

## CHAPTER XVI.

Internal Improvements — Early Navigation of the Mohawk — The Inland Lock and Navigation Company — The Erie Canal — Railroad Building — The Montgomery County Agricultural Society.

FOR nearly two centuries, says a contemporary writer, the Mohawk river above Schenectady has been navigable for small craft; first by the Indians with canoes, followed by the merchants of the east and the traders of the frontier in the transportation of wares into the Genesee country. The navigation of the river, however, was impeded by the falls (Little Falls so-called), to overcome which both goods and boats were required to be carried a distance of about one mile. By the establishment also of a carrying place, superseded by a canal, between the Mohawk and Wood creek, and by utilizing the waters of Oneida lake, the pioneer bateaux carried merchandise from Albany to Oswego. For many years this was the chief means of travel from the east to the west, families, household goods and supplies being carried by water, while horses and cattle were driven along the state road passing through the Mohawk valley. The first transportation boats were called bateaux, having a carrying capacity of from one to three tons, and were superseded by the Durham boats, capable of carrying ten or fifteen tons.

In 1782 the Inland Lock and Navigation Company was incorporated, the design being to remove river obstructions and build locks at Little Falls, at German Flats and also at Rome. To this was to be added a canal between the Mohawk and Wood creek, thus furnishing an unimpeded water route between the east and west part of the state. General Philip Schuyler was the principal promoter of this enterprise and associated with him were several Mohawk and Hudson valley capitalists. During the operations of the company, the old bateaux were replaced by the more modern Durham boats, but however beneficial this method of transportation may have been, it was soon superseded by a still more important enterprise, and one which has continued in uninterrupted use to the present time—the Erie canal. It is uncertain

who originated the idea of constructing this grand water communication through the state, as all previous efforts had been directed to the maintenance of the method attempted by the navigation company.

It may be said, however, that in 1800 Gouverneur Morris suggested the idea of a direct canal from Lake Erie to the Hudson, his plan being to tap the lake and thence have a continuous slope to the high lands bordering on the Hudson, with a series of locks thence to the river. He unfolded his plan to the surveyor-general (Simeon De Witt), but the latter considered it impracticable. Soon afterward De Witt in a conversation with James Geddes (then a land surveyor of Onondaga county), mentioned the Morris plan as one of the new schemes which had been advanced. Mr. Geddes, however, looked at the matter in a different light and after reflection concluded that with some modifications, it was by far the best plan that had been suggested. He consulted Jesse Hawley, and the latter published a series of articles signed "Hercules," which were the first ever printed in favor of the Erie Canal. In 1808 Joshua Forman, member of assembly, introduced a resolution for the survey of a canal route, to the end that congress might be induced to grant money for the construction of a canal; and the legislature at the same time appropriated \$600 for surveys, which service was entrusted to Mr. Geddes, who was directed to level down from Oneida lake to the mouth of Salmon creek, to ascertain whether a canal could be opened from Oswego falls to lake Ontario, and also to survey the best route for a canal around Niagara falls. He was also directed to survey a route eastward from lake Ontario to Genesee river and thence to the waters following east to Seneca lake. Mr. Geddes' report showed the practicability of the last named route, and the project at once excited general attention, and secured the influence of De Witt Clinton (then senator), and of many other prominent men. In 1810 commissioners, with Clinton at their head, were appointed to explore a canal route through the centre of the state, and on April 8, 1811, an act was passed to provide for the improvement of internal navigation, to aid which application was made to the general government, but without success. The report of the commissioners stated the importance of the measure with such eloquence that a law was passed the next year continuing the commission and also authorizing it to borrow money and take cessions

of land, but the war temporarily caused a suspension of active work until 1816, when another act authorized a more definite survey. The canal was begun at Rome July 4, 1817, and on October 22, 1819, the first boat passed from that village to Utica. The entire work was finished October 26, 1825, at a total cost of \$7,143,789.86. As first constructed the canal was 363 miles long, twenty-eight feet wide at the bottom and forty feet at the top, and four feet deep. Its enlargement was ordered May 11, 1835.

As the first boat, with Governor Clinton on board, entered the canal at Buffalo on October 26, 1825, a line of cannon, previously arranged a few miles apart, fired signals to Albany and down the Hudson to Sandy Hook, whence they were returned in the same manner. The commissioners under whom the Erie canal was constructed were Stephen Van Rensselaer, De Witt Clinton, Joseph Ellicott, Samuel Young, and Myron Holley, William C. Bouck being added to this number in 1821. The chief engineers were James Geddes and Benjamin Wright, neither of whom had ever before seen a canal, or even had the means of acquiring any other knowledge of engineering except that obtained from surveying land. The precision with which their surveys were executed, under such circumstances, has been regarded as truly wonderful. The canal was great for its day, but progress demanded a still greater advance, which was soon developed by the use of the iron horse.

The Mohawk and Hudson railroad, connecting Albany and Schenectady, led to the Utica and Schenectady railroad, organized April 29, 1833, with a capital of \$2,000,000, its object being to build and operate a line of railroad between the two last mentioned cities. The incorporation of the Utica and Schenectady company was the first step toward the construction of a railroad through Montgomery county, and hence was an event of unusual importance in local history. The first board of directors, among whom were names familiar in Montgomery county, was as follows: Erastus Corning, John Townsend, Lewis Benedict, James Porter, Alonzo C. Paige, Tobias A. Stoutenburgh, Nathaniel S. Benton, Nicholas Devereaux, Henry Seymour, Alfred Munson, James Hooker, John Mason and Churchill C. Cambreling. The work of constructing the road was begun soon after the organization and completed, and it was opened for transportation on August 1, 1836.

In 1853 there were in operation several railroads owned by various stock companies, forming a continuous line of travel from New York to Buffalo through the Hudson and Mohawk river valleys and the Genesee country. In the year 1853, by virtue of an act of the legislature, these companies were consolidated under the name of the New York Central Railroad Company, which became owners and lessees of the entire line. The latter, by various changes, modifications and processes of law, is now known as the New York Central and Hudson River Railroad Company. The advantages derived by the people of this country from the construction and operation of this road are so well understood that comment is unnecessary. The same company is also the lessee of the West Shore road, built during 1882 and 1883, and then known as the New York, West Shore and Buffalo railroad. It was intended to compete with the Central-Hudson, and was operated in this manner for several years, but was finally absorbed by the latter.

The early success of the Utica and Schenectady railroad led the people of Johnstown and Gloversville to also organize a similar enterprise, it being highly important for these places to have rapid and easy access to the Mohawk valley road. To this end the Johnstown Railroad Company was incorporated, May 13, 1836, with a capital of \$75,000, but it proved unsuccessful and many a year elapsed before the scheme was in operation. It was not, indeed, until 1870 that a railroad connected Gloversville and the Mohawk valley.

The Fonda, Johnstown and Gloversville Railroad Company, to which reference is now made, was organized June 16, 1867, and after overcoming many obstacles succeeded in completing their track at the lapse of three years. It connects with the Central-Hudson at Fonda, the same depot being used by both companies. It may here be added that the Gloversville and Northville Railroad Company (whose line is a continuation of the F., J. and G. road) was organized in 1872, and completed road in 1875.

In the present connection we may properly recall some of the railroads which have been laid out through Montgomery county, but which never got beyond the mere project. One was the Fish House and Amsterdam Railroad Company, organized April 26, 1832, the object being to build a track between the two places above mentioned; its

capital was \$250,000, but after the plan had been drawn no work was ever done.

Another was the Catskill and Canajoharie Railroad Company which was organized April 19, 1830, with a capital of \$600,000, the object being to build a track from Catskill to Canajoharie. It was built from Catskill to Cooksburg at a cost of \$400,000, but in 1842 it was abandoned and the road bed was sold.

The Mohawk Valley Railroad Company was organized January 11, 1851, having a capital of \$2,000,000. It proposed to build a road between Utica and Schenectady, but nothing was done beyond making surveys.

To return to agriculture, it may be said that the earliest efforts of nearly all of the pioneers of the Mohawk valley were directed to agricultural pursuits, for like all first settlers, they were poor in purse and dependent almost wholly upon the products of the soil. As farmers, their ideas were primitive, and the suggestion of improvement, either in implements or in the grade of stock, found little encouragement. They were, however, a sturdy, industrious people, living entirely within their means and controlled by their inherited customs. Hence they were not easily led by the notions of new comers, however beneficial the latter really may have been. Even Sir William found much difficulty in superseding old customs, and on one occasion, in 1765, expressed himself thus in a letter to the English Society for the Promotion of Arts: "The state of agriculture in the country is very low, and in short likely to remain so, to the great detriment of the province, which otherwise might draw many resources from so extensive and valuable a country; but the turn of the old settlers here is not much calculated for improvement; content with the mere necessaries of life, they don't choose to purchase its superfluities at the expense of labor, neither will they hazard the smallest matter for the most reasonable prospect of gain, and this principle will probably subsist as long as that of their equality, which is at present at such a pitch that the conduct of one neighbor can but little influence that of another."

It may be said, however, that whatever doubt the baronet may have entertained concerning improvement among the original settlers, a substantial progress was made in agriculture by their thrifty descendants

and by the enterprising New Englanders who occupied the region soon after the revolution. During the closing years of the last century, the state made some provision for improvement in agriculture, but it yielded no profitable results until 1801, when the territory of the state was divided into agricultural districts (each county comprising one) and a secretary appointed for each, whose duty was to inquire into the condition of the farmers and report to the central head of the society. Premiums were awarded for superiority in certain products, but the crops were apparently of secondary importance. In 1819, however, an appropriation was made by the state, for distribution among the counties, to promote both agriculture and domestic manufactures, but how the funds were divided and what awards were made cannot be ascertained. In the same year also, an agricultural society was formed at Johnstown of which Henry F. Cox was president, and James McIntyre secretary. The first annual fair was held October 12, and each year afterward until the division of the county, when the society became a Fulton county institution, while that formed a few years later at Fonda was virtually a new organization.

In 1841 the state appropriated \$40,000, part of which was used to reorganize the state agricultural society, and the other part for division among the societies for the promotion of agricultural pursuits. Under the provisions of the act of 1841, the Montgomery County Agricultural Society was organized, but this did not take place until *September 20, 1844*. At a *meeting then held at the court-house in Fonda* the first officers and directors were elected as follows: President, Tunis I. Vanderveer; vice-president, Joshua Reed, Peter H. Fonda; secretary, John Frey; treasurer, John Nellis; directors, Benedict Arnold, Amsterdam; Robert Baird, Charlestown; Jeremiah W. Gardner, Canajoharie; Lawrence Servoss, Florida; Richard Hudson, Glen; Barney Becker, Minden; Lyndes Jones, Mohawk; Wm. Snell, Palatine; George Spraker, Root; John Y. Edwards, St. Johnsville. The first fair was held on the court-house grounds on the 11th and 12th of November, 1844, and for the next three years at the same place. The fifth and twelfth fairs were held at Canajoharie; the tenth at Fort Plain; the eleventh at St. Johnsville. In 1856 Fonda was designated as a permanent location for the annual meetings, and in 1863 part of the old Van Horne estate was



*W. L. Van Dine*

purchased, upon which was erected suitable buildings, while a half mile racing and exhibiting track was added to complete the grounds. Since then the fairs have been considered successful, the attendance being usually large and the receipts sufficient not only to enable the society to meet all obligations but to enlarge its grounds and erect thereon more spacious exhibiting halls. Present officers: Stephen Sanford, president; T. B. Vanderveer, Wm. Clark, vice-presidents; Wm. Wiles, treasurer; George L. Davis, secretary; L. A. Starin, J. B. Snow, G. M. Vorhees, executive committee; directors, John T. De Graff, Stephen Collins, John V. Sweet, Amsterdam; A. C. Phillips, 1st Ward; Edward McDonald, 2d Ward; Dr. Wm. H. Robb, 3d Ward; David Mathias, 4th Ward; George Vanderveer, 5th Ward of Amsterdam city; A. B. Miller, Ephraim Lipe, Lewis Bierbauer, Canajoharie; P. A. Dingman, M. S. Holmes, J. N. Morford, Charleston; James Herrick, Hiram Schuyler, Frank McClumpha, Florida; Ira Vanderveer, John Edwards, J. H. Faulkner, Glen; F. L. Bauder, Abram Dievendorf, David G. Hackney, Minden; George Ingersoll, John W. Wilson, Robert L. Bearcroft, Mohawk; John P. Snell, John W. Nellis, Jacob Saltsman, Palatine; Jacob Dievendorf, George Dillenbeck, Charles Dievendorf, Root; Peter F. Nellis, Abram I. Klock, Alfred Niles, St. Johnsville.

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## CHAPTER XVII.

### THE LEGAL PROFESSION IN MONTGOMERY COUNTY.

THE sentiment is commonly expressed that the judicial system of the state of New York is largely copied from the common law of England. This is true in many respects, and such resemblances are frequent, but a close study of the history of the laws and judicial practice of this state will reveal the fact that they are in many respects an original growth. This is strikingly manifested in the simple matter of entitling a criminal process. In this state it is the people versus the criminal; in England it is rex versus the criminal. In the one the requirement is an independent judiciary responsible to the people only; in the other it is a court subservient to a king.