

HISTORY

OF THE

County of Newbury:

BY E. M. RUTTENBER.



Illustrated

WITH

VIEWS, MAPS, PORTRAITS, &C.

E. M. RUTTENBER & CO., PRINTERS.

houses at Newburgh and Goshen—seventeen thousand dollars to be expended in the latter town and thirteen thousand in the former.

The act applied for was passed by the Legislature in April, 1841; and the corner-stone of the court house at Newburgh was laid in September, of the same year. The building was erected under the direction of Alexander Thompson, David W. Bate and Roswell Mead, committee of the board of supervisors; T. M. Niven, architect and superintendent; Thomas Kimball & son, contractors. The following paper, deposited in the corner-stone, explains itself:

"The Board of Supervisors of the county of Orange, having authorized the erection of a Court House in the village of Newburgh and selected for a site therefor the southeast corner of this lot: It was proposed that an effort be made by voluntary contributions of the citizens of the village of Newburgh, and its vicinity, to raise a sum sufficient for the purchase of the balance of the lot with a view of changing the location of the building from the corner to the centre thereof; and to have the grounds laid out and to be forever kept open as a public square:—which object, through the most commendable liberality of Thomas Powell, John Peter DeWint, Henry Robinson, and many others* was successfully accomplished."

The deed for the lot was taken in the name of the trustees of the village, and the express reservation made by and in the name of the subscribers, that the ground should "*be forever kept open as a public square.*"

SUPPLY OF WATER.

Prior to 1817, the village of Newburgh was mainly supplied with water by wells; but, as it became more compactly settled, it became necessary to procure a supply from other sources. Private enterprise, for a time, relieved the more pressing demand;† and, in 1804, the board of trustees took the subject in hand, and submitted to the inhabitants a plan for forming a stock association,‡ which resulted in the incorporation, by an act of

* A list of the subscribers and the sums may be found in the minutes of the clerk of the board of trustees.

† Under date of August 3d, 1803, we find the following advertisement of the first water-works:

"**WATER.**—The proprietor of the works on the tenement formerly the property of Francis Brewster, of this village, hereby informs his neighbors, that water may be had at the works until other arrangements are made, on the following easy terms, to wit—For every 5 pails of water, or less quantity, 5 cents; for each barrel filled at the works, 6 cents. All persons who come to the works for water, will, in future, be so obliging as to call on some of the family, in order that an account may be kept. Prompt payment will be expected at the end of every month. For workmen to drink, who are employed in erecting any building in the town, or such as are at work improving the streets, or other public labor, water gratis."

‡ "A meeting of the inhabitants of the village of Newburgh is requested at the house of Edward Howell, in said village, on Saturday next, at 7 o'clock in the afternoon precisely, to devise a suitable plan to supply this village with good and wholesome water for all family purposes, and to supply the engines with water in cases of fire.

In the meantime the following plan is submitted to their consideration:
That the amount of the expense of the proposed measure (estimated not to exceed 3000 dollars) be divided into 800 shares, of five dollars each; that each inhabitant shall be at liberty to subscribe as many shares as he as he may think fit, not exceeding 20 in number, during the first ten days after opening the subscriptions; that none but inhabi-

the Legislature, passed March 7th, 1806, of the "Newburgh Aqueduct Association." Beyond this, however, nothing appears to have been done until 1809, when, on the 27th of March, the Legislature passed an act empowering the trustees to procure a supply of water for the use of the village, and for that purpose to enter upon the possession of any springs or streams of water within the corporate bounds; provided, that there should, "in all cases, be left a sufficiency of water in said spring or springs so taken, for the use of the owner of the lands whereon the said spring or springs are situated, and his heirs and their assigns forever;" and further, that compensation should be made for the property so taken. Two hundred and fifty dollars were to be raised annually by tax to meet the expenses incurred, and the act of 1806 was repealed. The sum named in this act proved to be insufficient, and no further proceedings were had until 1812, when a meeting of the citizens was held (Feb. 29,) who sanctioned the levying of a higher tax, by the trustees; but the latter regarded a compliance with the wishes of the former as illegal, and directed the raising of only the amount specified. This was the first water-tax levied.

In May, 1813, the trustees determined to contract with Jonathan Hasbrouck, the owner of the Cold Spring, and Walter Case and Jacob Powell were appointed a committee for that purpose. No arrangement, however, was made with Mr. Hasbrouck, and the subject rested until the 20th of June, 1814, when the trustees "Resolved, That we will proceed with all convenient speed to supply the inhabitants of the village of Newburgh with pure and wholesome water;" and, as Water street was about to be paved, that water-logs be laid before that work was done. In 1815, the difficulties under which the trustees labored were

tants of the village, or persons holding real estate within the same, shall be permitted to subscribe any shares during the first ten days aforesaid; that subscription books be provided by the Trustees of the village, and the subscriptions be made payable to the Treasurer of the Corporation at such times and in such proportions as the board of trustees may from time to time direct, and emergencies may require; but to be appropriated only to the object of the institution; that the purchases of springs and sources of water, and the soil necessary for this purpose be made by the trustees in their corporate capacity, and be held by them and their successors, in trust for the exclusive benefit of the subscribers, their legal representatives, or assigns, until the income of the works shall be equal to the amount of the subscriptions, and interest after the rate of fourteen per cent. per annum; that the works shall be carried on and when completed be, and always remain, under the sole direction and control of the trustees for the time being, and that they may at all times make and ordain such prudential by-laws and regulations concerning the same, as shall be just and right; and that the whole interest, rights and emoluments of the institution shall be vested in the trustees for the time being, for the use of the inhabitants, when the subscribers shall have received the amount of their subscriptions and interest after the rate of 14 per cent. per annum. By order of the Trustees.

Newburgh, June 30, 1804.

G. MONELL, President.

partially removed by an amendment to the charter of the village by which two thousand dollars could be annually raised by tax, for contingent expenses and for the introduction of water. An effort was then made to purchase a spring owned by Mr. Mandevill, now the property of J. J. Monell; but it was not successful. Nothing further was done until 1816, when the trustees appointed a committee to examine the water-lots of Jacob Ritchie, in the vicinity of Grand and Third streets, for the purpose of ascertaining the extent of the supply which could be obtained from that source. Experiments were made by this committee, who subsequently reported that the yield was not sufficient. The proposition to take the Cold Spring was then renewed, and an agreement was made with Mr. Hasbrouck for that purpose. The water was to be taken from a "pen-stock," which had been erected on Liberty street for supplying the brewery of Robert Dunlop, and conveyed "from thence down Ann street to Colden street, thence through Colden and Water streets as far north as the store of Harris & Miller." *

At this stage of the proceedings, the court of chancery, (Aug. 26, 1816,) on the application of George Gardner, through whose lands the outlet of the spring passed, granted an order restraining the trustees from further action, as, under the act of 1809, they were required to leave sufficient water in the spring for the use of those interested in it as a source of private supply. The trustees referred the subject to their counsel, Mr. Henry, of Albany, who, after examining the act, advised them that he considered it inexpedient to make a motion to dissolve the injunction. The trustees then agreed (Jan. 10, 1817,) to ask the Legislature to "repeal the act of 1809, and substitute, in lieu thereof, a law for the same purpose based upon more just and constitutional principles as to the mode and extent of contracting for or taking the water to be introduced into the village." This action was approved by the citizens, at a public meeting held on the 29th of March, and the act applied for passed the Legisla-

* "*Resolved*, That a committee be appointed to contract with Jonathan and Eli Hasbrouck for the right of entering their pen-stock, which contains the water from the Cold Spring, with an inch auger, and to agree with them for the quantity of water to fill said hole for the purpose of supplying the village with water, for the term of seven years or longer; and that Francis Crawford, Jonathan Carter and John Anderson, Jr., be that committee."—*Minutes*, July 6, 1816.

"Proposals for digging the ditch for the logs of the aqueduct by the rod, from the place contemplated in the contract with the Messrs. Hasbrouck, read. *Resolved*, That the proposals of William Hill be accepted."—*Minutes*, July 13, 1816.

"*Resolved*, That a contract be made with Mr. J. Gilchrist for preparing and laying down water logs."—*Minutes*, July 15, 1816.

ture on the 7th of April. This act authorized the trustees to take, for the use of the village, such sources of supply as they might deem necessary. In case of disagreement with the owners of the property so taken, the subject of damages was to be referred to Wm. Thompson, Daniel C. Verplanck and Abm. H. Schenck, who should fix the amounts to be paid. The trustees immediately made application to Jonathan and Eli Hasbrouck, George Gardner, and Patrick McGahey (the guardian of the infant heirs of Charles Mackin,) for the sale of their several rights in the Cold Spring. Jonathan Hasbrouck demanded \$10,000; Eli Hasbrouck, \$5,000; George Gardner, \$5,000, and the heirs of Charles Mackin, \$500. The trustees, regarding these sums as altogether too large, applied to the commissioners named in the act, who awarded to Jonathan Hasbrouck, \$2,000; to Eli Hasbrouck, \$100; to George Gardner, \$1500, and to the heirs of Charles Mackin, \$50. The award was accepted by the trustees, and the several sums paid. The deed from Jonathan Hasbrouck, however, was made subject to a previous contract with Robert Dunlop, then held by James Law, for supplying his brewery with water.* The construction of the works was then resumed, and, in addition to those already named, logs were ordered laid through Smith and Liberty streets. In 1819, the Legislature passed an act enabling the trustees to fund the water debt, then amounting to \$5,000.† In 1821, a larger supply of water being deemed necessary, the trustees purchased the Ritchie lots, on Grand street, from John Ledyard, for the sum of \$450; and, in 1829, sold the property, with the exception of the spring,‡ for \$4,715. Subsequently, an additional source of supply was found on the lands of Wm. P. C. Smith, and a reservoir built near the late residence of Rev. Doct. Johnston.

Such—with the addition of several large reservoirs—were the Newburgh water works prior to the introduction of a supply from the Little Pond. In regard to this source, we briefly re-

* The release of Mr. Law was subsequently obtained from J. Beveridge & Co., his successors, for the sum of \$2,000.

† The reason assigned in the petition to the Legislature for the passage of this law, was, that "the general pecuniary embarrassment" of the citizens rendered it "extremely oppressive to raise the money by tax," as required by the law under which the debt had been created. The original debt, however, was subsequently largely increased by expenditures for other purposes. Having no power to issue any other bonds, when money was required a "Water Bond" was issued, until the debt reached some \$20,000.

‡ Ritchie's spring is situated in Third street, between Grand and Liberty streets. At the time of its purchase, the lots in the vicinity were covered with a pond which it supplied. When the lots were filled in and Third street opened, the spring was arched and covered over and its outlet conducted to a reservoir in Liberty street. The water from it is now, we believe, conducted into the sewer in Third street.

mark, that the proposition to secure it was first made in 1835, and was renewed, in various forms, until its final adoption in 1852. To trace the several plans which were, from time to time, submitted to the public on the subject, is unnecessary. It is sufficient to say, that after a full examination of the Powelton springs, the Gidneytown creek, and the Little Pond, the people of the village almost unanimously approved the latter as a source of supply; and, in March, 1852, an act appointing commissioners for the purpose of constructing the works, was passed by the Legislature. In accordance with the terms of this act, on the report of the commissioners, an election was held (Nov. 15, 1852,) when eight hundred and twenty-one ballots were cast for, and sixteen against, the plan of supplying the village with water from Little Pond. The works were put under contract in 1853, and \$93,976.91 were expended by the commissioners.* In addition to this sum, the trustees expended in 1852, \$950.16; in 1854, \$7,007.87; in 1855, \$2,778.60; in 1856, \$750.16; in 1857, \$1,646.88; in 1858, \$4,796.01; in 1859, \$1,541.36; and from March 1st, of the latter year, until January 1st, 1860, about, \$2,000—making a total of \$115,448.75. The act, however, contemplated an outlay of only \$100,000, for which sum bonds were issued, \$92,000 of which is in six per cents, and \$8,000 in seven per cents. The number of buildings supplied is 1,331, and the present annual revenue, \$10,000. 15,200 feet of twelve inch pipe; 5,720 feet of six inch pipe, and 24,758 feet of four inch pipe, have been laid. More ample details are given in an able statement recently prepared for the board of trustees by Wm. L. F. Warren, Esq., to which reference can be made.

* The commissioners named in the act were Lewis W. Young, George Cornwell and James Belknap. Mr. Cornwell subsequently resigned, and Eli Hasbrouck was appointed to fill the vacancy.