

FOURTH ANNUAL REPORT
OF THE
BOARD OF COMMISSIONERS
OF THE
CENTRAL PARK.

JANUARY, 1861.



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Board of Commissioners of the Central Park.



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ANDREW H. GREEN.

Vice-President.

JOHN A. C. GRAY.

Secretary.

THOMAS C. FIELDS.

REPORT.

*To the Honorable the Common Council
of the City of New York:*

The Board of Commissioners of the Central Park respectfully present their report for the year ending with December 31st, 1860.

During that time the Board has accomplished a main object of its exertions, that of the preparation of the lower portion of the Park for public use, and although urged forward under some disadvantages, yet its constant and crowded occupancy has proved the propriety of the policy pursued, and demonstrated how much such a place of recreation was needed and how much it is enjoyed.

The Park is mainly complete below Seventy-ninth street, and from Seventy-ninth to Eighty-sixth street, on the west side of the old reservoir, it is also well advanced. From Eighty-sixth to One Hundred and Fourth street, the drive is in such a state of forwardness that the Board feels justified in promising that it shall be opened in course of the coming summer.

That portion of the Park adjacent to the new reservoir, is necessarily delayed by the operations of the Croton

Aqueduct Board in the construction of that extensive work.

A contract has been made with Messrs. Fairchild, Walker & Co., for doing certain work that lies so connected with that of the reservoir as to render it impracticable to do it by other means without occasioning inconvenience to the work of the reservoir. Transverse road No. 1, opening on Fifth avenue at Sixty-fifth street, and crossing the Park to Eighth avenue at Sixty-sixth street, and No. 2, crossing the Park at Seventy-ninth street, afford convenient crossings for business traffic at a level beneath the pleasure travel of the Park, the Park drives being carried over the traffic roads by bridges thrown across.

These roads are not only used for business traffic, but afford a convenient way in which to lay the water and gas-pipes that supply the city.

The Croton Board is now engaged in laying the main pipe through transverse road No. 2, by the consent of this Board, and the Gas Company is soon to place its pipes in transverse road No. 1. These roads are so constructed as to admit of unobstructed crossing of traffic without interfering with the Park travel; they are to be open by day and night, and the Park may be closed without suspending their use.

The system of archways, now nearly complete below Seventy-ninth street, is designed with reference to the safety of foot passengers, who, by their use, can cross the ride or drive above or below, free from the danger of collision with horses or carriages. Their utility has been

already demonstrated. A child keeping to the walk may go from one end of the Park to the other without danger of being run down.

Four substantial and tasteful rustic structures have been erected to furnish resting-places for pedestrians, in addition to two previously built.

The weather during the past year was unusually fine, and has contained two hundred and eighty-two working days, being a larger number than any previous year since the commencement of the Park.

Average working days per month, 23

The following are some general statistics concerning the progress of the work :

Total number of mechanics, laborers, carts, teams, masons, stone-cutters, carpenters, blacksmiths, &c., that have been employed during the year 1860, 3,579

The largest force engaged at any one time (exclusive of men employed by contractors), was, on Sept. 7th, 2,506

The average force per day for the year, is, 1,528
 " " " from May 1 to Dec. 1, 1,889

Besides the regular Park force, there was employed, during the first three months of the year, at stone breaking, 1,973

The average force employed by contractors during the year, is, 200

Average number of general foremen for the year 8

" " foremen, 46

" " assistant foremen, 32

Number of assistants promoted to foremen,	12
“ “ mechanics and laborers promoted to foremen,	7
Number of mechanics and laborers promoted to assistant foremen,	3
No. of foremen and assistants discharged for inefficiency, &c., during the year,	11
No. of laborers, drivers of teams and carts, &c., discharged for inefficiency,	249
No. discharged for other offences,	170

But three fatal accidents have occurred on the work since its commencement.

The pond at Fifty-ninth street is complete, and filled with water; it forms a peculiarly attractive feature of that portion of the Park.

As has been before stated to your Honorable Body, a sewer to take the overflow of this Pond to the East River, is immediately required.

The system of water pipes together with the work of setting hydrants, is nearly completed south of Eighty-sixth street; it is designed to conduct the water over the entire area of the Park, for the purpose of irrigating the lawns, roads, and walks.

Sixteen thousand two hundred trees and shrubs have been planted this year south of Eighty-fifth street.

The gentlemen's cottage in the Ramble has been erected.

The following tabular statement shows the aggregate quantities of work done and materials furnished during the past year, including contract work :

- 43,200 cubic yards rock excavation.
- 142,780 " earth " and filling.
- 90,000 cubic yards rock and earth excavation and filling by contract.
- 16,200 cubic yards stone and brick masonry in bridges.
- 6,930 " masonry in transverse road walls.
- 2,070 cubic yards brick and stone masonry in sewers, silt basins, and other structures.
- 6,120 lineal feet brick sewers.
- 18,253 lineal feet vitrified pipes and common tiles in road, walk, and bridge drainage.
- 312 silt and surface basins for road and walk drainage.
- 4 filters and mud basins.
- 8,970 lineal feet of wall along lake shores.
- 90,260 superficial feet asphaltum on bridges.
- 64,000 cubic yards earth and soil filling done.
- 40,524 lineal feet iron and cement water pipes laid.
- 188 hydrants set.
- 20 stop-cocks set.
- 7 drinking hydrants set.
- 118 acres of ground fertilized and mainly seeded.
- 19,820 cubic yards manure (compost) used.
- 38,875 lineal feet drain tiles laid.
- 3 surface basins built.

MATERIALS PURCHASED OR FURNISHED UNDER CONTRACT.

- 2,281,300 common hard and Philadelphia brick.
- 15,863 barrels cement.
- 9,346 cubic yards gravel.
- 6,700 " sand.
- 21,200 lineal feet vitrified pipes.
- 394 branches and bends.
- 75,000 common drain tiles.
- 70,000 collars for "
- 23½ tons of powder.
- 19,780 lineal feet curb stones for road purposes.
- 737 cubic yards granite steps, ring and coping stone for bridges.

The aggregate quantities of work done since the commencement of the Park, up to January 1st, 1860, are as follows:

- 1,500,500 cubic yards earth work, materials excavated and removed.
- 251,200 cubic yards rock excavated.
- 61,550 cubic yards masonry of all kinds.
- 17,500 feet length of brick sewers.
- 35,000 cubic yards stone, broken for roads and concrete.
- 16,430 cubic yards sand furnished for masonry.
- 157 tons of powder furnished for blasting.
- 23,500 cubic yards gravel furnished for roads and walks.
- 33,565 trees and shrubs of all kinds planted.

3,938,550 brick furnished in 1859 and 1860.

29,623 barrels cement furnished in 1859 and 1860.

180,995 feet of drain tile laid.

6,833 feet of stone drains laid.

46,169 feet of iron and cement water pipe laid.

234 hydrants set.

47 stop-cocks set.

420 branches inserted.

As an experiment, boats were placed upon the lake at a late period in the season, and were much used by visitors. They are of two classes, the one making the circuit of the lake, about two miles in extent, every fifteen minutes, landing at specified points and taking in or letting out passengers.

The other class are boats to be hired by the hour, for those who desire to spend more time upon the lake.

It is intended to place neat and convenient carriages upon the Park that will transport visitors at reasonable rates.

Music has been provided during the Fall months, the cost of which has not been taken from the Park funds, but has been provided by private subscription.

Facilities for skating have been much increased, and whenever the weather was such as to make ice of sufficient strength, it has been resorted to by large numbers. Though thousands have congregated on the ice at one time, no loss of life or serious accident has occurred.

The Board have found it necessary to add to its force of Park-keepers five men, thus increasing the number to fifty.

The number is small, but the force is efficient.

It is intended to increase the number of drinking hydrants, from time to time, as the public demands require.

In their last annual report to the Common Council, the Board alluded to the circumstances attending the addition to the Park of the lands between One Hundred and Sixth and One Hundred and Tenth streets, and remarked upon the inconvenience occasioned by the delay that had occurred in the proceedings to take that land. A year has since elapsed.

The Commissioners, Anthony J. Bleecker, Richard Kelley, and Hawley D. Clapp, were appointed by the Supreme Court to appraise this land, on the 13th of July, 1859. Notice has been given that their report would be presented to the Court on the 7th of January, 1861, for confirmation, making nearly eighteen months already occupied in these proceedings, which the Board do not doubt could have been consummated at one-fourth of the expense charged, and in one-fourth part of the time.

The value placed upon this land by these Commissioners is \$1,499,438—a sum so much greater than that contemplated by this Board when its acquisition was recommended to your Honorable Body, that it does not feel justified in permitting the proceedings to be consummated.

The Board, therefore, in pursuance of the powers vested in it by the law, discontinued the proceedings.

The Board has learned, notwithstanding the clear provisions of law by which this discontinuance was made, that the report of these Commissioners is to be presented

to the Court for confirmation on the part of these Commissioners.

The value of the land proposed to be taken, as assessed by the tax assessors, for 1860, is	\$183,850
The value, assessed by the Supreme Court Commissioners,	1,499,438
The expenses attending the taking of these lands was originally submitted by these Commissioners, appointed by the Supreme Court, at	\$73,192 89
Shortly after, they were reduced to	54,386 98
The surveyor's bill amounts to	33,135 60

And although affidavits of competent and experienced engineers and city surveyors were presented to the taxing officer, fixing various sums, from \$10,000 to \$16,000, as an abundant compensation for these services, they were not considered, and the expenses were allowed at the full amount claimed.

The Board considers the amount of these expenses grossly exorbitant, and trusts it will not be paid.

The Board deem a portion of these lands very desirable for the Park; but, desirable as they are, the Board could not consent to the addition at the prices at which the land is valued by the Commissioners of Appraisal.

Having learned that a movement was on foot for widening Broadway near Fifty-ninth street, under a law passed in 1857, which would doubtless have resulted in a large assessment upon the city, the Board, with the view of exempting itself from any responsibility for these

proceedings, on the 10th day of July, 1860, passed the following preamble and resolution :

“ *Whereas*, It is understood that proceedings have
 “ been initiated, and are now in progress, to acquire the
 “ title to property south of Fifty-ninth street and east of
 “ Broadway, with the view of adding to the attractions of
 “ the entrance to the Park at corner of Fifty-ninth street
 “ and Eighth avenue ; and

“ *Whereas*, This Board is desirous to avoid any in-
 “ crease of public expenditure that can be charged as an
 “ additional incident to the work of the Central Park,
 “ therefore,

“ *Resolved*, That such proceedings did not originate
 “ with nor have they the sanction of this Board, and this
 “ resolution is adopted for the purpose of relieving this
 “ Board from any responsibility calling for measures to
 “ an increase of public expenditures under the assump-
 “ tion that it is required for the completeness of the Park.”

The Board are impressed with the importance of avoid-
 ing specious schemes for additions to the Park, or for
 widening its approaches.

The work of the Board is to improve the land of the
 Park as placed in its hands, and its aim will be sedulously
 to avoid all projects that contemplate an increase of ex-
 penditure, with the object of securing for the manage-
 ment of the Park, the approval of those most scrupulous
 on the subject of expending public moneys.

In the month of March the Senate of the city of Hamburg, through its consul, the late George Kunhardt, Esq., presented to the Board, free from expense of transportation, twelve of the beautiful swans preserved by that city with so much care.

The following letter of Mr. Kunhardt, announcing the gift, contains some information of interest :

HAMBURG CONSULATE, }
New York, May 9, 1860. }

R. M. BLATCHFORD, Esq., *President of the Board of Commissioners of the Central Park, New York :*

Dear Sir,—I beg to acknowledge the receipt of your esteemed letter of 24th March, informing me that the Commissioners of the Central Park would accept the offer of the city of Hamburg of a few swans for the ornamental waters of the Park.

I have now been advised, that twelve swans will be sent out by the steamer Bavaria, which was to leave Hamburg yesterday, and will most likely arrive here about the 26th of this month.

The owners of the steamer have most readily undertaken to bring over the swans with the greatest attention to their safety, and will take back free of charge the person sent out to take care of the birds, as soon as the latter are fairly domesticated.

Herewith, I send a drawing of the construction of the floating nests as used in Hamburg, which shows two kinds, one adapted to quiet water, and one fit where the

nest is exposed to the action of waves. Floating nests are preferable, because being less exposed to disturbances.

In an ornamental point, they may of course be varied *ad libitum*.

I would also beg to observe, that it is necessary, when the brood of the swans become about four or five weeks old, to cut the sinews of one of the wings, otherwise the birds would fly away in autumn.

They are accustomed to a high degree of cold, and are not taken out of the water in Hamburg, in the coldest winter, but merely driven into a corner, where they prevent the formation of ice by their motion and their natural warmth.

In a pond without any current, it may be necessary to protect them a little more, when the frost becomes severe, and while their number is limited.

It will afford much gratification to the city of Hamburg, if the swans should thrive as well in the beautiful Park of New York, as they have done in the celebrated ornamental waters of Hamburg.

I have the honor to be, with great respect,

Your most obedient servant,

GEO. E. KUNHARDT, *Consul*.

These birds, the gift of a great and friendly city, being somewhat rare, were met on their arrival with great interest on the part of the public.

A few weeks afterward nine of them died. A careful examination failed to discover any trace of poison, and it is believed that their death was occasioned by apoplexy.

The city of Hamburg soon replaced the loss by the donation of ten swans through the kind intervention of H. R. Kunhardt, Esq., acting Consul.

The intelligence of the loss of the swans having reached the city of London, the Worshipful Company of Vintners, and the Worshipful Company of Dyers, of that city, presented to the Board fifty swans, with communications, of which the following are copies :

VINTNERS' COMPANY.

At a Court of Assistants of the Worshipful Company of Vintners, of the city of London, held at Vintners' Hall, on Thursday, 12th July, 1860, the Swan Warden reported that he had learned by a communication from R. W. Kennard, Esq., M.P., that the citizens of New York had lately sustained a loss by the death of the swans that had been inhabitants of the waters of their Central Park, and that a gift of swans to replace the loss, from the citizens of London, would perhaps be deemed an acceptable present ; whereupon

It was moved, seconded, and resolved unanimously, That this Court most cordially request the Commissioners of the Central Park of New York, to accept twelve pair of swans from the Royalty of the Vintners' Company on the River Thames.

And it was ordered, that the Swan Marker be directed to select twelve pair of fine young birds, to be placed at the disposal of Mr. Kennard, who has kindly undertaken to forward them to their destination at his own expense.

(By order)

GEO. LOMAS,
Clerk.

DYERS' COMPANY.

At a Court of Assistants of the Worshipful Company of Dyers, London, held at the Hall, on Wednesday, the fifth day of September, 1860,

The Clerk informed the Court that Robert William Kennard, Esquire, Member of Parliament, having informed him that the Committee of the Central Park, New York, would accept the swans applied for by Mr. Kennard at the last meeting of this Court, thirteen pairs of swans belonging to this company had been taken up and delivered to Mr. Kennard, for the purpose of being forwarded by him to the Committee of the Central Park, New York, in accordance with the resolution of this Court at its last meeting; whereupon,

It was unanimously resolved, That the proceedings of the Clerk be approved, and that the Committee of the Central Park of New York be requested to accept the swans as a present from this Company.

HENRY BATT,
Clerk to the Company.

These evidences of interest of foreign citizens in the greatest work of our own city, were received by the Board with peculiar satisfaction, and with proper acknowledgments of the friendly spirit in which they were dictated.

In the month of April, Mr. Charles W. Elliott having resigned his place as Commissioner, Hon. Moses H. Grinnell was appointed a Commissioner of the Central Park.

The assent and concurrence of your Honorable Body having been obtained, application was made to the Legislature, at its session in 1860, for the means requisite to complete the Park.

The Senate having expressed its confidence in the management of the Board by passing without a dissenting voice a bill placing the sum of two and one-half millions of dollars at its disposal for the completion of the Park, constituted Senators Murphy, Munroe, and Rotch, a committee to examine into its affairs, condition, and progress. The Board placed its books, vouchers, and minutes at the disposal of the committee, and sought to render to the committee every facility for a complete and thorough examination of the whole work in all of its departments.

The Act of the Legislature of 1860, directed the Board, on or before the first day of July in each year, to transmit to the Board of Supervisors of the city and county of New York an estimate of the amount of money, not exceeding \$150,000, that will be required for the maintenance and government of the Park during the current year.

In compliance therewith the Board transmitted an estimate for the year ending 19th March, 1861, amounting to \$97,500 for the whole year, or \$80,000 from March 19th, 1860, to January 1st, 1861, being less by \$52,500 than the amount allowed by the law for the year.

The Board has transmitted to the Comptroller an estimate for the year 1861, amounting to \$114,000 for the year, or \$36,000 less than the amount authorized by the law.

There is still to be received of the avails of the stock authorized by the Legislature to be issued within the year ending March 19th, 1861, the sum of \$233,000.

A detailed account of the receipts and expenditures of the Board for the year ending with December 31st, 1860, is herewith submitted.

The following is a condensation of the Treasurer's accounts :

Balance on hand December 31, 1859,		\$10,896 62
The total receipts of the year ending December 31, 1860, are as follows :		
From issue of stock by the city of New York prior to March 19, 1860,	\$416,600 00	
From issue of stock by the city of New York from March 19, 1860, to January 1, 1861,	600,000 00	
From sale of grass,	280 00	
“ “ buildings on the Park,	582 00	
“ “ barrels,	36 00	
“ lost tools,	146 35	
“ sale of horse,	40 00	
“ pound receipts,	149 19	
“ licenses for sale of skates and refresh- ments,	700 00	
“ labor and material furnished on the Park,	86 60	
	<hr/>	1,018,620 05
		\$1,029,516 67
The total expenditures for the year ending December 31st, 1860, are as follows :		
Salaries and compensation of officers, archi- tects, clerks, &c.,	\$22,370 11	
Surveyors, engineers, and draughtsmen,	21,919 04	
Incidental expenses,	8,913 43	
Park-keepers, prior to March 19th, 1860,	6,615 05	
Exhibition of plans,	10 53	
Materials of construction and tools,	213,891 02	
Stationery, printing, advertising, engineers' drawing materials and books of account	6,349 91	
	<hr/>	
Carried forward,	\$280,069 09	\$1,029,516 67

Brought forward,	\$280,069 09	\$1,029,516 67
Trees and plants, manures, and cartage of the same,	11,272 05	
Broad walk north side of Fifty-ninth street, Buildings on the Park,	15,427 90 55 00	
Labor account, amount paid laborers, cart- men, &c., as per pay-rolls, and vouchers,	571,530 91	
Total expenditures for construction for the year ending December 31st, 1860,	\$878,354 95	
Returned amount advanced by Bank of Com- merce in 1859,	100,000 00	
		<u>\$978,354 95</u>
Balance,		<u>\$51,161 72</u>

The total receipts of the Board, from the commencement of its organization, May 1st, 1857, are as follows:

From issues of stock by the city of New York,	\$2,683,200 00	
" sale of buildings on the Park	5,553 37	
" lost tools,	407 23	
" rent,	50 00	
" exhibition of plans,	294 85	
" sale of grass,	395 00	
" this amount over in making change	02	
" sale of barrels,	49 20	
" Bank of Commerce, interest on deposits	2,909 97	
" pound receipts,	440 42	
" sale of horse,	40 00	
" licenses for sale of skates and refresh- ments,	700 00	
" labor and materials furnished on the Park,	92 35	
Total receipts for construction from May 1st, 1857, to January 1st, 1861,		\$2,694,132 41
Total expenditures from May 1, 1857, the date of the organization of the Board, to January 1, 1858, were,	\$77,881 41	
Expenditures from January 1, 1858, to Janu- ary 1, 1859,	507,487 86	
Expenditures from January 1, 1859, to Janu- ary 1, 1860,	1,179,246 47	
Carried forward,	\$1,764,615 74	\$2,694,132 41

Brought forward,	\$1,764,615 74	\$2,694,132 41
Expenditures from January 1, 1860, to January 1, 1861,	878,354 95	
Total expenditures for construction from May 1, 1857, to January 1, 1861,	<u> </u>	\$2,642,970 69
Balance,		<u>\$51,161 72</u>

MAINTENANCE.

Received from Comptroller for maintenance of Park, from March 19, 1860, to January 1, 1861,	\$80,000 00	
Expenditures on account of maintenance, from March 19, 1860, to January 1, 1861, are, thus far,	60,195 37	
Balance,	<u> </u>	\$19,804 63
Balance on hand January 1, 1861, Construction account,	\$51,161 72	
Balance on hand January 1, 1861, Maintenance account,	19,804 63	
Total balance,	<u> </u>	\$70,966 35
The balance of indebtedness on January 1, 1861, is about		<u>\$240,000 00</u>
Adding to the amount of the expenditures,		\$2,703,166 06
The total cost of the land of the present Park to the city,		3,744,798 74
Shows the total cost of the Park up to this time, including its maintenance, to be		<u>\$6,447,964 80</u>

This money is raised from the securities of the city, payable in about forty years.

The interest on this sum, at six per cent., is \$386,877.88. The principal of this sum is not payable until the present generation has passed away.

The posterity that is to enjoy the highest beauties of the Park, should equitably pay a share of its cost.

The increase of taxes in the three wards alone that

surround the Park has, since it was commenced, amounted to a sum nearly sufficient to pay the interest on the whole cost of the Park and of its improvement.

The assessed value of these three wards for six years is shown in the following table:

	1855.	1856.	1857.	1858.	1859	1860.
12th Ward.....	\$8,462,635	\$8,149,360	\$8,134,013	\$8,476,790	\$10,062,725	\$11,857,184
19th "	9,382,886	8,041,183	8,558,624	10,971,775	12,621,894	16,880,472
22d "	10,593,139	10,239,022	10,489,454	11,553,506	13,261,025	14,775,440
Total.....	\$28,438,660	\$26,429,565	\$27,182,091	\$31,002,071	\$35,945,644	\$49,463,096
					\$43,463,096	
					26,429,565	

Total increased valuation on the three wards, 1856 to 1860, . . . \$17,033,531

The rate of tax for the year 1860 is 1.69⁴³¹/₁₀₀₀, yielding on this increase the sum of \$288,685.98.

It thus appears that the principal and interest are mainly provided for without any material present charge upon the city.

The principal is to be paid when the property will be worth many fold its cost.

The current interest is met by the augmented product of taxes laid upon the property near the Park, arising from increased values created by its establishment.

If the Park is regarded in a pecuniary point of view only, it is the most profitable enterprise ever undertaken by the city, and in the higher aspect of its moral advantages, its sanitary benefits, its features of attraction and interest to large numbers of people who seek amusement, the Central Park, with its annually developing beauties, will remain, if its management is such as it should be,

through successive seasons and centuries an ever-changing and yet enduring testimony to the wisdom of its projectors.

Dated New York, December 31st, 1860.

Respectfully submitted,

ANDW. H. GREEN, R. M. BLATCHFORD,
*Comptroller of the Park. President of the Board of
Commissioners of the Central Park.*

SUMMARY OF THE TREASURER'S ACCOUNT.

Balance on hand December 31st, 1859, \$10,896 62

The total receipts of the year ending December 31st, 1860, are as follows:

From issue of stock by the city of New York, prior to March 19, 1860,	\$416,600 00	
Issue of stock by the city of New York, from March 19, 1860, to January 1, 1861,	600,000 00	
Sale of grass,	280 00	
Sale of buildings on the park,	582 00	
Sale of barrels,	36 00	
Lost tools,	146 35	
Sale of horse,	40 00	
Pound receipts,	149 10	
Licenses for sale of skates and refreshments,	700 00	
Labor and material furnished on the park,	86 60	
		1,018,620 05
		\$1,029,516 67

The total expenditures for the year ending December 31st, 1860, are as follows:

Salaries and compensation of officers, architects, clerks, &c.,	\$22,370 11
Surveys, engineers, and draughtsmen,	21,919 04
Incidental expenses,	8,913 43
Park-keepers prior to March 19th, 1860,	6,615 05
Exhibition of plans,	10 53
Materials of construction and tools,	213,891 02
Stationery, printing, advertising, engineers' drawing materials and books of account,	6,349 91
Trees and plants, manures, and cartage of the same,	11,272 05
Broad walk north side of Fifty-ninth street,	15,427 90
Buildings on the park,	55 00
Labor account, amount paid laborers, cartmen, &c., as per pay-rolls and vouchers,	571,530 91

Carried forward, \$878,354 95 \$1,029,516 67

Brought forward,		\$1,029,516 67
Total expenditures for construction for the year ending December 31st, 1860,	878,354 95	
Returned amount advanced by Bank of Commerce in 1859,	100,000 00	
	<u> </u>	978,354 95
Balance,		<u><u>\$51,161 72</u></u>
The total receipts of the Board from the commencement of its organization, May 1st, 1857, are as follows:		
From issues of stock by the city of New		
York,	\$2,683,200 00	
Sale of buildings on the park,	5,553 37	
Lost tools,	407 23	
Rent,	50 00	
Exhibition of plans,	294 85	
Sale of grass,	395 00	
This amount over in making change,	02	
Sale of barrels,	49 20	
Bank of Commerce, interest on deposits,	2,909 97	
Pound receipts,	440 42	
Sale of horse,	40 00	
Licenses for sale of skates and refreshments,	700 00	
Labor and materials furnished on the park,	92 35	
Total receipts for construction from May 1, 1857, to January 1, 1861,	<u> </u>	\$2,694,132 41
Total expenditures from May 1, 1857, the date of the organization of the Board, to January 1, 1858, were,		
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Expenditures from January 1, 1859, to January 1, 1860,	1,179,246 47	
Expenditures from January 1, 1860, to January 1, 1861,	878,354 95	
Total expenditures for construction from May 1, 1857, to January 1, 1861,	<u> </u>	2,642,970 69
Balance,		<u><u>\$51,161 72</u></u>

Maintenance Account.

Received from Comptroller for maintenance of park, from March 19, 1860, to January 1, 1861,	\$80,000 00
Expenditures on account of maintenance from March 19, 1860, to January 1, 1861, are, thus far,	60,195 37
	<hr/>
Balance,	\$19,804 63
	<hr/>
Balance on hand January 1, 1861, construction account,	\$51,161 72
Balance on hand January 1, 1861, maintenance account,	19,804 63
	<hr/>
Total balance,	\$70,966 35
	<hr/>
The balance of indebtedness on January 1, 1861, is about,	\$240,000 00
	<hr/> <hr/>
January 1, 1861.	

ANDW. H. GREEN,
Treas. Board of Commrs. of Central Park.

APPENDIX.

CHAP. 616.

AN ACT to alter the map of the City of New York, by laying out thereon a public place, and to authorize the taking of the same.

Passed July 21st, 1853; three-fifths being present.

The people of the State of New York, represented in Senate and Assembly, do enact as follows :

SEC. 1. All that piece or parcel of land situate, lying, and being in the Twelfth, Nineteenth, and Twenty-second wards of the city of New York, bounded southerly by Fifty-ninth street, northerly by One Hundred and Sixth street, easterly by the Fifth avenue, and westerly by Eighth avenue, is hereby declared to be a public place, in like manner as if the same had been laid out by the commissioners appointed in and by the act of the Legislature, entitled "An Act relative to improvements touching the laying out of streets and roads in the city of New York, and for other purposes," passed April 3d, 1807; and the map or plan of said city is hereby altered accordingly.

§ 2. The Mayor, Aldermen, and Commonalty of the city of New York are hereby authorized to take the said piece of land for public use as and for a public square, pursuant to the act entitled "An Act to reduce several laws relating particularly to the city of New York, into one act," passed April 9th, 1813, and the several acts amendatory thereto, or such portions thereof as are now in force, so far as the same are applicable to the laying out and taking of public squares and places in the city of New York, except as hereinafter provided; and all such portions of the said act, and of the said several acts amendatory thereto, as are applicable to the laying out and taking of

public squares and places in said city, and as are now in force, shall apply to the taking and laying out of the piece of land above described as and for a public square, in the same manner, and to the same extent, as if the said piece of land had been originally laid down as and for a public square upon the map or plan aforesaid of said city, except as hereinafter provided.

§ 3. Five persons shall be appointed Commissioners of Estimate and Assessment instead of three, and in case of the death, resignation, disqualification, or refusal to act of them or either of them, it shall be lawful for the Supreme Court in the first judicial district, at a general term thereof, on the application of the said Mayor, Aldermen, and Commonalty, and officers, as such event shall happen, to appoint a discreet and disinterested person, being a citizen of the city of New York, in the place and stead of such commissioner so dying, resigning, or refusing to act.

§ 4. In every case of the appointment of commissioners under this act, it shall be competent and lawful for any three of said commissioners so to be appointed, to perform the trust and duties of their appointment, and their acts shall be as valid and effectual as the acts of all the commissioners so to be appointed, if they had acted therein, would have been, and in every case the proceedings and decisions of such commissioners, being three in number, as shall be acting in the premises, shall be as valid and effectual as if the said commissioners appointed for such purpose, had all concurred and joined therein.

§ 5. The said commissioners may allow compensation for any building or buildings upon the said land, which may have been built, placed, or erected thereon, after the time of the filing of the original maps or plan of the said city.

§ 6. Payment of the damages awarded by the said commissioners, shall be made and become due and payable, immediately upon the confirmation of the report of said commissioners in the premises.

§ 7. For the payment of so much of the damages awarded by

the Commissioners of Estimate and Assessment, and the expenses, disbursements, and charges, in the premises, as shall exceed the amounts or sums that may be assessed by the said commissioners upon the parties and persons, lands and tenements, deemed by them benefited by the opening of such public square or place, it shall be lawful for the said Mayor, Aldermen, and Commonalty to raise the amount of such excess by loan, by the creation of a public fund or stock, to be called "The Central Park Fund," which shall bear an interest not exceeding five per centum per annum, and shall be redeemable within a period of time not exceeding forty-five years after the passage of this act, and for the payment of which the said piece of land so as aforesaid to be taken, shall be irrevocably pledged.

§ 8. It shall be lawful for the Mayor, Aldermen, and Commonalty to determine what shall be the nominal amount or value of each share of said stock, and of what number of shares the same shall consist, and they are hereby authorized to sell and dispose of such shares at public auction, or at private sale, or by subscription for such stock, and on such terms as they shall think proper; said stock shall not be sold at less than its par value.

§ 9. In order to pay the interest upon the stock hereby authorized, the Mayor, Recorder, and Aldermen of the city and county of New York, as the Supervisors thereof, are hereby authorized and empowered to order and cause to be raised by tax on the estates, real and personal, subject to taxation, according to law within said city and county, and to be collected in addition to the ordinary taxes yearly, and every year, until the whole amount of the tax be paid, a sum of money sufficient to pay the interest annually accruing on said stock.

§ 10. The provisions of the act entitled "An Act to regulate the finances of the city of New York, passed June 8th, 1812," which are not repugnant to, or incompatible with, any provision in this act contained, shall apply to said stock.

§ 11. This act shall take effect immediately.

In the matter of the application of the Mayor, &c., of New York, relative to opening, &c., a public place, between Fifty-Ninth and One Hundred and Sixth streets, and Fifth and Eighth avenues.

By the Court: MITCHELL, J.—By the act of July 21, 1853, (ch. 616,) all that parcel of land bounded by Fifty-ninth and One Hundred and Sixth streets, and by the Fifth and Eighth avenues, “is declared to be a public place, in like manner as if the same had been laid out by the commissioners,” under the act of 1807, “and the map or plan of said city is thereby altered accordingly,” and the acts passed after 1807, applicable to the taking of public squares and places, and still in form, are made to “apply to the taking and laying out of the piece of land above described, as and for a public square, in the same manner, and to the same extent, as if the said piece of land had been originally laid down as and for a public square, upon the map or plan aforesaid, except as thereafter excepted.”

One exception is, that buildings erected after the filing of the maps under the act of 1807, may be paid for under this act.

Within the limits thus described, is the upper reservoir for the Croton Aqueduct, extending from Seventy-ninth to Eighty-sixth street, and from the Sixth to the Seventh avenue, and which was several years since taken for that purpose, and is now absolutely essential to the supply of the city with water, by means of the Croton Aqueduct; also, the lands between Eighty-sixth and Ninety-sixth streets, and the Fifth and Seventh avenues, which are needed for an additional reservoir, and are allotted by an act passed only twenty-one days before this act, to be taken for the purpose of a new reservoir. The present reservoir was paid for entirely by the public, without any assessment on adjoining owners for benefit, and the new one is to be paid for in the same way, while the public square is to be paid for, in part, by assessment on those benefited.

The State Arsenal, owned by the State, also occupies one square, bounded by Sixty-fourth and Sixty-fifth streets, and Fifth and Sixth avenues.

The supply of the city with pure and wholesome water, has been the object of the Legislature for more than twenty years,

and the Croton Aqueduct, with its reservoirs and appendages, has been the pride of the State, as well as of the city, as an exhibition of equal enterprise, boldness, and skill, all successfully applied to accomplish this object.

The Legislature could not, therefore, have intended to do anything by this act, that could withdraw the control of any part of those great works from the department specially appointed to take charge of them, and transfer it to those who may have charge of the new park, and enable these last, at their will, to destroy the usefulness of those works.

The State Arsenal is equally important to the public interests, and must also, from its character, be under the exclusive control of those to whom its care and management are intrusted. Even a modified control of either, could not be safely given to any department, except to that to which is committed the charge of those public works; a divided authority might sacrifice that which is essential to the public safety, and the daily comfort of the citizens, to an object intended as much for ornament and amusement as for health.

It could not, therefore, have been the intention of the Legislature to have allowed either of those three parcels of land to be taken for the park, and to be a part of it, although they are numerically included in the limits of the park. The order, therefore, will appoint the commissioners as to the rest of the land, describing them so as not to include either of those parcels.

It may be a question, how far it was intended that the streets and avenues already opened, should remain open and exempt from the control of those who may have the laying out of the park. That question may be settled by legislation before the commissioners will have made such progress in their assessments for benefits, as to be affected by the decision either way.

The Committee of the Common Council, who recommended this park, evidently assumed that the present lines of streets and avenues were to be abandoned, for they state, among the advantages of converting the land into a park, that the grading of the streets and avenues would be necessary on many parts, and under the present plan of the city, would be very expensive, and that this expense would be saved by the park, where

serpentine roads would be among the beauties of the plan. They also assume that some of the costs of taking the land would be repaid by selling the lands forming the border of the park, for various purposes, which they suppose would be ornamental, and consistent with their scheme. If such be the intention, those powers should be expressly granted before the commissioners make their estimates.

The Corporation have named five commissioners; they are stated to be the same persons who were named in the bill before it was finally passed, and who were approved of by the Legislature, but whose names were omitted in the act as it passed, as the constitution directs the appointment to be by the Court. The gentlemen named are all of high standing, and all unexceptionable, but many of the parties interested have naturally preferred to have persons of their own choice appointed, and have claimed that they have a right to have one or more chosen from the list furnished by them.

The act of 1813 (178) gave to the court alone, the power to "nominate and appoint three discreet and disinterested persons, being citizens of the United States, Commissioners of Estimate and Assessment." The act of 1839, section 2, changed this law, and authorized the Corporation to nominate three persons, one of whom should be appointed by the court, and authorized any person interested in the property to be affected, to present to the court one or more persons, whose names should form a list, out of which, if a majority in interest agreed on one person, "that person should be appointed," but if the majority did not agree, "then the court should appoint one person out of the names on such list; after which the court should appoint the third person out of the names so presented by the Common Council, and by the parties interested. The persons proposed were all subject to challenge for interest, &c. Then 37, article 1, of the constitution of 1847, declares that compensation, in such cases, should "be ascertained by a jury, or by not less than three commissioners, appointed by a Court of Record, as shall be prescribed by law."

This act is, that "five persons shall be appointed Commissioners of Estimate and Assessment, instead of three." (Act 1853, ch. 616.)

The terms "nominate and appoint," are used in the acts of

1813 and of 1839. In the first, the court both nominated and appointed. In the last, the court had no power of nomination, but still retained the power of appointing. Under the last act the power of appointing was exercised in the peculiar manner then "prescribed by law." This power, therefore, as it was exercised when the constitution was adopted, and had been for eight years before, was consistent with the nomination being in other persons than the court, and yet the appointment being in the court.

In this, it was like the case of referees, who were appointed by an order of the court, but on the nomination of the parties, or by drawing from the jury-box. Although there may be objections to the law of 1839, as that by it, a few active interested parties get one or more of their own friends on the commission while the more quiet parties, although more largely interested, have no voice in the appointment, yet those objections (it is believed) had not appeared so formidable as to arrest the attention of the convention, or induce them to alter this law. At all events, if there be any doubt whether that law is repealed by the constitution, it is deemed better to comply with it, that the regularity of the appointment may not be called in question.

The law of 1839 will be fully complied with, if one commissioner is selected from those named by the Corporation, then one from those interested, and one from the two lists furnished by the Corporation and those interested; the other two may be chosen also from those two lists, and probably from any other source, although it may be most consistent with the spirit of the act of 1839, to select one of the last two from those named by the Corporation, and the other from those named by the parties interested.

This would give the nomination of three to the Corporation, and of two to such of the parties interested as chose to nominate; the Corporation represent the city, which has an interest, and in this case, a very large one, in the proceeding, and also, in some degree, the absent parties.

The commissioners appointed are—William Kent, Michael Ulshoeffler, Luther Bradish, Warren Brady, and Jeremiah Towle.

WM. MITCHELL.

November 17th, 1853.

In the matter of the application of The Mayor, &c., of the City of New York,, relative to the opening and laying out of a Public Place between Fifty-ninth and One Hundred and Sixth streets and the Fifth and Eighth avenues, in the city of New York.

By the Court: HARRIS, J.—Every citizen holds his property subject to the wants of the government. This is an invariable condition of society. If money is required, it is taken by taxation; if property, by the right of eminent domain. Such power is a necessary incident of sovereignty. Its exercise, especially in a country like ours, whose growth and expansion is a constant surprise even to ourselves, is often indispensable. The public interests could not be sufficiently advanced without it. Individuals are not to be permitted to interpose their will or caprice, or even their own self-interest, to thwart useful improvements, or prevent the development of great public advantages.

Whether or not the public exigency requires that money shall be raised by a tax, or property shall be taken for public use, is a question referred to the sovereign will of the State, as expressed by legislative authority. It is enough that the *public good* demands it. Of this question the Legislature are the exclusive judges. It is no more the province of the judicial power to determine whether private property is required for public use, than it is to inquire whether the public exigency requires that money should be raised by a tax.

Nor can I concur in the position maintained upon the argument of this case, that this power can only be rightfully exercised in cases of absolute necessity. A strict application of such a principle would completely annihilate the power. It would not be easy to state a case in which it would be *absolutely necessary* to take private property for public use. But the term when applied to this subject has no such restricted meaning. If, in the judgment of the Legislature, the public convenience requires that the property of individuals should be taken from them and devoted to the public use, this consti-

tutes a sufficient *legal necessity* to authorize the exercise of this power.

The mode in which this power is to be exercised, is sufficiently guarded to protect the citizen against injustice. He is protected in the enjoyment of his property, unless the public needs it. For this protection he pays an equivalent in taxes. If the public need his property, he must surrender it, but then only upon being paid a fair equivalent in money. By his taxes he pays no more than his just share for the benefits of government. When he gives up his property he contributes so much more, and is entitled to adequate compensation. He sells his property to the public, involuntarily it is true, but for a price fixed by fair appraisal.

It is in this way, that from the very beginning of our government, property has been obtained for public improvements, such as turnpike roads, canals, railroads, and other kindred objects. In many cases the application has had its origin in private enterprise and for private gain. But it has always been deemed enough to justify the exercise of the power that the enterprise would result in *public utility*.

By an act of the Legislature relating to this subject, passed in July, 1853, it was declared that the tract of land mentioned in the title of this proceeding should be "a public place," in the same manner as if the same had been laid out by the commissioners appointed in 1807, for the purpose of laying out streets, &c., in the city of New York, and the Corporation of New York were authorized to take the land *for public use*, as and for a public square. The act provided for the appointment of five Commissioners of Estimate and Assessment, and made the existing laws relative to the laying out and taking public squares and places in the city of New York applicable to the proceeding.

Of the wisdom or expediency of the measure, it is not my province on this occasion to speak. It is enough that the Legislature have declared that it was required by the public interest, and for the public convenience. But I may, perhaps, allow myself here to say that if the apprehensions of the most distrustful should be realized, the enterprise cannot prove very

disastrous, or even unprofitable. The most incredulous will not doubt, that should the generation who, half a century hence, will possess this American metropolis, then, perhaps, the metropolis of the world, think it expedient to withdraw this tract of land from the uses to which it is now to be devoted, it might then be made to produce a revenue exceeding, by many times, the amount of the present expenditure.

Commissioners were appointed, pursuant to the act, in November, 1853. To the eminent fitness of this commission, and the fidelity with which it has discharged its important trust, all the parties who have appeared upon this hearing have borne their unqualified and emphatic testimony. Nearly two years were occupied by the commissioners in preparing their appraisal and assessments. On the fourth of October last, the result was submitted to the public, and opportunity was given to present objections. Parties dissatisfied with the decisions of the commissioners were heard before them, and, so far as objections were presented, the decisions of the commissioners were reviewed, and, upon such review, such corrections made as were deemed just by the commissioners. The result is now presented to this Court in the report of the commissioners. The only question now to be determined is, whether the report shall be confirmed, or whether it contains such errors as require that it should be referred back to the same, or other commissioners, for reconsideration. This is the extent of the power vested in the Court upon this proceeding. I am to consider, therefore, the reasons urged against the confirmation of the report. These grounds of objection may generally be divided into two classes: first, those presented by the owners of property taken for the improvement; and secondly, those presented by the owners of property assessed for benefit to be derived from the improvement. Each will require a separate consideration.

The number of city lots taken for the improvement is about 7,500, for which the commissioners have awarded upwards of five millions of dollars. Of the owners of these lots, but about one in forty have appeared to object to the award. The very fact that thirty-nine out of every forty owners of the large tract of land embraced in this proceeding have not deemed it for their interest to object to the report, certainly furnishes very

satisfactory evidence that the commissioners have, with eminent success, addressed themselves to the accomplishment of the great task they had assumed, of ascertaining the true value of so vast an amount of property. The difficulty of their work was evidently very much increased by the fact that the lots to be appraised by them were, for the most part, wholly unproductive. Their value was rather prospective and conjectural, rather than present and real. It is in respect to such property, more than any other, that the opinions even of discreet men will be found to take the widest range. It is no matter of surprise, therefore, that of so many owners, here and there one should be found who honestly and sincerely feels that he has suffered injustice at the hands of the commissioners. I am myself not without some apprehension that, in a few instances, an inadequate price has in fact been allowed.

Among the most earnest of those who oppose the confirmation of the report are some who, in December, 1852, purchased, at a public sale by the Corporation of New York, a portion of the same lots now taken for this improvement. I am entirely satisfied that the prices bid upon that sale were generally far above any reasonable appraisal of the lots. The sale amounted to nearly half a million of dollars. Of the purchasers, nearly half abandoned their bids before paying anything. Others paid their ten per cent. upon the sale, but never consummated their purchase, preferring rather to forfeit what they had paid than to pay the balance of the purchase money for the land. It was also stated upon the hearing that a large amount of the purchase money had been remitted to the purchasers by the Corporation. The appraisal of these lots by the commissioners is, I think, about fifty per cent. below the prices bid at the Corporation sale. In some instances, the award is less than the amount now due to the Corporation upon the bonds and mortgages executed to secure a part only of the purchase money. To such purchasers, the decision of the commissioners may well seem severe and unjust. It was with some degree of plausibility that they insisted that having paid these prices to the Corporation, now, when the Corporation, against their consent, is about to retake the property, it should not be heard to deny that it is worth what it received upon its sale.

But it is obvious that the commissioners could adopt no such rule of discrimination. It was their single duty to fix what they believed to be the present real value of each lot, taken without regard to the amount it might have cost its owner, or the source from which he derived his title. What may be the equitable relations between these purchasers and the Corporation when the lots shall be taken, I need not now consider.

It may well be that, in some instances, the commissioners may have erred in their judgment as to the value of property taken for this great improvement. It would, indeed, be surprising if they had not. But I am not at liberty to deny the motion to confirm their report upon the mere apprehension that they may have thus erred. They have had an opportunity of viewing the premises. They may have obtained the opinions of judicious and well-informed men on the subject, and, during the two years they have had the subject before them, may have collected information from many sources which has enlightened their judgment and enabled them, at least, to make a just estimate of the value of each of the numerous lots embraced in their report. To allow their judgment, thus deliberately and intelligently formed, to be overcome by the opinions of interested parties, or even the opinions of disinterested witnesses, the value of whose opinions the Court has no means of testing, would be a manifest perversion of the object of the Legislature in providing for this review of the proceedings of the commissioners. If, in the discharge of their duty, the commissioners have proceeded in the manner prescribed by law, and have violated no legal principle in making their awards, the Court must be satisfied, almost to a demonstration, that they have materially erred upon questions of value before it will be justified in sending the report back for reconsideration. I am not convinced that any such error has been committed.

It remains for me now to consider the objections which have been urged against the report by those whose property has been assessed for benefit. By the act relative to public squares and places in the city of New York, passed April 11, 1815, which, by the act of 1853, was made applicable to this proceeding, the commissioners were required, after having made their award of damages to the owners of property to be taken, to proceed

to make a just and equitable assessment of the value of the benefit and advantage of the contemplated improvement upon the owners of other lands lying without the limits of the improvement to the extent of such benefit. It was objected upon the hearing that, in making these assessments, the commissioners could go beyond the lands fronting upon the proposed public square or place and those lying within half the distance of the next street or avenue; but in the fourth section of the act of 1815, it expressly declared that, upon the opening of a public square or place, the commissioners shall not be confined in their estimate and assessment of benefits to any limit or limits whatsoever.

By the seventh section of an act in relation to the collection of assessments, &c., passed May 14th, 1840, it is declared that commissioners for making estimates and assessments for any improvement authorized by law, shall in no case assess any house, lots, improved or unimproved land, more than one-half the value thereof, as valued by the assessors of the ward in which the same shall be situate. The commissioners proceeded under this restriction in making their assessments for benefits. It is alleged, and no doubt with truth, that the lands in the immediate neighborhood of the proposed square, and which are confessedly to be most benefited by the improvement, being vacant and unproductive, had been valued by the different ward assessors at prices far below their value, and in some wards at prices relatively below the prices in other wards. The consequence of this restriction upon the power of the commissioners has been in many instances to relieve the owners of lots most benefited by the improvement from the payment of an assessment equal to the extent of such benefit, and thus reduce the aggregate amount of the assessments. The whole amount assessed upon the owners of property for benefit is about one million six hundred and fifty thousand dollars. I believe that but for the restriction imposed upon the commissioners by the act of 1840, a much larger amount of assessment might have been imposed without the least injustice. Of this, however, no one but the Corporation of New York, which is required to make up the deficiency, has the right to complain. Many of this class of persons who appeared to object to the confirmation of the report insisted

so much that their own assessments were excessive, as that, when compared with others, they were relatively too high. But this obviously does not furnish a good ground of objection. If the objector pays no more than the amount of benefit he receives, it does not lie with him to insist that another pays less.

By the act of 1853, the Corporation of New York is authorized, after applying the amount of the assessments for benefits to the payment of the damages awarded by the commissioners, and the expenses of the proceeding, to raise the deficiency by creating a public stock, to be called "The Central Park Fund," redeemable in forty-five years after the passage of the act, and bearing an interest of five per cent. It is also declared that for the payment of the stock thus to be issued, the land to be taken shall be irrevocably pledged. It was insisted that this pledge of the land, involving the right to withdraw it from public use, for which it is taken, is inconsistent with its perpetual dedication to the purposes of a public square, for the benefit of which alone the owners of adjacent lands have been assessed. This, though not much pressed upon the argument, has seemed to me to be by far the most grave objection which has been presented against the validity of the proceeding. It is, perhaps, unnecessary to consider it here. The only power vested in the Court is to confirm the report, or send it back for revisal. If there be this radical defect in the proceeding, no possible advantage could result from a refusal to confirm the report. But I do not think the objection can be sustained. The land has been taken from its owners for public use. It is to be devoted to the object for which it is taken. The faith of the City, perhaps of the State, is pledged that the loan shall be paid. It is only upon the violation of this faith that the parties assessed can be deprived of the benefits contemplated. Practically, they do receive such benefits. The value of their lands is increased by the improvement, and thus they receive an equivalent for the assessment they are required to pay. It may be that, in the language of the counsel who presented this objection, "the assessment of land for benefit implies a covenant for the continuance of the benefit." But if so, the possibility that the benefit may be discontinued, does not render the assessment

invalid. At the most it could only furnish the basis of a claim for compensation, if the contingency should happen.

A few objections of a more general character deserve to be briefly noticed. Damages are awarded to the Corporation itself, for lots included within the limits of the square, to the amount of about six hundred and fifty thousand dollars. It is said, that by an ordinance of the Common Council, passed in 1844, all the property of the Corporation, including these lots, was sacredly pledged for the payment of the funded debt of the city, and that the Corporation have no right now to divert the lots from this object and devote them to the purpose proposed. It may well be that the creditors of the Corporation have a right to have the amount awarded as the price of these lots in some way secured for their benefit, but whether they have or not, it is a sufficient answer to this objection to say, that it is a question which in no way concerns those who oppose the confirmation of this report.

The same answer applies, too, to the objection, that the public property, such as the Arsenal, the Croton Reservoir, and Hamilton Square, have not been assessed. It is probable that these lands were not assessed for the reason that, on account of the purposes to which they were devoted, they would not be benefited by the contemplated improvement. But whether this be so or not, it does not lie with others who have been assessed to object that for any reason these have been omitted.

It is also objected, that the commissioners had no right, in making their award, to declare that the amount due the Corporation, for unpaid taxes and assessments, should be deducted from the amount of the award for the same lots. This may be so. But this declaration in the report is entirely harmless. The amount of the awards by the commissioners, by the terms of the act of 1853, will become a debt against the Corporation, due and payable immediately upon the confirmation of the report. If those entitled to receive these awards are themselves indebted to the Corporation for taxes or assessments, it did not require the authority of the commissioners to set off one debt against the other.

An objection is now taken, for the first time, to the validity of the appointment of the commissioners. The order for their

appointment was made by Mr. Justice Mitchell, and it is now said that he is a relative to one of the parties assessed for benefit. The objection is untenable. Judge Mitchell might not now sit to hear this motion for confirmation. The parties assessed for benefit are now parties to the proceeding. But when he entertained the motion for the appointment of commissioners, they were not, and, of course, he was not legally disqualified. The fact that the relative has been brought within the range of assessment, is alone sufficient to show that the objection is altogether technical.

Again, it objected that Mr. Brady, one of the commissioners, is a brother to two of the owners of lots taken for the improvement, to whom damages have been awarded. This might have furnished a proper ground of objection to be addressed to the discretionary power of the Court, upon the appointment of the commissioners, but in no way affects the validity of the report. The law declares that no judge of any court shall sit in any cause in which a relative within the ninth degree is a party. This prohibition relates entirely to courts of justice, and not to a special statutory proceeding like this. Those who made this objection frankly admitted that it derived no support from the amount of the awards.

I have thus noticed the principal grounds which have been urged against the confirmation of this report. I have, also, since the argument, carefully examined all the objections and affidavits filed with the commissioners by those who now resist the confirmation. There are a few cases of individual hardship which have my sympathy, and for which I would gladly provide some relief. But my examination has resulted in the full conviction that no legal errors have been committed in the proceeding, and that the report is, in the whole, pre-eminently judicious and equitable. I have no hesitation, therefore, in directing that an order be entered for its confirmation.

February 5th, 1856.

CHAP. 771.

AN ACT For the Regulation and Government of the Central Park in the City of New York.

Passed April 17th, 1857.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. So much of that piece or parcel of land, bounded southerly by Fifty-ninth street ; easterly by the Fifth avenue ; northerly by One Hundred and Sixth street, and westerly by the Eighth avenue, in the city of New York, as has been taken for a public place, confirmed by an order of the Supreme Court, bearing date the fifth day of February, in the year one thousand eight hundred and fifty-six, shall hereafter be known and entitled as "THE CENTRAL PARK," excepting out of said Central Park the land belonging to the State of New York, and occupied by and connected with the Arsenal, unless the city of New York shall acquire the title thereto.

§ 2. The said Park shall be under the exclusive control and management of a Board of Commissioners, to consist of eleven persons, who shall be named and styled "The Commissioners of the Central Park." Three members shall constitute a quorum of the Board for the transaction of business ; but no action of the board shall be deemed final or binding, unless it shall have received the approval of a majority of the Board, whose names shall be recorded in the minutes.

§ 3. Robert J. Dillon, James E. Cooley, Charles H. Russell, John F. Butterworth, John A. C. Gray, Waldo Hutchins, Thomas E. Field, Andrew H. Greene, Charles W. Elliott, William K. Strong, and James Hogg, are hereby continued and constituted the first Board of Commissioners. They shall hold their offices for five years, and shall receive no compensation for their services ; each commissioner shall, nevertheless, be

entitled to be reimbursed the amount of his personal expenses in visiting and superintending the said Park, not exceeding the sum of three hundred dollars per annum. In case of a vacancy, the same shall be filled by the remaining members of the Board for the residue of the term then vacant; and all vacancies caused by expiration of terms of office, or neglect or incapacity of qualification, shall be filled by the Mayor, by and with the advice and consent of the Board of Aldermen.

§ 4. The said Board shall have the full and exclusive power to govern, manage, and direct the said Central Park, to lay out and regulate the same; to pass ordinances for the regulation and government thereof; to appoint such engineers, surveyors, clerks, and other officers, except a police force, as may be necessary; to prescribe and define their respective duties and authority, fix the amount of their compensation; and generally, in regard to said Park, they shall possess all the power and authority now by law conferred or possessed by the Common Council of said city, in respect to the public squares and places in said city.

§ 5. It shall be a misdemeanor for any commissioner, directly or indirectly, to be in any way interested in any contract or work of any kind whatever, connected with said Park; and it shall be the duty of any Commissioner or other person who may have any knowledge or information of the violation of this provision, forthwith to report the same to the Mayor, who shall hear such commissioner in regard thereto; and if, after such hearing, he shall be satisfied of the truth thereof, the Mayor shall immediately remove the commissioner thus offending. Every commissioner shall, before entering upon the duties of his office, take and subscribe the oath prescribed by the constitution of this State, which oath, when subscribed, shall be filed in the office of the clerk of the city and county of New York.

§ 6. The said Board shall annually, and in the month of January in each year, make to the Common Council of the said city, a full report of their proceedings, and a detailed statement of all their receipts and expenditures.

§ 7. It shall be lawful for the commissioners to let from year to year any buildings, and the grounds attached thereto, belonging to the city of New York, now being within said Park, until the same shall be required for the laying out and regulation thereof, when the said buildings shall be removed, except such as may be used for the purposes of the Park.

§ 8. It shall be lawful for the said commissioners to sell any buildings, improvements, and other materials now being within the said Park, being the property of the city of New York, which in their judgment shall not be required for the purposes of the Park, or for public use, the proceeds of which shall be deposited to the credit of the commissioners, and devoted to the improvement of the Park.

§ 9. No plan for the laying out, regulation, and government of said Park shall be adopted or undertaken by the commissioners, of which the entire expense when funded shall require for the payment of the annual interest thereon a greater sum than one hundred thousand dollars per annum.

§ 10. The Mayor, Aldermen, and Commonalty of the city of New York shall, from time to time, create and issue a public fund or stock, to be denominated "The Central Park Improvement Fund," in such sums of money as shall be required by the said Board of Commissioners for the purposes of this act; subject to the limitations prescribed by the preceding ninth section hereof: all the provisions of the act entitled "An Act to regulate the finances of the city of New York, passed June eighth, eighteen hundred and twelve," so far as the same may be applicable, shall apply to the stock or fund thus created; such stock or fund shall be redeemable in thirty years from the issuing thereof; and the said Park shall be, and the same is hereby specifically pledged for the redemption thereof.

§ 11. For the payment of the interest upon the said stock or fund, the Board of Supervisors of the city and county of New York shall order and cause to be raised by tax on the estates, real and personal, subject to taxation according to law within

said city and county, and to be collected in addition to the ordinary taxes, yearly and every year until the whole amount of such fund or stock be paid, a sum of money sufficient to pay the interest annually accruing on said stock or fund, not exceeding the aforesaid limitation of one hundred thousand dollars per annum.

§ 12. The moneys raised upon the fund or stock hereby authorized, shall be deposited as fast as the same shall be realized, by the said Mayor, Aldermen, and Commonalty, to the credit of the said Board of Commissioners, with the New York Life Insurance and Trust Company, or with the United States Trust Company of New York, or with a bank or banks, as either shall be designated by said Board; such company, or bank or banks, shall allow interest upon such deposits as may be agreed upon with said Board, and shall open and keep an account with said Board. All moneys received by said commissioners shall be immediately deposited with such company or bank to the credit of their account; and no moneys shall be drawn therefrom except upon a warrant signed by at least a majority of commissioners, and countersigned by the Comptroller of the city, upon filing with him the receipt or other vouchers therefor; nor shall such moneys be drawn therefrom unless the same shall have been specifically authorized by the said Board, at a meeting thereof duly convened, and entered at length on their minutes.

§ 13. It shall be lawful for the said Board of Commissioners to agree with the Croton Aqueduct Board of the city of New York, for an exchange of lands belonging to the city of New York, now or hereafter in use for the Croton Aqueduct, and lying within the area bounded southerly by Fifty-ninth street; easterly by the Fifth avenue; northerly by One Hundred and Sixth street; and westerly by the Eighth avenue, in the city of New York; provided the same quantity of land, within the said area, be given in exchange. Such deeds shall be executed and delivered between the parties hereto, as shall give effect to any agreement made under this section.

§ 14. It shall be lawful for said Board of Commissioners, at any meeting thereof, duly convened, to pass such ordinances as they may deem necessary for the regulation, use, and government of said Park, not inconsistent with the ordinances and regulations of the Corporation of New York. Such ordinances shall, immediately upon their passage, be published for ten days, in three daily newspapers, published in said city, to be selected by said commissioners.

§ 15. All persons offending against such ordinances, shall be deemed guilty of misdemeanor, and be punished, on conviction before the Mayor, Recorder, or any magistrate of the city of New York, by a fine not exceeding fifty dollars; and in default of payment by imprisonment not exceeding thirty days.

§ 16. This act shall take effect immediately.

CHAP. 101.

AN ACT to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same.

Passed April 2d, 1859.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. All that piece or parcel of land situate, lying, and being in the Twelfth Ward of the city of New York, bounded southerly by the southerly side of One Hundred and Sixth street; northerly by One Hundred and Tenth street; easterly by the Fifth avenue; and westerly by the Eighth avenue, is hereby declared to be a public place, in like manner as if the same had been laid out by the commissioners appointed in and by the act of the Legislature of the State of New York, entitled "An Act relative to improvements touching the laying out of streets and roads in the city of New York, and for other purposes," passed April 3d, 1807.

§ 2. The Board of Commissioners of the Central Park, for and in behalf of the Mayor, Aldermen, and Commonalty of the city of New York, are authorized to acquire title to the said piece or parcel of land, for public use, as and for a public square, pursuant to the act entitled "An Act to reduce several laws relating particularly to the city of New York, into one act," passed April ninth, eighteen hundred and thirteen, and the several acts amendatory thereto, or such portions thereof as are now in force, so far as the same are applicable to the laying out and taking of public squares and places in the city of New York, (except as hereinafter provided,) and all such portions of the said act, and of the said several acts amendatory thereto, as are applicable to the laying out and taking of public squares

and places in said city, and as are now in force, shall apply to the taking and laying out of the piece of land above described, as and for a public square, in the same manner and to the same extent as if the said piece of land had been originally laid down as and for a public square, upon the map or plan aforesaid of said city, as hereinafter provided.

§ 3. The said Board of Commissioners in the name of the Mayor, Aldermen, and Commonalty of the city of New York, may present a petition to the Supreme Court, at any General or Special Term thereof, held in the First Judicial District, praying for the appointment of commissioners of appraisal; such petition shall be signed by any one of the officers of the said Board of Commissioners of the Central Park; and said Board of Commissioners of the Central Park may do all acts and things in and about the taking of said piece or parcel of land, and in and about the applying for the appointment of commissioners to take the same, and all proceedings subsequent thereto, under and by virtue of the provisions of the last-mentioned act, that the said Mayor, Aldermen, and Commonalty might or could do.

§ 4. A notice of the presentation of the application to the Supreme Court, by said Board of Commissioners, shall be given to the owners, lessees, parties, and persons, respectively entitled unto or interested in the lands and premises mentioned in the first section of this act, by advertisement in four of the public newspapers having a large daily circulation in the city of New York, which shall be published daily, not less than thirty days; such notice shall specify the time and place where and when an application will be made for appointment of commissioners of appraisal of the said piece or parcel of land, and the extent of the land proposed to be taken.

§ 5. The said Board of Commissioners of the Central Park may, at the time and place of moving for the appointment of such commissioners of appraisal, propose to the Court the names of three suitable persons, and the owners, lessees, and parties and persons respectively entitled unto or interested in

said premises, may likewise propose the names of three suitable persons' as commissioners of appraisal, and an appeal to the General Term may be taken from the order of the Special Term, appointing the commissioners of appraisal.

§ 6. The said commissioners to be appointed by the Supreme Court, under the provisions of the last-mentioned act, may allow compensation for any building or buildings upon the said piece or parcel of land, which may have been built, placed, or erected thereon, after the time of the filing of the original maps or plans of said city.

§ 7. Payment of the damages awarded by the said commissioners shall be made, and become due and payable immediately upon the confirmation of the report of the said commissioners in the premises.

§ 8. No person shall be appointed a commissioner of appraisal, who shall be an owner of, or pecuniarily interested, directly or indirectly, in the land in the city of New York above Forty-second street.

§ 9. For the payment of so much of the damages awarded by the Commissioners of Estimate and Assessment, and the expenses, disbursements, and charges in the premises, as shall exceed the amounts or sums that may be assessed by the said commissioners upon the parties and persons, lands and tenements, deemed by them benefited by the opening of such public place, it shall be lawful for the said Mayor, Aldermen, and Commonalty to raise the amount of such excess by loan, by the creation of a public fund or stock, to be called and known as "the Central Park additional fund," which shall bear an interest not exceeding six per centum per annum, and shall be redeemable within a period of time not exceeding forty-five years after the passage of this act, and for the payment of which the said piece of land so as aforesaid to be taken, shall be irrevocably pledged.

§ 10. It shall be lawful for the said Mayor, Aldermen, and

Commonalty to determine what shall be the nominal amount or value of each share of the said fund or stock, of what number of shares the same shall consist; and they are hereby authorized to sell and dispose of such shares at public auction, or at private sale, or by subscription for such stock, and on such terms as they shall think proper; said stock shall not be sold at less than its par value.

§ 11. In order to pay the interest upon the said stock hereby authorized, the Board of Supervisors of the city and county of New York are hereby authorized and empowered to order, and cause to be raised, by tax on the estates, real and personal, subject to taxation according to law, within said city and county, and to be collected in addition to the ordinary taxes, yearly and every year, until the whole amount of said stock be paid, a sum of money sufficient to pay the interest annually accruing on said stock.

§ 12. The provisions of an act entitled "An Act to regulate the finances of the city of New York," passed June 8th, 1812, which are not repugnant to or incompatible with any provisions in this act contained, shall apply to said stock.

§ 13. The said public place, when taken as hereinbefore provided, shall, with the piece or parcel of land mentioned in the first section of an act entitled "An Act for the regulation and government of the Central Park in the city of New York," passed April seventeenth, eighteen hundred and fifty-seven, form and be "The Central Park," and shall, as to its laying out, control, and management, be subject to all the provisions of said last-mentioned act, and any acts amendatory thereof, or in addition thereto, and shall be under the exclusive control and management of the Board of Commissioners created thereby.

§ 14. This act shall take effect immediately.

CHAP. 349.

AN ACT to amend an act entitled "*An Act for the Regulation and Government of the Central Park, in the City of New York,*" passed April seventeenth, eighteen hundred and fifty-seven, and further to provide for the maintenance and government of said Park.

Passed April 15th, 1859.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. Section two of an act entitled "*An Act for the Regulation and Government of the Central Park, in the City of New York,*" passed April seventeenth, eighteen hundred and fifty-seven, is hereby amended to read as follows :

§ 2. The said Park shall be under the exclusive control and management of a Board of Commissioners to consist of not less than seven, nor more than eleven persons, who shall be named and styled "*The Commissioners of the Central Park.*" A majority of the said commissioners in office, for the time being, shall constitute a quorum for the transaction of business, and no action of the Board shall be final or binding, unless it shall have received the approval of a majority of the said Board then in office, whose names shall be recorded in its minutes.

§ 2. Section three of said act is hereby amended so as to read as follows :

§ 3. The Commissioners of the Central Park now in office, and such persons as shall be appointed to fill the existing vacancy in said Board, are hereby continued and constituted the

said Board of Commissioners; they shall hold their office as such commissioners for five years from the passage of the act hereby amended. No member of said Board shall receive any compensation for his services, except the President or Treasurer, but each commissioner shall nevertheless be entitled to receive for his personal expenses, in visiting and superintending the said Park, a sum not exceeding three hundred dollars per annum. In case of a vacancy, the same may be filled by the remaining members of the Board for the residue of the term then vacant, and all vacancies occasioned by expiration of terms of office shall be filled by the Mayor, by and with the advice and consent of the Board of Aldermen of the city of New York.

§ 3. Section five of said act is hereby amended so as to read as follows :

§ 5. It shall be a misdemeanor for any commissioner to be, directly or indirectly, in any way pecuniarily interested in any contract or work of any kind whatever connected with said Park ; and it shall be the duty of any commissioner or other person who may have any knowledge or information of the violation of this provision, forthwith to report the same to the Mayor of the city of New York, who shall present the facts of the case to any two judges of the Supreme Court of the First Judicial District ; such judges shall hear in a summary manner such commissioner in regard thereto, and any evidence he may offer, and if, after such hearing, they shall be satisfied of the truth thereof, and shall so certify to the Mayor, he shall immediately remove the commissioner thus offending. Every commissioner shall, before entering upon the duties of his office, take and subscribe the oath prescribed by the constitution of the State, which oath, when subscribed, shall be filed in the office of the clerk of the city and county of New York.

§ 4. Section nine of said act hereby amended is amended so as to read as follows :

§ 9. No plan for the laying out, regulation, and government

of said Park shall be adopted or undertaken by the commissioners, of which the entire expense, when funded, shall require for the payment of the annual interest thereon a greater sum than one hundred and twenty-five thousand dollars per annum.

§ 5. Section eleven of said act hereby amended is amended so as to read as follows :

§ 11. For the payment of the interest on the said stock or fund, the Board of Supervisors of the city and county of New York shall order and cause to be raised by tax on the estates, real and personal, subject to taxation according to law within said city and county, and to be collected in addition to the ordinary taxes yearly, and every year until the whole amount of such fund or stock be paid, a sum of money sufficient to pay the interest annually accruing on said stock or fund, not exceeding the aforesaid limitation of one hundred and twenty-five thousand dollars per annum.

§ 6. The moneys mentioned in the twelfth section of the said act hereby amended, may be drawn from the bank in which they may be deposited, by warrants, signed by a majority of said commissioners in office, and all receipts and vouchers shall be filed in the office of said Board.

§ 7. None of the said commissioners, nor any person, whether in the employ of said commissioners or otherwise, shall have the power to create any debt, obligation, claim, or liability for or on account of said Board, or the moneys or property under its control, except with the express authority of said Board conferred at a meeting thereof duly convened and held.

§ 8. Such portions of the act hereby amended as are inconsistent with the provisions of this act, are hereby repealed.

§ 9. The office of either of the said commissioners who shall not attend the meetings of the Board for three successive months,

after having been duly notified of said meetings, without reasons satisfactory to said Board, or without leave of absence from said Board, may by said Board be declared vacant.

§ 10. Real and personal property may be granted, devised, bequeathed, or conveyed to the Mayor, Aldermen, and Commonalty of the city of New York, for the purposes of the improvement or ornamentation of the Central Park in said city, or for the establishment or maintenance, within the limits of said Central Park, of museums, zoological or other gardens, collections of natural history, observatories, or works of art, upon such trusts and conditions as may be prescribed by the grantors or donors thereof, and agreed to by the said Mayor, Aldermen, and Commonalty; and all property so devised, granted, bequeathed, or conveyed, and the rents, issues, profits, and income thereof, shall be subject to the exclusive management, direction, and control of the said Board of Commissioners of the Central Park.

§ 11. This act shall take effect immediately.

CHAP. 363.

AN ACT to alter the map or plan of the city of New York.

Passed April 15th, 1859.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. All that part of the Seventh avenue, in the city of New York, lying between the southerly side of One Hundred and Tenth street and the Harlem river, shall be widened on the map or plan of the said city, by adding thereto on each side thereof, twenty-five feet, so as to make the whole width of that part of the said avenue one hundred and fifty feet.

§ 2. The said part of the said Seventh avenue so to be widened, is hereby declared to be one of the streets or avenues of the city of New York, in like manner and with the like effect as if the same had been so laid out by the commissioners appointed in and by the act entitled "An Act relative to improvements touching the laying out of streets and roads in the city of New York, and for other purposes," passed April third, eighteen hundred and seven. The said part of the said avenue shall be laid out and regulated under the supervision of the Commissioners of the Central Park, but no action shall be taken in relation to said widening, until the owners of at least one-half of the front part on the said part of the said avenue shall petition the Common Council for such widening.

§ 3. This act shall take effect immediately.

CHAP. 85.

AN ACT for the construction, regulation, maintenance, and government of the Central Park, in the city of New York, and to provide additional means therefor.

Passed March 19th, 1860.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Mayor, Aldermen, and Commonalty of the city of New York, shall hereafter, from time to time, as required by the Board of Commissioners of the Central Park, create and issue a public fund or stock, for the purpose of providing means for the laying out, construction, government, improvement, and regulation of the Central Park, in the city of New York, to be denominated "The Central Park Improvement Fund," for a sum, the annual interest of which shall not exceed one hundred and fifty thousand dollars, but not more than one-third of the stock hereby authorized, shall be issued in any one year from the date of the passage of this act. All the provisions of the act entitled "An Act to regulate the finances of the city of New York," passed June eighth, eighteen hundred and twelve, so far as the same may be applicable, shall apply to the stock or fund thus created; such stock or fund shall be redeemable in thirty years from the issuing thereof; and the said park shall be, and the same is hereby specifically pledged for the redemption thereof.

§ 2. For the payment of the interest on the said stock or fund, the Board of Supervisors of the city and county of New York, shall order and cause to be raised by tax, on the estates, real and personal, subject to taxation, according to law, within said city and county, and to be collected in addition to the ordinary taxes, yearly, and every year, until the whole amount of such fund or stock be paid, a sum of money sufficient to pay the interest annually accruing on said fund or stock, not exceed-

ing the aforesaid limitation of one hundred and fifty thousand dollars per annum.

§ 3. The moneys raised upon the fund or stock hereby authorized, and the moneys raised under the fourth section of this act, shall be deposited by the Comptroller of the city of New York, as fast as the same shall be realized, by the said Mayor, Aldermen, and Commonalty, to the credit of the said Board of Commissioners, with the New York Life Insurance and Trust Company, or with the United States Trust Company of New York, or with such bank, or such banks as have been or shall be designated by said board; such moneys shall be used and appropriated by said Board of Commissioners for the construction, improvement, regulation, and government of the said Central Park, and shall be drawn from said bank or company by a warrant signed by at least a majority of commissioners, after the same shall have been specifically authorized by the said Board at a meeting thereof duly convened and entered at length on their minutes. Such company or bank, or banks, shall allow interest upon such deposits as may be agreed upon with said Board, and shall open and keep an account with said Board.

§ 4. The said Board of Commissioners shall, on or before the first day of July in each year, transmit to the Board of Supervisors of the city and county of New York, an estimate in writing of the amount of money, not exceeding in any one year the sum of one hundred and fifty thousand dollars, that will be required for the maintenance and government of the Central Park during the current year; and the said Board of Supervisors shall annually raise and collect by tax, upon the estates, real and personal, subject to taxation according to law, within said city and county, and to be collected in addition to the ordinary taxes, a sum of money equal to that specified in said estimate. The said sum of money shall be deposited and drawn in the manner provided by the third section of this act, and shall be applied by the said Board to the payment of the expenses of the maintenance and government of the Central Park in said city.

§ 5. This act shall take effect immediately.

IN SENATE,

January 25th, 1861.

REPORT

OF SPECIAL COMMITTEE APPOINTED TO EXAMINE INTO CONDITION, AFFAIRS, AND PROGRESS OF THE NEW YORK CENTRAL PARK.

To the Senate of the State of New York :

To the special committee appointed in pursuance of a resolution passed by the Senate on the 14th day of April last, in the following words, to wit: "*Resolved*, That a committee of three be appointed to make examination of the affairs, condition, and progress of the New York Central Park, to hold their sessions during the recess of the Legislature, and to report to the Senate at its next annual meeting, the said committee to have power to send for persons and papers, and the said committee not to receive compensation for said service," respectfully

REPORT:

That with the view of ascertaining the reasons that induced the Senate to appoint your committee, they caused search to be made in the files of the Senate for allegations, or specific charges, against the conduct of the affairs of the Board of Commissioners of the Central Park, but found none on the subject. On 7th day of June last, as soon as practicable after the committee could make arrangements for proceeding with its business, the committee addressed the following letter to the Board of Commissioners of the Central Park :

“NEW YORK, June 7th, 1860.

“Hon. R. M. BLATCHFORD, President of the
Board of Central Park Commissioners, &c. :

“Dear Sir,—I have the honor to inform you that the committee appointed by the Senate ‘to investigate the affairs and condition of the Central Park,’ will meet in this city on Saturday, June 16th, at 12 o’clock, noon, at the office of the undersigned, No. 54 Exchange Place, for organization.

“Very respectfully, your ob’t servant,

“JNO. McLEOD MURPHY,
“Chairman.”

To which the following answer was, the next day, received :

“NEW YORK, June 8th, 1860.

“Hon. J. McLEOD MURPHY, Chairman, &c. :

“Dear Sir,—I have the honor to acknowledge your letter of yesterday. I communicated it to our Board, and they have thereupon adopted the resolution of which I enclose a copy. I shall be happy to receive from your committee at any time an indication of their wishes, and to comply promptly therewith.

“I am, dear sir, with great respect,

“Your obedient servant,

“R. M. BLATCHFORD,
“President of the Board of Commissioners.”

The following is a copy of the resolution referred to in the above letter :

“*Resolved*, That the rooms of the Board be open to the use and access of the committee appointed by the Senate of the State to investigate the affairs and condition of the Central Park, and that the officers of the Board be requested to afford every facility to the committee for the examination of the accounts and expenditures of the Board, and of its operations at the park, and that a copy of this resolution be officially communicated to the committee.”

It is due to the Commissioners of the Park to state that they have constantly expressed their earnest desire that the powers of the committee might be exercised to secure a thorough investigation into all departments of the affairs of the Park. They have placed at the service of the committee unreservedly the minutes of their meetings, from the organization of the Board to the present time,—all their vouchers, books, and accounts, and have, whenever required, promptly furnished any explanations and information sought by the committee.

The committee having failed to find any memorial, remonstrance, or other document upon the records of the Legislature, that would enable them to trace the occasion for the adoption of the above resolution, by which they were appointed, considering the very general terms of this resolution, “to make examination of the affairs, condition, and progress of the New York Central Park,” and being desirous to make a thorough investigation and examination of the affairs referred to them, and to afford all persons a full hearing thereon, shortly after the adjournment of the Legislature, caused the following notice to be inserted in several of the principal public journals of the city of New York :

“*Central Park.*—Public notice is hereby given, that the committee appointed under and by virtue of a resolution of the Senate, at the last session of the Legislature, to investigate the affairs and condition of the Central Park, will meet in this city, on Saturday, June 16th, at 12 o'clock, noon, at No. 54 Exchange Place.

“JNO. McLEOD MURPHY, Ch'n of Com.

“New York, June 11th, 1860.”

The committee met on the 16th June, at the time and place appointed, and adjourned to the 18th, on which latter day the committee was duly organized, by the appointment of Senator J. McLeod Murphy, chairman, A. N. Cole, Esq., clerk, Mr. Daniel A. Manning, reporter, and Mr. James C. Clark, sergeant-at-arms.

Mr. James Hogg, formerly one of the Commissioners of the Central Park, submitted a series of charges, and handed to the

committee the names of the persons whose attendance he desired for their substantiation. The sergeant-at-arms was instructed to summon these persons to appear, and they did appear before the committee.

Although public notice was given of the objects of the committee, up to this stage of the proceedings Mr. Hogg was the only person who appeared, to make and conduct charges against the commission; and he frankly stated and repeated that he had no reason to believe, and did not believe, that any commissioner of the Central Park had acted corruptly or dishonestly, or that any one of them had been the recipient of any improper rewards or consideration.

The committee then adjourned to the 20th June, on which day they met and proceeded to the Park, to make a personal examination of actual operations and progress there; after which, they met at No. 54 Exchange Place, when the clerk, having advised the committee that he had notified Messrs. Howard Daniels, Frederick A. Conckling, and Robert J. Dillon, of the sitting and objects of the committee, on motion of Senator Munroe, it was—

Resolved, That a copy of all charges made before the committee be furnished to the Commissioners of the Central Park, and that they be invited to appear, either personally or by counsel, before the committee.

On further motion of Senator Munroe, it was—

Resolved, That the clerk be authorized to obtain copies of all laws relative to the Central Park; that the clerk of the Common Council be requested to furnish copies of all resolutions relating to the Park, and that the clerk of the Board of Central Park Commissioners be also requested to furnish copies of all resolutions and ordinances established relative to the management thereof.

The committee, on June 22d, met at the time and place appointed, and on this and on subsequent days, proceeded to the

examination of such persons as were produced, or as chose to come before them.

The Commissioners of the Central Park appeared, from time to time, and conducted the proceedings on their own part. More than fifty witnesses were examined, and some of them at great length.

With the exception of affording some few persons in their employ, whose capacity or integrity had been attacked, an opportunity to explain or contradict statements made to their prejudice, the Commissioners of the Central Park called no witnesses.

The committee summoned all persons whose names were furnished them, as likely to know anything of the park affairs, and allowed a full questioning of all persons brought before them, in a plain way, not holding the proceedings by any formal or technical rules.

The persons examined were mainly those who had sought situations under, been discharged from, or are now in the employ of the Central Park Commissioners.

The sessions of the committee were continued for twelve days at the first, and three at the second sitting, occupying from five to seven hours per day, affording all persons offering themselves for examination, a fair and free opportunity to state their knowledge of the affairs of the Park, and to secure an examination into any alleged wrong.

With the exception of one or two witnesses, produced to testify as to the taste which had governed the laying out of the Park, the witnesses were mainly called respecting the manner of conducting the work.

The statements of most of these persons examined were colored by their disappointments in not obtaining employment, or losing it, and were of the most trifling and unimportant character.

The committee having learned that Mr. Robert J. Dillon, Mr. James Hogg, and Mr. F. A. Conckling, had taken active steps in opposition to the passage of the law enacted at the last session of the Legislature, supposed that they might have some reasons for their action, of which the committee should be informed.

In order to give them an opportunity to state their reasons, if any they had, and to furnish evidence in support of any charges they might see fit to make, the committee caused Messrs. Dillon and Conckling to be subpoenaed by the sergeant-at-arms.

The Commissioners of the Central Park insisted that they should be required to appear and answer, but they failed so to do.

The few witnesses offered for the purpose of showing a deficiency of taste in the laying out of the Park, of course differed, in some respects, from the authors of the plan adopted by the Board. It would be singular if differences of opinion did not exist in such matters. In this respect, the Park is its own justification; it is open to public examination; it has received the approbation of the public, with an almost unprecedented unanimity, and meets fresh encomiums as it daily develops its attractions.

The committee do not hesitate to assert that already, in its infancy, it has promises of beauties and convenience far surpassing those of any of the parks of the Old World.

Persons were called to show that the curves of the walks were in some instances not true; that the grades of the road were not, in all instances, such as should have been adopted, and that, on several occasions, work was taken up and done over again; but it appears that the testimony of this character was mainly given by those who had been employed by the Board within a limited field of duty, and that the reasons for the alterations made were beyond their knowledge. The alterations were not important, and were satisfactorily explained by those at whose suggestions they were made.

No person can drive over the Park without at once recognizing the fact that the roads are laid, as nearly as practicable on such a piece of ground, according to the natural surface. Constant efforts have been made to preserve the natural features of the Park, and the statements that the hills have all been leveled and the valleys have all been filled, have not the least foundation in fact.

The committee, after spending twelve days in hearing the testimony offered, took the pains personally to go over the Park,

from one end to the other, with the view of acquainting themselves thoroughly with its affairs, condition, and progress. They have also examined the system of accounts; personally observed the mode of organization and superintendence of the various departments of labor, and have given attention to the financial condition of the Board. The committee proceed to present, in as brief a space as practicable, the results of the examination of the affairs of this novel, extensive, varied, and most interesting work, obtained from all the sources of information to which they have had access.

HISTORY.

The establishment of a park began to be publicly discussed in the city of New York, about the year 1851. That the city was to increase with accelerated growth, and that it was to become the metropolis of the continent, had then become apparent.

It was urged that the attractiveness of foreign capitals to persons of leisure, was augmented by their various public places of amusement and recreation.

The question of the location of the park was discussed in the city councils; and in the same year an act was passed, authorizing the taking of the piece of land lying on the East river, between Sixty-fourth and Seventy-fifth streets, known as "Jones' woods," without, however, settling in the public mind the question as to the best location for a park. Nearly two years after the passage of the "Jones' woods" bill, and in the year 1853, the act authorizing the acquiring lands for the Central Park, was passed, and in the next year the Jones' Wood Park bill was repealed.

Among the reasons urged in favor of the Central Park, was that it is in a central location, being situated between two rivers and between four main thoroughfares of the island, Third and Fourth avenues on the east, and Broadway and Eighth avenue on the west. Between Central Park and both rivers there is about one-fourth of a mile on each side.

It was also, in a report of a committee of the Board of Aldermen, stated that—

“Central Park will include grounds almost entirely useless for building purposes, owing to the very uneven and rocky surface, and also to its lying so far below the proper grade of the streets as to render the grading very costly.

“This would leave the lots on either side utterly valueless for any purpose of ordinary improvement, unless it should be built up in the same way, or filled in to nearly the same level.

“The expense of grading the streets through these grounds will be found under the head of cost. From it will appear that the grading alone will cost more than twice the present value of the lands.

“This expense of grading, in the event of the land being appropriated to a park, will be wholly saved, as the very circumstances which render the grading so expensive are an advantage for the purpose of a park.”

The very ruggedness and worthlessness of the ground was a reason why it should not be used for building purposes.

It was further argued that the consideration of the health of the public requires that the low ground and unhealthy ponds, situated in the district to be included in the Central Park, should be rendered innocuous by some improvement.

The land taken for the Park was mainly barren rocks, with pools of stagnant water, offensive, unwholesome, sickly, and useless for city purposes.

Legislative authority having been obtained, proceedings were instituted in the Supreme Court for acquiring title to the land. These proceedings were consummated by the confirmation, on the 6th of February, 1856, of the report of the commissioners appointed by the Supreme Court.

The land being thus vested in the city, the next step was to provide for its improvement. An ordinance was passed by the Common Council of the city of New York, in 1856, constituting the Mayor and Street Commissioner, commissioners for the improvement of the Central Park; but, not being able to obtain the funds applicable, no progress was made.

The Legislature, on the 17th day of April, 1857, passed an act providing funds for improving the Park, and constituting the present Board of Commissioners, which was organized April

30th, 1857, and since that time has had the charge of the construction and management of the Central Park, and it is the acts of this Board that your committee are required to examine.

1. *The Work Proposed.*

The land taken for the Central Park is in the form of a parallelogram, bounded by Fifty-ninth street on the south, One Hundred and Sixth street on the north, Fifth avenue on the east, and Eighth avenue on the west; it is about $2\frac{1}{2}$ miles long, or as far as from the Battery to Grace Church, and one-half mile wide. It is an extremely broken piece of ground, rising from 15 in some places to 135 feet above tide water; rocky, with abrupt declivities, comprising over 770 acres. On either side of this piece of land the dwellings of the city are already fast appearing. To arrange it with reference to its location and relations with the traffic of the surrounding city, and to make within its area provisions for the enjoyment of the people of a city already numbering nearly one million of inhabitants, to bring out its highest capabilities for all seasons, for all classes, sexes, and ages, was, in brief, the work imposed upon the Commissioners of the Park.

Great efforts were made to render the commissioners unpopular, and to prevent their undertaking the work.

On the 2d of June application was made to the Common Council of the city for money; no money was received until September 29th, 1857.

During all the time it was doubtful whether the Board would be able to make any progress without entering upon an expensive and protracted litigation, and without the means they could not even undertake to procure the necessary surveys and plans.

It would be impossible to describe the condition of the Park, so as to give an accurate description of it, as found by the commissioners. It was occupied by shanties, bone-boiling establishments, and piggeries, stagnant water emitted a most offensive odor, and the whole neighborhood was unwholesome and disagreeable. The Board commenced some mainly preliminary operations, such as opening the water-courses, removing the squatters, and clearing away the nuisances.

In 1858, advertisement was made for plans for the Park by public competition. The following is the advertisement as it appeared in public print :

Plans for the Central Park.—The Board of Commissioners of the Central Park offer the following premiums for the four designs for laying out the Central Park which may be selected :

For the first.....	\$2,000 00
For the second.....	1,000 00
For the third.....	750 00
For the fourth.....	500 00

The plans to become the property of the Board. Topographical plans may be consulted, and particulars obtained at the office of the Board, room 10, Bank of Commerce Building. A limited number of photographic sketches of the ground may be obtained by applying to the clerk of the Board. All designs must be presented to the Board by the first day of March, 1858. The Board reserves the right to reject any or all plans.

JNO. A. C. GRAY,
CHARLES W. ELLIOTT,
ANDREW H. GREEN,
Committee.

An interval of several months' time was necessary to enable competitors to go on the ground and make the necessary examinations of the topography, and to express their ideas upon paper. Thirty-three plans were offered in competition, and it was only on the 18th of May, 1858, that a plan for laying out the Park was adopted. As soon after as practicable, measures were taken to work it out upon the ground, with such modifications as were from time to time made by the Board. The plan adopted was that of Messrs. Olmsted & Vaux, upon which, with some alterations, the Park is now being constructed. Its merits are peculiar, presenting in the proposed mode of developing the ground, an extraordinary combination of beauties, with accommodation for the throngs of a great city both novel and useful.

Four lines of transverse roads are laid out across the Park at about equal intervals, for the purpose of carrying the traffic of the city from one side of the city to the other without obstructing the pleasure travel of the Park. Without them, this traffic must be diverted from one to two miles out of its course, or must interfere as it crosses with the pleasure travel.

These roads are so arranged, that while the whole Park is closed at night, they are open without obstruction.

These are already required not only for business travel, but the Board has been applied to for permission to lay the Croton water-pipes and the gas-pipes through them from one side of the city to the other. Their cost will be more than \$500,000, and while indispensable to the city and the result of an admirable foresight on the part of the commissioners, they are scarcely chargeable to the Park fund.

The general motives governing the plans are simple. The intention of the work appears to be, in the first place, to obtain large unbroken surfaces of smooth meadow-like ground, wherever the natural obstacles to this mode of treatment are of a character to be overcome, even by a heavy expenditure. The immediate borders of these spaces are planted in a manner to hide or disguise any incongruous quality in the grounds beyond. The rocky and broken surface which originally characterized the whole site, however, admits of the application of this preference of the designers to but a small portion of the grounds thus far finished, and elsewhere its capabilities for picturesque effects have been revealed by the close study of natural suggestions, and with bold and assiduous labor. Thus, shallow rocky valleys are deepened into ravines; hillocks are thrown together and heightened by an accumulation of small boulders, covered with earth; the bases of bold ledges are exposed, while tame and uninteresting rocks are broken or covered, or by various artifices screened altogether from view. The rocky element of the scenery is, as yet, perhaps too frequently conspicuous, and a criticism is thus invited, the occasion for which will disappear with the growth of the vines and creepers, which may be found abundantly planted, though as yet hardly perceived in the nooks and corners. This being the character of the scenery, the conveniences for the public enjoyment of it

are supplied by carriage roads, bridle paths, graveled walks, and boats, on a large sheet of ornamental water. The walks are of every possible variety, from the perfectly level and straight broad walk, upon which an army might march "company front," to narrow and crooked hill-paths, with rocky steps and rustic hand-rails to assist the climbers. For the carriage-roads there is a variety in width of from thirty-three to fifty feet; they are carried, for the most part, through the exterior portions of the Park in long sweeping stretches, and upon large and regular curves; their grade is not often steeper than one in forty. They are built in a substantial manner, almost unprecedentedly so in this country; their surface is but slightly rounded; they are very thoroughly drained and guarded against serious washing, by means scarcely perceptible on the surface, and secure against floods or frost. None of the bridle paths are as yet entirely completed, owing to a delay in the supply of contracted materials for them. These different classes of communications are so arranged that, by a peculiar system of arched passages, it never becomes necessary for a person on foot to cross the surface of the carriage roads, or the horseman's track, or a horseman to cross the carriage roads, though he may ride upon them if he prefer. A degree of safety in the use of the Park is thus available, which will be much appreciated by invalids, delicate and aged persons and children; it is obviously demanded, however, as a mere matter of convenience, to prevent the interruption to the movement of carriages which the throng of persons crossing the roads, at points where the arched ways are incomplete, even now sometimes occasions.

A mall or broad straight walk, thirty-five feet in width and one thousand two hundred and twelve feet in length, with rows of avenue elms, forms a striking feature at the southeastern portion of the Park.

In the carrying out of this plan, the Board has since been engaged, and your committee, having presented a brief sketch of the work proposed, after an examination into all the means used for its prosecution, present their conclusions under the following heads, covering that into which they are to inquire, viz., the affairs, condition, and progress of the Park:

2. The work actually done, or the progress of the Park.
3. The financial condition of the Board.
4. The mode of work, or the organization of the force at the Park.
5. The system of accounting.
6. General suggestions.

2.—PROGRESS OF THE WORK.

During the past year $1\frac{1}{2}$ miles of carriage roads have been completed, making the total length now finished and available to the public, $4\frac{5}{8}$ miles. Of this length, 4 miles are south of Eighty-second street, and five-sixths of a mile between Ninety-eighth and One Hundred and Fourth streets.

In addition to this, about 1,200 feet are paved, ready for receiving the gravel surface, and the whole of the roadway of the Park, being about nine miles, is very nearly graded.

About two miles of walks, during the past year, have been completed, making in all now completed and in use by the public, $9\frac{1}{4}$ miles. These walks are all south of Seventy-ninth street.

The bridle path, with a trifling exception, is all graded south of Eighty-sixth street, being a length of $2\frac{1}{2}$ miles. Of this, four-fifths of a mile is ballasted with rubble stone, six inches deep over the bottom, preparatory to the completion of the superstructure with gravel or sand, or other approved material. Of this road, there is to be five miles, varying in width from ten to thirty feet, having gravel or loose sand, upon a well-drained compact bed. Transverse roads 1 and 2, with the bridges crossing them, are substantially completed.

All the ornamental bridges south of Seventy-ninth street over which the drives pass, except bridge No. 12, (the flower-garden bridge,) have been completed, or so far completed as to permit the drives to be closed over them, giving unbroken continuity to all the finished drives south of Seventy-ninth

street. Bridge No. 12 is closed by a temporary wooden structure.

The water-pipe system of the Park is designed upon the plan of conducting water generally over the entire area, so that all parts of the ground may be conveniently irrigated, and the roads and walks sprinkled in the most convenient and economical manner. Hydrants are placed along the borders of all the roads, at distances of 90 to 120 feet apart, and generally on the lawns, at distances of 300 to 500 feet apart.

The portion of the system south of Seventy-ninth street is completed, with the exception of the setting of about 150 hydrants, and some minor details, all of which is to be done early in the ensuing spring, as soon as the frost is sufficiently out of the ground.

The general work of grading, filling, and shaping the surface of the grounds, and manuring, plowing, seeding, and the planting of trees and shrubbery, has been carried on with reference to the completion of the principal portion of the Park south of Eighty-fifth street. Some narrow strips of ground bordering upon the Fifth and Eighth avenues and Fifty-ninth street, have been reserved until the grading of the street and avenues is completed.

The district of the Park lying along the Fifth avenue between 72d and 86th streets, has also been reserved from the operations of the past year, owing to its contemplated occupation for a zoological and botanical garden.

The east and west meadows of the upper part of the Park, between 97th and 103d streets, embracing an area of thirty acres, have been drained, manured, plowed, and seeded, and some contiguous ground graded during the past year.

With the exceptions of the reserved portions of the ground before noted, and the few unfinished structures which have been enumerated, the Park is mainly completed south of 85th street. This, with the meadow-ground of the upper portion of the Park, comprises about one-half of the total area between 59th and 110th streets.

During the past year, 16,200 trees and shrubs of all kinds have been planted in the district south of 85th street.

The total number of trees and shrubs of all kinds planted up to this time, all south of 79th street, is 33,565.

The trees have thriven remarkably well. The main portion of those lost were large trees, planted by contract, and replaced, or to be replaced, at the expense of the contractor.

The Board are aware of the great desirability of shade trees and of their eminent beauty, but large and perfect trees are the product of time.

While the Board have made transplantation of several hundred trees of larger growth, they are not unmindful of the more certain success of smaller trees, nor of the great risks and heavy expenses attending a successful removal of large trees.

The committee do not deem it wise to undertake the transplantation of large trees to a great extent, although they do not deem it of impossible accomplishment.

The experience of removing large trees in England and France, though often appealed to, will not be found, on examination, to justify the great expense at which it is undertaken.

Two rustic summer-houses have been erected on the lower portion of the Park, and two rustic covered seats in the ramble. Two cottages for the convenience of ladies and gentlemen have also been erected in the ramble.

The following statement shows the aggregate quantities of work done, and materials furnished, up to January 1st, 1861.

The aggregate quantities of work done are as follows :

Earth work—materials excavated and removed, 1,500,500 cubic yards.

Rock excavation, &c., 251,200 cubic yards.

Masonry of all kinds, 61,550 cubic yards.

Length of brick sewers, 17,500 feet.

Stone broken for roads and concrete, 35,000 cubic yards.

Sand furnished for masonry, 17,430 cubic yards.

Powder furnished for blasting, 157 tons.

Gravel furnished for roads and walks, 23,500 cubic yards.

Brick furnished in 1859 and '60, 3,938,550.

Cement furnished do. 29,623 bbls.

Tile drains, over 50,000 feet.
 Asphaltum on bridges, 90,260 sup'l feet.
 Retaining wall along the shores of the lakes, 8,970 cubic feet.
 Granite steps, coping and ring stones for bridges, 737 cubic yards.

3.—THE FINANCIAL CONDITION OF THE PARK.

The memorial transmitted to the committee by Mr. Robert J. Dillon, which contains allegations respecting the financial scheme of the Park, that might, and very probably would, without close examination, create false impressions, respecting the cost of this work. To correct its erroneous statements, and in order that the financial operations of the Park may be fairly presented, the committee deem it proper to enter upon this branch of the subject referred to them, at some length.

It is stated in the paper alluded to, that the Commissioners of the Central Park have applied to the Legislature for an appropriation of \$5,000,000.

In another part of the paper it is reiterated that "the Commissioners have again applied to the Legislature for the enormous amount of \$5,000,000, as before stated." These words "before stated" refer to a qualification in another part of the paper that the \$5,000,000 so applied for, is \$2,500,000 for improvement, and \$2,500,000, *or the annual interest thereof*, for the government of the Park.

The statement that the Board applied to the Legislature for \$5,000,000, is erroneous. The effort to correct this statement by saying that "\$2,500,000 of this is for improvement, and \$2,500,000, or the annual interest of it, for government," shows a want of comprehension of these very simple financial operations.

These statements of the paper are fully met and answered by the Commissioners of the Central Park, in their answer to the inquiries of the Senate during its late session.

The paper goes on further, in these words: "Your memorialists respectfully call the attention of the Legislature to the past, present, and prospective management.

"The cost of the land to the city.....	\$3,469,798
"The cost of State Arsenal and grounds.....	275,000
"First appropriation for regulation and government	1,666,666
"Second do. do. do.	500,000
"Appropriation now asked for regulation.....	2,500,000
"Appropriation now asked for government..	2,500,000
"Prospective expenses above present estimates..	5,000,000
"Probable cost of extension to 110th street.....	1,000,000
	<u> </u>
	"\$16,911,464"
	<u> </u>

There can be no doubt that the plain intention of this statement, is to create the impression that the Park will cost the sum of \$16,911,464, and to excite prejudice against it by reason of the enormity of its expenditures.

Let this statement be contrasted with facts :

The cost of the land for the Park, to the city, was.....	\$3,744,798 74
The cost of the State Arsenal and grounds.....	275,000 00
Money expended in the improvement of the Park, to January 1st, 1860.....	1,764,615 74
	<u> </u>
Total cost of the lands of the Park, and im- provement, up to about the time that the above paper was prepared.....	\$5,784,414 48
	<u> </u>

The Commissioners of the Central Park had nothing to do with the location or original purchase of the land for the Park ; they were appointed after it was taken, to superintend its improvement. They found the land purchased to their hand ; what they had to do was to improve it. Therefore, of the above sum, the commissioners have only a voice in the expenditure up to January 1st, 1860, of \$1,764,615 74, and the expression of opinion with respect to the purchase of the Arsenal grounds.

The legal proceedings to acquire the Park were consummated by order of the Supreme Court, confirming the report of

the Commissioners of Estimate and Appraisalment, on the 5th day of February, 1856.

The total valuation of the land for the Park was.. \$5,398,695
 Of this was paid by bonds of the city.. \$3,740,300
 And the balance..... 1,658,395
 was charged upon adjacent owners.

The Park, as thus taken, included within its area grounds of about ten acres in extent, upon which the Arsenal was erected. These grounds were not originally taken for the Park, and were not included in the above estimate.

The very apparent advantage of including within the Park this piece of ground, a mere notch in its external line, added to the prevailing opinion that the Arsenal buildings were too remote from the city, brought about the passage of a law in 1856, before the Commissioners of the Central Park had any existence, for its sale to the highest bidder, and the same law authorizes the Commissioners of the Central Park to purchase it, at a price not exceeding \$275,000. That purchase was made, and the Arsenal grounds are now a part of the Park, lying between Sixty-third and Sixty-fifth streets, on the Fifth avenue, upon which the Arsenal building still remains.

The price of this purchase was paid by the city, by its stock, having forty-one years to run.

In the year 1858, the Commissioners of the Central Park, perceiving the great mistake that had been made in omitting to extend the grounds of the Park to One Hundred and Tenth street, laid the matter of acquiring the land between One Hundred and Sixth and One Hundred and Tenth streets, and Fifth and Eighth avenues, before the corporate authorities of the city, and the obvious propriety of the acquisition being recognized by the Common Council, the Board, at the next session of the Legislature, applied for the passage of a law authorizing its addition to the Park.

On the 2d of April, 1859, a law was passed giving authority to take these lands to be added to the Park.

The commissioners to take these lands were appointed by the Supreme Court, on the 13th day of July, 1859, and the proceedings have not yet been consummated.

A proposition was made to widen Broadway at its junction with Eighth avenue and Fifty-ninth street, for the purpose of giving a more spacious access to the Park. The Commissioners of the Central Park discountenanced this movement, and in July last expressed their views relative to the acquisition of land for the Park, in the following preamble and resolutions :

Whereas, It is understood that proceedings have been initiated and are now in progress, to acquire the title to property south of 59th street and east of Broadway, with the view of adding to the attractions of the entrance to the Park at corner of 59th street and Eighth avenue ; and

Whereas, This Board is desirous to avoid any increase of public expenditure that can be charged as an additional incident to the work of the Central Park : therefore,

Resolved, That such proceedings did not originate with, nor have the sanction of this Board, and this resolution is adopted for the purpose of relieving this Board from any responsibility calling for measures to an increase of public expenditures under the assumption that it is required for the completeness of the Park."

The Board seems to have been decided in its expressions of its judgment against further additions of territory to the Park, inasmuch as constant expenditure for such purpose, by swelling its total cost, might become the occasion of criticism that would prejudice the work in the public estimation.

Aware of the danger of overlaying the Park, and bringing it into disrepute on account of additions to expenditures of this character, the Board has wisely, as your committee believe, avoided any sanction of measures originating and carried on ostensibly for the improvement of the Park, but really for the benefit of speculators.

The cost of the land of the Park, then, paid for
in city stock, the principal being reimbursable
in thirty years from its issue, is \$3,740,300 00

The cost of the improvement of the Park up to
January 1, 1860, about the date at which the
printed memorial aforesaid was presented, was 1,764,615 74

Adding the cost of the land to the cost of the improvement, and we have the total cost of the Park to that time, of \$5,504,915 74

The interest of which, being at six per cent., is \$330,294 94 per annum.

This sum is justly charged upon posterity, in the shape of bonds or stock of the city, inasmuch as it will realize the full fruition of the beauties of the Park.

The present generation will not be required to pay the principal sum. The increased taxable value of the land around the Park is nearly sufficient to pay the interest on it.

Although the committee do not think it proper for municipal corporations to purchase lands on speculation, yet it cannot be concealed that the Central Park has been, and will be, in a merely pecuniary point of view, one of the wisest and most fortunate measures ever undertaken by the city of New York. It has already more than quadrupled the value of a large extent of property in its vicinity.

The total cost is, as above stated, \$5,504,915 74. When the principal sum that was paid for it becomes due, that is, about the year 1890, the Park itself will be worth ten times its original cost; meantime, the annually accruing interest on this principal is more than paid by the increased taxable valuation of the property in its vicinity; an increase of taxation coming not upon the city, but upon the owners of property in the neighborhood, by whom it is willingly paid, as their property has largely increased in consequence of the establishment of the Park.

There seems no hardship to anybody, and the city corporation has not the least ground for complaint growing out of the expenditures for the Park, and makes none.

The lands on the three wards surrounding the Park, to wit, the 12th, 19th, and 22d, were assessed in 1856, the year in which the Park was taken, at.....	\$26,429,565 00
In 1860 the same lands were assessed at	43,463,096 00
	<hr/>
Equal to an increase of <i>taxable</i> valuation of....	<u>\$17,033,531 00</u>

The tax upon which increase, at the rate of 1860, to wit, $1.69\frac{4}{10}\frac{1}{10}$ per cent., will give $\$288,685\frac{9}{10}$.

The annual interest on the whole cost of the Park and improvements is $\$330,294\frac{9}{10}$.

The general benefits accruing to property in the city by this Park are not easily estimated in dollars and cents. They are found in the opportunity afforded by the Park for recreation, in its sanitary benefits, and in the inducements it offers to persons of wealth and leisure, from all parts of the world, to make the metropolis the place of their residence, and as a source of refined enjoyment for the whole population of the city.

But it seems to the committee that the assessed valuations about the Park are but a very poor indication of actual values, and in proof of this, the committee will state a few facts respecting the twelve blocks of ground proposed to be added to the north end of the Park.

The taxed valuation of these blocks is $\$179,850$. The valuation, as laid by the commissioners to appraise the value of the lots, appointed by the Supreme Court, is $\$1,499,438$, or more than eight times the values laid by the tax assessor.

If this be any index of actual values, the three wards above mentioned have increased in actual value more than $\$300,000,000$.

More than two-thirds of the net increase of the whole city tax valuation has taken place during the past year in the three wards surrounding the Park. From these figures it appears to the committee :

1st. That the property in the immediate neighborhood of the Park has increased, by reason of its establishment, in a sum that will afford a tax large enough to pay the interest on its cost and improvement, without adding anything to the general taxation.

2d. That those whose property is actually increased in value pay this tax, as they can well afford to do.

3d. That when the principal of the stock owed by the city for the improvement and purchase of the Park matures, the ground will probably be worth more than twenty times its whole cost. It is now worth more than ten times its cost. The

Comptroller of the city of New York, its chief financial officer, in his annual report to the Common Council, says :

“The increase in the amount of taxes accruing to the city, in consequence of the enhancement in value of real estate situated in the upper part of this island, over and above the former value of the land now withdrawn from taxation, on account of the opening of this noble Park, will, it is thought, afford more than sufficient means for the payment of interest on the debt incurred for its purchase and improvement, without any increase in the general rate of taxation.”

In a financial point of view, the Corporation has no right to complain, for it acquires property of annually increasing value ; nor have those property holders who are taxed for the interest on the money for the purchase and improvement of the Park any cause of complaint, for they get ample return in the increased value of their property, and the general tax-payers are called on to pay but little for the interest on the loan.

The machinery of the whole enterprise seems to work equitably and favorably.

The following is a summary of the expenses up to July 1st, 1860 :

Balance in hand Dec. 31st, 1859.....	\$10,896 62
The total receipts of the six months, ending June 30th, 1861, are as follows :	
From seventh issue of stock by the city of New York.....	\$416,600 00
From eighth issue of stock by the city of New York.....	250,000 00
From Adams' stone-breaker, for labor.....	6 32
From sale of grass.....	160 00
From sale of buildings on the Park..	396 00
From sale of barrels.....	36 00
From sale of horse.....	40 00
From laborers, for lost tools.....	136 44
From pound receipts.....	6 00
	\$667,380 76
Carried forward.....	\$678,277 38

Brought forward.....	\$678,277 38
The total expenditures for the six months ending June 30th, 1860, are as follows :	
Salaries and compensation of architects, clerks, &c.....	\$13,290 01
Surveys, engineers and draftsmen....	9,140 50
Incidental expenses.....	5,773 52
Park-keepers.....	6,615 05
Materials of construction and tools...	71,517 44
Stationery, printing, advertising, engineers' drawing materials, and books of account.....	1,576 50
Trees and plants, manure and cartage of the same.....	3,643 65
Broad walk, north side of 59th street.	11,459 08
Labor account—amount paid laborers, cartmen, &c., as per pay-rolls and vouchers.....	182,092 53
Maintenance account.....	18,037 15
Returned this amount, advanced by Bank of Commerce.....	100,000 00
	<u>\$423,145 43</u>
Balance.....	<u>\$255,131 95</u>

Total receipts of the Board from the commencement of its organization, May 1st, 1857, are as follows :

From first issue of stock by the city of New York.....	\$50,000 00
From second issue of stock by the city of New York.....	250,000 00
From third issue of stock by the city of New York.....	300,000 00
From fourth issue of stock by the city of New York.....	300,000 00
From fifth issue of stock by the city of New York.....	300,000 00
From sixth issue of stock by the city of New York.....	466,600 00
Carried forward....	<u>\$1,666,600 00</u>

Brought forward.....	\$1,666,600 00
From seventh issue of stock by the city of New York.....	416,600 00
From eighth issue of stock by the city of New York.....	250,000 00
From sale of buildings on the Park	5,367 37
From laborers, for lost tools.....	397 32
From Wm. Menck, for rent.....	50 00
From sale of grass on the Park....	275 00
From exhibition of plans.....	294 85
From John McGrath, for lost time.	5 75
From this amount over in making change.....	02
From sale of barrels.....	49 20
From Bank of Commerce, interest on deposits.....	2,909 97
From pound receipts.....	297 32
From Adams' stone-breaker, for la- bor.....	6 32
From sale of horse.....	40 00
From this amount advanced by Bank of Commerce.....	100,000 00

Total receipts from May 1st, 1857, to June 30th, 1860.....	\$2,442,893 12
The expenditures from May 1st, 1857, the date of the organization of the Board, to January 1st, 1858, were.....	\$77,881 41
Expenditures from January 1st, 1858, to January 1st, 1859, were.	507,487 86
Expenditures from January 1st, 1859, to January 1st, 1860, were	1,179,246 47
Expenditures from January 1st, 1860, to June 30th, 1860, were..	323,145 43
Returned this amount advanced by Bank of Commerce.....	100,000 00
	<u>\$2,187,761 17</u>

Total expenditures from May 1st, 1857, to June 30th, 1860.....	\$2,187,761 17
Balance July 1st, 1860.....	<u>\$255,131 95</u>
Total expenditures from May 1st, 1857, to Janu- ary 1st, 1861, were....	<u>\$2,703,166 06</u>

In this amount are included the expenses for maintenance, up to January 1st, 1861.

City and County of New York:

Charles H. Amerman, being sworn, says: That he is a book-keeper in the employ of the Board of Commissioners of the Central Park; that he prepared the above statement of the receipts and expenditures of said Board; that he has examined the vouchers therefor, and that said vouchers are correct; that said statement is in all respects correct and true, and comprises a correct account of all the receipts and expenditures of said Board, from the commencement of its organization to the 1st day of July, 1860.

CH. H. AMERMAN.

Sworn to before me, this 22d }
day of November, 1860, }

GEO. W. WARNER,
Commr. of Deeds.

4.—ORGANIZATION OF FORCES OF CONSTRUCTION.

A plan having been adopted for laying out the Park, the mode of doing the work soon became a matter of interesting discussion in the Board. A proposition to contract the various items of the work to the lowest bidder found but few advocates. It was opposed on the ground that the work was very various— one class of work constantly running into and overlapping another; that the taste and judgment required could not be procured by contract; and that freedom to adjust the final surface of the work must be unrestrictedly reserved in the Board; that the intricacy of the work did not admit of the specifications

being sufficiently complete to hold contractors without giving rise to litigation and expense. The system of city contracting had not accomplished results, even in the most ordinary and simplest sort of work, that should lead the Board to enter upon the same pernicious system that has constantly kept the city in expensive litigation.

The Board, therefore, determined to conduct its operations mainly by men directly responsible to itself, and under its control. The committee believe this a wise determination. In the few instances where the Board has attempted to contract specific structures, notwithstanding the most careful contracts and specifications, the work has been retarded almost without exception, much to the annoyance of the public, and not a single contract that has been formally entered into has been completed within the time agreed upon. Constant vigilance and superintendence has scarcely been sufficient to keep the class of contractors who have become, in their dealings with the city, accustomed to a lax interpretation of their contracts, up to the strict terms required of them.

More than seven-tenths of the whole outlay of money on the Park are paid directly to mechanics and laboring men. These men are regularly paid at the current market rates of labor.

The number of men employed at one time on the Park has been as high as three thousand five hundred. It was not over twenty-six hundred during any one time in the year eighteen hundred and sixty, and the work has so far progressed that it is not probable that so large a number will be again employed at one time. It seemed very important to your committee, that where so large a portion of the money is disbursed in small sums, that the accounts and superintendence should be such as to secure, first, a fair return in labor for the money expended; and second, an accurate account of the amount due to each person for his labor.

Any looseness or inexactness in keeping the accounts, or in returning the time of so large a number of men, might occasion the loss of a large sum in the course of a year.

The committee have, therefore, inspected the system of the accounts of the commission, which were devised especially for this work by one of its members, and examined the method of superintendence and organization.

The working force of the Park is divided into squads of about thirty to forty men, each having its foreman, and when required, an assistant foreman.

No man is set to work on the Park without an order from the proper officer to the foreman of the gang in which he is to be employed, in the following form; nor is his name entered in the books, so that he can get his pay, without a counterpart of the order to the disbursing clerk:

<i>To the Disbursing Clerk.</i>	<i>To Foreman</i> _____
The name of _____	_____
is to be added to the Pay-Roll as _____	_____
His time will be reported by _____	is added to your gang.
_____ Supt.	_____ Supt.
Central Park, _____ 186	Central Park, _____ 186

There are eight general foremen, each having the oversight of a certain number of foremen and their gangs, it being their duty to direct the foremen, insist upon their constant presence at their work, and to report immediately any departure from the rules of the Park to the superintending officer, and also to make a daily written return of the specific duty upon which each gang is engaged in on that day.

The following is a form of their report:

FOREMAN'S REPORT.—CENTRAL PARK.

☞ Each Foreman is required to fill out the following Statement, after the work of the day is done, and send it to the Superintendent's Office, before Nine o'clock of the following working day.

NUMBER OF HOURS' WORK MADE.												
Kind of Work.	Location.	Foreman.	Assistant Foreman.	Laborers.	Blasters.	Masons.	Stone Cutters.	Hand Drillers.	Water Boys.	Double Teams.	Carts.	Master Gardeners.
	Totals.											

THE FOLLOWING MEN ARE REPORTED FOR :

Neglect of Duty or Inefficiency.	Intoxication.	Disobedience.	Three Days' Absence.

Date.

Foreman.

They are also required to inquire and report as to the number of men employed in the gangs under their charge, to serve as a check upon the returns of time by the foreman. Each foreman is required to call the roll of his men three times each day, and denote in a book, by a single straight mark, the presence of each man at each roll-call. Where a man is late at his work, or leaves before the day is ended, the foreman marks down opposite the name the hour at which he comes or goes. The foremen are not allowed to compute the number of hours to which their men are entitled. It is found that, with the care of the work on their hands, the least amount of writing and the simpler the entries to be made in the field, the more accurate will be the results; besides, some foremen, very competent for their duty, may not be skillful at writing or figuring. The book of each foreman is daily returned to the office, and there all computations of time are made by skillful clerks. When the weather permits, the working time from April to November 15, is ten hours per day; the rest of the year nine hours per day. The time is kept in hours, and each man is paid for the actual hours he works. If a man comes at one o'clock P. M., and goes at four, in a column prepared for the purpose, the foreman enters 1—4, but is not permitted to say how many hours a man is entitled to, the clerks in the office making the calculation.

The following is an example of the time-books, of which each foreman has two, arranged for the alternate days, one being in his possession on the day the other is returned to the office:

TIME.—Two Weeks, ending Saturday,

18

NAMES.	MONDAY.				WEDNESDAY.				FRIDAY.				MONDAY.				WEDNESDAY.				FRIDAY.																			
	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.															
	1st	2d	3d			1st	2d	3d			1st	2d	3d			1st	2d	3d			1st	2d	3d			1st	2d	3d	1st	2d	3d									

TIME.—Two Weeks, ending Saturday,

18

NAMES.	TUESDAY.				THURSDAY.				SATURDAY.				TUESDAY.				THURSDAY.				SATURDAY.																			
	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.	Roll Call.			Came.	Left.															
	1st	2d	3d			1st	2d	3d			1st	2d	3d			1st	2d	3d			1st	2d	3d			1st	2d	3d	1st	2d	3d									

The assistant foreman aids the foreman at roll-call, and in supervising the gang, which is sometimes divided temporarily, part being in one place and part in another. It was found in the commencement of the work, that occasionally a man who had worked on public works, where it was admitted, would, when the roll was called, answer for himself and for one or two others not present. An arrangement was made to prevent this by requiring the foreman to form his men into line, he calling the names, and each man, as his name was called, stepping forward a pace, so that it might be seen, as well as heard, that he was present, the assistant foreman calling out "right," as each man thus steps forward and answers. The time is daily transferred, or posted, from the foreman's books to the time ledger, to the account of each man on the Park; this goes on for two weeks, when the time ledger is footed, each man's account extended, and a pay-roll made out for the previous two weeks. The pay-roll is in this form:

We, the subscribers, acknowledge to have received from the Board of Commissioners of Central Park, the sums set opposite our names respectively, being in full for our services to July 7th, 1860.

Name.	Occupation.	Time Employed.	Rate of pay	Amount.		Signatures.	Witnesses.
				\$	Cts		
Geo. McDonald...	Foreman.....	12	\$2 00	24	00	Geo. McDonald.....	J. Gavin.
Chas. Rooke.....	Ass't forem'n...	12	1 50	18	00	Chas. Rooke.....	J. Gavin.
John J. Mayer...	Laborer.....	8	1 00	8	00	John J. Mayer, his X mark..	J. Gavin.

The occupation of each man, the time he has made, and the rate of pay to which he is entitled being stated. The pay-roll, being completed, is certified in the following form:

I certify that I have taken the time from the time-books, extended the same, and computed the respective amounts due to each person named in this pay-roll, under date of —, and that the same is in all respects correct as stated in said pay-roll, of which amount — dollars is to be charged to maintenance account, as per annexed statement.

(Signed)

Disbursing Clerk.

I certify that I have compared the rates of payment on this pay-roll with the rates authorized by the Board of Commissioners, and that the same are correct.

(Signed)

Book keeper.

Each foreman having been required to take the following oath, the process of paying commences :

I, ———, foreman employed by the Board of Commissioners of the Central Park, do solemnly swear that I have myself performed, and that each and every person named in the time-book returned by me to the Commissioners of the Central Park, has performed the labor, and the kind of labor therein designated, in the service of the said Board, for each and every hour marked opposite their respective names, for the two weeks ending —, 186—; and that each of said persons is, to the best of my knowledge and belief, entered in said time-book by his usual, true, and lawful name, and that said time-book is a just, true, and faithful account of the time and services therein specified, and of the persons who have performed the same, without any misrepresentation, evasion, or concealment whatever.

And further, that there is no agreement, arrangement, or understanding with any of the persons employed on the Central Park, directly or indirectly, that I am to receive from them, or from any other person, any sum except my established compensation as foreman, and that I have not placed any man upon the work without the written authority of the architect-in-chief, or property clerk of the Central Park.

Sworn and subscribed this — day }
of —, 186—, before me, }

_____,
Commr. of Deeds.

Payment, except in the severe winter weather, is made upon the ground; a wagon and the necessary apparatus is driven immediately to the place where the squad is at work, the men are called, and their foreman stands to identify each man as he comes up for his pay.

The money is counted by two persons, and then handed to the person entitled to it, who gives a receipt on the pay roll. Much time is saved by this mode. During the winter, the men

From 12 to 2 o'clock each day, men who consider themselves improperly reported, unjustly treated, or otherwise aggrieved by the action of their foreman, or any officer of the Park, or who wish to make complaints against any one, or to answer any complaints made against themselves, may have a hearing at the office of the Superintendent.

The engineer corps has been larger during the past season than heretofore, in consequence of the large amount of masonry and other mechanical work that has been carried on, and also for the purpose of making a revised and final estimate of the cost and quantities of all unfinished work.

The aim is to establish all practicable checks against frauds or injustice upon the men, or upon the funds of the public; as an additional aid on this, the conscience of the foreman is appealed to in the oath above mentioned. The men at the Park are required to do their day's work well; they receive their pay promptly; are free from all political influence, and the most vigilant and stringent means are taken to prevent their being imposed upon, or taxed in any way by the foreman, or those over them.

Out of the large number on the pay-roll, there are generally a few absent at the regular pay day, from sickness, or other cause. These have an opportunity, on the following week, to get their pay at the Park, and if, after a month, they do not call for it, the money is returned to the bank, and they are paid by check on the bank when they call for it.

The foreman is made personally responsible for the tools used by his gang, and he is not paid until he produces a certificate from the tool clerk that his tools are correct. This certificate is in this form:

TO DISBURSING CLERK.

Foreman

Tool account is


_____ Tool Keeper.

CENTRAL PARK,

18 .

A regular tool account is kept with each foreman; he is charged with those delivered to him and credited with those returned. If the balance are not found in his box the value of those missing is withheld from the pay of the foreman. Each gang is provided with a tool box, in which every man in the gang is required at roll-call at night to deposit his implements, and which box he must necessarily go to at least once per day; on the outside of each of these boxes is posted the following notice:

CENTRAL PARK.

 A copy of this notice is to be kept posted on the outside of every tool cart, and is to be read aloud to each gang once a fortnight.

RIGHTS OF MEN EMPLOYED.

“Every man should understand that he is employed solely to work, on the Park, for his regular wages, and for no other consideration whatever. Nothing but his labor, compliance with the rules of the Park, and a civil behavior to all engaged on it, can be required of him.

“No one has a right to receive a payment, in any form, for having procured any man’s employment, or for retaining any man on the work. If any such payments are made, or any presents or treats are offered, which can be considered as payments or bribes for such favors or services, they will be deemed proper ground for the discharge of the person offering them. Foremen and assistant foremen are forbidden to propose to their men to take tickets for raffles, or to offer them any articles for sale, to act as agents for landlords or boarding-house keepers, or to collect debts due to others, of their men.

“It is entirely contrary to the intention of employing men on the Park that any influence of any sort should be brought to bear upon their political opinions or actions. Officers and foremen on the Park are required, therefore, to abstain from talking with the men upon political topics, and are forbidden to solicit their votes for any person or measure, on any pretence whatever. Men are requested to inform the Superintendent if they

are ever told that it is their duty to vote one way or another because they are employed on the Park, or that it is necessary for them to vote one way or another in order to be kept at work on the Park.

“Men who are absent three working days in succession, or who are habitually irregular in their attendance, will be discharged. But men bearing a good character, who have been absent on account of illness or for other good reasons, more than three days, may obtain from their foreman a certificate, on presenting which at the office, they will, if vacancies exist, be restored.

“Men who consider themselves to have been improperly reported, unjustly treated, or otherwise aggrieved by the action of their foreman, or any officer of the Park, or who wish to make a complaint against any one, or to answer any complaint made against themselves, may call at the Superintendent's office, between twelve and two o'clock each day, or may address the Superintendent directly, in writing.”

SUPERINTENDENT.

The foremen are required to read this notice audibly to their gangs once a fortnight, so that if there be any men who cannot read they may not be ignorant of the contents.

If a foreman omits so to read it, he is discharged. The whole force is under strict discipline.

The work at the park has exhibited a marked exemption from accidents to the workingmen. The blasting of rock has been carried to a very great extent, and surrounded by thousands of men at work, and visitors. Out of nearly 12,000 men who have from time to time been employed in the course of three years, but two have been fatally injured, both from their own imprudence, and no visitor to the Park has ever been injured. When this is contrasted with the daily occurring accidents in the neighborhood, it speaks highly for the caution and foresight, and vigilance in the management in every department of the work.

The accounts for maintenance are arranged separately from those of construction, and are kept under the following distinct heads: Roads, walks, plantations, turf, water, ice, irrigation,

thorough drainage, tranverse roads, masonry, tools, surface-drainage, buildings, miscellaneous, gate-keepers, the object being to keep a constant watch upon each class of expenditures with the view to its reduction.

Owing to the recent character of the work the expenses of maintenance are greater for the first year than they will be subsequently, when the work is more settled.

SYSTEM OF ACCOUNTS.

Shortly after the organization, the Commissioners of the Park made arrangements with the Bank of Commerce by which they derive an interest on the moneys remaining on deposit. This interest is added to the funds for the Park. The committee are not aware that any department of the city government has ever yet made so favorable an arrangement for interest. It establishes the fact that interest may be secured on the deposits of the city in the largest moneyd institution, by proper attention to the subject. It seems to your committee, after a special examination, that nothing can be more systematic, and thorough, than the mode of ensuring the accountability of all employees on the Park.

The system of accounts is well devised, and the mode of keeping them is characterized by neatness, clearness, and accuracy, altogether creditable to those having charge of them.

As with the labor, so with the tools and materials necessary in construction. The mode of their purchase and preservation seems to have been properly devised. Requisitions are made upon the Board for articles soon to be required at the Park. These are laid before the Board and referred to the executive committee, who, after consideration, order the purchase of such as seem necessary. Purchases are made by the treasurer, or under his direction, after the market is canvassed, and at the lowest cash prices. All articles purchased are weighed, counted, or measured, and their receipt certified to upon the bills by the person in charge; the bills are examined in detail by the property clerk, and reëxamined and laid before the auditing committee, who audit such as are correct and report them to

the Board. The Board act upon them, ordering their payment or otherwise, and if ordered paid, they are paid by check on the bank.

Payments, except to persons on pay-roll, are made by check on the bank, to the order of the person entitled to receive the same.

Persons furnishing materials are required to make affidavit to the following effect before receiving their pay :

“City and County of New York, ss. :

being duly sworn, deposes and says: That the annexed bill against the Board of Commissioners of the Central Park, presented by him, is correct and just in every particular, that the amounts charged are reasonable, and such as are ordinarily charged for

to individual customers, and are for the articles named in the bill, and for none other whatever.

Sworn to this _____ day of }
 _____ 186 , before me, }

Notary Public.”

The property clerk gives bonds as security for the faithful performance of his duty, and he is charged with the care and preservation of the property of the Board at the Park, and is responsible for it.

An inventory of all the property of the Board is required annually. The property clerk has also the charge of the pound for stray animals, and makes his return monthly to the treasurer of all the moneys for redemption of strays. These moneys, with those derived from sales of grass and useless buildings, are added to the funds of the Park.

When not in use, the tools and instruments of the Park are carefully repaired and housed, or otherwise protected from the weather; and it appears to the committee that the same sort of care in these matters prevails at the Park that controls a substantial farmer in the economy of his farming operations.

6. GENERAL SUGGESTIONS.

It appears that the Board have not overlooked the propriety of raising a revenue from certain institutions to be established within the territory under its supervision, without, in any respect, infringing upon the individual freedom of the Park to all who observe the ordinances provided for its government.

There could be no objection to permit the establishment of institutions that would furnish instruction with amusement, such as museums, botanical or zoological gardens, or halls for music, all of which may be constructed and managed according to rules to be prescribed by the Board, and maintained by private persons or associations, who should pay a rent therefor.

Licenses for carriages, for boats, and to sell refreshments, may all be productive of a revenue that will, in some degree, lessen the annual expenses of maintaining the Park; at the same time they set a valuable example of frugality and usefulness in the management of public concerns.

To the Board has been committed the power and duty of providing ordinances for the government of the Park. With a population like that of the city of New York, this duty is often one of great delicacy, and requires the exercise, not only of a sound discretion, but a full knowledge of the subject to be legislated on, in all its bearings.

The ordinances of the Park are published in the newspapers, and brief abstracts of them posted frequently about the grounds.

They establish hours for opening and closing the gates, provide for the exclusion of animals and vehicles which would incommode pleasure driving; confine carriages to the carriage roads; regulate their speed; place proper restrictions upon the use of various structures and conveniences, and forbid practices of a disorderly and immoral tendency. They are given at length in an appendix marked A.

To enforce the ordinances of the commissioners, protect the plants and other property, direct visitors, guard against accidents, and otherwise aid the superintendence, a well organized force of fifty men is maintained, styled "park-keepers;" allowing eight hours of active service per day to each man, this pro-

vides, on an average, but one man to guard each forty acres. The keepers are in the prime of life, and have been taken mainly from among the foremen and mechanics employed in the construction of the Park. They are neatly uniformed, are subject to military drills and discipline; and their well established efficiency and popularity evince the discrimination with which they have been selected, and the care with which they are trained for this duty. Though paid from the fund assigned for the maintenance of the Park, the keepers receive their authority as police officers from the Metropolitan Police Commissioners, whose superintendent testified to their availability for strengthening the general force under his command in emergencies.

The following are a few statistics of the number of persons visiting the Park :

Average number per day, six months ending October, 1860 : 4,500 pedestrians, 144 equestrians, 659 vehicles.

Largest number on fine Sunday—May 29, 1860 : 75,000 pedestrians, 120 equestrians, 3,200 vehicles.

Usual number on fine Sunday : 35,000 pedestrians, 60 equestrians, 1,500 vehicles.

Usual number on fine week day : 2,000 pedestrians, 90 equestrians, 1,200 vehicles.

Largest number on fine concert day—Saturday, February 22, 1860 : 13,000 pedestrians, 225 equestrians, 4,650 vehicles.

Usual number on fine concert day : 7,500 pedestrians, 180 equestrians, 2,500 vehicles.

Largest number during skating season—Sunday, December 16, 1860 : 84,000 pedestrians, 115 equestrians, 1,218 vehicles.

Usual number during skating season, fine week day : 12,000 pedestrians, 40 equestrians, 1,500 vehicles.

The efficiency of the police regulations of the park have been well tested during the recent season of sports on the ice. It is certain that about 80,000 persons visited the Park on one day, and half of this number were probably together at one time on and about the twenty acres of ice, the larger part moving rapidly, in exuberant spirits, while the roads were crowded with carriages. The most highly finished structures adjoin the ice, but it is not known that they suffered the slightest damage, or

that among the vast crowd any person was severely injured, or met with the loss of anything of value which the keepers were not able to restore the same day. It is, perhaps, to be regretted, having reference only to its winter use, that a larger sheet of water was not found practicable on the Park. It is undeniable, however, that the concentration of such numbers of pleasure-seekers upon the little space of twenty acres, while it imposes some restraint upon the skaters, and calls for constant exercise of skill to avoid collisions, adds vastly to the general gayety, and thus causes an excitement of healthful hilarity which, if it can be enjoyed in safety, is in itself of no small value. None of the various exhibitions of the crowded life of this metropolis are more interesting, or can be viewed with more unmingled satisfaction than the skating scene upon the Park. It will probably soon become as notable an attraction as the most celebrated periodical festivals of the Old World, in which alone can anything like its counterpart for gay tumult be found. To provide the required conveniences, and allow the freedom demanded for such occasions, and yet maintain the restraint necessary for safety and reasonable good order, require a delicate discrimination which the commission has successfully exercised.

The preservation of order on the Park, and its exemption from the presence of influences that would render it a disagreeable or unsafe resort for all classes of society, is of the very first importance, and requires constant vigilance, as, if it is not well understood that disorder or obscenity on the Park are promptly punished, the virtuous and orderly will be banished from it. To preserve order, authority must be enforced and sustained; and it is due to the city, to the Park and to its managers, that the Legislature provide all necessary legislation to ensure the proper control and government of this pleasure ground of the people, and to secure it from the incursions of the lawless and disorderly.

It should always be kept, as now, in such manner that a child, or lady unattended, may, at any hour when the Park is open to the public, visit it without apprehension of insult or danger.

During the summer, boats are placed on the lake, under

proper regulations, the proprietors of which are required to pay a license fee to the funds of the Board.

A fine band, of thirty-five instruments, has afforded opportunity for thousands to enjoy music selected with care from the finest compositions, and has added very much, to the interest of the Park in summer. The funds for the music are not taken from the Park funds, but are provided from other sources.

The city of Hamburg, and the Vintners' and Dyers' Guilds, of London, have stocked the waters with graceful swans, and persons are offering to the Board other animals that will be equally attractive.

The hours of opening the Park have been prescribed according to the seasons, and with the view of giving the public the greatest amount of accommodation compatible with keeping the Park in order.

The commissioners have steadily set their faces against any political interference in the Park, and they have thus far succeeded in preventing these influences from getting any foothold there. The public generally understand this and accept it as a most favorable omen—a triumphant success of a determined effort eminently proper and essential on this work of art.

The Park is, as nearly as the committee can judge from their own observation, as well as from statements made before them in July, 1860, more than one-half completed, as respects expenditure. The time required for its completion will be from two to three years, though its less rapid completion would be more economically accomplished. The work has at times suffered delay for want of prompt action in the provision of the necessary funds.

The law of 1860 authorized the Board to require the supervisors of the county to raise \$150,000 per annum for the maintenance of the Park. The committee observe that the Board restricted itself for eight months and twelve days of the year 1860 to \$80,000, and for the whole year 1861 to \$114,000. While the amount will somewhat increase with the completion of the Park, it will also decrease as the work becomes more tried, tested, and settled.

With the public intimation given by the committee of the objects of their appointment, no charge of malpractice, dishon-

esty, or delinquency, was made against any member of the Board, nor was evidence produced of any malfeasance on the part of the members. The foundation for the resolution by which your committee was raised is believed to have been certain rumors first set in motion by the disappointments of ex-members of the commission and discharged employees. The failure to fix any malpractice or want of integrity on the commissioners, is complete and thorough.

The two reservoirs under the charge of the Croton Aqueduct Board are situated in the Park, and the mains and other pipes and drains necessary to distribute the water to the city, must, to some extent, be laid through the Park. An act of the Legislature was passed at its last session, authorizing the two Boards to agree on the lines on which these pipes should be laid. The committee find an entire harmony of feeling between the two Boards, both recognizing that the public service is their first duty, and that this service requires their harmonious cooperation.

As to the system of irrigation, your committee, from the evidence before them, are satisfied that proper regard has been had to this important branch of the maintenance of the Park. In our climate, much of the beauty and luxuriance of the vegetation must depend upon the perfection of this system. The supply of water is, in almost all cases, taken from the Croton reservoir, and with the present extent and population of the city, and even allowing for its great probable increase, that supply is abundant. Your committee observe, however, that certain portions of the Park, amounting to about thirty-five acres, are on or above the level of the reservoirs, and therefore not easily irrigated from those sources. They would recommend that some measures be adopted which would ensure an adequate supply of water to these points.

The committee, with the view of a more thorough and detailed examination of the various departments of work at the Park, the strength and sufficiency of the architecture, its drainage, both above and below ground, and its water system, engaged the services of Julius Kellersberger, Esq., a skillful and competent architect and engineer. Mr. Kellersberger occupied twenty-one days in the examination; his opinion, which is herewith submitted, furnishes the highest testimony as to the

character, efficiency, economy, and management of the work. (See Appendix C.)

In the selection of officers and agents, for carrying out the design, the commissioners have been singularly fortunate, as the results of their operations thus far clearly show—the work standing already foremost and conspicuous among those of its kind in Europe.

From the commencement of operations at the Park the Commissioners seem to have been guided by a desire to complete the work acceptably to that portion of the public who appreciate the benefits of good management, and the advantages and ultimate economy of a substantial structure, over one superficial, though perhaps less expensive and durable.

The plan is harmonious; it is an entire design for the whole ground, contrived with a knowledge of the capacities of the land, and of the wants of a great city. It is obvious that the same minds that have thus far carried out the work, should continue it without interruption.

The enterprise is of such a nature that it will continue to require, for its present conduct and subsequent care, a highly cultivated taste, combined with integrity in its pecuniary affairs.

Whenever its management becomes subject to the changes attending the success of one political party or the other, the highest results of this beneficent work will be lost, and it will pass into the control of persons who keep their position only while they maintain themselves in the turbid pool of the politics of the city.

In order, therefore, to obviate this contingent source of embarrassment, and not to imperil the progress and early completion of the Park, the committee are of opinion that the Board of Commissioners should be separate and distinct, in their control and management of the work entrusted to them, from the municipal government.

The committee, after a careful examination into the subjects referred to them, do not hesitate to say, that the Commissioners have now among them the elements required for the completion and control of their work, superadded to a comprehension acquired by nearly four years of experience.

It would be unwise, and in contravention of the dictates of good judgment, to relinquish the services of those who have so far successfully carried on, without remuneration, this important undertaking.

The committee concur in what they believe to be the general judgment of the commissioners, that as the duties have now become executive, they would be more conveniently performed by a less number, and they would respectfully recommend to the Legislature the reduction of the Board, so that it shall not exceed six members, and that the arrangement be effected in such way as will best preserve to it the experience and judgment of the most efficient of its present members.

All of which is respectfully submitted.

JNO. McLEOD MURPHY,
ALLEN MUNROE,
FRANCIS M. ROTCH,
Committee.

APPENDIX.

A.

ORDINANCES OF THE CENTRAL PARK.

The Board of Commissioners of the Central Park do ordain as follows:

All persons are forbidden—

To enter or leave the Park except by the gateways.

To climb or walk upon the wall.

To turn cattle, horses, goats, or swine into the Park.

To carry firearms or to throw stones or other missiles within it.

To cut, break, or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, or other constructions upon the Park ;

Or to converse with, or in any way to hinder those engaged in its construction.

Two pounds are hereby established within the Central Park, for the impounding of horses, cattle, sheep, goats, dogs, swine, and geese found trespassing upon said Park. All such animals found at large upon the Park may be taken by any person or persons, and driven or carried to one of the said pounds, and may be kept enclosed therein during five days, at the end of which time, if not previously claimed, they may be sold at public auction; provided that within two days after they shall have been impounded, notice of the sale shall have been conspicuously posted in the pound.

Any person claiming property in such impounded animals before the day of sale, may recover the same after suitable proof of his or her right thereto, upon payment for each animal

other than geese, of two dollars and the expenses of keeping, and for geese twenty-five cents and the expenses of keeping; the expenses of keeping to be reckoned as follows:

For each horse, dog, or head of neat stock, fifty cents per day.

For each goat, swine, or sheep, twenty cents per day.

For each goose, five cents per day.

These charges shall be paid to the property clerk of the Board, and the money thus collected shall by him be handed over, within one week, to the treasurer of the Board.

If, within one month after the sale of any impounded animals, their former owner shall appear and claim the same, the treasurer shall, after deducting the full amount of the charges provided for above, pay over to him the proceeds of their sale; otherwise the amount shall be added to the funds of the Board.

No animal shall travel on any part of the Central Park, except upon the "ride," or equestrian road, at a rate exceeding seven miles per hour. Persons on horseback shall not travel on the "ride," or equestrian road, at a rate exceeding ten miles per hour.

No vehicle shall be permitted on the "ride," or equestrian road, the same being devoted exclusively to equestrians; nor shall any vehicle, horse, or animal of burden, go upon any part of the Central Park except upon the "drive" and other carriage and transverse roads, and upon such places as are appropriated for carriages at rest.

No animal or vehicle shall be permitted to stand upon the "drive" or carriage roads of the Central Park, or any part thereof, to the obstruction of the way, or to the inconvenience of travel, nor shall any person upon the Central Park solicit or invite passengers.

No hackney coach, carriage, or other vehicle for hire, shall stand upon any part of the Central Park for the purpose of taking in any other passengers or persons than those carried to the Park by said coach, carriage, or vehicle.

No person shall expose any article or thing for sale upon the Central Park, except previously licensed by the Board of Commissioners of the Central Park, nor shall any hawking or peddling be allowed on the Central Park.

No omnibus or express wagon, with or without passengers, nor any cart, dray, wagon, truck, or other vehicle carrying goods, merchandise, manure, soil, or other articles, or solely used for the carriage of goods, merchandise, manure, or other articles, shall be allowed to enter any part of the Central Park except upon the transverse roads.

No threatening, abusive, insulting, or indecent language shall be allowed on the Central Park, whereby a breach of the peace may be occasioned.

No person shall be allowed to tell fortunes or play at any game of chance at, or with any table or instrument of gaming, nor to do any obscene or indecent act whatever on the Central Park.

In case of an emergency, where life or property are endangered, all persons, if required so to by the Superintendent, or any of his assistants, shall remove from the portion of the Central Park specified by the Superintendent or his assistants, and remain off the same till permission is given to return.

The Central Park shall be open daily to the public during the months of December, January, and February, from seven o'clock in the morning until eight o'clock in the evening; during the months of March, April, May, June, October, and November, from six o'clock in the morning until nine o'clock in the evening; and during the months of July, August, and September, from five o'clock in the morning until eleven o'clock in the evening.

The Superintendent may direct that any of the entrances to the Park be closed at any time, and may, on special occasions, also direct that the Park, or any portion thereof, remain open at other times than those above specified.

No person, other than employees of the Board of Commissioners of the Central Park, shall enter or remain in the Central Park, except when it is open, as above provided.

No dog shall be allowed upon any portion of the Central Park, unless led by a chain or proper dog-string, not exceeding five feet in length, nor shall any person be allowed to lead any quadruped (except dogs) in the Central Park.

No person, except in the employ of the Board of Commissioners of the Central Park, shall bring upon the Central Park

any tree, shrub, plant, or flower, nor any newly-plucked branch, or portion of a tree, shrub, plant, or flower.

No person shall bathe, or fish in, or go, or send any animal into any of the waters of the Park, nor disturb any of the fish, water-fowl, or other birds in the Park, nor throw, or place any article or thing in said waters.

No person shall fire, discharge, or set off in the Central Park, any rocket, cracker, torpedo, squib, balloon, snake, chaser, or double-header, nor any fireworks or thing under any other name, composed of the same or similar material, or of the same or similar character, as the fireworks above specified.

No person shall place or propel any invalid chairs or perambulators upon any portion of the Central Park, except upon the walks.

No person shall post or otherwise affix any bill, notice, or other paper, upon any structure or thing within the Central Park, nor upon any of the gates or enclosures thereof.

No person shall, without the consent of the Comptroller of the Park, play upon any musical instrument within the Central Park, nor shall any person take into, or carry or display in the Central Park, any flag, banner, target, or transparency.

No military or target company, or civic or other procession, shall be permitted to parade, drill, or perform upon the Central Park, any military or other evolutions or movements.

B.

Description of the Central Park, with an explanation of the purposes of the work already done upon the site, and of that in immediate contemplation.

SIZE AND FORM.

The Central Park is about two miles and a half long, and half a mile wide, bounded on the sides by straight parallel "avenues," and at the ends by streets crossing these at right angles. It is now enclosed by a rough, dry stone wall, four and a half feet high, in which there are gates at convenient intervals. The area enclosed is about seven hundred and sixty-eight acres, of which one hundred and thirty-six acres are occupied by the reservoirs of the Croton aqueduct, whence the city is supplied with water.

THE RESERVOIRS.

The old reservoir covers thirty acres, and stands upon high ground in the centre of the Park. The embankment is faced exteriorly with dressed stone, and, except where obscured by the recent improvements, forms a conspicuous object in the view from nearly all points in the southern half of the Park. The new reservoir (the construction of which was commenced in April, 1858) is irregular in outline, and when completed, will cover one hundred and six acres. The reservoirs are not under the control of the Park Commission, and are too much elevated for the water within them to form a part of its landscapes.

DIVISIONS OF THE PARK.

The Park is practically divided by the reservoirs into two portions, the northern, or upper park, containing 160 acres, the lower park containing 331 acres, and the connecting ground

lying on both sides of the reservoirs, 135 acres. It will be further subdivided by four thoroughfares, one crossing it between the reservoirs, one at each end of them, and the remaining one near the middle of the lower park. These thoroughfares are to be so constructed, by means of tunnels and other contrivances, as not to interrupt the landscape, or practically effect any division of the Park. Roads and walks will cross them in such a manner, that when the trees and shrubbery by their side are somewhat grown, they will not be seen by the casual observer. They will be noticeable from no part of the Park, except at their extremities, where they unite with the exterior streets, at a higher grade than the surface of the Park; appearing as causeways, a few hundred feet in length, terminating upon a hill-side. One of these causeways near the Fifth avenue, at Sixty-fifth street, which is nearly completed, is pierced by an archway, in order to accommodate a walk. The Park not being directly accessible from these covered ways, it will be unnecessary to close them at night, when the public are shut out from the Park itself. They will furnish the means of direct transit across the Park for business purposes, without causing inconvenience to its visitors.

Two of these roads are now nearly completed, one of them being already in use.

TOPOGRAPHY OF THE SITE—THE LOWER PARK.

When purchased by the city, the southern portion of the site was already a part of its straggling suburbs, and a suburb more filthy, squalid, and disgusting can hardly be imagined. A considerable number of its inhabitants were engaged in occupations which are nuisances in the eye of the law, and forbidden to be carried on so near the city. They were accordingly followed at night in wretched hovels, half hidden among the rocks, where, also, heaps of cinders, brick-bats, potsherds, and other rubbish, were deposited by those who had occasion to remove them from the city. During the autumn of 1857, three hundred dwellings were removed or demolished, by the Commissioners of the Central Park, together with several factories, and numerous "swill milk" and hog feeding establishments. Large tracts partially

covered by stagnant water were superficially drained, and 10,000 cart loads of loose stone, taken from the surface and conveyed to the borders of the Park, furnishing materials for the construction, during the winter, of the present enclosing wall.

Even after the removal of the buildings of all kinds, and the drainage of the pools, the lower park still presented a most confused and unsightly appearance. Before it had been taken for the Park, the grading of streets through and across it had been commenced, and the rude embankments and ragged rock excavations thus created, added much to the natural irregularities of its surface. A swampy valley (which will hereafter be referred to as the "southern valley") extended from the junction of Seventy-seventh street and Eighth avenue to the corner of Fifty-ninth street and Fifth avenue. A similar valley (the "central valley") extended from the junction of Seventy-seventh street and Eighth avenue to that of Seventy-fourth street and Fifth avenue. Between Sixty-seventh and Seventy-second streets, and adjoining Fifth avenue, was a tract (the "eastern plateau") of ten acres, moderately smooth, and used as a pasture and market garden. A similar tract (the "central plateau") of nearly equal dimensions, lay midway between the last-mentioned one and the west side of the Park. Both tracts were rocky, and a portion of the smaller was a bog.

The remainder of the lower park was made up of low hills and hillocks, the rock of which they were chiefly composed everywhere cropping out, sometimes boldly, more generally barely breaking through the soil, not unfrequently with a considerable surface, nearly flat, in the depressions of which a few meagre shrubs and grasses struggled for existence. With the exception of portions of the two swampy valleys and the two ten-acre tracts above mentioned, and about three acres on Sixty-sixth street near Sixth avenue, there was not an acre in which the great underlying ledge of gneiss rock did not, in some form, thrust itself above the surface. Probably not a square rood could be found throughout which a crowbar could be thrust its length into the ground without encountering rock. Often in places where no rock was visible, it has been found, in the progress of the work, to be within from three inches to two feet of the surface, for long distances together.

MOTIVE OF THE PLAN.

The primary purpose of the Park is to provide the best practicable means of healthful recreation for the inhabitants of the city, of all classes. It should have an aspect of spaciousness and tranquility, with variety and intricacy of arrangement, thereby affording the most agreeable contrast to the confinement, bustle, and monotonous street division of the city. It should, that is to say, as far as practicable, present to the eye a charming rural landscape, such as, unless produced by art, is never found within the limits of a large town; always remembering, however, that facilities and inducements for recreation and exercise are to be provided for a concourse of people, and that the object of the scenery to be created is only to further the attainment of this end in the most complete and satisfactory manner. No kind of sport can be permitted which would be inconsistent with the general method of amusement, and no species of exercise which must be enjoyed only by a single class in the community to the diminution of the enjoyment of others. Sports, games, and parades, in which comparatively few can take part, will only be admissible in cases where they may be supposed to contribute indirectly to the pleasure of a majority of those visiting the Park. The Park is intended to furnish healthful recreation for the poor and the rich, the young and the old, the vicious and the virtuous, so far as each can partake therein without infringing upon the rights of others, and no further.

Casual observers have been apt to think the selection of the site an unfortunate one, its general ruggedness being rather forbidding, than expressive either of dignity or grace. But this was due very much to the absence of soil and foliage. As these are supplied, the quality of picturesqueness becomes agreeably prominent. Grass and shrubbery can be formed anywhere, but rocks, and those salient forms of earth-surface which are only found in nature where rock exists, can never be imitated on a large scale, with perfect success. Although, therefore, it will require a heavy expenditure to make the Park complete, the final artistic effect should be much finer than could have been

expected upon a tract of the richest and most easily worked soil, the natural outlines of which were invariably graceful.

If the soil, which has been removed from the site of the lower park, could be replaced and the primeval forest restored, however,—only such walks and drives being constructed through it as would make all parts readily accessible,—the general effect would still be unsatisfactory, from the want of breadth and expanse in the landscapes. It would be—so to speak—monotonous in its irregularity, the eye soon wearying of the ceaseless repetition of rocks and hillocks, with meagre depressions of surface between them. To remedy this natural defect, three considerable pieces of ground were chosen by the designers, to be cleared of all obstructions, and brought to level, or nearly level surfaces.

TREATMENT OF THE CENTRAL PLATEAU.

One of these, near the centre of the lower park, includes the central plateau of ten acres heretofore described as somewhat boggy and rocky, with nearly twenty acres more, lying to the westward and southward. The boggy portion has been filled in to an average depth of two feet, and all rocks protruding have been removed by blasting; some large ledges of rock adjoining have been reduced, and the intervening depressions filled in a similar manner; all remaining rock surface has then been covered with two feet of soil, and thus about thirty acres of level or but slightly undulating ground has been formed. This appears as a stretch of turf, about a quarter of a mile across, unbroken by a single road or foot-path. It may be used upon special occasions, for military displays. Ordinarily, it will be like a great country green or open common,—a place where children may run about and play until they are tired; in nobody's way, and without danger of being run over, or injured if they fall. A rocky ridge bounded the plateau on the northeast, which has been reduced by blasting sixteen feet, throwing open from opposite points the two finest views on the Park. The rock and earth removed from the ridge, together with that taken from a low hill, a quarter of a mile to the southward, have been used to fill a swamp lying east of the Green, and this

being further covered with made soil to the depth of four feet, an additional level space has been obtained, about eighty rods in length and twelve rods in breadth. This space has been planted with four rows of American elms, forming a broad mall, and is intended to be provided with a fountain at either end, seats for visitors, and accommodations for an orchestra. At its southern extremity, gentle slopes of turf, little broken by rocks or trees, will conduct to a lawn-like surface, formed upon the smooth ground before described as the eastern plateau. Views of an open and tranquil character are thus obtained, for a quarter of a mile in either direction, terminating in a forest of obscurity, and the general ruggedness of the park, is, in this vicinity, almost obliterated.

TREATMENT OF THE SOUTHERN VALLEY.

All rocks of insignificant size, and such as would have given an appearance of disagreeable barrenness, have been removed from the greater portion of the southern valley. Some low parts have been filled up, and a level surface fourteen acres in extent thus obtained, upon which no trees will be planted, it being intended more especially as a play ground for match games at cricket and base-ball. Some fine rocks overhang the lower and narrower end of the valley, which will be occupied by a pond of about five acres in extent, rendered necessary at this point by other than picturesque considerations.

TREATMENT OF THE CENTRAL VALLEY.

The western part of the central valley has been made more spacious by the removal of the smaller rocks, and the earth surrounding the larger, so as to form a shallow basin of irregular outline. This basin will be almost entirely occupied by a pond, twenty acres in extent, the view across which, from the most favorable point, will be of considerable breadth, and entirely unbroken for upwards of a quarter of a mile.

This is the pond which, having been each year filled in the autumn, has afforded welcome accommodation to many thousand skaters.

THE RAMBLE, THE WATER TERRACE, AND THE BELL TOWER.

To the north and east of the pond is a broad hill-side, broken by ledges of rock and bestrewn with boulders. It furnishes an interesting picture viewed from almost any point, but particularly so from the end of the mall; on the descent from which to the pond an ornamental stone terrace is under construction. At the highest and most remote part of the hill, as seen from this terrace, a small tower will be erected, and this will be the vista-point of the avenue of the mall. Looking northward from the terrace, it will be the only artificial structure in sight, (the reservoir being "planted out," and the rising ground on the right and left shutting off the city.) The whole breadth of the Park will be brought into this landscape, the foreground of which will be enriched with architectural decorations and a fountain, the middle distance, composed of rocks, with evergreens and dark shrubs interspersed among them, reflected in the pond; and the distance extended into intricate obscurity by carefully planting shrubs of lighter and more indistinct foliage among and above the gray rocks of the back-ground. This hill-side, being isolated in position, is crossed by no road, but entirely laid out with secluded walks, bordered by shrubbery, and the work upon it was so far advanced during the first year's operations, that already the last summer, it proved a very satisfactory resort to the public. Some of the most promising parts of it, however, are as yet but meagerly furnished, and whatever charms it has, will, in a few years, be immeasurably increased.

The bell tower, at the summit, offers the best position from which to obtain a bird's-eye view of the whole Park, and of the work going on within it. It is a temporary structure, used to transmit orders to the officers of the work, by signal, and is open to visitors during the day.

The principal landscape features of the lower park, so far as they are matters of immediate construction, have thus been indicated.

PLAN OF THE ROADS AND WALKS.

The Park will be chiefly valuable as furnishing a place for agreeable exercise, (or, as the phrase is, "taking the air,") as a relief from the confinement of houses and streets. This will be obtained by the mass of the community, by riding, driving, or walking, as best suits the inclination or means of each individual.

In order to the highest enjoyment of either of these modes of exercise, each needs to be pursued in a great degree separately from the others. A carriage coming directly upon the course of a pedestrian or of a man on horseback, is often an annoyance, sometimes positively dangerous. A horseman riding close upon a man on foot, on the same path, will unpleasantly disturb him, even without coming in direct contact. The mere consciousness that one's path may be crossed by a horse or carriage, causes with some a feeling of anxiety. The sunken and tunnelled street thoroughfares across the Park were planned to remove what would otherwise have been a ceaseless annoyance. Extending the application of the same expedient, several miles of gravelled walks have been laid out, carried by arched passages under the drives when necessary, by means of which all parts of the lower park may be traversed on foot, without encountering a single carriage or horseman. The rides are everywhere in like manner made independent of the drives, but horsemen can enter the carriage-roads if they choose. Walks also generally accompany the drives, on one or both sides, within conversing distance.

The principal roads, as will be seen on the map, are carried near the exterior, yet at such a distance that the boundary may easily be obscured from them.

TREATMENT OF THE UPPER PARK.

The natural surface of the upper park is much more homogeneous than that of the lower. The plan is of corresponding simplicity. Near the base of the rocky ridge upon which the northern embankment of the new reservoir abuts, a transverse

road will cross the Park on a similar plan with those below. North of this, extending to One Hundred and Third street, and midway between the east and west boundaries of the Park, two connected plateaus of turf, amounting to about eighteen acres, have, during the last year, been formed, (that being all the space which the rocky ledges leave available.) The roads and walks will pass along the more broken ground to the east, west and north of these. The rivulet in McGowan's pass will be dammed so as to form a pool, at the west end of which the carriage road will be carried across the valley upon a stone bridge of three arches. The mode of laying out the grounds forming the extreme northern portion of the Park has not been definitely decided upon, on account of the prospects of an extension of its limits in this direction, and the establishment of an observatory on the bluff.

THE ARBORETUM.

The explanation of the plan which has thus far been given, is intended to enable the public to understand more readily the value of the work which has already been done, and the nature of that for which expenditure will principally be made during the ensuing season.

It is further intended to introduce an arboretum, in which, within a space of about sixty acres, will be arranged in as natural a manner as possible, consistently with convenience for study, specimens of every tree and shrub which can be grown upon the site in the open air. The hill-side and valley between the Fifth avenue and the east drive of the upper park is reserved for this purpose.

In the general planting of the Park, it is hoped that every kind of tree which will flourish in the climate may be introduced.

WINTER DRIVE.

It is intended to arrange along the west side, between Seventy-second and One Hundred and Second streets, a winter drive, about a mile and a half in length, planted somewhat

thickly with evergreens, deciduous trees and shrubs being introduced only so far as necessary to avoid a monotonous and gloomy effect. Open glades of grass will break the uniformity of these plantations of evergreens, as the effect aimed at is not so much that of a drive through a thick forest crowded with tall spindling trees, as through a richly wooded country, in which single trees and copses have had plenty of space for developing their distinctive characteristics to advantage.

PLANTING.

The last remark applied to the general intention of planting the Park, in which American trees of the stateliest character, standing somewhat openly, are designed to predominate wherever the nature of the surface will permit. The general ruggedness of the site, however, will lead to a more liberal use of evergreens, shrubbery, and especially of climbing and trailing plants, than is customary in European parks.

C.

To the Hon. JOHN McLEOD MURPHY,

Chairman of Committee of Investigation of Central Park :

Sir,—In pursuance of the appointment of the committee to examine the works in the Central Park, dated October 16th 1860, I have carefully examined the finished part, as well as that in progress of construction. The time allowed for the investigation being comparatively very short, considering the magnitude, extent, and diversity of those works and structures, and as it would also be too voluminous and lengthy to refer to all the details, I therefore condense the facts as to the main points, commencing with the drainage, as the most important part for the preservation of the whole.

1. The agricultural drainage in the Central Park is effectually and satisfactorily executed, although there was some very unfavorable ground required to be drained. The water thus collected through the extensive branches of the drain-tile, runs through vitrified pipes, of proper dimensions, and is purified in filters of proper construction, before entering, as feeders, into the respective lakes. The whole drainage lays below the penetration of frost, and has its proper inclination and dimensions.

2. The superficial drainage is also done in a systematic and approved manner, and the capacity, respective distance, and location of the silt basins so arranged that even the heaviest rain will not produce any serious damage. As both those systems of drainage seem to be sufficient and adequate to the present want, they still will prove more perfect after the completion of the Park.

3. The roads are constructed in a very good and substantial manner, and nothing seems to have been spared to make them as perfect as possible ; their proper drainage, the pressing of the road-bed, the foundation laid according to the rules of the

two best road systems, will keep them hard and dry, and involve but small outlay for repairs. The width of the roads is in due proportion to the number and class of visitors; the curbs and gutters are well set, and the grades and curvatures are graceful.

4. The bridges already erected, and those now building, are of the most substantial and perfect character; their style of architecture identical with the idea and system of a grand park. They, too, are properly drained above and below, and built of first-rate material almost throughout. Some of them are rather stronger than the occasion actually requires; and also the laying of the iron bridge across the skating pond, on an abutment with rollers, could have been dispensed with. It is very natural that these many and splendid superstructures present, to the public in general, a somewhat stiff and artificial appearance. It is only with the growth of the trees, and the development of the landscape that their effect will be fully appreciated.

5. The system for conducting and distributing water for irrigation, fountains and watering places in iron and cement pipes is a good and economical one, and of ample capacity for contingencies. But it is my opinion, that a park of such magnitude, with such costly structures, ought to have its own and independent supply of water, and not draw it from the Croton aqueduct at the future expense of an increased population. There are also some elevated grounds in the northern part of the Park which cannot be supplied from the reservoir.

6. The works are carried on under efficient and proper supervision, and under a strict discipline; the best order and system prevails in the different offices as well as on the grounds, and in that respect there is no other public work in the United States to be compared with the Central Park.

7. Finally, I would state, that the plan and laying out of the park, the design, location, and proper construction of the four transverse roads, the division of roads and drives, rides and

walks, the availing of natural propensities, the graceful grades and curvatures, the magnificent bridges, beautiful lakes and picturesque landscape, do as much honor to the taste, refinement, and wealth of the metropolis, as credit to its designer and executor.

All of which is respectfully submitted.

JULIUS KELLERSBERGER,
Civil Engineer.

NEW YORK, November 23, 1860.

City and County of New York, ss. :

Julius Kellersberger, civil engineer, being sworn, says: That the foregoing statement made by him, is in all respects correct and true.

JULIUS KELLERSBERGER.

Sworn to before me, this }
23d November, 1860. }

GEO. W. WARNER, Commr. of Deeds.

CHAP. 88.

AN ACT to amend an Act entitled "An Act to amend an Act entitled 'An Act for the regulation and government of the Central Park in the City of New York,' passed April 17, 1857, and further to provide for the maintenance and government of said Park," passed April 15, 1859, and further to provide for the construction, maintenance and government of the said Park.

Passed March 27, 1861.

The People of the State of New York, represented in Senate and Assembly, do enact as follow :

SECTION 1. The Commissioners of the Central Park now in office shall continue to hold office for five years from the expiration of their present term of office, and until others are appointed in their stead, and shall continue to be and constitute the Board of Commissioners of the Central Park, and may, at any time during their continuance in office, fill any vacancies occurring in their number, and shall possess all the rights, powers, and authorities heretofore conferred by any act or acts of the Legislature of this State upon Commissioners of the Central Park, or upon the said Board.

§ 2. So much of the second section of an act entitled "An Act to amend an act entitled an act for the regulation and government of the Central Park, in the city of New York, passed April seventeenth, eighteen hundred and fifty-seven, and further to provide for the maintenance and government of said Park," passed April fifteenth, eighteen hundred and fifty-nine, as limits the term of office of the Commissioners of the Central Park, therein mentioned, to five years, from the passage of the act thereby amended, and as provides the mode of filling vacancies occasioned by expiration of terms of office, and all acts and parts of acts, inconsistent with this act, are hereby repealed.

§ 3. The said Board is hereby authorized to take and hold any gifts, devises, or bequests that may be made to said Board, upon such trusts and conditions as may be prescribed by the donors or grantors thereof, and agreed to by said Board, for the purpose of embellishing or ornamenting said Park; and shall annually make in its report a statement in detail of the condition and value of all such gifts, devises, or bequests, and of the names of the persons by whom the same are so given, devised, or bequeathed.

§ 4. This act shall take effect immediately.





MAP