

EARLY INCIDENTS IN THE HISTORY OF THE TOWN OF RIPLEY

(Written by Hon. Joseph A. McGinnies for Chautauqua County Historical Society- given at meeting on October 3rd., 1936.)

381
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The territory of the present County of Chautauqua was originally known as the Town of Chautauqua, Genesee County. On March 11, 1808 the present County of Chautauqua was set up and divided into the Towns of Chautauqua and Pomfret. In 1812 the Towns of Ellicott, Gerry and Hanover were formed; in 1813 the Town of Portland and in 1816 the Towns of Harmony and Ripley, so that the Town of Ripley is one of the old towns of the County, it being the eighth town to be formed. It originally comprised the territory from the center of Chautauqua Creek, which is the stream that passes through the center of the Village of Westfield, to the Pennsylvania State Line, but in 1829 the Town of Westfield was formed from the Towns of Portland and Ripley. This erection of the Town of Westfield left the Town of Ripley a standard township so far as its East and West dimensions were concerned, it being six miles wide from East to West; but, on account of the angle at which Lake Erie bounds Chautauqua County, the Town is irregular on its North boundary and is six miles wide from North to South on its West Line and nine miles wide on the East or boundary line between Ripley and Westfield. In so far as the soil of the Town is considered, it is the same as the other Towns in the Lake Erie Valley, about half of the Town lying next to the Lake being flat and level and the South part being on the uplands that we find a short distance back from the Lake throughout the County. Like the greater part of Chautauqua County, the first settlers found this territory covered with a magnificent forest, mostly hardwoods. There was some hemlock and what was called white-woods or trees of the tulip family, but the great body of the forest was beech, maple, oak and the other hardwoods, and the first settlers were confronted with the task of clearing this forest, which was accomplished by chopping, burning and getting rid of it the best way possible.

It is generally conceded that the first real settlements in Chautauqua County were made in what is now the Town of Westfield, but before Westfield was formed were really in the territory originally the Town of Ripley. The McMahan Brothers, having purchased a tract of land lying West of the Chautauqua Creek about 1801 or 1802, and Edward McHenry settled on this tract at what is known as the Cross Roads, where the Old Portage Road crossed the present Buffalo and Erie Road, and which is marked at the present time by a monument with the names of many of the old settlers upon it. Mr. McHenry, I believe, was the first person to bring his family into the present County of Chautauqua. He built and kept a house of entertainment for travelers, principally the emigrants who were moving Westward and settling what was called the New Connecticut in Ohio. I think it is generally agreed that Mr. McHenry's settlement was early in 1802. The first settler in the present Town of Ripley was Alexander Cochran, who came from Ireland and settled about two miles West of the present Village of Ripley. The date of his settlement was October, 1804, and it is claimed that he is the first person who paid for and received a deed of his property. Claim has been made that not only was it the first deed in the Town but also in the County. This last statement I cannot certify to. His nearest neighbor was a John Robinson, who lived across the Penna. State Line in the present Town of North East. In 1806 a Mr. William Crosgrove, also a native of Ireland, came to Ripley and purchased a tract of land adjoining Mr. Cochran's on the West, and at the present time a direct lineal descendant of these two early settlers owns and lives on a part of the original purchases. In 1805 Nathan Wisner, Thomas Prendergast and Samuel Harrison came in and settled in the Town and from that time on until the formation of the Town in 1816, settlements were made more or less rapidly every year, and we find that at the time of the first General Election, which was held on the 30th. day of April, and the 1st. and 2nd. days of May, 1817, there were 78 votes cast

for the office of Governor and 88 votes cast for the office of Member of Congress.

The first Town Meeting was held in the spring of 1816 and the following Town Officers were elected: Supervisor, Amos Atwater; Town Clerk, Moses Adams; Commissioners of Highways, Alexander Cochran, Burban Brockway, Wm. Bell; Commissioners of Schools, Elijah Hayden, Stephen Prendergast. This is not a complete list as one or two of the first pages of the Town Records have been lost, but on the 1st. day of April, 1817, a complete list of Town Officers were elected as follows: Supervisor, Thomas Prendergast; Town Clerk, Moses Adams; Assessors, Amos Atwater, Stephen Prendergast, Alexander Cochran; Overseers of the Poor, Burban Brockway, Alexander Cochran; Comrs. of Highways, James McMahon, Francis Dorchester, Charles Forsyth; Constable and Collector, Moses E. Stetson; Commrs. of Common Schools, Amos Atwater, Moses Adams, Wm. B. Dickson; Inspectors of Common Schools, Gideon Goodrich, James Montgomery, Wm. Bell. Fence Viewers, Oliver Stetson, Jr., Samuel Tinker; Pound-Masters, James Taylor, James Montgomery. Sealer of Weights and Measures- Moses Adams. The Town Meeting also passed an ordinance that the Supervisor shall raise money to secure a standard of Weights and Measures; that he raise no more money for the support of schools than obliged by law; that if any male sheep shall be found out of its owner's enclosure from the 15th. day of August to the 1st. day of November, the owner shall pay \$5.00 for the use of the Poor.

The first Church in Ripley was of the Presbyterian denomination and was formed November 2nd., 1818, and a building was erected about two miles East of the present Village of Ripley on what is called the East Ripley Cemetery Lot. In 1854 the church was divided and a building erected in the Village of Ripley, known as the Second Presbyterian Church; in 1871 the two churches were united under the name of the First Presbyterian Church and Congregation, their present church building being in the center of Ripley Village. In 1811 a Methodist Class was formed and a church built, I believe, about 1839,

and the present church was erected in 1873 just a little East of the original location in the Village of Ripley. Very early in the history of the Town, a Baptist Society was formed in the Southerly part of the Town and a church built at a four corners known as Wattlesburg. The date for the erection of this church I have been unable to find. At the present time the Baptist Society has a house of worship in the Village of Ripley.

It has been told to me by the old residents that the first Schoolhouse in or near the present village of Ripley was located on the old Prendergast Farm, about a mile East of the Village. This was a log schoolhouse. Afterwards there was a two-room brick schoolhouse built on the site of the present Randall and Palmer Brick Block on Main St. in Ripley Village. This building was afterwards used as a black-smith shop, and when in the course of time this brick schoolhouse became too small to accomodate the pupils, a new schoolhouse was built on the corner of Main St. and what was then known as Railroad St. This was a two-story building and is now part of the Odd Fellow Hall. It is my understanding that the lower story of this building was erected by the school district and that the upper story was built by contributions of citizens who desired to give their children a better education than was possible in the common district school of that day. This upper story was conducted as a select school or private acadamy. After the law in regard to education was changed, making tuition free and providing for a tax on property instead of the old so-called Rate Bill to take care of school expenses, this upper story was acquired by the School District and the building used as a school until such time as the new school building was erected on North State St.

One of the first stores in the Town was located in the Village on the lot where the Presbyterian Church now stands. This building was afterwards used as a Tavern and is now a part of the old Hotel located near the depot.

The old settlers say that before the Town was settled or roads surveyed or any effort made to open up this section, there was a clearly defined

trail passing through from East to West, this trail extending East to Central New York and Westerly along the Lake Shore to Toledo and up to Detroit, and it was claimed that this trail was made by the Indians passing from Central ~~of~~ New York Villages to the Villages in the Michigan Peninsula and the Northwest. When the Holland Land Company surveyed this territory they located what is known as the Buffalo and Erie Road on practically the same location occupied by this trail. This Lake Erie Valley was and probably always will be the best location for any form of transportation between the East and the West, as it is the only location in which you avoid the mountains of Southern New York, Pennsylvania and the Blue Ridge. Starting with the trail of the Aborigines, we had the Stage Coach, transportation by oxen and horse-drawn vehicles, later the Railroad and the present main Automobile Highway. This condition developed the innkeeper or tavern to quite an extent in the early history of the Town and we find that in 1807 Samuel Truesdail was keeping a tavern near the Penna. State Line. A little later we find a string of Inns kept by Elihu Murray, Perry G. Ellsworth, Oliver Loomis, Asa Spear, John Post, David Royce and Elizur Webster. I have been told that at times the capacity of all these taverns was taxed to the utmost because at certain seasons of the year droves of cattle, sheep, hogs and even flocks of turkeys were being driven through to the markets of New York and Philadelphia.

On January 1st., 1852, the Buffalo and State Line R.R. was completed from Fredonia to the Penna. State Line, and on February 22nd. was completed through to Buffalo. It had been planned to connect this road at the Penna. State Line with the Erie and North East R.R. At that time there was no standard gauge or width used in the construction of Railroads, I believe the old Erie R.R. was 6 Ft. wide; a great many other roads were about 5 Ft. There was a difference of opinion between the Buffalo and State Line Co. and the Erie and North East, as to the proper gauge and this matter was not settled until 1857 when the road was completed through to Erie and was known as the Buffalo and Erie R.R., afterwards a part of the L.S. & M.S.R.R. Before this agreement was

reached, passengers were transported, together with the mails, from the State Line to Erie by horse-drawn vehicles, and the trains were turned or reversed at Ripley on what is known as a "Y", which was constructed on Railroad property ~~between~~ located in the center of the present village of Ripley.

Among the early industries of Ripley we find a number of power sawmills, grist mills, carding mills, located on the South and East branches of Twenty-Mile Creek, at one time there being several quite active settlements owning and operating these properties. There were also two tanneries located within the bounds of the present Village of Ripley, and several Asheries located in the Southern end of the Town.

Among some of the prominent early citizens of the Town I would mention the fact that Alexander McHenry, a son of the first settler of the County, lived and died in Ripley, and the widow of Edward McHenry, the first settler passed her last days in Ripley, dying there at the advanced age of 80. Mr. Jeremiah Mann was a member of Assembly in 1844, Mr. Henry Prendergast was a Member in 1856, 1857 and 1861. The Hon. Dudley Marvin, who was an intimate friend of Henry Clay ~~and~~ was a Member of Congress from this District in 1847. His son, Selden Marvin, was County Judge in 1855. The Hon. George W. Patterson lived and in partnership with John B. Densmore conducted a business for the manufacture of fanning mills, in 1822 and 1823. Richard T. Ely, a well-known writer and teacher of Political Economy, was born in Ripley, a descendent of one of the old pioneer families. Andrew W. Young, a writer on the Science of Government and Political Economy and the author of The History of Chautauqua County, written in 1875, was a resident of the Town for a number of years. Somewhat different was Mr. Willis Royce, who came in the very early days of the Town with his father and who claims to have assisted in chopping and logging 200 acres of land. As showing something of the poor reward for farm labor in the early pioneer days, Mr. Royce claimed that to raise money to pay taxes he took to Dunkirk a load of 100 bushels of corn,

using two yoke of oxen, and sold it for $12\frac{1}{2}\text{¢}$ a bushel. He spent two days making the trip, carried his own provisions and hay for his teams, and his only expense was 6¢ for his night's lodging. At another time he took to the same market a load of wheat, which he sold for $37\frac{1}{2}\text{¢}$ a bushel.

The records of the Town of Ripley have been kept very fully and completely since its organization in 1816. It is remarkable the very good condition in which they are, taking into consideration their age and the fact that for a number of years the Town Clerk had no permanent office in which the Town's business was transacted or records kept. The records are in three books, the first bringing the Town from 1816 to 1846, the second from 1846 to 1921, and the third from 1921 to the present date. The first book showing to some extent the effects of time, the ink being faded, more or less old-fashioned spelling being used, it was thought advisable by the Town Board to have a copy made. In making this copy everything of an historical nature has been preserved and a great many interesting things have come to light. This being a new country, cattle, horses and all kinds of animals were allowed to run at large, and we find any number of notices such as the following, for instance: "On May 20th., 1816 Loerel Nichols advertised the finding of a stray span of horses, one a dun color about 8 years old and the other a bay about 12 years old and has a white mark around his fore legs supposed to be made by a rope; and we find similar notices, such as "Two ewe sheep, one 2 or 3 years old, the other 1 year old, with a slit in the right ear and a crop off the left ear". As fast as the people moved in, they adopted a mark, which they filed with the Town Clerk, and we find in this first original record book of the Town six closely written pages giving the names of citizens and the marks selected and used by them to mark their cattle, sheep and horses for purposes of identification. In those days and for a great many years, the Town was divided into Road Districts, with a Pathmaster or Overseer appointed for each District. People were assessed then for highway labor, based on their property assess-

ment, and this was either worked out or commuted at the rate of \$1.00 per day. Of course you are familiar with the fact that in 1903 this form of highway tax was abolished and the present money system substituted. The original surveys of all highways in the Town are a part of the record and a great many changes or alterations to these first surveys. In all probability this was caused by the fact that the original surveys were through dense forests and, as the country became cleared up, it was found that many of these original surveys were poorly located for highway purposes and the original location was altered to provide better road building facilities or to better accommodate travel. The first Town Audit shows that \$293.62 was raised by tax and there was \$50.00 received from Excise Fees, I assume this being from the State, and this was turned into the local Poor Fund. The rate of compensation for public officials was not very excessive in those days. I find that Fence Viewers received $12\frac{1}{2}\text{¢}$ for viewing a fence, and later on they received 75¢ per day. In these early days fences were regulated as to height, etc. and the Town Board provided that a legal fence should not be less than 4-1/2 Ft. high and the space between the rails for the first 2 Ft. from the ground up should not be more than 6 in. and the duty of the Fence Viewers was to see that fences complied with these regulations. The early records show that Poor Persons were being farmed out and I find where one such person was boarded 22 weeks at $37\frac{1}{2}\text{¢}$ per week, making a total of \$8.25. The Town Meetings held in those days were representative of a pure democracy. The people voted as to the number of Assessors and Constables they should have, the compensation to be paid the Collector and other Town Officials, and any matter of public interest, such as the raising of money for highway purposes, bridge building, and the like, was submitted directly to the people on Town Meeting Day and at a certain hour of the day a vote taken, and the Town Officers abided by the result. On April 20, 1820, the Commissioners of Schools for the

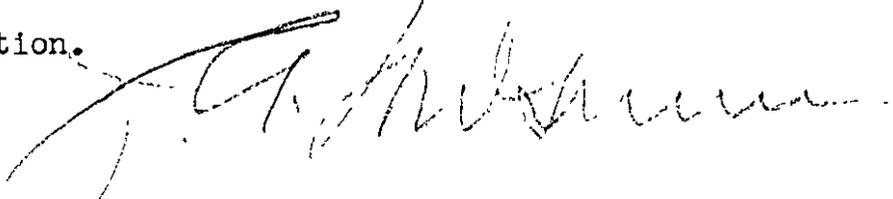
Town reported that they had received from the State for School purposes, \$22.00, and from the Town \$20.90, making a total of \$42.90. This amount was distributed among the four School Districts of the Town. A little later they reported as to the books most in use in the common schools, which were as follows: Daball's Arithmetic, Grunlach's and Murray's Grammar, Olney, Woodbridge and Goodrich's Geography, Webster's, Cobbs and Hazen's Spelling Books, and Goodrich's History of U.S. I find, too, that along in the forties Towns were supposed to have a school or schools for colored children, and the town authorities were supposed to report on these schools separately. Town Meetings and General Elections were held on three succeeding days. I find that in 1846 and 1847 the Town voted on the question of License and voted "Dry" as we call it, both years. I find no other notice of this question being submitted, but on the 5th. day of May, 1851, the Supervisor and the Town Board of the Town granted a license to George W. Addison, Thomas Russell, Henry F. Tinker and Elezur Webster, to sell at retail strong and spiritous liquors and wines as tavern keepers, and the license fee was \$6.00. I also find that at the Annual Town Meeting in March, 1851, it was voted to raise a sum of money to pay for the killing of crows at 6¢ per head. Evidently it was not entered into as a business because I find that one man was paid 12¢ for killing 2 crows and another 90¢ for killing 6 crows. On June 21, 1821, a Constitutional Convention was held. My understanding is that prior to that time Justices of the Peace were appointed and I would judge that this Constitutional Convention had the matter of the election of Justices of the Peace under advisement, because this amended Constitution was presented to the people of the State for ratification in January, 1822, and I find that in Ripley 57 votes were recorded Aye or Yes, 25 votes No, and 10 votes were given as follows: "Yes, with the exception of Article 4, Sec. 7, comprising the mode of appointing Justices, in lieu of which I substitute the following, namely," "The Justices of the Peace to be elected by the people in the

several Towns at their Annual Town Meetings. Should it be determined not to receive this vote (against which I solemnly protest) then this vote should be counted as a negative vote." Following the change in the Constitution, an Act was passed on April 17, 1822 and further amended, in regard to regulating the election of Justices of the Peace, on April 7, 1827, and at the General Election held on the 5th. day of **November**, 1827 and two succeeding days inclusive, Justices of the Peace were elected in the several Towns of Chautauqua County. A Board of Canvassers were selected by the Inspectors of Election in the several Towns, according to the provisions of the Statute, and they met at the Clerk's Office in the Town of Chautauqua, on the 13th. day of November, 1827, and organized by the election of Joseph Wait, Chairman, and John Dexter, County Clerk, being Ex-Officio Secretary. The following persons were present, being one from each town in the County at that time, namely: Daniel Sherman of Busti; Martin Prendergast of Chautauqua; Gardner Cleveland of Clymer; Levi Davis of Carroll; Shubell Marsh of Ellery, Joseph Wait of Ellicott; Charles Thatcher of Ellington; Hugh B. Patterson of Gerry; Theron Bly of Harmony; Joseph Brownell of Hanover; Nathaniel Throop of Mina; Elisha Arnold of Portland; Benjamin Douglas of Pomfret; Thomas Prendergast of Ripley; Calvin Smith of Stockton; Lyseon Mixer of Sheridan and Vileroy Balcom of Villenova. This Board canvassed the votes given and I assume delivered a certificate to each of the Towns of the County, the one for the Town of Ripley certifying that Asa Speer, Amos Atwater, Elijah Hayden and Platt S. Osborn had been elected Justices of the Peace of the Town of Ripley. I very much question whether a similar record can be found anywhere in the County. It became necessary, after the filing of this certificate, to determine by lot their length of service, and the records show that two of the Justices, Asa Speer and Elijah Hayden, met at the house of John Post and proceeded as follows, I quote: "Thereupon the said Town Clerk wrote on

several and distinct pieces of paper, as near alike as might be, the numbers 1,2,3 and 4, which papers were rolled privately as near in the same form as might be, and put in a box and drawn for by the Justices present, and the said Asa Speer drew No. 2 and the said Elijah Hayden drew No. 4, and the number drawn for Amos Atwater by the Town Clerk, he not being present, was No. 1, and the number drawn for Platt E. Osborn, he not being present, was No. 3."

I find that the keep of a certain poor person was guaranteed by two citizens of the Town, namely Asa Hall and Johnathan Cass, and they gave a note agreeing to pay 110 bushels of wheat on the 15th. day of December next. When the Town of Westfield was formed from Ripley and Portland, the monies in the hands of the Supervisors were divided and a certain portion turned over to the territory comprising the new Town of Westfield, and the records show that so far as Ripley was concerned, there was but one Poor Person requiring relief in the Town, and it was resolved that she be supported by the Towns of Ripley and Westfield, agreeable to the apportionment just made.

There are a great many other interesting and valuable items in these records of the Town, and we are fortunate they have been so well preserved. I doubt if any Town in the County can show such complete records of business and official transactions since its first inception down to the present date as are found in the Town Clerk's Office in Ripley. The typewritten copy of these records, which the Town Board has had made, will allow the old original records to be filed away and preserved without the danger of some of them being lost through careless handling. I feel it is the duty of the members of a Society such as this, or of any of our citizens who take an interest in the early history of their Town or County, to do everything possible to see that our public records are kept in the best possible shape for preservation.

A handwritten signature in dark ink, appearing to be 'A. H. Osborn', is written over the bottom right portion of the typed text.