one of these is, sooner or later, to receive the lateral pipe, and the cost of laying, &c., as I have stated, *as a gratuity*, on the *Sampson foundation!* The average, between the cost in New York, \$16 25, as stated by Mr. Dean, and the minimum cost, in Philadelphia, \$12 00, as stated by Mr. Graff, is, say, \$14 00: this, for a multiplier, and 34,285 water takers for the multiplicand, show that the amount of the *gratuity* is to be \$479,990,—four hundred and seventy-nine thousand, nine hundred and ninety dollars. As Deacon Seaver's conscience forbids him to vote away the city's money, *as a gratuity*, and as Deacon Seaver approved of this very *gratuity*, the corollary really seems irresistible, that Deacon Seaver did not know what he was about.

Nothing like this amount has, as yet, been bestowed; but the principle adopted leads to this result, sooner or later. The commissioners, in their report, dated August 1st, 1849, state the "*number of taps opened, 10,851.*" If they mean, that there is this number of customers, or

that so many lateral pipes have been laid, from the mains to the tenements, in expectation of customers, then, assuming the average of cost, between New York and Philadelphia, say \$14, and thereby multiplying the taps, 10,851, the amount of the *gratuity* to August 1, 1849, is \$151,914—rather more than twice the amount for which the proprietors offered to sell their franchise to the city!

In giving away the city's money, for such an unprecedented and enormous *gratuity*, as this, and yet refusing the sum of \$75,000, as a compensation, for the ruin, or as purchase money, of the Boston Aqueduct, Deacon Seaver appears to have strained at a gnat and swallowed a camel, which, I fear, will prove rather hard of moral digestion, for a delicate conscience.

Many of our streets being narrower than the widest, in New York and Philadelphia, the length of pipe, from the main to the inside of the tenements, will be less here, in many instances, than there. But, on the other hand, as nearly as I can come at the facts, upon inquiry, an average of the whole expense, over the lead pipe, will give about two shillings, or 33 cents and a third, per foot, in this city.

Whatever the amount may be of the city's money, thus given, and to be given away, contrary to the judgment of the commissioners, and the established usage of other aqueducts—truly, when we consider the ignoble motive, unblushingly avowed, in the common council, for this palpable extravagance—to *kill the Boston Aqueduct*—it becomes a subtle question, for which those members of the council are most to be commended—their common or their moral sense.

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## THE BOSTON AQUEDUCT AND THE CITY OF BOSTON.

NO. X.

“NOR SHALL PRIVATE PROPERTY BE TAKEN FOR PUBLIC USE, WITHOUT JUST COMPENSATION.”

These are the closing words of the fifth of the additional articles of the Constitution of the United States.

The principle of equity, which they involve, is exceedingly simple, and perfectly intelligible. This principle is of universal application ; and there is no citizen, so lowly, that he may not rightly claim protection, against the whole community, behind this constitutional palladium. It may be true, his position may be such, that no chancery power can afford relief—there are wrongs, which, notwithstanding the boasted all-sufficiency of law and equity jurisprudence, are utterly without remedies.

There is, nevertheless, a tribunal, more potent than any court of man's construction, a tribunal, in which the common sense of an enlightened community presides, as chancellor. Its decrees may be slow, but they are infallible. A community can no more do wrong, and prosper, than an individual. Whenever individuals, elected to be rulers, whether of a nation or a city, under the influence of passion, or pride, or the miserable lust of popular favor, do wrong to their fellow-men, or sit still, and suffer that wrong to be done, sooner or later, they and that community shall have reason to repent, at their leisure. Their oppression and their time-serving, however in keeping with the unconsecrated feelings of some short-lived clique or party, shall be long remembered to their shame ; the community itself shall suffer, in its reputation for liberality and a becoming reverence for impartial justice ; and, in some evil hour, that perversion of principle, in which it has supinely acquiesced, shall be drawn into a precedent, embarrassing its municipal policy, and oppressively affecting the rights of other men.

This great principle, embodied in the set form of words, supplied by those wise men of the nation, who framed the charter of our liberties, is substantially the same rule of right, which a child might learn, upon its mother's knee, in the language of the nursery.

Let us apply this simple principle of equity to the case before us. What then is *taking private property, for the public use* ? I already hear the flippant reply of the Solomons and Solons of the council, the Seavers and the Sampsons—"we have not *taken* your property ; we refused to *take* it, at any price—the Boston Aqueduct stood

in the way of our city project, and we “*killed*” it, to use our own, *official* word—the city purse is longer than yours, and, to induce your customers to forsake you, and become ours, we gave them a heavy bonus—a *gratuity*, *in violation of our consciences and our oaths of office*—a *gratuity* entirely without precedent, in this and other cities; and, having crushed and “*killed*” your Aqueduct, we call this, “*competition*.”

It is in the very nature of a common council, that its component parts should be drawn from all classes and callings. It is quite natural, that, in selecting a president, their choice should fall upon one, whose professional duties had placed him frequently, in an elevated position, and called upon him to make numerous brief addresses to his fellow-citizens. Mr. Seaver is a very worthy auctioneer, a member of a profession, whose pursuits, however respectable, have never, I believe, been accounted precisely such, as enable one, incidentally, to pick up a very profound knowledge of the fundamental principles of law and equity. Those unchangeable principles are, not at all, in keeping with the transitory nature of those matters, which are continually passing before him, and which, in an instant, as it were, are going—going—gone.

And yet Mr. Seaver and Mr. Sampson, who is equally unfitted for the task, grapple, in a moment, with a solemn question, which would have been gravely and cautiously approached, by the most learned judges of the land.

“*Taken*,” in the sense and meaning of the constitution, does not involve the idea of preservation, in all cases; for private property, so *taken*, may be instantly *destroyed*. The private dwelling of a loyal citizen is destroyed, lest it should be seized, and fortified, by the enemy. Provisions, which cannot be carried off, are destroyed, to starve a pursuing foe. Tenements are blown up, to stay the progress of a conflagration. In these, and numerous cases, the *private property* is as clearly *taken for public use*, as if, after having been taken, it had been preserved, and applied to public purposes.

It may be replied—how have we *taken* your property? There is your pond; there are your pipes! we have *taken* neither. To this exceedingly shallow suggestion, we answer thus—our property consisted, not only, in our *pond*, and our *pipes*, but in our *power to use them profitably*. The council have *taken our life*, by taking *the means, whereby we live*. Mr. Sampson rose, and stretched forth his hand, before Deacon Seaver, like Paul before Agrippa, but in a very different temper, and boasted, as the evidence before me shows, *with “much feeling and exultation,”* that they had *“killed the Boston Aqueduct.”* What language then, is this, from the *killers to the corpse*—*“We have done you no wrong; we have killed you, to be sure: but we have not taken your body; here is your carcass; here are your bones and muscles.”*

Our property, consisting as it did, *in our power to use our works productively*, has been taken away, for the public use. And this has been effected upon the statement of Mr. Sampson, in open council, by an act which is not less remarkable for its gratuitous prodigality of the people's money, than for its manifest injustice and oppression.

Let me apply this rule to the case of individuals. It will appear upon reflection, even to the pipelayers themselves, I think, to resemble a *leaden*, rather than a *golden* rule. A man of unbounded resources opens a store, next door to that of Mr. George R. Sampson, and pursues the same kind of traffic. He finds this Mr. Sampson in his way; and nothing will satisfy him, but his humble neighbor's destruction. Accordingly, this unscrupulous tri-millionaire signifies to all this Mr. Sampson's customers, that, if they will abandon Sampson, and deal with him, he will give them, in some form, an advantage, a bonus, which they cannot possibly obtain, in a similar trade with Sampson. Suppose this man should succeed, in accomplishing poor Sampson's ruin, and suppose he should boast, openly and exultingly, that he had *killed Sampson's business!* Who would not lend a foot to kick the fellow off the wharf? Who would believe even the scrupulous Deacon Seaver, if he should call this conduct—*fair competition?*

I, by no means, go the length of proposing, that Mr. Sampson or Deacon Seaver should be removed from the council, by any such summary process; but I entertain a full conviction, that both are signally unfit for the performance of official functions, which require the calm and dispassionate exercise of strong common sense, and some little knowledge of equitable principles, and some small regard for the golden rule.

And why should the golden rule, whose beauty and fitness are proverbial, as between man and man, be deemed a dead letter, and treated like an old wife's tale, when men are dealing with their fellows, in corporate relations! It is grievous to observe, how easily a man, who, alone, God helping him, is proof against corruption, will lose a large portion of his moral individuality, as one of a corporate body!

It is clear, to every unbiassed understanding, that the property of the Boston Aqueduct has been virtually taken, for the public use, without any compensation, in violation of the spirit of that principle, which forms the basis of the great constitutional rule. In process of time, by the gradual extension of the City Aqueduct, the property would have become valueless, though years would, probably, have passed away, before its destruction was complete. The majority of the council, impatient of delay, resolved on its speedier extinction. After the coarse and graceless vaunt, in the common council, "*We have killed the Boston Aqueduct,*" more befitting the lips of a leader of some Moyamensing club of killers and rowdies, than a member of any deliberative body—and after the senseless and gratuitous bestowment of so much of the public money, for an object, which might have been compassed, with, comparatively, a very small sum—it lies not in the mouth of the common council to say, they have not destroyed the property of the Boston Aqueduct, for public use, and bribed away its customers, that they might become the customers of the city.

This, as I have shown, has been accomplished, by the adoption of a process, so very contemptible, that the humblest huckster in Ann street, if detected in such pal-

try practices, towards his neighbor, would not venture to hold up his head—unless, peradventure, his fellow-citizens had elected him a member of the common council!

I have done—for the present. Doubtless, I have given offence, by my great plainness of speech. But, it is rather difficult, to adopt a style of complaisance to a few individuals, who, whether from wilfulness, stupidity, or a mixture of both, have availed of their official position, to deprive us of our property, in opposition to the deliberate judgment of the mayor, Mr. Quincy, the joint standing committee on water, the board of aldermen, and a considerable number of the common council.

I have presented the following facts. The Boston Aqueduct was begun, some fifty years ago, by a few private citizens, at their own risk.—To them the enterprize was ruinous.—It was continued, from year to year, by their successors, without profit, for many years.—At length it began to yield a small income.—It has been of great service to the city.—Without it, the city could not have acquired its taxable property, on the Mill Pond and South Cove lands.—The proprietors opposed the city project, and favored the London plan of supply, not merely to save their property from destruction, but to save the city from enormous and needless expense, and the citizens from oppressive and grossly unequal taxation.—The proprietors preferred the water of Spot Pond to that of Long Pond, because they believed, with Mr. Daniel Treadwell and Mr. Nathan Hale, that the water was purer, and the elevation greater.—They predicted that the expense would be \$3,000,000.—For this, and their general opposition, they were ridiculed, misrepresented, and abused by the projectors, and others.—Their prediction has not only been verified, but already exceeded, by one million of dollars.—The property of the Boston Aqueduct is fairly rated, on the books, at \$200,000—and has, for several years, produced six per cent., annually, on \$350,000.—It was arbitrarily estimated, by the water commissioners, at \$80,000.—Mr. Quincy, the late mayor, recommended the payment to the company, of \$100,000.—Subsequently the proprietors agreed to receive \$75,000.—

The mayor, Mr. Quincy, and the joint standing committee on water, unanimously reported in favor of paying this amount.—The board of aldermen accepted the report—several members of the council were also in favor of the report; but it was nonconcurrent by a majority.—In dealing with this question, an acrimonious and vindictive spirit has been exhibited towards the Boston Aqueduct in the common council.—In the beginning of March, the proprietors presented a petition for a reference, to which, at the present moment, they are without any reply.

Such are some, among the prominent facts, presented in these articles. Such treatment would be unjust and ungentlemanly, from man to man. I am unable to find any justification for such treatment from the members of a city government, to a small number of individuals, who, with a few exceptions, are their fellow-citizens and constituents, and all of whom are taxed—some of them to a very large amount, to pay the heavy excess of interest on the water loans, over the amount of income—in other and plainer words—who are taxed to pay, for the ruin of their own property, which, in direct violation of the principle, recognized in the Constitution of the United States, has been, to all intents and purposes, virtually taken for the public use, without any compensation whatever.

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