

DR. SMALLWOOD BUILDS A FENCE

He Objects to His Neighbor's Windows Overlooking His Grounds.

ASTORIA, L. I., Feb. 22.—There being no Building Department in Long Island City, of which this place considers itself unfortunate in being a part, prospective builders are not restricted in either style or construction. This absence of legal restriction has caused the erection of a fence that shuts off the view from the two first floors of a large double brick flat house that has just been completed, on Stevens Street. The new structure is owned by John Loughlin, an engineer on one of the Hell Gate ferryboats.

The structure is on what is known as "The Hill." It is the residential section of the place, and the flat is the only building of that character in the neighborhood. It is said that when Engineer Loughlin was asked what style of building he was going to put up, he said that he was going to build flats, so that the poor people could live among the rich. His house stands directly on the property line, and adjoins the residence of Dr. Samuel B. Smallwood, a retired physician. Dr. Smallwood notified Loughlin not to put windows in the side of his building, or he would have to go to the necessity of building a fence to shut off the view, as the windows would look directly into the physician's house.

Work on the flat progressed without a change in the plans, and three windows were put on each floor on the side. Dr. Smallwood made no further protest, but about the time that "To Let" signs appeared in the front windows of the flat house a load of lumber was driven up in front of the doctor's place, and a force of carpenters set at work building the fence that now shuts off the view of the windows on the first two floors of Loughlin's flat. Dr. Smallwood has shown some consideration for the people who may occupy the two floors. He built his fence a few inches from the property line, and left open the part that came opposite the brick wall between the two rows of windows. He did this in order that the tenants should not be entirely cut off from a supply of fresh air.

The fence is built of smooth lumber, and is by no means unpleasant to look at. It has been nicely painted, and in its appearance and construction shows that Dr. Smallwood acted from no mean motive in causing its erection. It would be impossible for his family to enjoy any privacy if the windows in the flat were not covered up.