

DOCUMENTS

OF THE

BOARD OF COMMISSIONERS

OF THE

CENTRAL PARK,

FOR THE

*Year Ending April 30th, 1867.*



NEW YORK:

EVENING POST STEAM PRESSES, 41 NASSAU STREET, CORNER LIBERTY.

1867.

# Document No. 1.

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## BOARD OF COMMISSIONERS, CENTRAL PARK.

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MAY 3, 1866.

Commissioner GREEN submitted a certified copy of "An Act relative to the powers and duties of the Commissioners of the Central Park."

On motion of Commissioner FIELDS,

*Ordered*, That said act be laid on the table and printed as a document of the Board.

GEO. M. VAN NORT,  
*Clerk.*

## CHAP. 367

AN ACT relative to the powers and duties of the Commissioners of the Central Park. Passed April 4, 1866; three-fifths being present.

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

SECTION 1. So much of section nine of the Act entitled "An Act to appoint Commissioners for laying out that portion of the city and county of New York lying north of One Hundred and fifty-fifth street, and to change the plan of streets and avenues in that part of said city lying between One Hundred and twenty-fifth and One Hundred and forty-first streets, east of the Tenth avenue and west of a line fifty feet east of the old Kingsbridge road, and running parallel with said road," passed April 7, 1860, as requires the Commissioners therein named to lay out a new avenue of one hundred feet in width, to be called the new Ninth avenue, is hereby repealed, and it shall be the duty of the Commissioners of the Central Park immediately upon the passage of this act, to lay out and establish the grade of an avenue not exceeding one hundred feet in width, to be called the avenue St. Nicholas, which avenue shall commence at or near the intersection of the Sixth avenue and One Hundred and tenth street, and run thence in the general direction of the Harlem Lane till it intersects the Kingsbridge Road, at or near One Hundred and twenty-fourth street, between Eighth and Ninth avenues; thence northerly, as nearly midway between the Eighth and Ninth avenues as the said Commissioners may deem advantageous, to One Hundred and thirty-fifth street; thence northerly in the general direction of the said Kingsbridge

Road, to a point on One Hundred and fifty-fifth street, about midway between Ninth and Tenth avenues. The said avenue shall embrace such portions of the Harlem Lane and the old Kingsbridge Road, as the said Commissioners may deem it expedient to include therein, and may depart from the line of said Harlem Lane and Kingsbridge Road wherever the said Commissioners deem it expedient. The said Commissioners may also extend Manhattan street in a southerly direction to said avenue, and may widen said street to the width of one hundred feet, if they shall deem it expedient. The said Commissioners shall, whenever they may deem it necessary, fix and establish or change the grade of any street or avenue, or any part of any street or avenue that intersects any street, road, or avenue required by law to be laid out, established, regulated or improved by them or under their direction; and whenever they have fixed, established or changed as required in this section, the grade of any street, or streets, or avenue, or part of any street or avenue, it shall be their duty to cause two maps or profiles of such street, or streets, or avenues, or part of such street or streets, or avenues, showing the grade so fixed, established or changed by them, certified by said board or by one of the officers of said board designated for that purpose, one of which profiles shall be filed in the office of the street commissioner of said city, and one in the office of said commissioners; and the grades of such streets and avenues and parts of such streets and avenues shall from the time of such filing, be established as shown in and by such maps or profiles.

§ 2. Whenever the grade of any street, road or avenue, or part of any street or avenue, shall be fixed, established or changed by said Commissioners of the Central Park, as provided by this act, such grade shall not be thereafter changed, unless the owners of two-thirds of the land in lineal feet fronting upon the street or avenue, or part of such street or avenue where such change is proposed to be made, shall first consent in writing, to such change of grade, and file their consent in the office of the said commissioners. And upon such consent being so filed, such grade may be changed by said Commissioners, if they shall deem it expedient to make such change.

§ 3. It shall be lawful for the said Commissioners of the Central Park, and for all persons acting under their authority, to enter, in the day time, into and upon any lands, tenements and hereditaments which they shall deem necessary to be surveyed for the laying out and forming of the avenue specified in the first section, or for the widening and extension of said Manhattan street; and the said Commissioners shall cause two similar maps or surveys of such avenue, and of the widening and extension of said Manhattan Street, to be made, showing the width, location and grade thereof, accompanied with such field notes and explanatory remarks as the nature of the subject may require, which maps, plans or surveys, together with such notes and remarks, shall be certified by said Board of Commissioners of the Central Park, or by one of the officers of said Board designated by said board for that purpose, and one of which shall be filed to remain of record in the office of the Street Commissioner of the city of New York, and the other in the office of the said Commissioners of the Central Park.

§ 4. The maps, plans and surveys of the said Commissioners of the Central Park, made and certified to as hereinbefore provided, shall be final and conclusive as to the location and width of the said avenue, specified in the first section of this act, and as to the widening and extension of Manhattan street, and as to the grades of said avenue and of said streets, exhibited upon said maps, plans and surveys, as well in respect to the Mayor, Aldermen and Commonalty of the city of New York, as in respect to the owners and occupants of lands, tenements and hereditaments within the boundaries aforesaid, or affected by said avenues and streets, and in respect to all persons whomsoever.

§ 5. The Commissioners of the Central Park, in behalf of the Mayor, Aldermen and Commonalty of the city of New York, are authorized to acquire title for the use of the public, to the lands required for the said avenue specified in the first section of this act, and for the said widening and extension of said Manhattan street, whenever they shall deem it for the public interest so to do, and such Commissioners may for that purpose make application to the Supreme Court in the First Judicial District,

for the appointment of Commissioners of Estimate and Assessment specifying in such application the lands required for that purpose, and the proceedings to acquire title to such lands, shall be had pursuant to such acts as shall then be in force relative to the opening of streets in the city of New York, which acts, so far as the same are not inconsistent with the provisions of this act, are hereby made applicable to the avenue and street so to be laid out, widened and extended, by said Commissioners of the Central Park, as in this act provided in the same manner and to the same extent, as if the said avenue and street had been originally laid down, as and for public streets 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 3, 1807.

§ 6. The said Commissioners of Estimate and Assessment may allow compensation for any building or buildings upon the said land which may have been built, placed or erected thereon, after the time for the filing of the original map or plan of the said city, but no compensation shall be allowed for any building or buildings which at any time subsequent to the filing of the maps, plans or surveys required by this act may be built, erected or placed in part or in whole upon the lands designated for the avenue by this act authorized, and for the widening and extension of said Manhattan street.

§ 7. The said Commissioners of the Central Park shall, with respect to the avenue to be laid out by them, as required by this act, and with respect to that portion of Seventh avenue, lying north of the Central Park in said city, and with respect to all streets, avenues, roads, and portions of said city required by law to be laid out or improved, under the direction of the said Commissioners, and the laying out, grading, regulating, sewerage, paving and improving the same, possess all the powers and perform all the duties now or heretofore possessed, enjoyed or exercised by such Commissioners in respect to the Central Park in the said city, and by the Mayor, Aldermen and commonalty of the city of New York, and the several departments

of said city, in relation to the streets, avenues, and similar improvements thereof in other parts of said city. And all the provisions of section four of an act entitled "An act for the improvement of part of the city of New York, between One Hundred and tenth street and the Harlem River," passed April 24th, 1865, and the powers thereby conferred upon said Commissioners respecting Sixth avenue and other streets in said city, so far as the same are not inconsistent with the provisions of this act, are hereby made applicable to the said portion of the Seventh avenue, and to the said avenue required by this act to be laid out or improved under the direction of said Commissioners, and the improvement thereof, in like manner as if the said provisions were incorporated in this act. It shall be lawful for the said commissioners to do all the work required to be done by them by day's work, or by contract, or in such manner as they may deem expedient; and in case the moneys collected upon the assessments laid for the purpose of carrying on the work required to be done by this act or any part thereof, or for carrying on the work required by law to be done by the said Commissioners on the said portion of the Seventh avenue, shall be insufficient to pay for the said work, the balance shall be certified by the said Commissioners to the Board of Supervisors of said city and county, and shall be raised on the estates, real and personal, subject to taxation in said county, in the next tax levied by said Board of Supervisors after the receipt of such certificate, and shall thereupon be paid over by the Comptroller of said city in the same manner as moneys collected upon the assessments authorized by this section. And the Comptroller of the city of New York is hereby authorized and directed, on the request of said Commissioners, to borrow and pay over to said Commissioners the amount of such balance on the revenue bonds of the said city in anticipation of the receipt of said taxes. The sewerage required by this section shall conform in plan, grade and section, to the general plan of sewerage adopted or to be adopted by the Croton Aqueduct Board.

§ 8. 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 are hereby authorized to include in the estimate that they are authorized to make by the fourth section of the act entitled "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 nineteenth, eighteen hundred and sixty, for the maintenance and government of the Central Park, the sum of fifty thousand dollars in addition to the sum authorized by said section four, and the amount of such estimate shall be annually raised as provided in said section, and shall be applied by said commissioners to the payment of the expenses of the maintenance and government of the Central Park, and to the expenses necessarily incurred in performing the duties imposed by law upon said commissioners.

§ 9. The said Commissioners of the Central Park are hereby authorized, when they deem it expedient for the public interest so to do, for and in behalf of the Mayor, Aldermen and Commonalty of the city of New York, to acquire the title for the use of the public, to any or all streets and avenues above Fifty-ninth street, in said city, laid out on the map or plan of the city of New York, by the Commissioners appointed in and by an 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 and for that purpose said Commissioners of the Central Park may make application to the Supreme Court in the First judicial district, for the appointment of Commissioners of Estimate and Assessment, specifying, in such application, the lands required for that purpose, and the proceedings to acquire title to such lands shall be had, pursuant to such acts as shall then be in force relative to the opening of streets, roads, and public squares and place in the city of New York, and it shall be the duty of the corporation counsel to perform and discharge all the legal services required in the proceedings to carry out the provisions of this act, without any additional compensation beyond the salary and allowance now provided by law.

§ 10. This act shall take effect immediately.



STATE OF NEW YORK, }  
Office of the Secretary of State. }

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom, and of the whole of said original law.

[SEAL.] Given under my hand and seal of office, at the city of Albany, this fourth day of April, in the year one thousand eight hundred and sixty-six.

ERASTUS CLARK,  
*Deputy Secretary of State.*

## Document No. 2.

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BOARD OF COMMISSIONERS,  
CENTRAL PARK.

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MAY 3, 1866.

Commissioner GREEN submitted a certified copy of "An Act to enable the Commissioners of the Central Park to make further improvements in the city of New York.

On motion of Commissioner FIELDS,

*Ordered*, That said act be laid on the table, and printed as a document of the Board.

GEO. M. VAN NORT,  
*Clerk.*

## CHAPTER 550.

AN ACT to enable the Commissioners of the Central Park to make further improvements in the city of New York.

Passed April 13, 1866 ; three-fifths being present.

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

SECTION 1. It shall be the duty of the Commissioners of the Central Park to cause a survey to be made of that part of the city and county of New York bounded northerly by One Hundred and Fifty-fifth street ; easterly, by the westerly line of the Eighth Avenue north of Eighty-second street and by the westerly line of the Ninth avenue south of Eighty-second street ; southerly, by the southerly line of Seventy-second street east of the Tenth avenue and by the southerly line of Sixty-seventh street west of the Tenth avenue, and westerly by the Hudson river, and to prepare maps, plans, and profiles embracing and showing such changes in the width, direction and grades of the streets, avenues, and roads now laid out within the area above described, and in the pier and bulkhead lines now established, as, in their opinion, can be made with benefit to the property affected and to the public interests, and also the boundaries and grades of such streets, avenues, roads, and public squares and places, as, in their opinion, can be laid out or discontinued with like benefit, and to enable them to perform these duties, such of the provisions of the act entitled "An Act to provide for the laying out and improving of certain portions of the City and County of New York," passed April twenty-fourth, eighteen hundred and sixty-five, as are applicable thereto, shall apply fully and completely to the powers and proceedings of the said

Commissioners under this act. The said Commissioners shall, from time to time, report to the Legislature, the maps, plans and profiles above specified, with their proceedings under this act. No proceedings shall be had or taken by any officer or body for any street, opening or improvement within the area above described, except that the work under contracts already made and executed may be done and completed, and except such proceedings as the said Commissioners are authorized to take, until the said Commissioners shall have reported and the Legislature shall have determined the boundaries and grade of such street, unless the Commissioners of the Central Park shall concur with such body or officer in authorizing the opening or improvement of said street. The authority of the said Commissioners under this act shall expire on the first day of May, which will be in the year one thousand eight hundred and sixty-eight.

SECTION 2. This act shall not be held or construed to limit, restrain, annul, or in any manner interfere with the powers and duties of the said Commissioners conferred and imposed by the said act passed April twenty-fourth, eighteen hundred and sixty-five, or by any other act.

SECTION 3. This act shall take effect immediately.

STATE OF NEW YORK, }  
Office of the Secretary of State. }

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom, and of the whole of said original law.

[SEAL.] Given under my hand and seal of office, at the city of Albany, this fourteenth day of April, in the year one thousand eight hundred and sixty-six.

ERASTUS CLARK,

*Deputy Secretary of State.*

## Document No. 3.

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BOARD OF COMMISSIONERS,  
CENTRAL PARK.

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MAY 3, 1866.

Commissioner GREEN submitted a certified copy of "An Act to amend an act entitled 'An Act in relation to the Croton Aqueduct in the city of New York, and certain streets in said city,' passed April twenty-seventh, eighteen hundred and sixty-five, and to provide for the full execution thereof."

On motion of Commissioner FIELDS,

*Ordered*, That said act be laid on the table and printed as a document of the Board.

GEO. M. VAN NORT,  
*Clerk.*

## CHAPTER 632.

AN ACT to amend an Act entitled "An Act in relation to the Croton Aqueduct in the city of New York, and certain streets in said city," passed April twenty-seventh, eighteen hundred and sixty-five, and to provide for the full execution thereof.

Passed April 17th, 1866, three-fifths being present.

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

SECTION 1. The second section of the act entitled "An Act in relation to the Croton Aqueduct in the city of New York, and certain streets in said city," passed April twenty-seventh, eighteen hundred and sixty-five, is hereby amended so as to read as follows :

§ 2. The grade of the Eighth avenue, between Fifty-ninth and One Hundred and twenty-second streets, is hereby established as follows: Commencing at an elevation seventy-six feet four inches above the high water line, at the point where the centre line of Fifty-ninth street intersects the centre line of the Eighth avenue, and continuing thence along the centre line of said avenue, on a level line, to the intersection of the centre line of Sixty-sixth street; thence on a straight line to the intersection of the centre line of Sixty-ninth street, at such rate of ascent as to intersect the same at an elevation eighty-eight feet above the high water line; thence on a level line to the intersection of the centre line of Eightieth street; thence on a straight line to the intersection of the centre line of Eighty-fourth street, at such a rate of ascent as to intersect the same

at an elevation one hundred and six feet above the high water line; thence on a straight line to the intersection of the centre line of Eighty-fifth street, at such rate of ascent as to intersect the same at an elevation one hundred and eight feet above the high-water line; thence on a level line to the intersection of the centre line of Eighty-seventh street; thence on a straight line to the intersection of the centre line of Ninety-first street, at such a rate of ascent as to intersect the same at an elevation one hundred and fifteen feet above the high-water line; thence on a level line to the intersection of the centre line of Ninety-second street; thence on a straight line to the intersection of the centre line of One Hundredth street, at such rate of descent as to intersect the same at an elevation eighty-one feet above the high-water line; thence on a level line to the intersection of the centre line of One Hundred and second street; thence on a straight line to the intersection of the centre line of One Hundred and tenth street, at such rate of descent as to intersect the same at an elevation forty-five feet above the high-water line; and thence on a straight line to the intersection of the centre line of One Hundred and twenty second street, at such rate of descent as to intersect the same at an elevation twenty-five feet three inches above the high-water line, except that there may be such elevations on the level lines hereby prescribed, not exceeding six inches to one hundred feet, as may be necessary for drainage; provided, however, that the said grade shall not be established unless the Commissioners of the Central Park shall, within four months after the passage of this Act, approve of the grade hereby authorized. The said Commissioners may, however, approve of such part of the grade hereby authorized as is between any two points at which the said grade and the grade of the said avenue, as now established, under the Act hereby amended or otherwise, intersect, and reject the grade between any or all of the other intersecting points, or the said Commissioners may, at any time prior to filing the map hereinafter specified, with the consent of the owners of a majority of the lineal feet of the front of the land, other than that included within street lines, or the Central Park east of the Eighth avenue, bounding the said avenue, between any two of such intersecting points, prescribe and establish any other grade or grades for the said

avenue between such intersecting points; and the said Commissioners may give such consent for any land owned by the Mayor, Aldermen and Commonalty of the city of New York. When the grade of the said avenue is finally established, in pursuance of the provisions of this Act, the Commissioners of the Central Park shall cause a map or profile of the grade so established to be prepared and certified in such manner as they may direct, and filed in the office of the Street Commissioner of the city of New York, and the grade of the said avenue shall be thenceforth established and held to be as shown in and by the said map or profile, and all grades previously established for that part of the said avenue are hereby discontinued and abrogated, and the grade established by and in pursuance of this Act shall not thereafter be changed or altered. The Commissioners of the Central Park shall regulate and grade, pave and flag that part of the said avenue between the centre lines of Seventy-seventh and Eighty-first streets, and also the northerly half of Seventy-seventh street and the southerly half of Eighty-first street between the Eighth and Ninth avenues, and shall certify the expenses thereof, and of an arch or arches, or other structure, for a passage-way under the said Eighth avenue, and also of adapting the work on the Park to the grade of the said Eighth avenue established by or in pursuance of this Act, and the Act hereby amended. And the Board of Supervisors of the county of New York are hereby authorized and directed to raise and collect, by tax, the several amounts of money so certified, in the same manner that the other expenses of the city of New York are raised and collected by them. The Street Commissioners of the city of New York shall proceed forthwith to regulate the rest of the said Eighth avenue in conformity with the grade hereby established, and for that purpose shall make one contract for that part of the work between the centre lines of Fifty-ninth and Seventy-seventh streets; one contract for that part of the work between the centre lines of Eighty-first and One hundredth streets; and one contract for that part of the work between the centre lines of One Hundred and One Hundred and twenty-second streets; and he shall insert in each contract the earliest day that in his opinion is practicable as the limit of time for the full and com-



plete performance of the work under the contract, and also such penalty for each day that may elapse between that limit and the final completion of the work as in his judgment will secure the prompt and efficient execution of the work. The part of the grading and regulating the said avenue, as herein provided, to be done by the Street Commissioner, shall be considered as one improvement, and the expense thereof shall be assessed, collected and paid in the manner now provided by law; such assessment being made upon all the property benefited by the improvement, but not to extend on either side beyond a line four hundred feet from the avenue.

§ 2. That part of Eighth avenue lying between One Hundred and second and One Hundred and tenth streets, shall be widened on the map or plan of the city of New York, by adding, on the westerly side thereof, twenty-five feet of land, so as to make the whole width of that part of the said avenue one hundred and twenty-five feet: provided that the owners of two thirds of the land to be taken for such widening shall file with the Commissioners of the Central Park a written consent that such land be taken; and the addition to the said avenue to be made by such widening, is hereby declared to be a part of one of the streets or avenues of the city of New York, in like manner and with the same effect as if the same had been originally laid out as a part of the said avenue in the map or plan of the said city; and all acts and parts of acts now in force in relation to the widening, laying out, grading, regulating, sewerage, paving and improving streets and avenues in the said city, shall apply to the said part of the said avenue, in its enlarged width, except as may be herein otherwise provided. Upon the filing of the said consent, the Commissioners of the Central Park are hereby authorized and directed, for and in behalf of the Mayor, Aldermen and Commonalty of the city of New York, and for public use, to apply to the Supreme Court, at any Special Term thereof held in the First Judicial District, for the appointment of Commissioners of Estimate and Assessment for the widening of that part of the Eighth avenue authorized to be widened by this act; and all the laws now in force relative to the widening of streets in the city of New York, so far as the

same are not inconsistent with this act, shall apply to the proceedings for the said widening, and it shall be the duty of the Counsel to the Corporation of the city of New York to perform all necessary legal services in the proceedings authorized by this act without any additional compensation beyond the salary and allowance now provided by law. The assessment of the said widening shall, upon the confirmation of the report of the Commissioners of Estimate and Assessment, become a lien upon the land upon which the assessment is made; and such assessment may be collected and enforced in the manner now provided by law.

§ 3. If the said avenue shall be widened in the part herein above authorized to be widened, the Commissioners of the Central Park shall have power to divide that part of the said avenue, so that the easterly part thereof as so widened, to the width of at least sixty-five feet, shall be of the grade established by or in pursuance of this act; and the westerly part thereof as so widened, to the width of at least fifty-five feet, shall be of a higher grade, to be established by the said Commissioners. And the Commissioners of the Central Park shall build a supporting wall along the easterly side of that part of the said avenues as so widened, which is of a higher grade than that established by or in pursuance of this act, and place an iron railing upon the coping of said wall; and the expenses of the said wall and railing, to be certified by the said Commissioners, shall be assessed, collected and paid as part of the expenses of regulating and grading the said avenue.

§ 4. This act shall take effect immediately.

STATE OF NEW YORK, }  
Office of the Secretary of State. }

I have compared the preceding with the original law on file in this office, and hereby certify that the same is a correct transcript therefrom, and of the whole of the said original law.

Given under my hand and seal of office, at the City  
[SEAL.] of Albany, this eighteenth day of April, in the  
year one thousand eight hundred and sixty-six.

ERASTUS CLARK,  
*Deputy Secretary of State.*

## Document No. 4.

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BOARD OF COMMISSIONERS,  
CENTRAL PARK.

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MAY 3, 1866.

Commissioner GREEN submitted a certified copy of "An Act to amend an Act entitled 'An Act authorizing the Mayor, Aldermen and Commonalty of the city of New York to widen Broadway or Bloomingdale Road, between Fifty-seventh and Fifth-ninth streets, in the city of New York' passed April thirteenth, eighteen hundred and fifty-seven."

On motion of Commissioner FIELDS,

*Ordered*, That said act be laid on the table, and printed as a document of the Board.

GEO. M. VAN NORT,  
*Clerk.*

## CHAPTER 757.

AN ACT to amend an Act, entitled " An Act authorizing the Mayor, Aldermen and Commonalty of the city of New York, to widen Broadway or Bloomingdale Road, between Fifty-seventh and Fifty-ninth streets, in the city of New York," passed April thirteenth, eighteen hundred and fifty-seven.

Passed April 21, 1866, three-fifths being present.

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

SECTION 1. The first section of chapter three hundred and eighty-eight, of the laws of eighteen hundred and fifty-seven, is hereby amended, so as to read as follows :

The street known as Broadway or Bloomingdale road, in the city of New York, may be widened by the Mayor, Aldermen and Commonalty of the city of New York, from a point at the intersection of the easterly line of Broadway, with the northerly line of Fifty-seventh street, and thence running northerly in a straight line to a point in the southerly line of Fifty-ninth street, distant six hundred and seventy-five feet and eleven inches westerly from the westerly line of the Seventh avenue, and they may also take and use, as and for a public place all the land included within the circumference of a circle having a diameter of four hundred and thirty-two feet, and having its centre at the point where the centre line of the Eighth avenue intersects a line drawn parallel with the southerly line of Fifty-ninth street, and fifty feet northerly therefrom, and they are hereby authorized to close that portion of Broadway or Bloomingdale road lying south of the circumference of the said circle, and between the present westerly line of the Bloomingdale road or

Broadway, and a line parallel to, and one hundred feet westerly from the easterly line of said road or street, authorized by the first section of this act; they are also hereby authorized to close and discontinue that portion of Sixtieth street, lying between the westerly line of the Eighth avenue and the easterly line of Broadway or Bloomingdale road, as the same has been or may be established by the Commissioner of the Central Park. The act entitled "an act relative to the 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," to the contrary notwithstanding. And whenever the said Mayor, Aldermen and Commonalty of the City of New York, shall deem it desirable, in order to improve the access to Central Park, or otherwise, for the public convenience so to widen the said street, or to open said public place, they may order and direct the same to be done in like manner, and the like proceedings shall be thereupon had in relation to the said widening, or to said opening of said public place, as if the said widening or said opening was in a part of said city not laid out into streets and avenues, squares and public places, by the Commissioners of Streets and Roads in the city of New York, under and by virtue of the said last mentioned act; and all the provisions relative to the widening of streets in that part of the said city not laid out as aforesaid, which are contained in the act entitled, "an act to reduce several laws relating particularly to the city of New York, into one act, passed April 9th, eighteen hundred and thirteen," and the several acts altering and amending the same shall be construed to apply to said widening and to said opening of said public place.

SECTION 2. All proceedings heretofore instituted, or that may hereafter be instituted for the said widening of said street, or for the opening of said public place, shall be made to conform to the provisions of the first section of this act, and all the powers now conferred by law upon the Mayor, Aldermen and Commonalty of the city of New York, relative to the widening of said street, are hereby conferred upon the Commissioners of the Central Park, who are hereby authorized and directed to take

all proceedings necessary to carry into effect the provisions of this act.

SECTION 3. No portion of said street, between Fifty-seventh street and the northerly line of Fifty-ninth street, when so widened, shall be used for any other purpose than that of a public street, or public place, nor shall any portion thereof, be used as a carriage or hackstand, nor shall any stall, stand, or erection, or incumbrances of any kind be permitted therein, but the same and every portion thereof within the limits aforesaid, shall be kept free and clear for the passage of the public, and as respects its use, shall be under the exclusive control and management of the Commissioners of the Central Park, who are hereby authorized to make such rules and regulations respecting its use, not inconsistent with the provisions of this act as they may deem proper.

SECTION 4. This act shall take effect immediately.

STATE OF NEW YORK, }  
Office of the Secretary of State. }

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom, and of the whole of said original law.

[SEAL.] Given under my hand and seal of office, at the city  
of Albany, this 23d day of April, in the year  
one thousand eight hundred and sixty-six.

ERASTUS CLARK,  
*Deputy, Secretary of State.*

# Document No. 5.

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BOARD OF COMMISSIONERS

OF THE

CENTRAL PARK.

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FEBRUARY 14, 1867.

Commissioner RUSSELL, from the Committee on Statuary, Fountains, and Architectural Structures, to which was referred the communication from the Seventh Regiment Monumental Association, on the subject of a site for a monumental structure on the Park, reported thereon, with a resolution, which was agreed to, whereupon,

*Ordered,* That said Report be laid on the table and printed in document form.

GEO. M. VAN NORT,  
*Clerk.*

and approved by the Board, before it is erected, and that the Association proposing to erect it should furnish to the Board, satisfactory evidence that it has the necessary pecuniary means to erect the structure according to the design to be approved by the Board.

The Committee therefore recommend the adoption of the following resolution.

Dated New York, *February 13, 1867.*

C. H. RUSSELL,  
 J. F. BUTTERWORTH, } *Committee.*  
 AND. H. GREEN,

*Resolved,* That the Comptroller of the Park be authorized to set apart the site hereafter mentioned, upon which the Seventh Regiment Monumental Association may erect a monumental structure, provided that such structure nor any of its appendages be of a sepulchral character, and that the design and plan of said structure shall be submitted to and approved by this Board before any site be set apart, and provided that before any site be set apart the Association shall give satisfactory evidence to this Board of its pecuniary ability to complete the structure, according to such design and plan as shall be approved by the Board, and provided, further, that said structure, when erected, shall be subject to the regulations made or to be hereafter established by the Board for the care and preservation of monuments, statuary and such structures within the Park. The site for said structure shall be either at a point just south of the Warrior's Gate, or at such other point as may be approved by the Board upon the report and recommendation of this Committee.