

THE HYDE PARK NUISANCE.

In considering the issue between the City of Chicago and the Town of Hyde Park, the question arises: What is the chief end of man? The catechism says it is to glorify God and enjoy Him forever. In an earthly sense, however, the chief end of man is to have a comfortable home. It is not the chief end of man to kill hogs and pack pork; still less to create and diffuse offensive odors which deprive us of comfortable homes. The City of Chicago includes among its many branches of trade the slaughtering and packing of beef and pork. In the management of its internal transportation business it employs a vast number of animals, of which large numbers die daily. The carcasses of these dead animals, and the offal from the slaughter houses, at certain seasons, amount to 100 tons daily. The health of the city and the comfort of its people demand that this immense mass of animal matter shall be removed immediately. Some years ago a Company was chartered with authority to purchase and remove all this stuff, and with authority to erect buildings, provide machinery, and generally carry on the business of manufacturing this animal matter into various articles of commerce. The Company, in 1867,—a long time ago in the history of Chicago,—erected their works near Ainsworth, a station on the Pittsburgh & Fort Wayne Railway, and at that time within the Town of Calumet. From this station they had their tracks laid to a point south of the city, in the Town of Lake, to which point all the dead animal matter of the city was brought, placed on the cars, and hauled off to the factory. In the meantime, Chicago had made rapid strides southward. The suburban Town of Hyde Park had obtained an expansion of its territorial limits by the addition of a large slice of the Town of Calumet, including the factory and grounds of this Northwestern Fertilizing Company. However remote this establishment may have been from the habitations of man in 1867, it is so no longer. Population has spread out all over the once uncovered prairie, and Ainsworth may now be said to be on the very boundaries of the city. A few weeks ago, the works of the Northwestern Fertilizing Company burned down. Under their contracts

with the city, they are compelled to haul away the refuse animal matter every day, and, having no other place to put it, they have unloaded their cars upon the prairie, depending upon the frost and the liberal use of chemicals to keep the immense mass harmless until such time as they can restore their buildings and works. At this point the people of Hyde Park interpose. They say that this Company has no authority, and never had authority, to create a nuisance; that the hauling of this stuff, and emptying it upon the fields at the rate of 100 tons a day, is not only a nuisance, but an intolerable one. The authorities, therefore, by special ordinance, made it a penal offence to transport or haul any offal, dead animals, &c., into or through the village of Hyde Park, and they caused the arrest of certain persons connected with the railway trains and fined them \$50 each. The Fertilizing Company have obtained a temporary injunction against interference by the authorities of Hyde Park, and there the matter stands for the present.

This question, however, must be settled at some time, and may as well be settled now. That the offal and dead animals are a nuisance to the city, that can only be prevented from becoming pestilential by removal, is undoubted. That the establishment of the Northwestern Fertilizing Company, or of any other company, for the conversion of this dead animal matter into any other substance, is a nuisance, the people of this city, speaking from long experience, will affirm as beyond controversy. The fact that the City of Chicago would not permit the location of such an establishment within or near its limits is conclusive as to what Chicago thinks upon the subject. It follows, then, that the location of such an establishment in Hyde Park, or Evanston, or Riverside, or at any other place, must be equally a nuisance to the community living within the widespread area infected with its fumes, and breathing the air rendered sickening and atrocious by its horrible odors. But it is claimed that Chicago is a great city, and a large portion of its commerce consists in the traffic in animals, and in the meat packed here by our slaughtering establishments, and that we must choose between sacrificing this

immense business and maintaining the nuisance; and that it is particularly ungracious for the people of Hyde Park to object to this nuisance when they are so much indebted to Chicago for their profits. The fact that it is a nuisance cannot be denied so long as Chicago will not permit the works to be located in the city on any terms. So far as the choice is between sacrificing the packing business and having these works in Chicago, the matter has already been determined. It is now whether we will insist on maintaining the nuisance in Hyde Park. Hyde Park says we shall not, and we do not well see how Hyde Park can say anything else. The claim that this work is done by a chartered Company, and therefore such Company is superior to the law regarding nuisances, is an absurd one. Whatever rights the Company has are held subordinate to the requirement that they shall not be exercised to the injury of the rights of others. There can be no such thing as a legal nuisance; there can be no chartered right to maintain a nuisance.

In 1867, the City of Chicago required that this nuisance be removed fourteen miles from the centre of the city. In the interval, population and settlement have advanced far into the polluted atmosphere. Hyde Park protests, and there is but one thing to do, and that is to move

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the nuisance farther away. It is no greater hardship to be compelled to move fourteen miles now than it was in 1867. Having become an intolerable nuisance, this establishment must bear the fate of all such bad neighbors, and move on. Its products are sold at the East, and each mile its factory moves eastward it will be that much nearer to market.

The talk about sacrificing the business of Chicago by breaking up this nuisance in Hyde Park is idle. There was a time when this offal was thrown into the river, and it was then declared that to stop that nuisance would be to drive the packing business away. But the law was enforced; then came the factory at Bridgeport, and at last the one at Ainsworth; and now, in the progress of the city's growth, is the requirement that it go further off. But admitting that we have no choice, and that we must endure this fearful nuisance or stop killing animals by the million, the question with which we begin this article arises, whether hog and beef killing is the chief end of man? and whether our moral and physical health, comfort and enjoyment, must be subordinated to the privilege of a few persons to slaughter animals and dry their offal in the open air? Is that the end for which we were brought into the world? Are the health and comfort of the 450,000 people of Chicago and its suburbs nothing against the great charter to slaughter animals and convert their offal into manure?