

compromise. In the summer of the year 1867, the City Council took steps toward vigorously prosecuting the suits between H. W. Carpentier and the City, for the possession of the Water Front property. John B. Felton was chosen as special counsel on our behalf, with a contingent fee of fifteen per cent of the property he might save to the city. He entered upon his task promptly and with energy. The Western Pacific Railroad Company had not then located its extreme western terminus, and each town bordering upon the Bay of San Francisco expected the coveted prize. Various were the inducements offered, and innumerable were the schemes devised for influencing the choice of the Company. The members of the City Council and their Attorney, felt that Oakland had one offering which would turn the scale in her favor, if it could but be made available. The entire water front had been conveyed to the city, and the validity of the conveyance of the property by the city to one of its inhabitants was the only matter at issue. If persistent litigation should be continued, the golden opportunities would pass unimproved. A compromise was talked of. If the Western Pacific Railroad Company could be granted a large portion of the property, it would without doubt locate its terminus in this city, for there were numerous advantages that could not be disregarded, if a clear title could be given to the land upon which its improvements would be erected. Having the indorsement of the people, the City Council made application to the Legislature, and in due time a short Act was passed empowering the Council to settle the controversies of the city as it might deem best. Mr. Carpentier and the members of the City Council then agreed upon the terms of a compromise, which were briefly to the effect that Mr. Carpentier would surrender his title to one-half the property, provided the city would convey the remaining half to the Railroad Company, for terminal purposes. Upon this principle the terms of a compromise were elaborated and put into a tangible form. The proper negotiations were had with the managing officers of the Railroad Company, and satisfactory assurances were obtained.