Injunction Against the Broadway Railroad.

SUPERIOR COURT

Thomas E. Davis and Courtlandt Palmer, against the Mayor, Aldermen, and Commonalty of the City of New York.—The plaintiffs, Thomas E Davis and Courtlandt Palmer, in this suit, complain to this court, as well on their own behalf as on behalf of all other corporators and tax payers of the city of New York who may be affected by the several matters herein complained of, against the Mayor, aldermen, and commonalty of the city of New York defendants. The plaintiffs, for cause of complaint, respectfully show to the court, that they are citizens of the State of New York, and residents and inhabitants of the city of New York and have been such residents and inhabitants for several years last past, and are two of the corporators of said city. That they are severally owners of very considerable real estate, situated on the street known in said city as Broadway, and elsewhere in said city; and are also severally owners of considerable personal estate in said city, subject and liable to taxation; and have been such owners of real estate for many years past, and have been severally annually taxed and assessed upon the same, and have severally paid such taxes and assessments annually, to an amount exceeding two hundred and fifty dollars, levied towards and for the public expense of governing the said city and the inhabitants thereof. The plaintiffs show upon information and belief, that the taxes levied and assessed by the defendants upon the real and personal property of the citizens and tax payers of said city for several years past, are as follows:—

For the year 1846	$1,654,323
" " 1847	1,824,211
" " 1848	1,992,150
" " 1849	2,301,504
" " 1850	2,578,959
" " 1851	2,258,150
" " 1852	2,561,650

—And the amount estimated as required for the coming year, amounts to the enormous sum of $3,972,195. That by reason of the corrupt and illegal acts of said defendants in squandering the public moneys, in farming out and disposing of in almost every imaginable way the public property, contracts, rights, privileges, and franchises, in the manner hereinafter stated, and in various other ways, the taxes of said city are annually increasing to an alarming degree. The effect has already been to induce large numbers of persons doing and transacting business in said city, to remove out of the limits thereof to avoid the onerous and increasing taxes annually imposed upon the property owners of said city. That the said city of New York is an ancient and chartered city, and the citizens and inhabitants thereof are a body politic and corporate, under the name of the Mayor, Aldermen and Commonalty of the city of New York. That all the lands, tenements, hereditaments, jurisdictions, liberties, immunities, franchises, rights and privileges, held, exercised and enjoyed by the said corporation of the said city, were given, granted and acquired by them under the said name of the Mayor, Aldermen and commonalty of the city of New York. That the said body politic and corporate has perpetual succession, and is able in law to sue and be sued, implead and be impleaded, answer and be answered, unto, defend and be defended in all or any of the courts of this State having jurisdiction over corporations in all and all manner of actions, suits, complaints, pleas, causes, and matters and demands whatsoever, of what kind or nature soever, in as full and ample manner and form as other people of this State. That all the powers of the said corporation are held by them upon the trust that they shall be used and exercised for the benefit of the citizens and inhabitants of said city, without any fraud, corruption, evil practice or deceit. That in and by the ninth section of an act of the Legislature of this State, entitled "An act to amend the charter of the city of New York," passed April 4, 1849, it is declared that the executive power of the corporation shall be vested in the Mayor, the heads of departments, and such other executive officers as shall be created from time to time, by law, and neither the common council, nor any committee or member thereof, shall perform any executive business whatsoever, except such as is or shall be specifically imposed on them by the laws of this State; and except that the Board of Aldermen may approve or reject the nominations made to them as hereinafter provided. That in and by section twelve of said act it is further enacted, that there shall be an executive department in said corporation under the denomination of the street department," which shall have cognizance of opening, regulating and paving streets, building and repairing wharves, &c. That by reason of the provisions of said act, it is, among other things, enacted that no member of the Common Council, head of department, chief of bureau, or deputy thereof, shall be directly or indirectly interested in any contract, work or business, or in the sale of any article, the expense, price or consideration of which is paid from the city treasury, or by any assessment levied by any act or ordinance of the Common Council. That in and by the eleventh section of an act of the Legislature, entitled "An act to amend the charter of the city of New York," passed April 7, 1849, it is further enacted, that no member of either board of the Common Council shall, during the period for which he is elected, be directly or indirectly interested in any contract, the expenses or consideration whereof are to be paid under any ordinance of the Common Council, except emoluments or fees which he is entitled to by virtue of his office. And the plaintiffs further show, that under the laws of this state, the said corporation are commissioners of highways, and as such have the power of making repairs upon said streets, and to make them useful and convenient for all the inhabitants of said city, and travellers and sojourners therein. That said corporation have not, either in or by their charter, or by the laws of this State, or otherwise, any power whatever to give or grant to any person or persons whomsoever, any particular or exclusive privilege to the use of any part of streets, or any part of any street or streets, in said city, nor to erect or put any building, work or structure, or any obstruction whatsoever in the said streets, or any of them, or to do any other act which might in any manner interfere with the free and common use thereof by any of the inhabitants of or travellers in said city, or which might become a nuisance. The plaintiffs further show, that the 16th day of July, 1850, a certain act, of which a copy is annexed hereto, marked A, and forms a part of this complaint, was presented to said Common Council through their said Board of Aldermen, for an ordinance authorizing the petitioners who signed the same to establish and construct a railroad in said Broadway. That afterwards, numerous remonstrances were presented to said Board of Aldermen by the principal owners of property on Broadway against such project. The plaintiffs further show, that said Broadway is the principal street or thoroughfare of said city. That the greater part of that portion of said street which lies between the Battery at the south, and Union place at the north, a distance of about three miles, is now devoted to trading and commercial purposes, and a large portion of the trading and commercial business of the said city, greater than that of any other street, is now transacted in said street, and the small portion of the street which is yet used for dwellings, is rapidly changing its character, and stores, shops, and other buildings for trading and commercial purposes are rapidly taking the place of dwelling houses. The plaintiffs further say on information and belief, that said street is now constantly thronged with all kinds and descriptions of vehicles and passengers. That the portion of said street traversed below Canal street, a distance of about a mile and a half from said Battery, is more thronged and crowded than any other part of said street in said city. That the average width of the carriage way in said Broadway does not exceed forty feet. That at Maiden lane it does not exceed forty nine feet, and from thence it gradually narrows to thirty seven feet at Wall street; from thence to about forty feet below Rector street it narrows to thirty-four feet; from thence to about two hundred and fifty feet below Rector street it gradually widens to not over forty-seven feet. At one hundred feet further down it is thirty eight feet three inches, and thence gradually widens to not exceeding forty feet two inches in front of No. 42 Broadway, and at no point between the Park and Union place does said carriage way exceed forty-two feet in width. The plaintiffs further show, that for the purpose of making the said carriage way in the manner prescribed, it would not conflict and interfere with the rights of the owners of the land bordering thereon which lie at the time of the passing of the act of the street in said city, the said corporation have very recently caused about two miles and a half of the said street, extending (with the exception of a few blocks) from the Battery to Eighth street, to be paved with very durable and expensive pavement, known as the Nicolson pavement, consisting of cedar blocks of a given size, dipped in tar and then set in sand, and filled in with gravel and sharp sand. That said contractors have, as the plaintiffs are informed and believe, expended upon said pavement and road, or are bound to pay therefor out of the city treasury, the sum of $80,000. By means whereof a great burden has been laid upon the tax payers of said city, including the plaintiffs. The plaintiffs further show that, before they had taken the said petition, as hereinafter stated, into consideration, various other petitions and propositions were presented to the Board of Aldermen and Common Council for consideration, various other petitions and propositions were presented to the board of aldermen and common council, by various persons, residents of said city, fully and abundantly able to fulfil and perform their engagements and promises, asking for the privilege and authority to construct and establish such a railroad in said Broadway and run cars and carry passengers thereon upon the following terms:—

1. One of said propositions was to give for such authority and privilege, at one day, payable in ten annual installments, and agreeing to charge each passenger only three cents fare.

2. Another of the said propositions was to give for such authority and privilege the sum of $186 0 for each car run thereon, and agreeing to charge each passenger only five cents fare.

3. Another of the said propositions was to give for such authority and privilege, as a license fee for each car, any sum exceeding $1 00 per annum, and agreeing to charge each passenger only three cents fare.

4. Another of the said propositions was to give the Corporation for said authority and privilege, as license fee, one cent for each passenger thereon, and agreeing to charge each passenger only five cents fare.

5. Another of the said propositions was, for such authority and privilege, to charge each passenger only five cents fare, and also pay into the city treasury, for the benefit of said city, a bonus of $10,000 per annum.

6. Another of the said propositions was for such authority and privilege to construct and comply, in all respects with the covenants and conditions set forth in a resolution, of which a copy is hereunto annexed, marked "B," and further agreeing therefor to reduce the rate of fare mentioned in the twelfth sub-division of said resolution from five cents to three cents for each passenger.

The plaintiffs further state, upon information and belief, that the other propositions in said proposition No. 2 would if accepted, produce a sum exceeding $250,000 per annum for the benefit of said corporation, and the relief of the tax paying citizens while each passenger would be charged but two cents fare. That the other proposition in said proposition, numbered 3, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while each passenger would be charged but three cents fare. That the other proposition in said proposition, numbered 4, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation, and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 5, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 6, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation, and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 7, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 8, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 9, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 10, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 11, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 12, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 13, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 14, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 15, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 16, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 17, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 18, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 19, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 20, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 21, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 22, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 23, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 24, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 25, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 26, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 27, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 28, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 29, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 30, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 31, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 32, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 33, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 34, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 35, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 36, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 37, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 38, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 39, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 40, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 41, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 42, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 43, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 44, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 45, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 46, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 47, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 48, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 49, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 50, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 51, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 52, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 53, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 54, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 55, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 56, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 57, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 58, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 59, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 60, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 61, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 62, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 63, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 64, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 65, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 66, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 67, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 68, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 69, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 70, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 71, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 72, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 73, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 74, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 75, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 76, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 77, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 78, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 79, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 80, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 81, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 82, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 83, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 84, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 85, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 86, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 87, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 88, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 89, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 90, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 91, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 92, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 93, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 94, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 95, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 96, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 97, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 98, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 99, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 100, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 101, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 102, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 103, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 104, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 105, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 106, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 107, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 108, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 109, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 110, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 111, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 112, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 113, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 114, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 115, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 116, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 117, would, if accepted, produce the sum of $150,000 per annum, for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 118, would, if accepted, produce the sum of $1,000,000 for the benefit of said corporation and the relief of the tax paying citizens, while these plaintiffs, and other passengers in said cars, would be charged but three cents fare, and to the city no penalty is annexed. That the other proposition in said proposition, numbered 119, would, if accepted