

To The Honorable, the Mayor and Aldermen
of the City of Cambridge; -
Gent^l

I will not detain you by recapitulating my grievances with regard to the award for land damages for widening Bridge St. Suffice it to say an arbitrary award for foot on the entire line was made without discrimination with regard to the assessed valuation of property by sworn assessors of the city. After months of tedious and unsuccessful effort to get our case before a disinterested reference, rather than have a law suit with the city we accepted the situation, not however until we were assured by Ex Mayor Harding that "betterments" if assessed would be nominal. At this late day we find in place of nominal betterments, a rate of percentage charged more than double that assessed in Boston for the widening of Federal St. and very much higher than charged in any case in Charlestown. The undersigned respectfully petition your Hon Body that the betterments charged on the property he represents on the late widening on Bridge St. may be greatly reduced from the present rate charged against the estate, he believing them to be excessive and that they may be more in accordance with equity and justice and with the practice of adjoining cities. It will be remembered the widening of Bridge St. was for the public good, none of the property holders on said street either petitioned for or desired it.

Most respectfully
Benjⁿ V. Smith

Letter of B. G. Smith.

City of Cambridge
Feb 21. 1872

The Committee on Roads and Bridges upon whom has devolved the duty of assessing the betterments occasioned by the widening ^{of Bridges} St. between Cambridge St. and Craigie's Bridge have given the subject a faithful and careful consideration -

A minority of the committee being unable to endorse the views of the majority beg leave to submit the following report.

In 1870 a petition was presented to the City Government for the widening of this street signed by many prominent citizens, and all residing nearly a mile distant. This petition was favorably received by the City Council, and the improvement decided upon pursuant to the provisions ^{of Chapter} 174 of the acts of 1866 - which at first applied only to the City of Boston. But by an act passed in 1868 - Chapter 15. it was made applicable to any and all cities in the Commonwealth.

Under this act an amicable adjustment of damages was made with all the abutters save one, with the supposition that the same parties would assess betterments, and with the distinct understanding with Mayor Harding and other members of the City Government that said assessment would be but nominal.

An act passed in 1871 - Chapter 382. reads as follows. At any time within two years after any street, highway or other way is laid out, altered, widened, graded or discontinued, when in the opinion of the board of city or town officers authorized to lay out streets or ways respectively therein, any real estate, including that, a part of which may have been taken for such purpose, shall receive any benefit and advantage therefrom, beyond the general advantage to all real estate in the city or town where the same is situated, such board may adjudge and determine the value of such benefit and advantage to any such estate, and may assess - but in no case shall the

assessment exceed one-half ~~half~~ the amount of such adjudged benefit-

By the provisions of that act your Committee have decided to levy said assessments after a lapse of two years-

We desire to ~~the~~ call the attention of the City Council to the phraseology of this act. It expressly states that in no case shall the city assess more than one-half of the adjudged benefit to the abutting estates, beyond the general advantage to all real estate in the city or vicinity.

We know of no better evidence of the advance in value of real estate than actual sales-

The City Council of 1870. awarded as damages 1.25 pr foot for land taken for this widening, but as it may be said this was front land, we will place the value at 1.00 pr foot. In 1871. one year or more after this widening was made, two lots of land, less than 100 feet deep, fronting on this street were sold, one at 1.55 the other at 1.25 pr foot.

Two of the most eligible ^{where} were also leased for a term of years, for less than five per cent, basing the cost at 1.2 pr foot. While land on the line of Cambridge St. from Bridge St. as far up as Attwoods Corner. which was sold in 1870 ^{at} 1.5- 36- and .50 pr foot, has been sold within a year at fifty cts & one dollar pr foot. From this statement, ^{where} we would ask is the ^{original} betterment?

Then consider the condition of this St. before this widening was made. ~~From this statement where we would ask is the special benefit.~~ It was very narrow, with a double Rail Road track in the centre, and two broad avenues leading into it. The one was a main thoroughfare from Hamerville, Arlington & Medford. the other from Cambridge, Watertown & Brighton, and Prison Bridge, (so called) entering it about midway-

Over all these avenues there was a large and daily increasing travel, and the public called for relief.

The City Council wisely decided to make this widening not as a special benefit to the abutting estates, but as a great public benefit-

We would also call the attention of the City Council to the system adopted in other cities where the betterment law has been applied-

In Charlestown they have never assessed over thirty per cent. and even that has often resulted in litigation. In the City of Boston they have no fixed policy but assess betterments as parties are, more or less benefited, which in our judgement is the most judicious.

We will cite but two cases, Scollay Square and Federal St. The latter would seem to be a parallel case with Bridge St. as wharves extend the whole length of one side. The expense of this widening was ~~306,039.35~~ 306,039.35. The assessments were 70,913.35, or 23 per cent.

The cost of the Scollay Square improvement was 185,000.00. The assessments were 60,000.00, less than 33 per cent.

It has been said that it is desirable to make this a test case, as this is our first action under the betterment law. We would admit it. But we would ask in all candor if it is policy for the city to take a position which will certainly lead to litigation, and all past experience assures us, we should be defeated in the end.

In view of all the facts in the case a minority of your Committee believe it would be inequitable to adopt the ~~over~~ report of the majority.

We are confident the abutters do not desire litigation, and would cheerfully submit to a reasonable assessment to avoid it. We are equally confident they will not abide by the report of a majority of your Committee.

We would therefore recommend that an assessment ^{not exceeding} of thirty per cent. be levied upon the estates adjudged to be benefited. ~~do~~ on the cost of said widening.

And would further recommend the passage of the accompanying order.

J. A. Pelington
A minority of the Com^e

Report of Minority
J. A. Bellington

City of Cambridge.

In Board of Aldermen, ^{Feb 28th} ~~Jan 31st~~ 1872

The Committee on Roads and Bridges
on the part of this Board
having carefully considered the subject
of "Betterments by reason of the widening
of Bridge Street." Ward Three, ~~cannot~~
respectfully

Report the accompanying Sched-
ule of Assessments, and recommend its
adoption, together with the accompanying
Order.

For the Committee
C. L. Harding, Chairman,

\$7.50 per front foot

Repair

Bellevue on Bridge Street.

Feb. 28. 1872.

City of Cambridge.

Board of Supervisors.

City of Cambridge.

Board of Supervisors.

City of Cambridge

Feb ⁷/₁₁ 28 - 1872

To the Honorable Mayor
and Board of Aldermen
of the City of Cambridge

The undersigned owners of real estate
abutting on Bridge St between Cambridge St
and Cragies' Bridge would respectfully petition
your Honorable Body that a hearing be granted
to the abutters on said St before action is taken
relative to betterments ~~on said street~~

Mellington Bros

Pelican
of Wellington, Mass.

Bellevue - Bridge St.

Feb. 28, 1872.

Letter of
B. G. Smith.
Bridge St.

Fayerweather St.

Feb 6, 1872.

Hon^r. H. O. Houghton

Mayor City of Cambridge.

Dear Sir,

I intended
to be present at y^r session this eve
& make a few remarks at the hearing
of Messrs. Wellington & others, on the
"Bridge St. "betterments". In consequence
of a severe cold and unable to go out,
Have with some difficulty written
a brief paper covering my case.
If the subject comes before the
meeting this evening, if you please,
cause my paper to be read

Very truly yours
Benⁿ G. Smith

Special Assignment

March 6, 1872.

8, P. M.

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CITY OF CAMBRIDGE.

FEBRUARY 23, 1872.

To the Honorable Mayor and Board of Aldermen of the City of Cambridge:

The undersigned, owners of real estate abutting on Bridge Street, between Cambridge Street and Craigie's Bridge, would respectfully petition your Honorable Body that a hearing be granted to the abutters on said street before action is taken relative to betterments.

WELLINGTON BROS.

IN BOARD OF ALDERMEN, February 23, 1872.

On the foregoing petition it is
ORDERED, That a hearing be granted to the petitioners, and all other persons interested, on

WEDNESDAY,
the 6th day of March next, at Eight o'clock, P. M.

Attest: **JUSTIN A. JACOBS, City Clerk.**

A true copy.

Attest: **JUSTIN A. JACOBS, City Clerk.**
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