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ARGUMENT

H. C. Call

ON THE QUESTION OF THE

Annexation of Roxbury to Boston,

BEFORE THE

LEGISLATIVE COMMITTEE,

Thursday, February 23, 1865.

BY

HON. JOHN H. CLIFFORD.

Reported by J. M. W. Yerrinton.

BOSTON:

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1867.

ARGUMENT OF HON. JOHN H. CLIFFORD.

MR. CHAIRMAN AND GENTLEMEN:—With the embellished oratory of my friend, studded as it has been with poetry, and philosophy, and history, though history, he must pardon me for saying, not always accurately quoted—if those to whom he refers in his closing remarks are here to listen to another rather than himself, and come to be gratified by anything that is to be offered to you to-night, it is unfortunate for them that his remarks have not been protracted as late into the evening session as they were into that which preceded it; for, sir, as I regard this question, I am of the conviction that we have drifted away, in the course of the discussion, from a very simple and by no means a novel question, which, through you, these petitioners desire to submit to their lawgivers, the Senate and House of Representatives of the Commonwealth. It is a question, sir, to them and to the Commonwealth, of interest and of moment, I agree; but it is by no means a question such as it has been exhibited here either by the learned representative of the County of Norfolk, Mr. Safford, the sanguine and enthusiastic representative of himself, I believe, Mr. Wyman, or my learned friend, Mr. Avery, who has so eloquently and beautifully set forth the dangers that are to accrue to a system of policy, established in Massachusetts, when the fathers first settled upon this soil, and now for the first time, as he claims, in danger of being invaded by a legislative act. It was the pleasure of the learned counsel, in the announcement of his argument to you this morning, Mr. Chairman, to advert to the petitioners, who are here asking for this act of legislation, and to involve, in his reference to them, some impeachment of their motives. I am almost ashamed, gentlemen, when I remember who these petitioners are, to answer the remotest allusion to any want of sincerity, of patriotism or of good faith in their action before the Legislature of Massachusetts. Who are they, sir? In the first place, they are those whose names are upon the rolls which you have here, and on those prepared to be submitted to the Legislature—7,384 of the citizens of Boston and of Roxbury. By a careful analysis of these petitions, it has been found that upon the petitions from Boston, there are 3,362, embracing gentlemen of the highest character, and of all pursuits, merchants, manufacturers, men engaged in the trade and commerce of this city, alive to all its interests, desirous, undoubtedly, of promoting them; and, added to these, 650 of the well-known mechanics and thriving laboring men of Boston; and in addition to these, Mr. Chairman and Gentlemen, 1,062 whose occupation is unknown. Then, from the adjacent city of Roxbury,—the other party to this measure,—there are presented here, on these petitions, more than 2,300 names, embracing, as you know from the testimony, not “speculators,” not “money-changers” merely, if any such, coming here with disguised purposes, but men of every condition of life, interested in the prosperity and the good name of that city, whose praises the gentleman cannot sound more sincerely or more heartily than I am prepared to do; gentlemen who have heretofore been opposed to annexation, but who believe that when, in the course of Divine Providence, and by the art and the industry of man, an actual connection has been formed, an actual union has been consummated, by the progress of population and of business, between these two cities, they ought not, looking to the real interests of themselves, their contemporaries and their posterity, still to hold

out against giving it the legislative sanction and confirmation. Does not the evidence, Mr. Chairman, disclose precisely this state of things with reference to these gentlemen? Has it not appeared in evidence before you, that among these petitioners is a gentleman of whom it is no disparagement of any citizen of Roxbury, however eminent he may be, to say he is their most eminent citizen—Dr. Putnam—whom we had the pleasure of delegating to cast the vote of Massachusetts at the late election for President of the United States, because his patriotism was as conspicuous as his pastoral usefulness and his great intellectual distinction, and who has served faithfully longer than any other man in that city, as Mr. Franklin Williams tells us, in advancing the interests of education there, as a member of the School Committee? By his side stands Judge Leland, who, as his father before him, has gone in and out before the people of Norfolk County so acceptably as to challenge the respect and confidence of every man who knows him. Here, too, are the Messrs. Guild, who have been upon the stand before you; gentlemen who say that all their interests, hereditary and social, of property and everything else, have been bound up in the city of Roxbury; and that they have been opposed to this measure, until they found that the interests, not of a few “speculators” and “money-changers,” but of the entire community, demand that this union, already perfected in fact, shall be consummated in form.

I might, Mr. Chairman, with equal propriety—certainly with equal propriety as the suggestion with reference to these petitioners has fallen from the learned counsel—refer to the gentlemen who are here as remonstrants. Here is our gallant soldier, to whom I desire to pay my humble tribute of respect, Colonel Burrill, the City Marshal of Roxbury. But, by his side, comes Mr. Seaver, another city official—the city undertaker; whose interests evidently are not with the living, the thriving, the industrious, but with Roxbury’s paupers and Roxbury’s dead. He is afraid that the good people of that city will find themselves translated to Deer Island, and that there will be great difficulty, under a union with the city of Boston, in getting permits to bury the dead. Another city official—Mr. Williams, a highly respectable gentleman—comes here and tells us that he has a certain interest, as Clerk of the Common Council and as Clerk of the School Committee; and Mr. Backup, the Postmaster, who is under the impression that it is getting to be the habit of our men of wealth to despair of Republican institutions. Then, Mr. Chairman, we have Mr. Runney, and I am now grouping, simply for a purpose which I shall state the moment I have completed, the witnesses on one side and the other—Mr. Runney, who thinks the people of Roxbury don’t want the value of their estates increased, thinking they are about high enough now. Then Mr. Bowdlear, the philosophical pump-maker, who evidently has no warm side to Cochituate water, which does not require the aid of pumps, and who says that the grand idea in his mind with reference to this whole project is that it is a question of political economy. I have no disposition, Mr. Chairman, it is not according to my taste, nor is it according to my custom, in discussing questions of this nature, to discuss parties; I prefer to discuss their opinions; but the learned counsel went entirely out of his way, I thought, to impute to the gentlemen who are urging this petition here, a want of sincerity in their avowed purposes and motives, and that they were under a bias, which the love of money had caused; and through his argument, up to its very close, he has pressed the point, that Roxbury should not be sacrificed to the money-changers. Mr. Chairman, I am not here to ask you to sacrifice Roxbury to anybody. I am here, if I understand this case, and I have endeavored to understand it, to ask you to do that which shall subserve the highest interests of Roxbury, and which shall be, in the mode in which you do it, a recognition of an established principle of American Democracy. I shall not be obliged to go with my friend in his researches into De Tocqueville, or any other foreign commentator on our institu-

tions. I shall go to the legislative conception of American Democracy, which has been manifested in the history of the legislation of our own Commonwealth; and I say, that instead of this being, as Mr. Wyman said in his remarks the other day, an unheard-of thing, the extinguishing of a municipality, or as the learned counsel said, even to-night, an unprecedented act of utterly destroying a municipal government, I shall ask you to consider what are the legislative precedents with reference to it, which bring the question home to us, and enable us to see what has been the view of as honest legislators, probably, as are now assembled in these halls,—and there can have been none more so. Why, Mr. Chairman, I adverted in the progress of the discussion, (and my friend seemed to look with some degree of incredulity upon me when I said it,) to the fact that as early as 1825 an instance occurred in this Commonwealth of the union of two towns, as we now ask that Boston and Roxbury may be united. I spoke from recollection, simply, because I happened at that time, during a college vacation, to be a country schoolmaster in the little town of Dighton, in Bristol Co., when, under an act of the Legislature, the little town of Wellington was utterly expunged from the municipal organizations of Massachusetts, and was “annexed,” (that was the word that was used, but I think a better one would be found to be “united,”) to the town of Dighton, and that “little democracy,” that little town of Wellington, with its illustrious name, utterly disappeared from the map, and from the rolls of the Commonwealth. Still later, sir, the Legislature saw fit, so far as their act could consummate it, or rather, so far as they chose that their act should consummate it, to strike out, from the roll of Massachusetts cities and towns, the city of Charlestown, and declared, without any misgiving, without any idea that they were committing any “atrociousness” upon the rights of the people, that by the vote of the citizens of Boston and of the citizens of Charlestown, concurrently, Charlestown should cease to be a municipal organization, and should become part of the city of Boston. We all know very well, sir, that that question was submitted to the people of the two cities, that it was ratified by them; but that, in consequence of the then existing state of our Representative Districts, and various other technical matters which arose on the face of the bill, but which, in the progress of events during the last ten years in Massachusetts, have been now entirely removed, so that they do not stand in the way of this enterprise at all, it was defeated by the decision of the Supreme Court. But the Legislature never dreamed, Mr. Chairman, that any such “unheard-of,” “unprecedented,” atrocious violation of Democratic rights was perpetrated by them. Two years later, the city of Chelsea was, by a similar act of the Legislature of Massachusetts, obliterated from existence, so far as a legislative act could do it, and upon the united votes of the city of Chelsea and the city of Boston, Chelsea was to become a part of this great anaconda of cities, whose fearful growth is so alarming to some of those who would be willing, evidently, to go back to the days of its cow-paths and its cow pasture on Boston Common. Chelsea was united to Boston, by an act of the Legislature, subject to the votes of the two cities: Boston rejected it, as it may this. Mr. Backup feels very confident that this is a mere farce that we are playing here, because it is a foregone conclusion that the people of Boston will defeat the measure. But when the citizens of Boston come to appreciate the importance of this measure to them, and to their future, I respectfully submit, as my prediction, Mr. Chairman, that they will see that it is one of the inevitable things in the progress of their prosperity, and that they will encounter it with the spirit which looks to the future as well as to the exigencies of the present. Then, Mr. Chairman, following upon that, (which was in 1856,) we come down to the very last year, when the same “unheard-of” and “unprecedented” act was committed by the assembled wisdom of Massachusetts, under the dome of this Capitol; for they enacted, as you will find, sir, by a reference to the statutes in the

Blue Book, that, subject to the vote of the two towns of Amesbury and Salisbury, in the County of Essex, the ancient town of Salisbury, bordering upon the coast, and having a precious history of its own, as we all know, should be merged in the town of Amesbury, lose its independent municipal organization entirely, and that a new town should be thereupon formed, out of the two towns of Amesbury and Salisbury, under the name of Merrimack. Why, Mr. Chairman, Massachusetts legislation has gone further than this, in carrying out what I shall have the honor to submit to you is the true Massachusetts idea, as opposed to this idea that we must be forever held in the strait-jacket of our childhood, and endeavor to make the garments of the boy subserve the wants of manhood. Massachusetts, sir, in adjusting the boundary question with its neighbor State, Rhode Island, went so far as to concede to that State, and separate entirely from her own jurisdiction, the thriving manufacturing town of Pawtucket. And why? Because, as it was submitted here, her people, living just as near, precisely, to the thriving and growing city of Providence as Roxbury is to the city of Boston, felt that their interests were identified with the growth of Providence; that their business relations were so intimate, their identity of interests (a phrase which my friend does not seem to favor as meaning much) so complete, that Massachusetts should be willing to make an excision from her borders of a thriving, industrious, prosperous manufacturing town, and cede it to another jurisdiction.

Why, Mr. Chairman, why has this course of legislation approved itself to the government of Massachusetts? Because, sir, the old idea of town lines, of county lines, of district lines, of all mere perfunctory organizations has, in the enlightenment of our time and of our people, yielded, righteously yielded to that higher service which all organizations are designed to effect—the advancement, the culture, the prosperity, the happiness, and the equal rights of every particular community. That, Mr. Chairman, is, in my humble judgment, the Massachusetts idea. They have regarded all organizations simply as aids to the advancement of the individual; and when the individual is set in communities by a higher Lawgiver than they,—who “sets the solitary in families,”—promoting social happiness and order, and aiding, by all legislation, to advance the interests of society; and when the day comes to any community that the lines within which it is municipally circumscribed, are rather restraints upon than aids to their advancement, then they are to be dissolved by a wise legislation, and either new lines formed or old organizations merged into one.

Now, in view of this principle—and I think it cannot be too earnestly urged upon a Committee of the Legislature,—let us glance for a moment at the history of this question; and I shall not weary you upon it, I assure you, Mr. Chairman, because it has been already too thoroughly discussed. I think, sir, that no one who could have gone with us a week or more ago, and viewed this territory, and have looked out from the roof of the Norfolk House in Roxbury, as we did, upon the most attractive spectacle that can be presented to the eye—that of the houses, the warehouses, the docks, the wharves, the ships, the harbor, of a great and thriving community—could have failed to be impressed with this thought—that Boston finds in Roxbury its only natural outlet for expansion; and when the question is put to me sometimes by way of objurgation, against great concentration of power in the metropolis,—why not annex Cambridge, why not annex Charlestown, why not annex Chelsea, and all these other towns? my answer is,—One thing at a time; and do not confound apparent similarities with close analogies. Roxbury stands differently from them all. There is no difficulty in determining where Boston ends and Cambridge begins; as little in determining when a man has gone beyond the jurisdiction of Boston and reached that of Charlestown; or gone from the municipal jurisdiction of the city of Boston into that of Chelsea. But is it so with respect to Roxbury? In that view which we took, sir, we saw

that the old isthmus, which stretched out towards Roxbury, a dreary, desolate swamp, in 1793, when the County of Norfolk was organized, was now, in the course of Providence, a compact and well built city, with no line of demarcation between the two jurisdictions of Boston and of Roxbury. Roxbury, then, I maintain, Mr. Chairman, stands by itself in the consideration of this question. It is the only direction which, except by crossing artificial structures, Boston can possibly extend, if the increase of her business, her trade, and her population demands it; and therefore it seems to me that that presents in itself a *prima facie* case; and I submit that the question which was put to the witnesses, (which the learned counsel in his argument to-day criticised as being very vague and general,) "Do you see any reasons against annexation?" was a very proper one; because, Mr. Chairman, when you have shown two communities, living under separate municipal organizations, which have become one in fact, though not in form, then you change the burden upon those who would inquire what are the reasons for annexation, and the natural, proper and pertinent question is, why should they be kept asunder? They have been joined by the progress which time has made, and mutual attractions have brought them together; why keep up the machinery of two municipal organizations when one will serve the purposes of both?

And now, sir, will it do so? I regard this question as affecting four distinct parties; and in the remarks which I shall have the honor to submit to you, Roxbury stands first.

These gentlemen, who have come before you, and have testified that, up to a recent period, they have been opposed to annexation, have given really the ground upon which this petition stands. It has grown, by the natural and normal law of growth, into a conviction in their minds,—precisely as, upon this territory, it has grown to be a fact that they have become one community. In 1793, Roxbury was a part of the County of Suffolk. The County of Norfolk was then organized, and Roxbury was made a part of that county, making the boundary upon the neck, at the narrowest part of that little isthmus, which then was washed by the spring tides; and that accounts for it. But, Mr. Chairman, has it occurred to you, or to any of you, gentlemen of the Committee, that if the Legislature of that day, with that territory standing just as it did, could have anticipated the growth of this capital of New England, as it has gone on during these last seventy years, it would have been the blindness of fatuity for them to circumscribe it within the narrow limits which were assigned to it in 1793? Would not Roxbury, under such circumstances, or some portion of the territory in that direction have been added to Boston? Suppose the territory were to-day unoccupied, vacant land, and the Legislature was called upon to organize the city of Boston, and to prescribe its territorial limits, is there a person present here, who believes that it would be organized upon the line which is now claimed to be so sacred and so desirable to be retained? No person, I think, would say that. The Legislature would carry the line into the country; they would carry it where Boston could have that, for which, as I shall have occasion, I think, to demonstrate to this Committee, there is a vital necessity already approaching her,—more territory; and in some direction she must have it, or she must perish, by that process which has been constantly going on, through the unwise want of forecast that has marked the depredations on this harbor during the last twenty-five or thirty years, and in regard to which you are already appealed to by those who have that matter in charge. Well, sir, it went on under those lines until, in 1851, that portion of Roxbury which was eminently agricultural in its population and in its pursuits was set off as a separate town—the town of West Roxbury. It is in evidence here that it was contemplated at that time that the more metropolitan portion of Roxbury,—that is, lower Roxbury,—would ultimately be united with Boston; and upper Roxbury set up the

claim that her interests and her pursuits were not identical with those of lower Roxbury,—that she was not metropolitan, and the result must be that she would be dragged into a connection with the city of Boston, when she preferred to stand as an independent township. Her claim was granted, and she was set off. Then immediately following that, there came an application to the Legislature to unite lower Roxbury with the city of Boston. In 1852, the very year after West Roxbury was erected into a separate township, this application was made; and going back through this period of thirteen years, we find that, during that period, an intelligent community, not acted upon by caprice, not jumping at conclusions, but changed and taught by events, has been growing constantly more and more in favor of the measure, until it has come to be regarded by one of their most intelligent and candid witnesses, and one whose testimony I regard as decisive upon this question, (Mr. John W. May, a leading witness called by the remonstrants,) as a question of time. He has no doubt that, some day or other, Roxbury must be annexed to Boston.

Well, in 1852, what did the Legislature say? There was the opposition of the City Government and of the leading property-holders of Roxbury, and a very large opposition from Boston, and the Legislature said—what? That it would be a great “atrocity?” that it would be an “unheard-of” and “unprecedented” piece of legislation, to extinguish an independent municipality and merge it in another? Not a word of it, Mr. Chairman. The Committee that year, although giving the petitioners leave to withdraw, never intimated that, which is now the strength and the stress of the argument on the other side. They said, in the report signed by my old friend, who has passed to his reward within the last year, and who was so well known in these halls,—Mr. Bassett, of Barnstable,—“The time has not yet arrived, though the Committee have no doubt that ultimately Roxbury will be annexed to Boston.” (Senate Document of 1852, No. 108.) Well, sir, it rested for seven years,—a charmed period,—and then was renewed; and the Committee of that year, (1859,)—of which my friend, Mr. Simmons, who is present, was Chairman,—after listening to the same course of evidence, probably, though they found the case put upon somewhat different grounds, reported in favor of this “startling violation of Democratic principles.” That bill, which is Senate Document No. 136 of the year 1859, was submitted, with an able report by the Committee; but the Legislature then encountered such opposition to it, that they said, “The time has not yet come,” and the bill was lost. But it was lost under such circumstances, Mr. Chairman, as verified the convictions of so many friends of the measure that they renewed it the very year following; and in 1860 the Committee, of which Mr. Tilton, of this city, (then of Essex County,) an intelligent gentleman, was Chairman, reported in favor of the measure, in a brief document, referring to the former reports, (Senate Document, No. 34;) and it received such a degree of favor in the Legislature as to meet with its defeat in the Senate by a majority of a single vote. That was in 1860. Since that period, Mr. Chairman, the events of these four years, which have turned our thoughts more than ever to union, but in a larger and broader sense, have prevented the friends of this measure from approaching the Legislature; but they see now, what it requires no eye of prophet to discern, that, as this terrible break into the ordinary course of life and affairs throughout this nation is about coming to its close, and the breaches are to be repaired, and the regenerated nation is to go forward on a new career, blest and sanctified by having purged itself of every national sin, the time must come when this project will require the attention of the Legislature, and that they must be prepared to join in the march of prosperity that will be open to Boston, as to every other city and locality in the land; and they have now come, sir, again. Have they come here to ask for any such measure as the learned counsel has depicted in his argument? Is there anything against Massachusetts ideas, against Massa-

chusetts policy in this request which they have preferred to the Legislature, and which you, gentlemen, are to pass upon? If there is, I confess I cannot see it. Who are interested in the measure? I cannot, in any justice to you, Mr. Chairman, or to myself, go into the details to the extent and the minuteness which characterized the argument of the learned counsel on the other side; but I must be permitted to group some of these considerations, as they bear upon the several communities that are to be affected by them.

To Roxbury, the advantages which are to grow out of the consummation of this measure, it seems to me, are obvious. Unquestionably there are divers matters which, under any circumstances, will present angles and antagonisms. It cannot be otherwise. You talk of separating two communities or of uniting two communities, and there must be antagonistic interests apparent; and unless men can take a broad and comprehensive view of interests which look to the future, if they bind themselves down to present exigencies merely, undoubtedly the time never will arrive when a measure like this can be consummated. But it seems to me that it is worthy of great consideration by the Committee, that those who have the largest and deepest interest in this question, and some of whom have been most strenuous heretofore in opposition to the measure, have now come to the conclusion, as appears by the testimony, that the time has come when it should be consummated. It is conceded on all hands, I believe, that there has been a marked change of opinion, and that, it seems to me, is an element in determining whether the opportune moment has arrived; because we are so far to give credit to the intelligence of the gentlemen who have heretofore been opposed to it, and who are deeply interested in it, as to believe that their opinions would not have changed unless such were the fact. With respect to all these considerations of drainage, of Cochituate water, of the Public Library, of the schools, and everything embraced in the details which have been so fully commented upon by counsel, I cannot conceive it necessary for me to enter, except merely to touch them as I go. With respect to this matter of drainage, we do not set that up as the ground upon which we ask you to report favorably upon this measure. Cochituate water, although it is made very conspicuous in the learned counsel's argument, as if we had set it up as a leading consideration, because it has heretofore been made a consideration, when Cochituate water was supposed to be more abundant than it is now,—Cochituate water has not been set up by us a leading argument to induce the Legislature to grant this petition. But I am bound to say, with reference to both these questions, that taking the report of Mr. Bradley, the engineer of the city of Boston, although he tells us there may be independent drainage by Boston and by Roxbury, yet you cannot have failed, I think, to gather from his testimony, the impression, that, with the whole matter under one municipal jurisdiction, you would have great facilities in the drainage of both cities; and in the plan which has been dwelt upon by counsel of discharging the sewerage of Roxbury through Stony Brook, it is obvious from the testimony that its only outlet into Charles River must be through the territory of Boston or Brookline. Roxbury has been cut off from the margin of that river entirely. And what is the testimony of Mr. Purdy, our own State commissioner, who is placed in charge of the Back Bay lands, to conserve the interests of the Commonwealth? What does he tell us? That there are great difficulties in reference to drainage, arising out of there being two jurisdictions instead of one, and that he decidedly favors this measure, because it would aid the Commonwealth in that respect. And another most significant and striking fact disclosed in the testimony of Mr. Purdy is, that they found it an absolute necessity, when, by the decision of the Supreme Court, this large tract of territory which has been pointed out to you upon the map, was assigned to the Commonwealth, being within the territorial limits of the city of Roxbury, to have it set off to the city of Boston. What does

that indicate? Why, sir, that all the purposes for which a valuable territory (valuable in the future) is to be made to subserve the interests of the Commonwealth, can be better promoted by having it under the jurisdiction of the city of Boston than under the jurisdiction of the city of Roxbury. And there is another consideration in connection with that, which I shall have occasion to advert to in another connection in a moment—the comparative value of the land, as connected with the city of Boston rather than with the city of Roxbury.

Then the Public Library—I have but a word to say upon that. I think, sir, if gentlemen who treat this matter lightly, and say that the Athenæum in the city of Roxbury has got a fine library, and will answer all their purposes, could have heard an address to which I once listened, from a gentleman whom you and I, Mr. Chairman, have occasion to hold in the highest respect and reverence—the President of Brown University, Dr. Wayland—upon the value of a great public library to the community, in developing, as it were by chance, the mind of some young genius, that never, but for its presence, would have been developed into brilliancy and usefulness,—they would not be likely to underrate the value of the eighty thousand volumes of the Boston Public Library, destined in the near future to be eight hundred thousand, and unquestionably, upon its present foundation, destined to be one of the great libraries of the world, to an entire community who might have access to it without fee or reward. It will be a very long period, sir, before such an institution as that can be established in any one of the lesser cities of the Commonwealth. Here it is. It may as well accommodate the people of Roxbury as the people of Boston alone; ample, and growing every day in its means of beneficence and usefulness to all who may have access to its alcoves.

Then, sir, I come to another consideration, which I meet squarely. I have had no desire to examine, or cross-examine, with any tenderness, to know whether this annexation is likely to increase the value of real estate in Roxbury. I claim—and I do not know whether I represent in this the opinions of the gentlemen for whom I appear or not—I claim as an element which you should consider in determining your duty as to this measure, that the inevitable effect of it must be, to increase the value of real estate in Roxbury. That, I believe, was the legislative opinion, when they said that this fine tract of land here on the Back Bay, belonging to the Commonwealth, should be transferred from the city of Roxbury to the city of Boston. I do not think that the Legislature, when they made that transfer, thought they were going to diminish the value of that property; but they said, upon the application of the Commissioners, “we deem it of vital consequence that it should be done;” and that act showed the legislative opinion that the land would probably be increased in value by the transfer. I claim that it will be. And now, what is the effect of an increase in the value of real estate? It is said that it will raise rents; that the middling classes, the industrial classes, the mechanics and laborers, will find their rents increased, with no greater privileges. Mr. Chairman, can there be an increase in the value of real estate in any town in Massachusetts,—I mean, any permanent increase—I agree that there may be a speculative, a sporadic value given, for the moment, to real estate by speculators,—but can there be a permanent increase in the value of real estate, except it be in consequence of the increased prosperity and thrift of the community who occupy it? An increase in the value of real estate is the consequence of something else; and that something else is the greater prosperity of the community. You may discuss it, and theorize upon it, and spin as fine upon it as you will, but is there a man of common sense who does not feel,—feel as consciousness, more than conviction,—that an increase in the value of real estate in any community is an indication of its growing prosperity? Well, sir, if that be so, the effect of that increased prosperity upon every class is a desirable effect. If their rents increase, their sources of emolument, of compensation for their labor, increase; their greater

opportunities for employment bring increased wages; otherwise, should we not stultify ourselves by saying, "We will stop the wheels of progress in our community, because, forsooth, if we go on and have a prosperous community, one consequence of which is increasing the value of our real estate, the industrial classes will suffer?" It is a solecism which cannot exist. To me, sir, it admits the whole case, so far as Roxbury is concerned, to say that it will increase the value of real estate,—so far as their material interests are concerned, certainly,—because it is of importance to the general prosperity of the community; and that, I think, will be no objection on the part of the Committee to reporting a bill, if they come to that conclusion.

Then, my friend indulged himself in a good deal of irony upon a matter which, to my plain common sense, is not a fanciful question—the want of interest, on the part of those gentlemen engaged in business in Boston, in the municipal affairs of the city of Roxbury. I think, gentlemen, that sensible men do believe that that divided interest is an unfortunate one, to any community; and it is no answer to that to say, that these gentlemen come here and say they don't perform their municipal duties, and therefore they ask you to do something for them which otherwise you would not. I respectfully submit that irony is entirely out of place here. I submit to you with great confidence, that, other things being equal, no great interest being prejudiced, it is eminently desirable that the citizen of every town and city in this Commonwealth should have his interests concentrated in the city where his property lies, where he is taxed, and where he should perform his municipal duties. I believe that to be the opinion of some of the wisest and best men among us.

Then comes the question of the Courts and of the Registry. I do not dwell upon these. I think it must be obvious to any one that parties and witnesses, jurors and counsel, who have the election to go two miles to a court house or ten or twelve miles,—and the one in the direction of all their other business, the other directly from the centre of all their other business,—must find very great convenience, very great advantages, in the change which transfers the judicial business of Roxbury and its registration from the Court House at Dedham, to the City Hall in Boston.

I do not dwell upon this matter of loans, which was hardly tolerated as an admissible element by the counsel, though I must remind you, Mr. Chairman, and him, that Mr. Adams, their witness, said upon that point, in his testimony, all we have contended for—that there is some difficulty, arising out of the distance of Roxbury from the Registry, in procuring loans even at his bank, and that the other banks, corresponding to his own—kindred institutions—decline to take them altogether. There is another convenience that the change will bring to the citizens of Roxbury.

Then, Mr. Chairman, is it of no consequence to Roxbury, as a municipal corporation, that ten millions of the personal property of her citizens are taxed in the city of Boston, and not in her own city? The learned counsel went to what seemed to me a very great labor to very little result, when he produced his table here to show the proportions that exist between the number of polls and the amount of assessed value of the personal property in each of the cities of the Commonwealth, in order to demonstrate that Roxbury was by no means low in the list, but, in some respects, at the head. I do not see the inference that is to be drawn from it: because, in the first place, I should suggest that it was entirely sophistical, from the fact that the number of polls, as against the number of inhabitants, is a very unfair and unjust element of comparison. Take, for example, the city of Lawrence, or the city of Lowell, where the number of polls is so much less in proportion to the whole population than it is in an agricultural or commercial city, from the greater preponderance of the "homeless and aimless," to whom our excel-

lent chief magistrate had an eye in his inaugural address. That is an element which seems to be left entirely out of the calculation in making that per cent. But, Mr. Chairman, aside from all this, it is a matter of no consequence to us. We put simply the fact,—we care not what inferences are to be drawn from some incidental and indirect view of that fact,—we put the fact, that the municipal corporation of the city of Roxbury finds that ten millions of the personal property of her citizens are taxed in the city of Boston. I say, Mr. Chairman, it is a great fact; it is a fact that indicates that there should be that union in form which already exists in fact, for they are, to all intents and purposes, so far as taxation is concerned, citizens of Boston.

Then, Mr. Chairman, so far as Roxbury is concerned, as I said before, we make no special point of Cochituate water. But I want the Committee to listen to the intelligent testimony of Mr. Darracott. Has it not satisfied your minds that if this measure is consummated, and Roxbury becomes a portion of the city of Boston, an abundant supply of Cochituate water will be obtained for that community, and for all the growth that Boston is to make? An abundant supply: not by requiring them, as my learned friend says, to pay for it drop by drop, and have a man stop to calculate how much it is going to cost him before he washes his hands; no, but even on his own figures, the liberal and generous supply of forty-six gallons a day throughout the year, for more than half a million of people—men, women, and children. Twenty-three millions of gallons a day, he says, are the capabilities of that Cochituate lake. Bring it in by mains, protect and guard it by proper restrictions, and what is to be the result? You get your three millions of gallons daily, and does not that give you forty-six gallons a day for a population of five hundred thousand souls, men, women, and children?

Mr. AVERY. The wastage cannot be saved.

Mr. CLIFFORD. The wastage can be saved. That is the very point. There must be restrictions and guards, not upon that "free use of water," which was promised in the days of Mr. Quincy, Jr., (who says in his testimony before us, that he found Boston sufficiently large for him to manage when he was Mayor, and I suppose he would have stopped her where she was,) but upon carelessness and waste. Mr. Quincy's name is engraved upon this Beacon Hill reservoir, and his conception of what the progress of a great city will be, is shown by the fact that that reservoir, as Mr. Darracott tells us, never can return its cost to the people of Boston, and to-day would not furnish them with more than one day's supply. But here is the point. What is Boston to do, if there is an insufficient supply of Cochituate water to-day to warrant that "free use" which is contended for, when her area of new land is covered, when the present limits are entirely filled up with the population, which, whether the native or foreigner be most prolific, is to be here, to fill up these vacant spaces? What are they then to do? Why, they are to have a new supply, even in the present aspect of things, and in doing that, may they not have a supply for Roxbury, as well? And is it any answer to say, that if they can cut off East Boston, if they can withdraw the supply from the Navy-Yard and public institutions,—which they can do, now that Charlestown has got her copious and inexhaustible supply of water from the Mystic,—is it any answer to say that Boston is not sufficiently supplied with Cochituate water? Sir, believe me, the scientific skill and intelligent forecast of Boston, whenever Roxbury is annexed, will find the means of furnishing to her a supply of water, as she supplies her own population to-day. There is no doubt about it. If she failed to do it, it would be a confession to the world that she had failed in one of the enterprises which comes nearest to the health, to the comfort, to the security of a great commercial metropolis; and it never will be, sir. But we have not put that forward as one of the leading reasons why we ask for this measure; it came along incidentally.

Now, Mr. Chairman, in regard to police,—which is the only other consideration, connected with Roxbury, to which I care to advert. It is said that a small community can better manage its police affairs than a large one. Is that true, sir? If I have read history aright, if I have any just and accurate knowledge of the condition of the present great centres of population, it is eminently untrue. I believe it is conceded by all men who are acquainted with the subject, that the great city of London, which cannot to-day number less than five millions of inhabitants,—four times as many as the whole Commonwealth of Massachusetts,—is the best ordered city, in reference to its police, that there is in the world; and I have the faith to believe, sir, that whether her police is to be a city police, or a State police,—whichever in its wisdom the Legislature of Massachusetts may devise,—Boston is to go on with improvements by which public order and public security will be achieved through that instrumentality, with any growth of her population. I have no belief, sir, that because there are difficulties,—because Mr. Quincy, Jr., when he was in office as Mayor, with sixty thousand less inhabitants than the city has to-day under Mayor Lincoln, found difficulties in its government, there is any other idea to be entertained by a Massachusetts statesman than that of a Chancellor of Great Britain, that “difficulties are things intended to be overcome.” The progress of improvement tends to the concentration of population in all the great centres of industry and commerce, and that must be attended with material and with moral dangers; but are we, like cowards, to flee from them, or are we, by the virtue that inheres in a virtuous and resolute people, to manage and control them? I believe it is the sentiment of the best people of our community, that the police regulations, as between these two communities, would be greatly improved by concentrating them under one municipal head.

But, sir, I leave these considerations to your judgment. I submit that the city of Roxbury may well come here and ask for this union with her parent city;—parent, because she was once with her and of her. She is coeval with her, it is true; the days of John Eliot and the days of Blackstone were contemporaneous; and the three-hilled city may well be glad now to unite with and become a part of the city where that great apostle wrought his wonderful work. But, Mr. Chairman, to say that Roxbury comes here to ask for something that is “monstrous,” or “novel,” or an “invasion of Democratic principles,” is to assign to them, consciously or unconsciously, a motive which does not belong to the application, or to those who favor it now before you.

But there are other parties in interest, it is said; and my excellent friend, Mr. Safford, the chairman of the County Commissioners of Norfolk, comes here, and, I confess, amused me a little by the view which he presented of the rights and claims of that county. He started with the idea of the great importance of county organizations and county lines, and said that the annexation of a single ward of Roxbury—the lower ward—would accomplish all the purposes of this petition, without taking in the highlands; and that even the annexation of that lower ward would not be justifiable unless a great and pressing exigency demanded it; but to destroy the independence of a great city, that was monstrous. Before he got through with his address, however, Mr. Chairman, his mind had undergone such a change that he suggested that, upon the whole, it would be better to wait a little while, until a general act of legislation should be passed, when this Boston anaconda could, with the votes of all the surrounding suburban towns, swallow the whole, as a single mouthful. In other words, that there should be a general law upon this subject, if there was to be anything, which would authorize any one of these suburban towns to be annexed to Boston, upon the vote of Boston and the town itself. Well, that was a leap from a rather spare meal to one a little larger than anything we ask for now, hungry as we may be supposed to be. Then there was another claim made in behalf of the County of Norfolk,—that the annexation of Roxbury

to Boston would be a very great hardship upon her, because it would reduce her territory, and size was a very important thing in a county. But, Mr. Chairman, did he apply this to the little county of Suffolk? O no! He said it would not benefit Boston a single dollar's worth to have any more land annexed to it; that it was all moonshine that any increase of territory was going to increase the prosperity or business of Boston; and yet, it was of the last importance that Norfolk County should retain all her territory, because to reduce the size of that county would be a very great evil. Now, I think I can do better justice to the County of Norfolk, for which I have some affection, for I passed one of the happiest years of my life in its old shire town, and used to ride into Boston over that long isthmus of which I have spoken, and I could take a long drive before I encountered a dwelling, or even a store,—I think I can do better justice, I say, to the County of Norfolk, than its commissioner has done. I agree, that if it could be shown that the annexation of Roxbury to Boston would be a great evil to Norfolk County, it would be a serious objection to the measure; and I should be very reluctant to say that I would interfere with county lines to the great prejudice of any county in the Commonwealth. But, after all, is it not true that these county lines are, as respects legislation, precisely like city and town lines? Are they to be held any more sacred? Are we to have the appeal made to us upon mere sentiment, that the "old" County of Norfolk—seventy-two years old—younger than a great many men now in active business in this city—should not have so valuable a portion of her territory transferred? What reason is given? Does she receive more in the taxes she assesses upon the city of Roxbury, than she dispenses in benefits to the city? Are not the burdens correlative and coequal? If they are not, then there is some injustice. Norfolk gets from Roxbury more than a just equivalent for the burdens she imposes on the county, or she does not. If she does, you will all agree that it is unjust, and certainly furnishes no fair ground for argument that Norfolk should retain her. If she does not, then certainly Norfolk County has no interest in opposing this union between Roxbury and Boston. But I maintain, Mr. Chairman, that there never has been so propitious a period for this change as now. I have some gratification in stating, that I had a conversation to-day with a distinguished citizen of Norfolk County, not a resident of Roxbury, who agreed with me that there never was a period when Roxbury could have been taken off from the County of Norfolk with less disadvantage to the county, than she could be at this moment. And why? Because, sir, since the last effort in this direction was made, Norfolk County has been diligent in putting herself in condition for the inevitable hour that her wisest men have known was coming. She has reconstructed her county buildings, her court house, her jail, her house of correction, and they are now, as appears by the evidence before us, in excellent condition. And what is the condition of the treasury of the county? A most extraordinary condition! In this year of grace, eighteen hundred and sixty-five, when every county in Massachusetts, except Norfolk, shows great and unprecedented expenditures for the last few years, Norfolk County shows scarcely any debt at all. Eight thousand dollars the whole amount of her debt,—a merely nominal sum; and all these great improvements, to which Roxbury has contributed so liberally, made and completed. Ought the County of Norfolk, then, to interpose, and say, "We will hold you against your will, and against your own interests"? It is to be remembered, also, Mr. Chairman, that at the time West Roxbury was created a separate town, it was supposed and alleged, that the line between West Roxbury and the city of Roxbury would be the county line,—contemplated—looked forward to.

Now, Mr. Chairman, I come to the consideration of another point; and in the discussion of a question like this, if I had not entire confidence in the justice, in the expediency, in the right of the measure, I should feel that it was necessary to

be very diplomatic upon the question; because, as you see, an argument which induces Roxbury to favor it may, upon the principle of antagonism, induce Boston to reject it, and *vice versa*. But, sir, I am content to treat the whole question with entire and perfect candor, and to say, that while I maintain that it is of great interest to the city of Roxbury that this measure should be consummated, I also claim that it is of no less importance,—indeed, that it is, if possible, of much greater importance to the city of Boston that it should be carried into effect. And why, sir? I say to you, Mr. Chairman, that it is fast becoming to Boston a necessity, a necessity of her life. When Boston proper consisted of but five hundred acres of land, before she had added to her territory South Boston and East Boston, she was a small commercial town, and neither her own citizens nor the people of the Commonwealth, represented in the Legislature, looked forward to her inevitable growth to the importance which she has now assumed. What has been the consequence? The most improvident and unwise legislation with respect to this city. The first great mistake was in permitting the Milldam to be built, to create an artificial avenue where nature had already made an avenue over the neck, and in permitting it to be made of solid filling. And under what pretext? Why to get the water power to set up a grist-mill to grind a few bushels of grain. And what, by the united testimony of every commission that Massachusetts has appointed, and who have reported to the Executive, or to the Legislature, upon the harbor of Boston, has been the effect of that Milldam upon her great interest, without which she perishes and dies,—her harbor? Why, it has filled it up to such an extent that even to-day there appears before you a petition from the Harbor Commissioners of this city, asking you to devise some means to check the constantly increasing destruction of harbor facilities which is going on, and predicting, if they do thus go on, there will be no harbor here in which a European steamer can float. Unquestionably, the Commonwealth, by the most improvident legislation, as I say, has permitted this to go on. Why has it been so? Because Boston has been so contracted in her area, has been so narrow a territory, that she has been compelled to make land, instead of going out by the natural outlet that Providence had assigned her, and taking in the land which had already been prepared for her. That is the reason for it, and that is why this measure has become a vital necessity for Boston. She must get, somewhere, land for buildings, or else this pressure must continue to go on. Why, Mr. Chairman, I believe it is agreed on all hands,—it is a fact, I know, for I have had, in another relation, where I was acting as Attorney-General of the Commonwealth, much to do with these flats,—that the original territory of Boston proper was smaller than the land that has actually been made since. She has to-day more land that has been constructed by the hand of man than was assigned to her by the hand of Divine Providence as the site of the city; and this process is going on.

Now, Mr. Chairman, I pass to another consideration in respect to Boston. There never was a more opportune moment, a more propitious season for her to take to her embrace her sister city, with which she is destined to be united, (that I look upon as one of the inevitable facts of the future,) than at this moment, in view of the amount of the public debt. Look at it for a single moment. The population of Roxbury to-day is just about one-seventh the population of the city of Boston. Assuming that the water debt is an obligation that will take care of itself—and I do that, although there has been a question made here whether it does pay for itself—Roxbury has a debt which is about one-tenth the debt of the city of Boston.

Then there are other considerations, which are immediately pressing. All the cities of the Commonwealth, as is well known, are this year to be redistricted, for the purpose of fixing the apportionment of representatives. That, therefore, is a matter of great importance. Wait until another year, and you would have to

disturb the relations of the different wards of the city in order to consummate this measure; and therefore, I submit, that is an important consideration.

With reference to the grade of streets and drainage, I respectfully refer the Committee to the testimony of Mr. Matthews and Mr. Purdy, without stopping to dwell upon it. I regard that of Mr. Purdy, especially, as very important. Then with respect to the streets and avenues. In the narrow and contracted area of this peninsular city, they submitted to the inconvenience of tortuous, crooked and narrow streets, because they had so little land; they are now endeavoring to remedy that, by the construction of wide and spacious avenues. Where are these avenues to lead? All of them out to Roxbury and Brookline. How important to the city of Boston that there should be no conflict of jurisdiction with respect to them! How important that the direction of great works like these, essential to the salubrity of the city, to its health, to its comfort, should be under the control of one municipal head! How important that an avenue like Albany Street, which we had an opportunity of looking at the other day, should not find its terminus at a Roxbury nuisance, but should be projected still further onward, into the pure air of the country!

But with reference to this matter, there are other considerations, almost too weighty for the hurried and discursive manner in which I must approach and pass them. One has relation to the sanitary condition of Boston. If there is any one subject which has excited the interest of intelligent men throughout the world during the last ten or fifteen years, and which is especially exciting the interest of the legislative government of Massachusetts, it is the sanitary condition of the people. Now, this want of foresight and forecast, to which I have so repeatedly adverted, has prevented Boston from securing for herself,—under the admonitions of a gentleman, whom we have had here as a witness,—Mr. George H. Snelling,—that which would have made her the empress city of this continent; which, in respect to her sanitary interests, and the comfort and beauty of the city, would have made her surpass New York, with her Central Park, a hundred fold. In laying out the Back Bay lands, which are owned by the Commonwealth, and which have been transferred from the municipal jurisdiction of Roxbury to that of Boston, there should have been left a wide and spacious tidal lake, bordered on each side with spacious avenues, lined with trees, renewed by the tides every day from Charles River, kept, as it was perfectly practicable to do by engineering skill, at any level, and extending out to Roxbury from the foot of the Common and the beautiful Public Garden. An opportunity was here presented of making this a second city of Hamburg, with its "Inner-Alster," a corresponding sheet of water, over which the summer winds would pass, to be cooled for the fevered brow of the invalid, and for the pleasure and delight of the well, the strong and the happy. This would have made Boston the unrivalled city of America; but the short-sightedness which looked only to a few dollars to be made to-day, by the sale of a few lots of land on the Back Bay, prevented that, although it was urged by the best intelligence of the State as being not only a wise measure, with reference to the health and happiness of the city, but even with reference to the pecuniary interests of the Commonwealth. That has gone by. That has been lost to us, and lost within these past few years. Mr. Chairman, as its only substitute, these avenues have now been laid out. Should they not extend into the country, from whence they can bring to us the fresh airs from the Berkshire hills, even, to circulate through every narrow and crooked lane and alley of the crowded city? Is there any extravagance in the statement of the sanitary interests which belong to this question, arising out of the five or six avenues which lead directly towards the city of Roxbury? And if it be true that there are such interests, how important is it that they should be under one municipal direction and control? You have not forgotten, surely, Mr. Chairman, and it is

only necessary for me to advert to it in passing, the very strong testimony on this subject of Alderman Clapp, who has given great attention to the sanitary condition of Boston; and of Mr. Merrill, whose strong common sense appeared so conspicuously in his testimony as a witness upon this subject; and the scientific testimony of Mr. Snelling, also, who has paid more attention to this subject, perhaps, than any other gentleman in the city. I advert to their testimony as sustaining the view that I take.

But, sir, there is another point, which has almost been the subject of a sneer. I crave leave to present it to this Committee as worthy of their consideration in the highest degree. I maintain that the increase of the city of Boston, as an element of commercial strength, is one of the most important arguments in favor of the annexation of Roxbury to this city. It is not fanciful or fantastic to say, that population is an element of strength. Is Boston to stop in her career of prosperity, when this country takes her "departure," to use a nautical phrase, on the new voyage which is before her, because she has no more land for her people to occupy? Is it merely a fanciful idea, that great centres of population attract and draw to themselves business, trade, commerce? Why, sir, I think the opinions of such gentlemen as Mr. Richard-on, the President of the Board of Trade, and Mr. George B. Upton, who, as a legislator as well as a merchant, has shown great sagacity, and is relied upon as a gentleman of excellent sense and judgment in all such matters, and Mr. Hurlbut, to whom it is only necessary for me to refer, in order to recall the forecast and the extreme intelligence exhibited in his testimony,—I say, sir, that I think the opinions of such men are entitled to great weight on a question like this. But beyond all this, sir, I think it will be agreed, that on such a question, the Mayor of this city would not be likely to commit himself to any very great absurdity; and yet, what does he say, in his Address of this very year, and upon this very subject?

"The annexation of the adjacent city of Roxbury to Boston has again been agitated, and we have been notified, as an interested party, that a petition will be presented to the next Legislature for an act to carry it into effect. There can be no doubt that population and territorial limits add very much to the character and reputation of a city at home and abroad. Commerce, business, maritime adventures seek large aggregations of people; and if Boston is to increase very materially in her numbers, keeping the dwellings of her active men within her municipal limits, it must be through the annexation of some of the adjacent territory. There is no natural boundary between this city and Roxbury, and public sentiment in both communities, I believe, is rapidly tending towards consolidation. The decision of the question belongs primarily to the people, and possibly it is a subject which we should leave entirely in their hands; but as the City Government has been notified of the pending petition, it may be our duty to take some action. I would, therefore, suggest, if it meets your approbation, that a committee be appointed to investigate the subject. They should ascertain the relative debt and property of both cities, the taxable value of estates, the question of sewerage, the prospective improvements required, and such other matters as will give light to our citizens should the Legislature sanction the union, and they be called upon to vote on the question."

Mr. Chairman, is there anything absurd or fantastical in that? The Mayor of this city has committed his reputation to the idea which is scouted here,—that population is an element of prosperity in a city; and Mr. Nichols says it never attracted a dollar's worth of trade in the world, and the learned counsel repeats the statement with greater emphasis. Sir, I submit that population is an element of commercial prosperity; and is there not a plain, common-sense view of this

matter, which overrides any theorizing upon it? In looking at the prosperity of any city, do we not look to its increase of population? Well, some gentlemen say they do not object to an increase of population, provided it is a natural and normal increase. Let us be a little exact in the use of terms. What is the natural increase of a city? Is it any less a natural increase to take such a community as Roxbury, kindred in all its pursuits, educated under the same institutions, under the same influences, and annex it by legislation to Boston, than the importation of ten thousand foreigners a year, or twenty thousand, as the case may be, or, as in the case of Chicago, of forty thousand a year? I do not see it, sir. And that Boston must have some place where she can expand is evident from the mere extension of her territory, and a reference to her history. And where is the future magnificence of the city, which was auspicated and predicted by the venerable gentleman who has been so often referred to, Josiah Quincy, Sen.,—where is that to be found, unless it be annexed, which the learned counsel said Mr. Quincy signed a petition to prevent in 1860? Through the kindness of Mr. Snelling, I have had put into my hands a remarkable letter of Mr. Quincy, which I shall ask you to construe, to see if it justifies the interpretation of his sentiments which has been given by Mr. Quincy, Jr., and by the learned counsel:—

GEORGE H. SNELLING, Esq.: Dear Sir,—According to your request, I have signed the memorial to the Legislature, soliciting a modification of the plan of building on the Back Bay lands. In doing it, I have deviated from a rule of conduct I had prescribed to myself. At my period of life, to take a lead in suggesting, or advocating, local city improvements, I deem an assumption, which I avoid. I have yielded to the obviousness of the vital importance to the future health and comfort of the inhabitants of the city, which your memorial so fully and ably illustrates and explains.

The prospects of Boston for future extent and population are magnificent. Massachusetts, although she has already, by voluntary self-sacrifice, deprived herself of by far the largest portion of her ancient territory, is yet, by her intellectual and moral power destined to be the leading influence, in these Northern States. For this distinction she is largely, if not chiefly indebted to the skill, wealth and enterprise of the inhabitants of this city. I trust, therefore, and cannot doubt, that the Legislature will realize that *the permanent interests and prosperity of every part of the State are identified with patronizing improvements, such as you suggest, apparently so essential to the future health and accommodation of the inhabitants of her capital.*

With great respect, I am yours,
QUINCY, 29th July, 1859.

JOSIAH QUINCY.

Now, Mr. Chairman, I propose to deal frankly with a matter upon which my learned friend, I think, did not do justice to me this morning. I have little disposition to make personal issues with my brethren, with whom I am trying causes before any tribunal; but I confess I did feel a little aggrieved at what was said by the learned counsel when I asked him to find anything which had been said by my associate in his opening, either upon my suggestion, or upon his own motion, that would justify his remark, that I or my associate had stated that Boston was already under the influence of a government which it was important to her interests to dispossess. Sir, I said, and I thought, no such thing as that. I never had the idea. I never gave expression to it; and I heard nothing from my associate to justify the statement that was made on the other side. But, sir, I do say this,—and I shall not blink the question here or anywhere; that in the future of Boston, if it is to go on for fifty years (and in the life of a State, that is but a second of time,) as it has been going on for the last twenty years, there will be an

exodus from these dwellings and these streets of that (I still adhere to the phrase) "better class" of our people, to make way for those who by origin, by education, by institutions, are less competent than they to manage the affairs of great municipalities. That is what I say, and what I stand to; and if Boston is to have no room to expand in, the inevitable hour that will witness that is to come. And do you tell me, Mr. Chairman, or does the learned counsel undertake to tell me, that I, as a citizen of this Commonwealth, with boys to nurture and educate, have no interest in that question? Is not every household, not to say every home, every hamlet, every village and town in Massachusetts interested in it? Why, sir, what is to reinforce, with its vital blood, this city, this capital, not of Massachusetts alone, but of all New England,—but the young, fresh enterprise that is to come hither from our homes in the country? What is the experience of every great city? As "wealth accumulates and men decay," as the increase of wealth leads to habits of indolence in the young, and the old families die out, how is it that its population is made to perform the service which a great capital demands? By a reinforcement from the fresh blood of the country. Are you, sir, to invite to your capital the young men who are to come forward, in countless generations hereafter, to devote their energies, and their accumulations, whatever they may be, of health, of talent, or of learning, to the service of this capital, without permitting them to have a voice in its municipal affairs, because, forsooth, its land is taken up with warehouses and storehouses, and the dwellings of the less competent portion of the population of a great city? Will you not rather say, "We in our day and generation did what we could to give to the capital of New England sufficient territory, a sufficiently broad area, to enable her to invite in, not to her business and her enterprise alone, but to a participation in her municipal affairs, the best population of New England"?

Sir, what has been the course of legislation in Massachusetts with respect to Boston? Has it not been such as to indicate a recognition of the truth that the interests of this capital are the interests of the Commonwealth in every respect? Why did Massachusetts, thirty years ago, commit her credit to what was then regarded, by these men who represent, what I must call, for want of a better term, the old fogysm of the Commonwealth, as a very perilous enterprise—the construction of the Western Railroad—except that she wanted to make an avenue into her capital which would enable it to increase in commercial prosperity? Why is she to-day boring a mountain of rock, except that her capital wants new avenues to the West? What is that capital to be, if the policy is to be pursued of looking at the trivial matters (I cannot designate them by any more respectful term,) that have occupied so much of our time in the course of this investigation? What sort of a capital is it to be? One that is to be confined to an area so narrow that she shall be obliged, even at the risk of sacrificing her noble and capacious harbor, to increase it by making the land she would not seek a little way beyond it, exposing her to the miasma that is to come from these marshes, but which, under skilful, intelligent and scientific management, and under one municipal corporation, such as Boston will be, with the added intelligence of Roxbury to it, might be made, not only innocuous, but salubrious, and thus increase the value and importance of all her territory?

No legislation is in danger of looking too far into the future. The danger is, that we shall look too much to the past for precedents, and too much to the petty exigencies of the present. He is likely to be the wisest man, in legislating for any community, who takes the largest and broadest view of its future necessities and wants. Mr. Chairman, I was in this House in eighteen hundred and thirty-five, and participated in some legislation which contemplated then a very near future, and not a very remote one. The railroad system of Massachusetts was then about being inaugurated; indeed, it was during that year that the road from Boston to

Worcester was first opened, when, as the old banker, Mr. Degrand, said, "Boston extended her Long Wharf forty-five miles up into the country." You remember, sir, that Dr. Lardner, a famous scientific man, demonstrated that a steamer could never cross the ocean, and while he was lecturing and demonstrating it, the first steamer made the passage. Well, sir, the original system of railroad travel in Massachusetts was very much like that. The idea was, that our railroad system was to give us rails running from point to point, upon which we were to ride in our own vehicles, stopping at the gates to pay tolls. That was the first legislation of Massachusetts upon the subject of railroads; and yet at that time, science had demonstrated that steam locomotion was a perfectly practicable thing on railroads. I had myself, at our little local lyceum, delivered three lectures on the subject, with a little model steam-engine, to the great delight of the people who saw it traversing the table in front of me, with a little car attached, loaded with imitation cotton bales. But we went on, utterly regardless of the fact, which scientific men said was indubitable, that steam locomotion upon railroads was to supersede all the ordinary modes of travel, and incorporated into our legislation at that time, what seems now a most absurd system of travel—every man in his own carriage, stopping at the toll gates to pay toll. Now, sir, my argument is, that we are here on behalf of these petitioners, not for to-day alone, but for the great future. No one can doubt, with the impetus that has been given, that this is a step in the right direction; and although I agree most heartily with all that has been said about the other step which has just been taken by the merchants here in opening their Trade Sale, still, the two things are not inconsistent, but help and support each other. If these trade sales are to go on, if, to sum it all up in few words, the commercial prosperity of Boston is to be advanced and supported, then you must give Boston more room to grow in. Everybody feels that,—feels it as an instinct; and these gentlemen who come here and look forward with dismay to the destruction and extinguishment of their ancient city, will not live three years after the consummation of this measure, without thanking you and all of us who aided in bringing about this great result. Why, sir, in eighteen hundred and forty-five, I had a little experience in the Legislature with respect to Harrison Square, over here in Dorchester. I happened to be chairman of a committee on the part of the Senate, of which Mr. Peleg W. Chandler, of this city, was Chairman on the part of the House, and we granted the right to build a bridge over Fort Point Channel—not a solid filling, sir, for I very early got my face set against any solid bridges over Boston Harbor, but a bridge on piles. There was such a feeling of resentment excited about it, that I believe Mr. Chandler and myself, who were very resolute in carrying the measure through, were burned in effigy by the people, who thought their interests were utterly ruined by this atrocious piece of legislation. But, Mr. Chairman, it was not a year from the time that bill passed the Legislature, before those very gentlemen gave an entertainment at Harrison Square,—a dinner of rejoicing over the result of that enterprise—to which Mr. Chandler and myself were invited, as honored guests. The whole thing had turned out very differently from what they had anticipated. It had advanced the value of their property, and demonstrated that it was a step in the right direction. It was a stage of advancement, and the result has been, that that place, which was then very sparsely populated, has now become one of the most populous suburbs of the city of Boston.

I have already occupied more of your time, Mr. Chairman, than I am entitled to; and at the same time, have not discussed this case as thoroughly as I ought, in justice to those whom I represent here. But I have endeavored to touch all the salient points of the case; and I come back, in conclusion, to say simply this: This is a measure which looks to the future. Those who are promoting it, can have no other interest than in the advancement of the prosperity, the happiness,



and the comfort of the respective communities with which they are associated. The five thousand petitioners from Boston, and the two thousand from Roxbury embracing men of every pursuit, and every grade of intelligence, certainly cannot be mistaken in thinking that it is a fair and just question to be submitted to those who ought to control it. Who is there here who can stand up and say, in the spirit of a man who believes in Republican institutions, and does not merely mouth it and pretend to believe in them,—who can stand up here and say that a question like this ought not properly to be submitted to those who can intelligently decide it, and who have the deepest interest in deciding it right? Sir, such has been the view that has been taken by the Massachusetts Legislature heretofore; I trust it will be the view taken now; and when it comes before the final tribunal,—those who are to be affected by it permanently in all their interests,—I trust that they will see that it is a measure that is promotive of the happiness and prosperity of the whole. And I can assure those who are here to-day deprecating it, (but no more earnestly than some of these witnesses who have been produced by the petitioners opposed it five years ago,) that they will find, in the words of the old hymn,—which is the only poetry I propose to quote as an offset to the beautiful poetry that has been quoted by my friend—

“ The clouds they so much dread,
Are big with mercies; and will break
With blessings on their head.”

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