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DOCUMENT No. 33.

BOARD OF

ASSISTANT ALDERMEN,

DECEMBER 21st, 1840.

Report of the Committee on the Croton Aqueduct, on the Petition of John M. Bradhurst, for remuneration, for injuries done his property in the opening of the Tenth Avenue. Presented by Mr. Underwood. Adopted.

EDWARD PATTERSON, Clerk.

The Committee on the Croton Aqueduct, to whom was referred the petition of John M. Bradhurst for relief, respectfully

REPORT:

That they have visited the premises occupied and owned

by the petitioner; and find as stated by the petitioner, that the Commissioners have regulated that part of the Avenue, which is occupied by the Aqueduct passing through his place, some fifteen or twenty feet above the present grade of the ground, or higher than would be graded for the purpose of a highway, and for which purpose only the petitioner, with reluctance, by the persuasion and advice of the Street Commissioner, ceded said Avenue, some six or seven years since, at which time it was not known or suspected that the said Avenue would be occupied by the Aqueduct. And your Committee are satisfied that in consequence of such occupancy by the Commissioners, the petitioner has been, and is likely to be seriously damaged. First, from the high grade established to accommodate the Aqueduct, greatly impairing the value of his property, each side of the Avenue, by leaving it some fifteen or twenty feet below such established grade—Secondly, by interposing an unsightly barrier between his house and the river, and cutting him off from improvements that have cost much labor and expenditure of money—Thirdly by subjecting him to great expense and vexation in maintaining his fences, and the loss of fruit, &c. by the labourers engaged on the work.

Your Committee are satisfied that the petitioner has met with great injustice, first from the Commissioners for opening the Tenth Avenue, by assessing him in the sum of One Thousand and Fifty-two Dollars and Nineteen Cents, after he had ceded his land; and, secondly, by the Water Commissioners, in not allowing him such damages as he may have received in consequence of keeping their level grade, and which they would undoubtedly have had to do, had he not ceded his land to the city for another entire purpose, and to which your Committee think he is justly entitled. With these views, your Committee recommend the following resolution:

Resolved, That the Comptroller draw his warrant in favor of John M. Bradhurst for the amount of his assessment, in the matter of opening the Tenth Avenue.

DAVID VANDERVOORT, }
MOSES G. LEONARD, } Committee.