

## The Third Decade

### Overview

There were perhaps six events of special significance as Batavia passed through its third decade: the first big fire, incorporation as a village, the departure and suicide of Joseph Ellicott, the creation of a county poor house, the construction of the Erie Canal, and the disappearance and presumed murder of William Morgan.

#### First fire

A major fire in the center of Batavia was probably inevitable. As the population grew, the number of business establishments built closely together also grew. The buildings were almost always of wood. Lighting was by candle light. Heating was by wood fires. There was no fire department or fire-fighting equipment. Some of the businesses, such as that of the silversmith, used open flame in the conduct of their trade. The “inevitable” occurred on the night of December 22, 1821. Three buildings were destroyed in the downtown area. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 39-40) There is more information about this fire and its effects in a following section titled, “Disasters.”

#### Incorporation

On June 23, 1822, at a meeting of local residents, Silas Finch, William Wells, and Trumbull Cary were chosen to petition the State Legislature for an act of incorporation. Their subsequent petition later that year failed to gain adequate support, so they returned to Albany during the next legislative session and tried again. This time, the trio succeeded in their efforts and a charter was granted on April 23, 1823. For the first time, Batavia was an incorporated village with legal boundaries and its own governing body. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 40) There is more information about Batavia’s new government in a following section titled, “Government/governing structure.”

#### Joseph Ellicott

In the first two decades, Joseph Ellicott, who stood an imposing 6 ft.-3 in. tall, was by far the most important figure shaping the development of Western New York including Batavia. This was a direct result of his position as the resident land agent for The Holland Land Co. Among other things, he used the influence and power of his position to control political decisions at both the local and State level. Joseph Ellicott functioned as the “boss” of the political machine

## 1821-1830

---

that evolved in Western New York. (Patrick R. Weissend, *The Life and Times of Joseph Ellicott* [Batavia, N.Y.: Holland Purchase Historical Society, 2002] no pagination)

However, by the beginning of the third decade, as noted by Patrick Weissend, Ellicott's control began to crumble. Residents throughout The Purchase, including Batavia, started to publicly complain about The Holland Land Co. and Joseph Ellicott in particular. Ellicott's personality probably didn't help matters any. He has been described as being "short tempered, somewhat tactless, with an inner drive that made him rather dictatorial." Paolo Busti, Ellicott's immediate superior, realizing that Joseph Ellicott was no longer an asset to the company, asked for his resignation. At first, Western New York's best-known resident resisted, but in 1821 Joseph Ellicott finally gave up his position and left The Holland Land Co. (Patrick R. Weissend, *The Life and Times of Joseph Ellicott* [Batavia, N.Y.: Holland Purchase Historical Society, 2002] no pagination) Jacob S. Otto became the new resident land agent (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose and Co., Publisher, 1890] p. 24).

The next and final five years of Ellicott's life were a sad ending to a great man's story. He tried to buy the remaining land held by The Holland Land Co., but he couldn't get the financial support that was needed. His health was in decline. Then, in late 1824, the decline became more rapid. From the perspective of someone living in the 21<sup>st</sup> century, it looks like a classic instance of what often happens when one loses a reason to live, when life no longer has meaning. Ellicott's family took him to New York City where he was admitted to an asylum. Reportedly, his life there became "a twisted world of tormented thoughts, whirling confusion, and deep moroseness." Evidently, Joseph Ellicott's mental state finally became too much to bear and, on August 19, 1826, he hung himself. (Patrick R. Weissend, *The Life and Times of Joseph Ellicott* [Batavia, N.Y.: Holland Purchase Historical Society, 2002] no pagination) The man whose name lives on in numerous ways, e.g., Ellicott Street, Ellicott Avenue, Ellicott Creek Park, Town of Ellicott, and Ellicottville, was no more.

### Poorhouse

As indicated above, another significant event in the years 1821-1830 involved the poor. Prior to the third decade, the needs of the poor in Batavia were addressed mainly by individual overseers appointed by the Genesee County Legislature. This situation changed in 1826 when the County Legislators met for the purpose of establishing a poor house. (Susan Conklin, *Genesee County Home/Poorhouse: A Brief History*, online, accessed 3 January 2014) The Legislators' actions appear to have been prompted by a law passed by the New York State Legislature two years earlier in 1824. Although Genesee County was initially exempted from the mandate, the 1824 law required county supervisors to open poor houses, spelled out how they were to operate, identified the funding procedure, and identified who was to be admitted.

## 1821-1830

---

(Linda Crannell, *The Poorhouse Story*, online, accessed 3 January 2014) There is more about the treatment of the poor in a following section titled, "Care of the handicapped, aged, poor, and young."

### Erie Canal

The next occurrence among the most significant events in the third decade brought benefits to other communities, but, unfortunately, not to Batavia. That event, one dramatically altering transportation, was the construction of the Erie Canal which opened in 1825. Had the Canal passed through Batavia, the community would probably have been favorably impacted in ways that did not occur until the later arrival of railroads. Batavia had been the core from which the rest of Western New York was opened for settlement. At one point, the Village was the most populous community on The Purchase and might have remained one of the largest. However, Batavia lost its central location and a significant potential for growth when the Erie Canal was constructed 20 miles to the north. The communities whose development was spurred were places such as Rochester, Buffalo, and all the "ports" in between. Batavia was a victim of topology. The route finally chosen for the Canal was selected because it required far fewer locks and lesser expense than one that would have passed through present-day Genesee County.

### William Morgan

The final significant event of the decade, the disappearance and presumed murder of William Morgan, began in 1826 when Morgan was rejected for membership in the Batavia Masonic Lodge. Together with David C. Miller, a local printer, Morgan promised to gain revenge by publishing the Masons' secret rites. Morgan was last seen when, soon afterwards, he was spirited away by a group of men headed for Fort Niagara. The assumption of the public was that William Morgan was the victim of a Masonic plot. This led to the rise of an anti-Mason movement that impacted national politics. There is more about Morgan in a following section titled, "Families/persons of special note."

### Population

This overview of the third decade ends with an estimate of Batavia's population in 1830. As already noted in the previous chapter, Beers asserted that there were 1,400 people living in the Village in 1825 (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 183). And, as also indicated in the previous chapter, the 1860 Federal census, the first one to separate the Village of Batavia from the Town of Batavia, reported a population of 2,560 individuals ("Genesee Community Information," *Richmond Memorial Library*, online, accessed 3 January 2014). So, assuming a

## 1821-1830

---

steady growth over that 35-year intervening period, perhaps the population of the Village had reached around 1,565 by 1830.

### 1: Infrastructure

There is little change to note in regard to infrastructure in the third decade. The streets remained unpaved, public sewers were still well into the future, and there was no public water system. At some point, the names of many streets changed, but the dates when these changes occurred have not always been recorded. For example, what is now Bank Street was originally Dingle Alley, then, later, Van Buren Street. What is now Clinton Street was called Pine Street. These two name changes appear to have occurred in the early 1800s, possibly during the period 1821-1830, but the exact year is unknown. Other changes occurred later and will be noted later in this book.

### 2: Transportation

Again, in regard to transportation, there is little change to note in the third decade. Railroads began to appear elsewhere in the United States during the 1820s, but it wasn't until the 1830s that one reached Batavia. The modern safety bicycle was not yet invented. So, the only real options available to Batavians for travelling overland remained the same: travel on foot, on horseback, or in a conveyance drawn by horses or oxen.

William Seaver reported that in the 1820s, there was local interest in having the Erie Canal built through Genesee County and through Batavia in particular (William Seaver 2, *A Historical Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 66). But, as we can all plainly see, that didn't happen. As observed in the overview section of this chapter, a route through the Batavia area would have required too many expensive locks. So, if anyone wanted to travel by water locally, the only option, then just as now, was the unsatisfactory choice of the Tonawanda Creek.

### 3: Housing

Over the course of the third decade, new housing continued to be built. One prominent example was the dwelling built by Stuckley Allen on the east side of Jackson Street, currently 113 Jackson. Still standing, it is a brick, 5-bay wide, Federal-style house. (*The Architectural Heritage of Genesee County, N.Y.* [Batavia, N.Y.: Landmark Society of Genesee County, Inc., 1988] p. 61) However justified Joseph Ellicott's concerns about local bricks might have been when the Genesee County Court House was built in 1803, it appears that bricks used later, as with this structure, did not pose any problems.

## 1821-1830

---

Housing built in the years 1821-1830 typically consisted of single-family, or, at most, two-family structures. And, the Allen house being an obvious exception, most were frame dwellings.

Hotels or taverns that provided housing to transients date from the earliest days of Batavia. A particularly notable example from this decade was the one constructed in 1823 on the southeast corner of present-day Court and Main streets. Known as the Eagle Tavern, it was a three-story brick structure built by Horatio Gibbs. As will be noted later in this book, a series of successors were built over the years in this same location, as earlier structures burned, finally culminating in the famed Hotel Richmond. The latter was razed in 1961, ending nearly 140 years of lodging on the corner of Court and Main streets. (Ruth M. McEvoy, *History of the City of Batavia* [Batavia, N.Y.: Hodgins Printing Co., Inc., 1993] pp. 67-68)

### 4: Energy sources

The energy sources available to Batavians in 1821-1830 continued to include wood for heating and cooking and candles for illumination. However, the Creek as an energy source appears to have faded. In fact, the water-powered saw mill was reportedly torn down in 1822 (William Seaver 2, *A Historical Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 29). The author has not found any indication of alternatives to water power being used in Batavia during this decade. However, it seems pretty obvious that something must have been needed and used. The likely alternative would have been steam power generated by wood-fired boilers. This possibility is made plausible by the fact that steam engines existed elsewhere at this time and were used for a variety of purposes ranging from stationary applications to boats to trains.

### 5: Communication

The first big breakthrough in communication, the telegraph, was a decade away. So, Batavians in 1821-1830 were still restricted to the same old means of communicating with each other and with the outside world: 1) oral exchanges face-to-face, or 2) the written word put down either by hand or by means of a printing press. The transmission of information was determined by the speed with which people could travel on land and/or by water. Consequently, there could still be a very lengthy interval between an event happening somewhere in the world and Batavians learning about it.

## 1821-1830

---

Locally, there was a lot of activity in terms of newspapers. “The Republican Advocate,” referred to in the previous chapter, continued under David C. Miller until April of 1828. At that time, Miller took Charles Sentell as a partner until July of 1829 when Sentell was replaced by Charles W. Miller. (William Seaver 1, *A Historical Sketch of the Village of Batavia* [Batavia, N.Y.: 1849] p. 22)

The “Spirit of the Times,” also referred to in the previous chapter, continued under Oran Follett until May of 1825 when he sold it to his brother, Frederick Follett. (William Seaver 1, *A Historical Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 22)

“The People’s Press,” owned by an association of individuals and printed by Benjamin Blodgett, started in 1825 and continued for about one year. Then, it passed into the hands of Martin, Adams, and Thorp. Soon after, Martin retired, leaving the newspaper in the hands of Adams and Thorp. However, shortly after that, Thorp was replaced by McCleary. (Unfortunately, the first names of these individuals are not known to the author.) Then the paper merged with the “Spirit of the Times” and the original name became extinct. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849]p. 23)

Finally, two other papers emerged in this decade and then soon disappeared. Both were inspired by the excitement surrounding the William Morgan affair previously mentioned in this chapter’s overview. “The Morgan Investigator” was a small newspaper published at the office of “The Republican Advocate.” It began in 1826 and expired about a year later. “The Masonic Intelligencer” was started about the same time and lasted about as long. It was published in the office of “The People’s Press.” These two newspapers took opposing editorial positions. (William Seaver 1, *A Historical Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 23)

### 6: County, Village, City boundaries

Two significant changes occurred in the third decade. The first of these was a further reduction in the size of Genesee County. In 1821, a portion of Genesee County was split off and combined with a part of Ontario County to create Livingston County. Similarly, in the same year, a portion of Genesee County was split off and combined with a part of Ontario County to form Monroe County. Then, in 1824, Orleans County was carved out of what was left of Genesee County.

The second significant change was the incorporation of the Village of Batavia and the resulting establishment of legal boundaries. The boundaries, as of April 23, 1823 were as follows: As surveyed by Joseph Ellicott, "...beginning at a point on the East line of lot Number forty-four in said Village eighty rods north from the centre of Genesee Street thence westwardly parallel with the centre of Genesee and Batavia streets Eighty rods therefrom to the western bounds of Lot Number Three in said Village thence southerly on the west line of said lot number fourteen to the Southwest corner of said Lot, thence continuing in the same direction to the south bank of Tonnewanta Creek thence up the Southern bank of Tonnewanta Creek to a point eighty rods south of the Centre of Genesee Street thence eastwardly parallel with said Genesee Street to the East line of Lot Number Forty-five thence northerly on said line to the place of beginning." (Safford E. North, *Descriptive and Biographical Record of Genesee County, New York* [Boston: Boston History Company, 1899] pp. 279-280) See the Village of Batavia map showing the lot numbers as surveyed by Joseph Ellicott.

### 7: Government/governing structure

As of 1822, the Village had existed for 21 years, but it was still not incorporated and, therefore, the Village did not have its own government. One of the disadvantages that resulted from this state of affairs was the inability to form a fire department and levy taxes for its operation. A major fire in 1821 (see a following section titled, "Disasters") appears to have been the event that finally triggered an effort to incorporate. As indicated in the overview section of this chapter, the initial application to the State failed, but success was achieved the second time around. The Village of Batavia as an incorporated entity came into being on April 23, 1823. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 40)

The Village charter (the original now safely stored in the city's vault after being rescued from the city dump several decades ago) established a government overseen by five Trustees. The first Village officials were elected at a meeting held on June 3, 1823 in James Ganson's tavern and presided over by C. Carpenter and D. Tisdale, Town of Batavia justices of the peace. The Trustees chosen that day included Daniel H. Chandler, David E. Evans, Nathan Follett, Simeon Cummings, and Silas Finch. Also elected to office were Trumbull Cary as Treasurer and Parley Paine as Collector. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 41) In order to be a Trustee, one had to have been a resident for at least one year and have freeholds (real estate) to a value of at least \$500 or other property valued to at least \$1,000. The charter also provided for a "reasonable" fine, not to exceed \$10, that could be imposed on anyone elected as a Trustee who subsequently refused or neglected to serve. ("Past and Present," *The Daily News*, Batavia, N.Y., 23 April 1904)

## 1821-1830

---

Eleven days after the meeting at which the elected officials were chosen, June 14, 1823, the Trustees met for the purpose of making several appointments. Daniel H. Chandler was chosen as President of the Corporation, Oliver G. Adams as Clerk, Silas Finch and Nathan Follett as Assessors, Simeon Cummings as Superintendent of Streets and Sidewalks, and Robert P. Betts as Pound Keeper. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 41)

After incorporation, the Trustees at once adopted various “salutary” municipal regulations and the Village soon began to exhibit “manifest” improvements, particularly in regard to streets and sidewalks. Measures were also adopted in regard to fires, but lacking a means to purchase an engine, no fire company was organized until April 20, 1824. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 41)

Aside from a concern about fire-fighting, one can get a good sense of other early issues in the Village by looking at the first ordinance, one adopted on June 5, 1823. This ordinance dealt exclusively with impounding stray animals, fast riding (of horses) or fast driving (of sleighs, sleds, and carriages), and the definition of sidewalks. Specifically, it provided for how much the Pound Keeper was to be paid for taking swine and horses to the pound, made it unlawful to drive a horse at a run with a doubled fine for a second offense, and defined sidewalks as the area 12 ft. on either side of a street. (Safford E. North, *Descriptive and Biographical Record of Genesee County, New York* [Boston: Boston History Company, 1899] p. 285) The specifications for sidewalks were made necessary by a provision in the charter that required property owners to “make” and “improve” sidewalks adjacent to the streets bounding their land (Safford E. North, *Descriptive and Biographical Record of Genesee County, New York* [Boston: Boston History Company, 1899] p. 283).

Nearly a year after the Village had become incorporated, on April 9, 1834, the State Legislature passed an addition to the original charter. Among the additions were these new powers granted to the Village Trustees: 1) The Trustees were given the full power and authority to determine the number of groceries in the village and to license same, 2) The Trustees were given the full power and authority to compel each and every house keeper or person in possession of any building to keep fireplaces, chimneys, and stoves clean and in good repair; also to provide themselves with one or more fire buckets, and 3) The Trustees were given the full power and authority to suppress and prevent nuisances. (From a copy of the original act stored in the vault of Batavia City Hall.)

Granting of these additional powers begs an obvious question. Why did anyone feel a need to control the number of groceries? Did the licensing requirement evolve out of concern with sanitation or other such issues? And, what nuisances motivated a desire for the power to suppress and prevent them? Only the answer to the last question becomes evident as the years continued to go by. (See the next chapter.)

### 8: Crime, crime control, and law enforcement

During this era, executions not only occurred as an effort to control crime, but they provided entertainment as well. The latter was demonstrated by the crowds that turned out to witness an execution and the displeasure they displayed when denied the spectacle. For example, in 1822, a Mr. Farnsworth was convicted of forging U.S. land warrants and was sentenced to be hanged in Batavia on September 20<sup>th</sup>. A large crowd assembled to watch the execution when, to their great disgust, word came that the President had granted a 6-month reprieve. According to reports, the “murmurings of disappointed were loud and deep.” The disappointment became permanent when Farnsworth was eventually pardoned on the grounds that it appeared no crime against the Government had actually occurred. (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 185)

The Village charter adopted in 1823 made mention of Justices of the Peace, but made no mention of law enforcement officers. The first such reference to the latter didn't appear until the supplementary act was adopted about a year later. (Safford E. North, *Descriptive and Biographical Record of Genesee County, New York* [Boston: Boston History Company, 1899] p. 284) So, it appears that the Genesee County sheriff initially continued to be the chief law enforcement officer in the village. Under the addition to the Village charter passed by the State Legislature on April 9, 1834, a provision was made for an additional officer. Under this provision, freeholders and other persons qualified to vote at the annual meeting of Village residents were able to choose and elect a Village Constable. The Constable was vested with the same power and authority and subject to the same duties in civil and criminal matters as granted by law to the Town of Batavia Constables. (From a copy of the original act stored in the vault of Batavia City Hall.)

As noted above, the Justices of the Peace referred to in the 1823 charter were persons appointed or elected by the Town of Batavia (Safford E. North, *Descriptive and Biographical Record of Genesee County, New York* [Boston: Boston History Company, 1899] p. 280). Therefore, persons arrested by the Sheriff or Constable presumably were arraigned before

## 1821-1830

---

these Justices and the court in which an accused was tried was either the Town or County Court.

It had long been the practice to imprison persons who didn't pay debts. That was still true in the third decade. An example of one such individual was represented by an advertisement placed in a Batavia paper in 1826. It read, "A gentleman confined in Batavia jaol, on strong suspicion of debt, offers his services to lawyers, printers, merchants, tavern-keepers, mechanics in drafting or copying declarations, making up roles (sic), wrighting (sic) deeds, mortgages, bonds, etc., posting books of every description." (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 185) Clearly this person was hoping to earn sufficient money to be released from imprisonment.

### 9: Retail establishments/other commercial enterprises

As the population continued to grow, so did the number of retail establishments and other commercial enterprises. In contrast to establishments of the 21<sup>st</sup> century, where customers commonly serve themselves, in these businesses the proprietor and/or staff generally served the customer. For example, rather than pick an item off the shelves and take it to a cashier, the customer would have indicated the merchandise desired and the clerk would have gone to obtain it.

### 10: Factories/industries

In 1821-1830, Batavia was yet to become an industrial center. Nonetheless, there were the beginnings of manufacturing. Breweries and malt houses were an example. The earliest such place on record was built by Libbeus Fish in 1827 (Ruthy M. McEvoy, *History of the City of Batavia* [Batavia, N.Y.: Hodgins Printing Co., Inc., 1993] p. 202). Fish's enterprise was located on present-day Elm Street. Such places seemed prone to fires and this particular one was no exception. In fact, it was succeeded over the years by several breweries at this same location, each of which burned (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 250).

Another Batavia factory was a foundry operated by James Cochran where, among other things, he cast bells and coins (*The Batavia Times*, Batavia, N.Y., 16 March 1944). It was located near Main Street on the east side of present-day Bank Street. Among the bells he cast in the current decade was one in 1823 for St. James Episcopal Church (William Seaver 2, *A Historic*

## 1821-1830

---

*Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 80) and another, also in 1823, for the Presbyterian Church (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 107). Bank Street was once called “Dingle Alley” presumably because of the sounds made as Cochran hammered on the bells he was making.

### 11: Banking/financial services

In May 1829, the first bank west of the Genesee River was opened in Batavia. In the first two years of its operation, the bank was located in the west wing of the mansion owned by Trumbull Cary. (The third year and after will be covered in the next chapter.) Incorporated as “Bank of Genesee,” it evolved from a group of businessmen who frequently met at Cary’s home. For nine years, it was the only bank in the Village. (Ruth M. McEvoy, *History of the City of Batavia* [Batavia, N.Y.: Hodgins Printing Co., Inc., 1993] p. 65) The original directors were Trumbull Cary, Alva Smith, James C. Ferris, Oliver Benton, Henry Hawkins, Gaius B. Rich, Jacob LeRoy, Jonathan Lay, Roswell Burrows, Israel Rathbone, Phineas Tracy, and Joseph Fellows (Larry Barnes, *The Cary Family of Batavia* [Batavia, N.Y.: self-published, 2012] p. 22).

### 12: Education

On March 26, 1822, the Trustees of School District No. 2, the public school that had been established nine years earlier in 1813, gave a year-end report. According to this report, 155 children had been taught during the past year. (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 208) That would appear to be approximately 10% of the total population, adults and children combined.

Seven years later, on Oct. 12, 1829, School District No. 2 was divided. All portions west of Center and Bank streets were set off as District No. 12. As will be observed in a later chapter, this division was temporary and 17 years later, the two districts were later reunited. (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 208) Beers reported that meager records survived from this period, so what motivated these actions is not known.

Probably connected to the 1824 creation of School District No. 12 was an advertisement that appeared in a Batavia newspaper earlier in the year. It read as follows: “A number of gentlemen, in the village, have associated themselves together to establish and sustain a public school consisting of two departments for the instruction of young ladies and gentlemen in

## 1821-1830

---

higher branches of literature. Arrangements have been made to start operation as soon as suitable instructors are found. Male and female instructors are desired. The undersigned will make engagement with those who have experience, ability, and character. Trumbull Cary, William Seaver, Daniel H. Chandler. April 1, 1829.” (An unidentified newspaper found online at [www.Fultonhistory.com](http://www.Fultonhistory.com))

In the years 1821-1830, in addition to the public schools, there were several private facilities, generally small and sometimes taught by just a single instructor. In 1822, Mrs. Rachel Stevens, wife of Benjamin H. Stevens, a hatter, came to Batavia with her husband and taught a private school for the next 27 years. In 1825, the Rev. James Cochran and a Miss Gardner taught private schools. In 1826, Messrs. Nixon and Stearns opened what they called “The Batavia Academy.” In the same year, Mrs. Aiken, Mrs. Winchester, Miss Starr, Miss Plumb, Miss Colton, and Miss Deshon (none with first names known to the author) all advertised themselves as private teachers. (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 182) Among the students attending the Batavia Academy were Albert and George Brisbane, Walter Cary, and Ellicott Evans (*The Daily News*, Batavia, N.Y., 1 June 1886). With the exception of Mrs. Stevens’ school and the Academy, most of the above ventures appear to have been relatively short-lived.

### 13: Religion

Before the third decade, there were no church “edifices” built in Batavia unless one counts the unfinished St. James Episcopal Church that was started in 1816. Religious services that occurred were typically held in the Genesee County Court House, school houses, or private homes. (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] p. 221) However, that changed in the years 1821-1830 with the erection of three churches.

Among the first church buildings was that of the Presbyterians. In order to permit its erection, James Brisbane’s store, a little east of the current post office, was razed in 1822, thus removing the second frame structure to have been built in Batavia (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 15). A contract was then executed in February of 1823 between the church Trustees and Benjamin Allen and Thomas McCulley for construction of a building to be completed by July of 1824. A bell, weighing about 1,000 lb. was also procured from James Cochran. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 29) This building stood at an intersection of a new north-south street that intersected with Main Street. The former was initially called “Church Street,” for obvious reasons. Later, it was renamed

## 1821-1830

---

“Jefferson Avenue.” (Much more recently, the intersection of Jefferson Avenue and Main Street was moved eastward, creating what is commonly referred to as “the Jefferson Avenue S-Curve.”)

At about the same time as the Presbyterians were building, the First Methodist Episcopal Church was erected on the north-east corner at the intersection of the current West Main and North Lyon streets. In June of 1823, the Board of Trustees contracted with Thomas McCulley, Joseph Shaw, and Seymour Ensign for a stone building 40 ft. wide, 45 ft. deep, and 16 ft. high. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 35) The church was dedicated in June of 1824. The location was never considered a good one and after 16 years, the building was sold to the First Freewill Baptist Church of Batavia. (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] pp. 221-222)

As the above two churches were being built, the Episcopalians went back to work on finishing their building that had stood in an unfinished state for six years. Arrangements were made with Trumbull Cary and William Davis for them to finish the structure, these two holding the building as security but relying on the sale of pews and slips (pews without doors) for prompt payment. The work was quickly completed reportedly at a cost of between \$4,000 and \$5,000. That same year, a contract was made with James Cochran for a church bell weighing 800 lb. in exchange for \$300 and a slip valued at \$75. In August of 1823, 32 members came forward and purchased slips and pews in the amount of \$5,100. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 32) It looked as if the Episcopalians had finally resolved their building problems, but as will be revealed in the next chapter, new building issues would soon arise.

While established congregations were busy erecting edifices in the third decade, one new congregation appeared in Batavia. In August of 1830, The First Free-Will Baptist Church was organized (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 93-94). Recall that this is the religious body that later acquired the Methodist Episcopal building.

### 14: Libraries/archives/museums

The library association formed in 1804 apparently ceased to function after 1826 when the last recorded reference was made to it (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 83-84). As an apparent successor, a literary society called “Batavia Forum” was organized in January of 1827. Ebenezer Mix was the

## 1821-1830

---

President. Under the auspices of the forum, a series of public lectures were sponsored. However, according to Seaver, the organization “faded away” after one or two years. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 84-85)

### 15: Cemeteries

The site of Batavia’s first cemetery, the one located near the Creek on the east side of the present South Lyon Street, proved to be unsatisfactory. The main problem was periodic flooding. This inspired the creation of a new cemetery on the other end of the Village. The new site, designated as “Batavia Cemetery,” was located on the east side of present-day Harvester Avenue. The early records in regard to this second cemetery are confused and contradictory. It probably began in 1823, possibly with property purchased from David and Mary Locke by the Trustees of the Presbyterian Church and the Vestry of the Episcopalian Church. Ebenezer Mix purportedly surveyed the site and plotted burial lots that were then made available for a charge of \$5 each. In 1829, additional land may have been purchased from the Lockes. The first interment was of Mrs. Lydia Maria Ross, wife of Dr. John G. Ross, who died October 16, 1823. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 87; Various other historic accounts in the possession of the Batavia Cemetery Association)

It has been generally presumed that upon opening of the new cemetery, the old cemetery was abandoned and all of the bodies were reinterred in the new one. However, William Seaver, in writing on this matter ca. 1890, implied that part of the old cemetery continued to be used as a Potter’s Field. To this he added the observation that in 1864 part of the Potter’s Field section was sold to John Eagar, an action that required a special act of the State Legislature. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 87) Eagar then built a brewery at this location (Ruth M. McEvoy, *History of the City of Batavia* [Batavia, N.Y.: Hodgins Printing Co., Inc., 1993] p. 202). According to Eagar’s son, Herbert B. Eagar, at the time of the sale, nine bodies were removed from the area purchased by his father and reinterred in another section of the cemetery (“Potter’s Field Remains,” *The Daily News*, Batavia, N.Y., 14 June 1904). Years later, ca. 1904, the remaining area of the cemetery was sold to Andrew Rupp, presumably for the development of housing. Consequently, in July of 1904, Village employees opened the nine graves mentioned above, placed the remains in separate boxes, and transferred the bones to the Batavia Cemetery on Harvester Avenue. The remains of several other bodies discovered when the extension of Lyon Street was being opened were placed in an additional box and also reinterred in the Batavia Cemetery. (“Only a Few Bodies Found,” *The Daily News*, Batavia, N.Y., 27 July 1904)

## 1821-1830

---

### 16: Firefighting

The new Village charter gave the Trustees the authority to appoint and remove up to 50 firemen, regulate the times and places of meeting, appoint officers, make rules and regulations, and fix penalties. In April of 1824, the Trustees organized the first fire company, one consisting of 25 men. The rules required the firemen to go to fires with all possible dispatch and to conduct themselves in an orderly and efficient manner. A fine of \$5 could be imposed for a failure to meet this requirement. Interestingly, any person not a member of a fire company who refused to aid in fighting a fire when called to do so could also be fined \$5. (“Past and Present,” *The Daily News*, Batavia, N.Y., 23 April 1904) The firemen were required to convene the first Saturday of each month (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 118-119), presumably for practice drills.

By 1829 the firemen wore a standard uniform. It consisted of a “Pea Coat,” made with Russian Duck, and a wool hat having a round crown that was pointed and lettered “B.F.Co.” Reportedly some citizens thought the firemen, when dressed for duty, resembled grizzly bears. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 118-119)

When the first fire company was organized, there were no funds for purchasing fire equipment. Evidently, the first such purchase did not occur until 1829. In September of that year, the Village Trustees paid the American Hydraulic Co. \$270 for a Coopers Patent Rotative Engine. This equipment was a rotary hand pump from which a long handle projected on each side. The handles were grasped by six men who typically found the necessary exertion sufficient to exhaust a man in only five minutes. This apparatus was so unsatisfactory the trustees initially refused to pay for it. The company then, in turn, successfully sued the Village. The pump was soon abandoned. It appears that three years passed before, in the next decade, the Trustees tried another purchase. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp.118-119)

### 17: Healthcare

The healthcare situation in the third decade appears not to have changed very significantly. There were competent physicians and those less so. Probably an example of the latter was Dr. Eleazer Bingham who, in an 1829 advertisement in a local newspaper made quite extraordinary assertions. He claimed to have renounced “quackery,” i.e., standard medical practices, nearly four years earlier and was subsequently practicing medicine upon the principles of “philosophy, reason, and experience, the principles of which are laid deep as Infinity, broad as Creation, and

permanent as Jehovah's Throne." Bingham claimed to be a "towering genius" who had been able to trace "the stupendous laws of Nature through all their windings, and seek from the hidden treasures of the fields and forests a balm for every wound." As a consequence, he said, of the 1,246 patients he had treated, all but six were still in the land of the living. Furthermore, 20 of 24 cases of consumption that had been judged incurable were now in the enjoyment of good health. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 116-117)

Patent medicines made their appearance in Batavia at about this same time. These "medicines" were compounds promoted and sold as medical cures that in fact commonly did not work as promoted. The term "patent" is misleading because they were not patented, perhaps because they would then have had to disclose their actual ingredients. Typically, patent medicines made extraordinary claims regarding the number and kinds of diseases they could cure. For example, one claimed to cure cholera, neuralgia, epilepsy, scarlet fever, necrosis, mercurial eruptions, paralysis, hip diseases, chronic abscesses, and female complaints—all cured by the same medication. Dr. Richard Dibble was reportedly the first man in Batavia to advertise a patent medicine. Identified as "Whitwell's Opodeldoc," Dibble urged Batavians to purchase this product, and only from him, if they valued their life and limb. (William Seaver 2, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] p. 116)

### 18: Care of the handicapped, aged, poor, and young

In the third decade, overseers of the poor continued to provide some assistance to those in need. As an example, consider these numbers from the 12 months preceding April 21, 1823. In the Town of Batavia, which included the Village of Batavia since it had not yet been incorporated, five paupers had been supported at public expense for the entire year. Ten had been supported for part of the year. Among these 15 individuals, six were male, nine were female, and five were children. The total expense was \$241.70. (Linda Crannell, *The Poorhouse Story*, online, accessed 3 January 2014))

The local care of such individuals changed dramatically in the years 1821-1830. In November of 1824, State legislation provided for the establishment of county-run poorhouses throughout the State. Although initially exempted from a requirement to do so, in December of 1826 the Genesee County Board of Supervisors nevertheless met for the purpose of establishing a poorhouse. A brick building at the corner of the present Bethany Center and Raymond roads, originally a stage coach tavern, was chosen for the purpose. By January of 1827, it was ready to

## 1821-1830

---

receive paupers. (Susan Conklin, *Genesee County Home/Poorhouse: A Brief History*, online, accessed 3 January 2014)

The persons eligible for housing in the county poorhouse actually encompassed a fairly large range of categories. They included habitual drunkards, lunatics, paupers (persons with no means of income), state paupers (persons who were blind, lame, old, or disabled and had no income source), and vagrants. (Susan Conklin, *Genesee County Home/Poorhouse: A Brief History*, online, accessed 3 January 2014))

In 1828 a stone building was attached to the brick structure specifically for the confinement of lunatics and paupers committed for misconduct. A working farm and woods provided food and fuel. (Susan Conklin, *Genesee County Home/Poorhouse: A Brief History*, online, accessed 3 January 2014)

### 19: Disasters

The first fire of any real consequence in Batavia's early years occurred on the night of December 22, 1821. It was the triggering event that led to incorporation of the Village. The fire apparently started after hours in L. Baker's silversmith shop. From there, the flames spread and finally engulfed three buildings. The businesses destroyed, besides the silversmith shop, included a dry goods store operated by Messrs. Moore and Finch, a general store operated by James P. Smith, a watch-making business belonging to Charles C. Church, and David Miller's printing business. Nearby buildings, a dwelling owned by a Mr. Gibb and a grocery operated by a Mr. Davis, were saved by pouring buckets of water over their sides. A still air also helped to limit the spread of the flames. The total loss was estimated to have been in the neighborhood of \$10,000. (William Seaver 1, *A Historic Sketch of the Village of Batavia* [Batavia, N.Y.: William Seaver & Son, 1849] pp. 39-40) The reader should keep in mind that this fire was fought without either a fire department or fire equipment. The successful effort to stop the flames was solely the work of local citizens hauling buckets of water.

### 20: Entertainment and recreation

By the third decade, Batavia had evidently become large enough to attract the interest of travelling showmen. In June of 1827, an article carried in a local newspaper reported on a visit by the theatrical corps of Messrs. Gilbert and Trowbridge. According to the paper, the plays performed, "The Soldier's Daughter" and "Poor Soldier," had drawn "respectable houses." However, the paper suggested that someone should stand near the back seats to preserve order since the boys seated there tended to be noisy. (Frederick W. Beers, *Gazetteer and*

## 1821-1830

---

*Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose & Co., Publisher, 1890] pp. 184-185) The performances were given in the County Court House. ("Past and Present," *The Daily News*, Batavia, N.Y., 15 July 1950)

### 21: War/impact of war

The good news for residents of Batavia and the rest of Western New York in the third decade was the absence of war. Except for skirmishes with Native Americans, peace reigned on the Niagara Frontier and throughout the Country.

### 22: Families/persons of special note

Among local persons of special note in the years 1821-1830, William Morgan clearly belonged at the top of the list. Morgan was born in 1744 in Culpepper, Virginia. As a teenager, he was apprenticed as a bricklayer or stone cutter. In 1819, in his mid-40s, he married Lucinda Pendleton, a 19-year-old from Richmond, Virginia. Two years later, Morgan moved with his family, which grew to include two children, to present-day Toronto. After a brewery he operated there burned, he returned to the United States, living first in Rochester, then Batavia. Reportedly, he worked in stone quarries after his return to the U.S.

William Morgan attempted to join the Masonic lodge in Batavia, but was rejected. Perhaps that had to do with his reputation as a heavy drinker and gambler. Angered by this rejection, Morgan said he was going to publish a book titled, "Illustrations of Masonry," that would describe the secret rites of Masons in great detail. The local printer, David C. Miller, who had received the entered-apprentice degree but then was denied further advancement, reportedly was planning to fund the book.

On September 11, 1826, Morgan was arrested on the charge that he owed money to certain Masons. Miller bailed him out of the Genesee County jail by paying the alleged debt. A few hours later, Morgan was arrested again, this time for a loan he was alleged not to have paid back and for supposedly stealing a shirt and a tie. For this crime, he was jailed in Canandaigua.

During the night of September 11<sup>th</sup>, a man claiming to be a friend showed up at the Canandaigua jail, paid the debt, and secured Morgan's release. As he left the jail, Morgan was seized by men in a carriage and carried away. He was taken to the area of Fort Niagara and then disappeared, never to be seen again. The prevailing assumption among the public was that he was murdered by Masons as retribution for his threat to expose their secret rites.

Soon after William Morgan's disappearance, David Miller published Morgan's book. It became a best seller and, in fact, can still be read. Protests against Masons took place in New York and other states. A national anti-Masonic political party emerged and ran a candidate for the presidency in 1828. Eventually, the furor subsided, but until it died down, Masons in Batavia and elsewhere assumed a low profile.

### 23: Private clubs, social organizations/service organizations/non-profit groups providing services

There may have been other social organizations in the third decade, but the only references known to the author pertained to the Masons. Frederick Beers, in writing of Genesee County's history, reported that the anti-Mason "excitement" interfered seriously with the Masonic movement; and for 16 years, until about 1842, Masons met only at rare intervals (Frederick W. Beers, *Gazetteer and Biographical Record of Genesee County, N.Y. 1788-1890* [Syracuse, N.Y.: J. W. Vose, Publisher, 1890] p. 234).

### 24: Sex/sexual services/sexual entertainment

There's nothing new to report from this decade in regard to sexual matters. However, one title of the plays put on by the Gilbert and Trowbridge troupe does give a person pause. "The Soldier's Daughter" sounds rather suggestive—at least to 21<sup>st</sup> century ears! What was it that so excited the "noisy boys" in the back rows?

### 25: Urban renewal

There certainly was some "urban" appearing in the years 1821-1830, but still not much in the way of "renewal" unless one counts the razing of Brisbane's general store in order to build the Presbyterian Church or the inadvertent razing by fire when three buildings went down during Batavia's first major conflagration.