

**BOARD OF
ASSISTANT ALDERMEN.**

OCTOBER 13, 1831.

The Comptroller having made a Report, in relation to the Williamsburgh Ferry, it was ordered to lay the same on the table, and print it, with the accompanying documents, for the use of the members.

B. CRANE, *Clerk.*

To the Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened:

The undersigned, owners of the Williamsburgh Ferry,

RESPECTFULLY REPRESENT,

That the Pier or Wharf attached to said Ferry, and belonging to your honorable body, on the Williamsburgh side, has, during the past season, sustained great damage by the floating ice, a considerable part of it having been entirely destroyed: That its present condition makes it necessary that some repairs should be done without delay, in order to preserve it from entire destruction, and to enable the Ferry Boats to enter the Slip with ease and safety: That in the opinion of the undersigned, in order to make it sufficiently firm and substantial to resist the violent current on that side

of the River, the bulkhead ought to be extended beyond its length before it was carried away: And they submit to your honorable body the propriety of adopting suitable measures for that purpose.

MILES HITCHCOCK,
 SILAS BUTLER,
 JOHN LORIMER GRAHAM.
 JAMES M. HALSEY,
 A. WINANS,
 HENRY REMSEN.

New-York, 28th April, 1831.

THE Ferry Committee, to whom was referred a resolution that Two Thousand Dollars be appropriated for Extending the Pier at Williamsburgh Ferry, on the Long Island side, and to Repair the Wharf and Bridges connected with said Ferry,

RESPECTFULLY REPORT,

That they have personally examined the situation of the Pier, Wharf and Bridges belonging to the Corporation of the City of New-York at Williamsburgh, and have been assisted in that duty by the Superintendent of Wharves and Piers, who concurs with your Committee in the opinion that, in consequence of the carrying away of about twenty feet of the Pier by the ice during the last winter, and its present delapidated condition, measures ought to be forthwith adopted to repair the same. That your Committee are fully of opinion, that in order to prevent a recurrence of a similar disaster, and make the Pier and Wharf substantial and permanent, the Pier should be extended at the public expense, under direction of the Superintendent of Repairs, at least forty feet on the southerly side, and on the northerly side should be taken down thirty feet, to low water mark,

rebuilt, and extended fifteen feet. The Committee believe to accomplish this valuable and indispensable improvement, it will cost at least Two Thousand Five Hundred Dollars.

The Committee therefore offer the following Resolution—

Resolved, That Two Thousand Dollars be appropriated for Extending and Repairing the Pier at the Williamsburgh Ferry, on the Long Island side, in conformity with the foregoing Report.

JOHN YATES CEBRA,
THOMAS JEREMIAH,
GEORGE D. STRONG.

New-York, July 18, 1831.

THE Comptroller, to whom was referred the annexed papers relative to the Repairs and Extension of certain Piers or Wharves at the Williamsburgh Ferry, on the Long Island side,

RESPECTFULLY REPORTS,

That the owners of the Williamsburgh Ferry, viewing the Corporation of the city of New-York as the owners of the said Piers or Wharves, have applied to them as of course and of right, to have the property repaired, at least so far as to be placed in a state of occupancy for the winter; and the proceedings of the Board of Aldermen are in accordance with that view of the subject, which is doubtless founded on the right of pre-emption attaching to the two lots (owned by the Corporation and leased to Messrs. J. & T. Morrell,) in front of which these piers are located.

The main facts of the case are briefly these, viz: By a Deed of Conveyance from Thomas Morrell and wife, dated August 3d, 1805, the Corporation of New-York own two lots of ground—one lot on each side of Grand-street, at Mor-

rell's Point, Long Island, bounded by, and running along the high water mark twenty-five feet.

The Piers in front of those lots have been built at other expense than the Common Council, and until the present application, it does not appear that the Common Council have ever been called upon to do any act by which they would have exercised the right, and assumed the responsibilities of ownership in said property.

The law and the fact are so intimately connected in this matter, that to furnish a full knowledge of the subject, it is requisite to recite so much of the Law as bears directly on, and is applicable thereto, which will be found on referring to the Revised Statutes, vol. 1st, Chapter 9th, Title 5th, Article 4th, "of Grants of Land under Water."

"Sec. 67. The Commissioners of the Land Office shall have power to grant so much of the lands under the waters of navigable rivers or lakes, as they shall deem necessary, to promote the commerce of this State; but no such grant shall be made to any person other than the proprietor of the adjacent lands, and every such grant that shall be made to any other person, shall be void."

"Sec. 70. Every applicant for a grant of land under water, shall, previous to his application, give notice thereof by advertisement, to be published for six weeks successively, in a newspaper printed in the county in which the land so intended to be applied for, shall be situated; and shall cause a copy of such advertisement to be put up on the door of the Court House of such county, and if there be no court ^{house} in the county, then at such place as the Commissioners shall direct."

Thus then, the Corporation of New-York having as yet made no application for, have not received the grant of the Commissioners of the Land Office, rendered by law necessary to invest them with an absolute right to the premises in question. It follows, therefore, that as their legal title is as yet imperfect, the whole subject, so far as they are concerned, is resolved into a case of *expediency alone*; and can

claim their attention only as it may affect the public convenience or public interest.

The convenience of the public is thought to be provided for by the conditions of the lease, and the known responsibility of the present owners of the said Ferry.

That the Common Council may be the better enabled to determine how the public interest would be affected, by causing the proposed improvements to be made at the public expense, and at the present time, the Comptroller deems it his duty to state several facts in relation to this property, which may have an important influence in the decision to be made, viz :

The situation of those Piers is at the extremity of the point of land known as Morrell's Point, they are consequently exposed to the dangers of a violent current during both the ebb and flood tides. The northerly Pier is partially protected in its present extent ; the southerly Pier is without any protection whatever, and as it has received, so it must continue to receive the whole force of the current, until shielded in some degree by improvements yet to be made below it ; and if the extension as well as repairs should be made as suggested, the liability to damage will of course be proportionably increased.

The depth of water at the present termination of those Piers (which exceeds one hundred and eighty feet from high water mark) is said to be about twenty-three feet, and as the shore is receded from, a very rapid increase of depth must be calculated on, from the very nature of things ; and to make a reasonable estimate of the probable cost of the whole improvement suggested, it would seem to be necessary that the proper soundings should first be taken ; of which no mention is made in the documents referred to the Comptroller.

In case, however, the Corporation should finally determine it to be expedient for them to proceed in perfecting their title, and make the disbursement from the Public Treasury, it is deemed to be incumbent on the Comptroller to apprise them, that for similar expenditures on this side the

river at the Walnut-street and Catherine-slip Ferries, and at the Courtlandt-street Ferry, the lessees were required to pay an additional rent, equal to the interest on the costs of the improvements respectively.

Respectfully submitted by!

T. I. WATERS, Comptroller.

New-York, 13th Oct. 1831.

Mr. John Y. Cebra, Esq. Chairman of the Ferry Committee.

SIR,

Agreeable to your request, I have examined the Wharves at the Ferry at Williamsburgh, and find that about twenty feet of the westerly Pier has been carried away last winter with the ice, and that the remainder part is very much decayed, and will require to be taken up to low water and rebuilt. The easterly Pier is also very much decayed, and will want similar repairs to put it in good order. The probable cost will be from fifteen hundred to two thousand dollars.

Mr. Marrall, the Agent of the Ferry Company, said that he had stated to the former Ferry Committee, the necessity of lengthening out the Piers, so as to make a better harbour for the Steam Boats, and they had agreed with him that it was necessary, but as I have had no instructions about it, I merely mention it for the consideration of your Committee.

Respectfully submitted,

DANIEL HAGEMAN,

Superintendent of Wharves.

New-York, June 14th, 1831.