something more than passing observation is necessary; to an enjoyment of them, something more than an instantaneous act of will.

It is then conceivable that whatever occurs to prevent or interrupt a composed, receptive and contemplative frame of mind is, at Niagara, a source of deeper irritation, offense and dissatisfaction than it can be elsewhere.

As to a possible remedy for the evil, it should be remembered that the local government is in the hands of two essentially rural communities, between whom travelers are constantly passing; that the difficulty of concerted adequate measures for the protection of wayfarers from imposition and annoyance on the highways is the greater, because the two live under different national constitutions and different municipal laws and customs.

Could both the ordinary and these extraordinary difficulties be overcome, of providing, under such communities, an efficient police and magisterial system during the few months in which visitors flock in large numbers to the Falls, the points of interest of most importance would still mainly remain private property, divided among numerous land-owners, recognizing little interest in common, but each, as now, seeking to gain all he can through rents, fees, and a division of earnings with all sorts of petty speculators on the ignorance of strangers.

While these conditions continue, therefore, whatever temporary palliations of the evil may possibly be accomplished, it is likely in the long run to be aggravated and to operate still more decidedly to neutralize the proper public value of Niagara Falls. The only prospect of relief, or even of permanent and general improvement, lies in the adoption of some such measure as the Commissioners have been directed by the Legislature, for other reasons, to consider.

III.

Taking up the matters with which the Commissioners were more particularly charged, the report of Mr. Gardner, hereto appended, shows that the scenery of Niagara Falls has been greatly injured, that the process of injury is continuous and accelerating, and that, if not arrested, it must in time be utterly destructive of its value.

The American shore is occupied by a village, and the land bordering the river has been divided into house lots. Many of these are already built upon; all are liable to be. There is no American soil from which the Falls can be contemplated except at the pleasure of a private owner and under such conditions as he may choose to impose; none upon which the most outrageous caprices of taste may not be indulged or the most offensive interpolations forced upon the landscape.

From the head of the Rapids to the Falls, the shore is already defaced by walls, platforms and buildings. Not a foot of it retains a natural character.

Years ago one of the loveliest features of the river was a little island with rocky shores overhung with foliage, in the dark shadows of which the waters whirled and sparkled as nowhere else. A small paper mill, at first set inconspicuously upon it, has been gradually enlarged and built out, until now it has not merely displaced the rock and wood, but stretches its sluice-ways, walls and wing-dams far into the most interesting part of the American Rapids.

The single fragment of the majestic primeval forest of the Falls which still remains, upon Goat Island, will probably soon pass from the protection of its present owners and be destroyed, to make room for gaudy places of popular entertainment or unsightly factories.

It must be expected that the subdivision of properties will be a continuous process and that each land owner will, hereafter as heretofore, strive to make his particular ground yield the largest possible private profit.

The elements of interest and attraction lie within such a limited area and so react on one another, that a like process might, as already suggested, extend much further in any other region of great landscape celebrity with less fatal effects upon its character.

IV.

The rational remedy is of the same class with that which it is the policy and custom of all civilized communities to adopt whenever the private ownership of land stands in the way of general interests, as when public highways or canals are carried through farms and buildings, or when private ferries are supplanted by free public bridges.

To give satisfactory access to the Falls of Niagara and preserve their value, the extent of land requisite to be withdrawn from private ownership is fortunately small. The area which Messrs. Gardner and Olmsted find necessary to be taken for these purposes, includes, besides the islands above the Falls, a strip of the river bank on the main land commencing at the head of the rapids and running along the shore to the upper suspension bridge. The breadth of this strip is mainly determined by the crest of a natural terrace generally about a
hundred feet distant from the water's edge, but so much wider in the immediate vicinity of the falls that at the point of greatest interest, a spacious area would be obtained for the accommodation of visitors, and incongruous objects would be more effectually kept out of sight.

It is designed that the buildings now standing upon this strip of land shall be removed, and that the immediate bank of the river shall be formed so as to have a natural aspect, with such slopes and so protected by rough, loosely piled local rock, as to be guarded against surges of floating ice and logs. Trees and bushes are proposed to be planted of such kinds and in such dispositions as are natural to the locality. Carried back to the boundary on the crest of the terrace, this planting would obscure the buildings of the village, and secure their landscape disconnection with the river.

Within and along the rear of the narrow woodland, a road and walk would be laid out with branches from the walk to inconspicuous shaded seats commanding views of the rapids, and to a more extended platform overlooking the falls and chasm.

V.

The above suggestions indicate the considerations which determine the limits of the land proposed to be taken. Except with this motive, it is not the duty of the Commissioners to advise how it shall be used, and it is sufficient to say that they cordially adopt the views of Mr. Olmsted, who urges that the State should by no means undertake to provide a place of general pleasure or any merely ornamental grounds, but simply to remove unnecessary artificial objects; make those necessary as little conspicuous as possible, and restore natural landscape conditions as far as practicable consistently with indispensable provisions for the conveyance of visitors and for giving them adequate opportunities for observation.

The main grounds of this advice are thus stated:

In whatever is done by the State there should not only be a wise consideration of immediate public requirements, but a prudent forecast of the future. When once visitors are relieved as far as may be from their present annoyances, the increasing population of the country and the multiplication and cheapening of the means of travel which is to be anticipated, will bring people to Niagara Falls in numbers far exceeding those of which we have present experience. Even now it often happens that several hundred visitors seek at the same time to enjoy a particular view of the Falls which can only be had from a space of ground much too limited for them all to stand upon at once. In view of this consideration, it is obvious that to provide, with a single purpose, for the comfortable passing to and from the more popular points of view and for the standing room at these points of such multitudes as must be looked forward to, without ruinous sacrifice of the scenery, will be a task, to say the least, of extreme difficulty. It should be complicated by no other object, and all practicable legislative safeguards should from the outset be employed to prevent the introduction of such other objects as, under various pretences, are likely from time to time to be urged.

The distance from existing hotels and shops in the village to the most distant parts of the proposed State grounds is but a thousand yards. It will, therefore, be a hardship to no one if this ground is kept entirely free from houses of refreshment, shops, booths, and places of amusement and exhibition. Neither can extensive shelters be necessary. At one or two points something might be gained by the erection of belvederes or prospect towers, but if it is considered how conspicuous any structure of this class must be if conveniently spacious for the general public, it will be evident that even these will be better dispensed with.

VI.

The removal and exclusion from the proposed State ground of everything interfering unnecessarily with the contemplation of the natural scenery will injure no general interest. Since the building of the paper mill, to which reference has been made, a channel has been formed by means of which a great volume of water is diverted from the stream above the rapids and carried through the village to the table-land overlooking the chasm below the falls, where the power can be applied to the greatest mechanical advantage. It is already in extensive use, and it is admitted by the proprietors of the paper mill proposed to be removed, that the situation would be even more favorable for their purposes than that they now occupy, or than any upon the ground of which it is proposed that the State should take possession. This would be equally true as to any considerable industrial undertaking. The provision thus secured can be enlarged, should this ever be required, to any desired extent, and the water power of the falls more economically utilized than if their immediate banks were to be occupied by factories.
VII.

Before passing judgment on the project, the Commissioners have taken all practicable pains to be informed of the market value of the properties required to be taken. They do not present estimates because they could offer none that would not be in a great degree conjectural; and, with a view to the course which they will herein suggest to the Legislature, not of immediate importance. They point out, however, that the project stands on a much more favorable footing than it otherwise could, from the fact that the lines of the proposed State ground are so laid down as to leave out, not only the principal water works, factories and shops for which the Falls have given occasion, but also much the larger part even of the structures provided expressly for visitors. Comparatively little capital invested in improvements would, therefore, have to be bought out. The consideration is also important that the proposition excludes any future costly constructions or elaborate arrangements for the entertainment of the public, and any occasion for licenses or leases which might be corruptly dealt with.

The Commissioners are of the opinion that the real estate required could now be obtained, and the undertaking carried out at a cost less than has been commonly supposed, and which would not be thought by the people of the State to be inordinate.

VIII.

Reviewing the scheme as a whole, the following comments are submitted to the Legislature:

Judged from the lowest point of view, States possess in the interest of their physical features sources of great public and private income. Though more striking proofs might be found abroad, we need not go beyond the limits of our own State for sufficient illustrations of this fact. There can be few intelligent citizens of New York who are not aware from personal observation that a large and rapidly augmenting revenue is flowing into all its channels of business and into the public treasury, because of the attractions which the people of other States and countries find in the scenery of the Hudson, the Mohawk, the Susquehanna, the Delaware and the Genesee; of Lake Champlain, Lake George and numerous smaller bodies of water; the Thousand Islands of the St. Lawrence; the mountain and forest wilds of the Adirondacks, and the picturesque glens and cascades of the central

The Falls of Niagara is not simply the crowning glory of the resources of the State of this class, but the highest distinction of the continent. No other like gift of nature equally in the interest of the world at large or operates equally as an instrument to the crossing of the ocean. Its eminence is shown by the remarkable circumstance that the word Niagara has become incorporated into many languages as better than any other expressing ideas of which the facts of Niagara are the highest known exemplification.

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But the question cannot be regarded simply as an economical one. It has been fully recognized by wise men in all times and in all lands to be conducive to civilization, to the instruction of the people and to the conservation of public order, that localities which are associated with the lives, the achievements and the deaths of distinguished men should be set apart, preserved and held as a sacred heritage to be transmitted from one generation to another. In the same way gifts of nature which appeal to the higher sensibilities of mankind by their beauty and by their grandeur, are entitled to reverential protection.

The memorial hereto appended exhibits the interest which the proposition excites in the minds of many thoughtful men beyond the limits of the State.

It cannot be doubted that another generation will hold us greatly to account if we so neglect or so badly administer our trust that the Falls of Niagara lose their beauty and their human interest. If we blame the men of a former day for not setting apart when it was the
property of the State and might easily have been done, the Falls of
Niagara as the Yosemitie and the Yellowstone have in our day been set
apart, then how much more culpable shall we be, who knowing their
value and perceiving their certain destruction, still refuse to take the
necessary measures for their preservation.

IX.

In accordance with the suggestion contained in the joint resolution
of the Legislature, the Commissioners held a conference with the mem­
bers of the ministry of the Province of Ontario in September last.
This conference disclosed a feeling in Canada which justifies the be­
lief that if New York shall do her part in this work, Canada will do
hers.* To the Canadians it appeared that under the limitations of
their governmental system it would be appropriate that the burden of
the undertaking should be borne by the Dominion government. It
is not necessary to point out the respects which would make it un­
suitable for New York to appeal to the Federal government to relieve
her from whatever expense the matter may involve. It is sufficient to
say that many considerations of State pride as well as of constitu­
tional difficulty, make it clear that if the American part of this work
is to be done at all, it must be done by New York alone.

Mr. Gardner and Mr. Olmsted, considering the Legislature to have
had in view a reservation upon both sides of the river, examined the
Canadian as well as the American shore. Their plans were favorably
received by the gentlemen who represented the government of Ontario
at the conference referred to. The Commissioners are of opinion that
if the recommendations of this report shall be accepted by the Legis­
lature, the plan suggested will be adopted by the Canadian govern­
ment as well.

X.

Upon the grounds which have been set forth, the Commissioners
advise that the Legislature take such action as may be appropriate to
acquire the lands described in the accompanying maps, provided the
same can be purchased for a reasonable price, and that a Commission
be appointed with power to take the necessary legal measures.

Should the Legislature be so disposed, the act for the purpose may
be limited to authorize merely the necessary preliminary measures.

* Since this report was prepared the legislature of Ontario has taken preliminary action for
the purpose.