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Rochester's 125th Birthday

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Rochester's development from a struggling hamlet into a prosperous city required less than two decades. The rapid settlement of the West in these years, quickened by the opening of the Erie Canal, transformed the frontier village at the Genesee falls into America's first boom town. Situated astride a lengthy trade-bearing river at the canal crossing and enjoying the abundant power supplied by three water falls, Rochester bounded ahead on the crest of the first wave of America's surging growth. Yet the sudden transition from village to city called for astute leadership in both its economic and governmental affairs. And since business activities tended even then to monopolize local energies, the community's civic beginnings, which led to the adoption of the first city charter 125 years ago, merit close study in this Year of History.

Rochesterville

All residents displayed an eager enthusiasm at the incorporation of the village in 1817. Indeed the excitement, characteristic of new towns, overflowed the hamlet's borders, as officially determined, and foreshadowed an expansive development. The occasion also produced several lively controversies which formed

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the basis of later political divisions. Yet a common desire to free local interests from outside domination engendered harmony and enabled the rival factions to work together for the establishment of Monroe County in 1821.

Colonel Nathaniel Rochester and his Maryland associates had launched their settlement on the lower Genesee in 1812. The hundred-acre tract they laid out on the west bank at the small upper falls soon attracted a few eager pioneers and stimulated other promoters to undertake similar developments across the river and at the main falls a half mile further north. The completion that year of the first bridge, at the present Main Street crossing, linked these settlements together and assured primacy to Col. Rochester's centrally located tract. The 332 residents scattered about the falls at the return of peace in 1815 doubled annually in the next few years. And in the process they discovered an urgent need both for municipal services and for more convenient court facilities.

The movement for a new county, which commenced that year, slightly antedated the drive for a village charter, yet the latter was the first to succeed. Col. Rochester, not yet a resident at the falls, carried petitions for both measures to Albany in 1817, but the joint opposition of Canandaigua and Batavia, seats respectively of Ontario and Genesee Counties whose territories extended east and west from the Genesee River, successfully blocked the application for a new county.

The Village Incorporation Committee, formed early in 1817, had anticipated this result. In order to avoid the wrangle which might have resulted from a request for territory in two counties, it proposed a village tract encompassing only the west-side developments. Yet, despite the exclusion of the eastsiders, the 655-acre village numbered at its organization that spring approximately 700 inhabitants.

The charter of 1817 provided a form of government similar to that of other recently incorporated villages, such as Brooklyn,

Bath and Geneva which had received charters the year before. Its provisions gave the controlling responsibility to the town meeting. That gathering was empowered to elect seventeen officials, including five trustees, to vote necessary taxes not exceeding \$1,000 a year, and to exercise carefully limited powers. The trustees received authority to adopt bylaws regulating fire hazards, nuisances, streets, markets and some forty related matters of a public nature.

Unfortunately, the incorporation of Rochesterville, as it was named, was marked by an unhappy though spirited quarrel. The privilege of voting was restricted under state law to freeholders possessing property valued at twenty pounds or renters who paid forty shillings for their homes and who could prove a six-months' residence within the county. When, amidst the heated discussion of the application of these standards, word leaked out that some leading merchants had prepared a list of candidates that excluded all mechanics, as workmen of the day were called, the indignation of the latter became outspoken. Some of them promptly drew up a second slate and successfully won the election.

The first town meeting was convened at the school house which then stood on the central plot given by Col. Rochester for the court house. This small frame structure, erected in 1814 and still known as Gates No. 2 School, would soon, as Rochester No. 1, be moved across Fitzhugh Street to the present site of the Education Building. The slate of trustees elected there, on the first Monday of May, 1817, proved fairly representative of the community. It included Daniel Mack, keeper of the Mansion house, William Cobb, who owned and drove a pair of oxen and hauled produce around the falls, Everard Peck, printer, Jehiel Barnard, tailor, and Francis Brown, miller.

The trustees hastened at their early meetings to adopt regulations that graphically reveal the character of the early village. The first bylaws, passed in June, 1817, prohibited the cluttering

of streets with building materials and banned the racing of horses there. They prescribed fines against those who permitted hogs or cows to run at large and against those who threw dead animals into the streets. The fire hazard prompted an ordinance requiring each householder to equip himself with a fire bucket and to keep his chimney and stove pipes clean. The trustees banned from the village such practices as hunting, the firing of guns, and bathing in the river except after dark. They required licenses for those wishing to operate a liquor store or to slaughter animals within the limits.

Several of these matters soon demanded further action, and the inhabitants assembled at a second town meeting to appropriate \$350 for general expenses and necessary improvements. The village required suitable books for its records, fire hooks and ladders to supplement the efforts of the bucket brigade, and a pound for stray cattle pending the collection of fines against their owners. The trustees undertook to drain the swamp back of Christopher's tavern on Carroll (State) Street that summer. In October they determined to organize the bucket brigade into a fire company and named three of their members as its officers. They took similar action six months later in setting up a citizens' night patrol.

The simple solutions and modest expenditures of the first year soon proved inadequate. Each of the early village functions quickly developed into a major activity, and new problems pressed for attention. As the time and energy required of the various officials made some compensation desirable, the trustees prescribed fees for most services and generally authorized the clerks to keep what they collected. The town meeting voted in the second year to raise \$1,000 in taxes, the statutory maximum, and appropriated an annual \$10 honorarium for each trustee.

The fire hazard quickly emerged as the most urgent village concern. The burning of Francis Brown's mill early in 1818

prompted the inhabitants to purchase a fire engine—a hand pump attached to a tank mounted on wheels and fed by the bucket brigade. When the first real test came that December, the stream of water failed to reach the second story, and by morning four buildings near the Four Corners, including Peck's newspaper office, had gone up in smoke. The trustees quickly enacted new rules requiring householders to provide one fire bucket for every two fireplaces and a ladder sufficient to reach the top of his building.

Some of the early fires aroused a suspicion of incendiarism and prompted an effort to correct the evil by developing a more efficient police. Already many members of the citizens' patrol sought release from their thankless tasks, and in December, 1819, the inhabitants voted \$80 to employ a night watch of four men to serve as long as the sum would allow.

To many sober householders the major breeding place for the disorderly elements appeared to be the "groceries" (saloons) and gaming rooms from which boisterous characters emerged after dark to disturb the community. The trustees accordingly banned the playing of ninepins and other games that created excitement or involved the use of potential clubs. They called for a vigorous enforcement of license fees and fines.

Yet apparently the most troublesome problem was that created by unruly pigs and cattle roaming the streets. The trustees increased the fine against the owner of each such animal to one dollar and levied an additional shilling to recompense the citizen who captured a stray hog. In July, 1820, they voted an award of five dollars for information identifying the person who had broken open the pound and released its numerous occupants onto the town.

The pioneer village had but a faint conception of public health problems. The trustees voted \$91 to pay for the construction of a log aqueduct, 30 rods long, but it was designed to carry water to fill a cistern for the fire company and a water

trough for thirsty horses; no public provision for drinking water was thought necessary. The same body ordered householders on Buffalo (Main) and Carroll Streets to clean one half of the roadway in front of their properties on the last Saturday of each month, yet petitions for sewers along these major streets had to await a grant of larger powers. The disposal of refuse was left to the hogs whose continued presence thus served some benefit.

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The need for increased municipal powers was overshadowed in 1820 by the renewed drive for a separate county. The frequent and tedious trips over mud-clogged or snow-drifted roads to Batavia, the Genesee County seat some 35 miles to the west, required at least two days to settle a land title or perform some other court duty. Similar trips to Canandaigua for east-side legal functions proved equally irksome. Fortunately the opposition of the two shiretowns became less effective as the population along the lower Genesee mounted and as several leaders in the older settlements invested heavily in the rising milltown.

The residents of Rochesterville and those east of the river and in surrounding towns held frequent meetings in 1818 and after to petition for a new county. The local publishers, now two in number, printed broadsides supporting the cause. The agitation stirred a similar spirit of revolt in several communities bordering the river further south and in towns along the lake to the east and also in more distant Penn Yan south of Canandaigua. While an election fought out on this issue in 1819 proved disappointing to the secessionists, a year later the situation was reversed.

Thus the major contest in 1821 was between Rochester and its recent allies over a division of the towns. Both Col. Rochester and Elisha B. Strong, formerly of Canandaigua but now a promoter of the lower Genesee, hastened to Albany to safe-

guard the milltown's interests. They were able after much wrangling to compromise the demands of Avon and Geneseo for the inclusion of Rush and Caledonia in a proposed long county straddling the river—Livingston County as it was named finally agreed to split the two towns and assign their northern halves to Monroe. Col. Rochester and Judge Strong also blocked a similar effort by the promoters of Palmyra to appropriate the towns of Penfield (including present Webster) and Perinton for a lake-side county eventually called Wayne. Thus the act creating a new county on the lower Genesee, when finally passed on February 23 that year, assured a generous expanse of territory encompassing 16 townships and totaling 607 square miles.

The successful termination of that battle immediately precipitated one over the control of the new county. The political rivalries, which had slight relevance to the municipal issues, found ample scope in the contest for new county offices. While the Council of Appointments, which named the first officers, may have tried to distribute the posts equitably, sharp divisions quickly appeared and set the stage for later party contests. Col. Rochester became county clerk and his Republican friend from Clarkson, John Bowman, became a judge; two other judgeships went to Elisha Ely and Elisha Strong, old Federalists now turned Clintonians. Timothy Childs, another member of that faction recently arrived from Canandaigua, secured the post of district attorney thus upsetting the balance and prompting an outcry by disappointed local aspirants.

While the political pot was beginning to boil, the essential county functions were hastily provided. Three sites were offered for the court house, but that formerly set aside by Col. Rochester easily won preference over both Brown and Washington Squares. Plans were soon ready for a graceful structure which the county erected of stone at a cost of approximately \$7,000. Meanwhile the first court convened in the recently added loft of the Ensworth Tavern at the Four Corners.

The out-of-town commissioners who chose the court house site also selected one on North Fitzhugh Street for the jail. The local commissioners, likewise named in the act of incorporation, planned and supervised its construction at a cost of \$3,674. Yet one editor noted "an alarming increase in petty crimes" even before its completion, and the newly appointed sheriff, James Seymour, had to make hasty provision in July, 1822, for the detention of the first murder suspect who nevertheless broke loose and escaped trial.

Government in a Boom Town

While the formation of the county seemed to create as many problems as it solved, it nevertheless engendered a sense of local responsibility that stimulated further development. The town officially dropped the "ville" from its name early in 1823 and a few months later extended its boundaries across the river, annexing 357 east-side acres and boosting its population to approximately 3,500. The need for additional powers and for larger revenues became increasingly evident in these years which saw the work on the canal rushing to its completion. Unfortunately, the rapidity of the town's growth, while gratifying to all, so disrupted the ranks of leadership that the resultant dissension obstructed agreement on charter revisions.

While debate over the town's proper organization raged, the trustees endeavored to press ahead with their functional responsibilities. They achieved advances in a few fields, but the limited funds available so curtailed action that the demand for some charter revisions became insistent in 1826.

The fire hazard continued to receive the greatest solicitude both from the trustees and the inhabitants. By the exercise of careful vigilance in 1822 the village reduced the previous year's record of a half-dozen fires, but it soon became evident that one gasping hand pump would not suffice. The inhabitants convened in December, 1823, to consider a recommendation for the

purchase of two new engines and a supply of leather hose, as well as additional ladders. Advocates of economy cut the order to one engine and a ladder truck. The distraught trustees achieved a further advance fifteen months later when friction between the two fire companies prompted their reorganization and the appointment of a fire chief to direct them.

The creation of Monroe County with its seat in Rochester and the building of a jail focused attention on the crime problem. The employment of a contingent of convicts from Auburn Prison on the construction of the canal aqueduct in 1823 aroused frequent protests, and when a few broke loose from their chains a state of alarm developed. Several escapes from the jail brought increased anxiety. One local editor declared that "probably no place in the Union the size of Rochester is so much infected with the dregs and outcasts of society as this village."

The town's bounding growth was, of course, chiefly responsible for its difficulties. Work on the canal brought a host of migrants, some to labor on its construction, others to reap the advantages it promised. A shortage of houses, despite the construction of a hundred or more each year, forced many newcomers to crowd into crude rookeries from which they sought relief on Sundays and holidays in the numerous groceries and taverns that sprang up in many parts of town. Although the trustees had removed the ineffective ban on the playing of ninepins and now charged \$25 license fees for each alley and billiard table, their efforts to keep them closed on the Sabbath proved futile. Showmen who paid \$10 for a weekly license also resisted the loss of their best pay day.

While the lack of adequate police power prevented forthright action in the control of such centers of disorder, it was the need for greater taxing power that finally brought a revision of the charter in 1826. In the meantime the trustees were limited to programs that did not entail large outlays. Thus when a rise in land values in the vicinity of the burial ground

donated by Col. Rochester on Spring Street brought an attractive offer for its purchase, the village selected a new site some distance out Buffalo Street. The proceeds from the sale of the old tract financed the acquisition in 1822 of a larger area and the removal of the existing graves. A sufficient balance remained to purchase a public hearse so that the dead could be carried to their final resting place in proper state.

The condition of the streets presented a most baffling problem. Funds were lacking for street improvement, and all that could be attempted in the early twenties was to provide for sidewalks. To this end the trustees in January, 1822, ordered property owners on the commercial sections of Buffalo and Carroll Streets to construct 12-foot walks in front of their properties. A railing with suitable hitching posts was to be erected near the outer edge, and the job was to be completed by May 10th. Though the time had to be extended a month and fines levied against two delinquents, the improvement proved a boon to the village that summer. The only outlay by the trustees was \$150 for the crosswalks at the Four Corners. Sidewalks were ordered extended along several of the lesser streets the next year, a regulation applied east of the river in 1824. The only other street improvement during these years provided oil lamps at both ends of the bridge, to be lit on dark nights in order to safeguard late travelers from plunging into the river.

The need for more adequate civic functions, resulting in large part from the town's rapid growth, inspired frequent demands for a city charter. Several of the trustees, burdened with increased civic responsibilities, were heartily in favor of municipal status, notably Dr. Matthew Brown, whose years of service as president of the village board, together with his activities as the chief proprietor of Frankfort, had made him an outstanding Village Father. However, those who opposed the delegation of taxing power to a group of alderman dominated the public meeting held in December, 1825, when some three or four hun-

dred citizens gathered to consider the issue. An application was reluctantly endorsed for a new village charter, dividing the town into five wards, providing for the election of officers by written ballots, raising the tax limit to \$2,000, and extending the powers of the trustees.

The issue provoked a degree of levity on the part of one local editor who did not view the community's bounding growth with too much concern:

Although Rochester is in point of business the first village in the state, we are too young to ape the fashions or merit the name of a city. Our streets are neither paved nor lighted, we have no markets, no shipping, no theatres, or public gardens, no promenades for exquisites, and our aldermen would experience a great scarcity of turtle. Besides, as was remarked by one of the speakers at the meeting, "while Buffalo, & Brooklyn, & Utica are striving for city charters, to become a city can be considered *no great trick*."

Whatever the desires of the villagers, Rochester was rapidly developing the proportions and the problems of a small city. With a population nearing seven thousand in the summer of 1826, all rivals in the state west of Albany were surpassed—not only in numbers but also in the urgency of village affairs. The newly elected trustees, all save Matthew Brown, who was chosen president, being inexperienced, soon found themselves overburdened with pressing problems. In place of the leisurely meetings held once every two or three months during previous years, the trustees gathered for busy sessions every week or so and sometimes twice a week. For this extensive public service they now received the modest reward of \$15 a year, yet the dignities of the office were still eagerly sought by leading citizens.

The trustees elected under the second charter—William Brewster, cabinet maker, Vincent Mathews and John Mastick,

attorneys, Giles Bolton, merchant, and Dr. Matthew Brown, proprietor—were in sharp disagreement over the question of theatrical licenses. One proposed a complete ban on such entertainment; while the others opposed such drastic action, his stand prompted the board to fix the annual license fee at \$150 and to levy fines of \$25 against the management and \$5 against each actor for every unauthorized performance. A new theater was in process of construction, and its manager, unable to afford an annual license, determined to defy the regulation. Fortunately a compromise was reached after some litigation permitting the theater to operate Monday through Friday at \$30 a week.

Many other problems pressed for attention. The trustees adopted more stringent regulations of fireplaces and other heating arrangements and directed the fire wardens to make more frequent inspections. The village brought suit against several owners who failed to clean their flues, and chimney sweeps enjoyed a more thriving trade. New fires nevertheless occurred, and the inhabitants finally voted \$1,000 for an additional fire engine. Everard Peck, who journeyed to New York and Philadelphia in search of the best model, returned in October, 1827, with an engine purchased at the latter place for \$716 and 300 feet of leather hose for \$216. The fire chief quickly organized a third company to operate it, and the villagers gathered at nine o'clock one fall morning to witness a demonstration of their fire fighting equipment on Mumford's meadow above the main falls. A more tragic demonstration occurred two months later when Peck's paper mill caught fire, resulting in the loss of the building and the first local fireman's fatality.

Increased activity marked other civic functions. The trustees expanded the night watch to ten men in 1827 and assigned two to each ward. An earlier ordinance had required the provision of a "necessary" on all occupied properties, and the trustees now stipulated that stone vaults must be constructed under

them and that a peck of lime be dumped into each one once a month. The board also voted to subsidize the digging of several private wells, making them available for public use, and to open two others at central points. Moreover, the multiplication of peddlers and hawkers, crying out the wares of new merchants, prompted the trustees to adopt new license regulations and to direct the use of a bell instead of a horn as less likely to frighten passing teams.

A new problem developed as numerous teamsters converged on the thriving market town with loads of hay, grain and garden produce. Every attempt to designate the points at which such wagons should stand while seeking customers brought protests from the adjacent lot owners. The need for a public market was further emphasized by complaints concerning the two butchers who had chosen locations without adequate facilities for the disposal of their wastes. Elisha Johnson, the east-side promoter and contractor engaged by the county to reconstruct Main Street bridge, proposed that a market be erected at its northwest corner and extended out over the river to the first pier. As the arrangement promised ample room for many stalls and an abundant supply of water to clean them, the proposal soon won hearty approval.

The building of the public market provided a focal point in the town's history in more than one respect. Its construction out over the river served as a precedent for the early extension of private property rights and street shops, at first along the northern edge and later along the south side of Main Street bridge. While another half century would pass before all gaps were filled, the eastward march of the town's business activity was thus commenced. The market supplied a fiscal turning point as well, for the \$1,000 authorized by the inhabitants for its construction did not even cover the contract cost. The trustees, reluctant to abandon the scheme, determined to raise the necessary funds by issuing market stock secured by prospective

rentals. The market, when completed early in 1827, had cost almost \$3,000, but all its stalls were immediately in demand, and visitors congratulated the town on the novel location and thriving character of its public market.

Meanwhile the second charter had enabled the trustees to tackle the neglected task of laying sewers along its principal streets. Property owners on Buffalo Street had undertaken such a project in 1824. Now the trustees appointed an engineer to expedite the work. The cost was levied on adjacent property owners who in most cases were eager advocates of the improvement. Although the early sewers were little more than shallow ditches with flagstone sides and capping, they served at least to divert surface water from the backyard cesspools which had proved to be undesirable neighbors to the public and private wells. The village completed more than a mile and a half of such sewers by the close of 1827 and discharged then into the river a short distance below the Main Street bridge.

The trustees used a similar power of local assessment in pressing forward with their sidewalk program, but it was not until 1828 that another amendment to the charter enabled them to undertake street improvements. The county road masters had jurisdiction there, yet the old system of calling on all able bodied men to devote two days a year to road work was not proving very satisfactory in town. The trustees did, however, assume some town planning functions in April, 1827, when they ordered an extension of certain streets after the adjoining property owners had signified by a petition their readiness to assume local assessments necessary to pay for the additions.

The board likewise changed the names of several streets in order to remove duplications and for other purposes. Thus old Mill Street was renamed Exchange Street because of the busy commercial life that had developed there after the opening of the canal. A new Mill Street was opened near the great mills

now lining the main falls. On the east side River Street was extended and renamed St. Paul in honor of the handsome new Episcopal church which now graced its route. Carroll Street would be renamed State Street out of pique a few years later, when the trustees lost an unhappy suit over the proper sum due Charles H. Carroll for the public market site.

Creating a City

Despite its extreme youth and some evidences of an enduring callowness, Rochester was rapidly acquiring respectable urban proportions. Local agitation for a city charter, although defeated in 1826, revived two years later and continued unabated until finally successful in 1834. Any comparison with contemporary cities revealed that the aspiration was not presumptive. Indeed the Genesee milltown had by 1827 acquired 8,000 inhabitants, the number at which Pittsburgh and Cincinnati had achieved cityhood in 1816 and 1817 respectively, while most of the other cities of the day had attained that status with a smaller size.

Unfortunately, many political jealousies obstructed the way. The New York legislature was reluctant, under the firm leadership of Martin Van Buren, to grant any advantages to areas dominated by his Clintonian rivals. Since the latter party held control in Rochester, there was little disposition at Albany to grant its plea for a new charter, especially in view of the opposition of some outspoken residents. A public meeting strongly endorsed the application in 1829, but citizens who still cherished the simple traditions of a modest village and others who feared increased taxes sent protests to the legislature which accordingly deferred action.

Meanwhile the trustees, confronted with numerous and insistent problems, attacked them, often impulsively, with the limited powers at hand. They ordered frequent extensions of sidewalks by the property owners along newly developed streets.

They levied local assessments for additional sewers, extending their length to upwards of three miles within five years. They launched a renewed drive in 1829 for clean streets, ordering all property holders to sweep to the middle of the road once a week. They numbered the houses on the four principal streets that year and purchased street signs to mark all corners in the central district. The next year they ordered seven street lamps and a barrel of oil to supply them and to relight the bridge lamps erected a few seasons earlier.

But the trustees lacked authority to pave the streets. They did take a step in that direction in 1829 when they converted the time due for road work into a cash payment and assessed it in proportion to the property value as well as per head. The resulting sums permitted a more efficient maintenance program under the direction of the street commissioners appointed to direct the work. In 1833 they appropriated a supply of stone, broken by the jail inmates, and macadamized a few blocks on Buffalo and State Streets. Further efforts awaited larger powers.

Another problem that demanded increased attention was that of providing and safeguarding the town's water supply. The trustees received frequent petitions for assistance in opening public wells in new neighborhoods; they generally agreed to install a pump when residents dug a suitable well. The opening of four mineral springs within the limits raised the community's hopes until the water proved better suited for bath-house use than for drinking purposes. As household needs increased, Elisha Johnson drafted a plan in 1832 to supply the community with fresh water from the upper river. After some hesitation, the trustees sent a plea to the legislature for authority to organize a water company to build the necessary mains. The city charter, granted two years later, did indeed include such power, but meanwhile the village made renewed efforts to open and clean its public wells.

The need of the fire companies for adequate reservoirs elicited an alert response. The trustees appointed a village engineer and directed him to lay several "aqueducts" of hollow logs from the canal to conveniently located reservoirs or cisterns for use in case of fire. Unfortunately, these facilities were of little utility during winter months. Only good fortune protected the town from a disastrous conflagration in December, 1831, when several wooden buildings north of the Mansion House caught fire. The volunteer companies exhausted all available water resources just as the flames approached that major tavern, and only a shift in wind saved it and probably a large portion of the central district as well.

The village launched a drive for fire prevention in 1831 when it increased the number of fire wardens in each ward from one to five and ordered them to make periodic reports in writing to the village attorney. Nevertheless the toll of seven fires that year mounted to sixteen the next season. To speed the sounding of an alarm, the trustees levied fines against sextons who failed to ring their bells on the outbreak of a fire. When a question arose as to the authority for such fines, the trustees substituted rewards to those sextons who first sounded an alarm. But all agreed that the fire hazards could not be brought under control until an adequate supply of water was made available in all parts of town. It was, therefore, somewhat of a surprise when the greatest fire in Rochester's short history broke out on the night of January 25, 1834, directly over the river. All the wooden buildings that had crept out along the northern edge of the Main Street bridge went up in flames, inflicting a property loss of nearly \$100,000.

Included in that holocaust was the public market which had occupied much of the trustees' time since its erection five years before. The rentals from its stalls had enabled the village to buy up and cancel all of the market stock by 1830. A continuing return of almost \$1,000 each year greatly relieved the

demand for larger tax revenues. The trustees, eager to conserve the market's earning power, had banned the sale of fish in other parts of town. They rejected a plea for a second market at the canal crossing on Buffalo Street, but they did erect one with two large stalls to accommodate butchers on the northern edge of town. The destruction of the bridge market revived the controversy over its proper location. While debate raged, several of the market men hastily restored the foundation and flooring and erected temporary open stalls at the old site.

The trustees took action in 1829 to provide hay scales in front of the Red Mill where the great loads brought in from surrounding farms could be weighed and sold to interested buyers in the centrally located millyard. They engaged wood measurers, as well as meat and leather inspectors, to safeguard consumer standards. However, these services, which proved especially useful in the case of wood dealers, whose daily loads supplied practically all the fuel available, had to be discontinued when one dealer questioned the authority and found it wanting.

The old battle over licensing regulations persisted, with those favoring prohibitive fees gradually gaining the upper hand. After a public debate of the issue in 1829, the trustees doubled the fees for liquor licenses, and two years later, during a great religious revival, they doubled them again. The final charges, ranging from \$30 to \$40 according to the size of the establishment, reenforced by a stipulation that only applicants "of good character" should be recognized, reduced the list of legitimate dealers but gave rise to a number of establishments where games of chance and other illegal pastimes, as well as liquor, could be enjoyed behind locked doors. Neither the night watch nor the two daytime constables had power to cope with this situation.

The most serious crisis that confronted the community during the village period was the cholera epidemic of 1832. News that the plague had reached Montreal arrived that June and

spurred the trustees to organize a board of health. The board sent Dr. Anson Colman, son-in-law of Col. Rochester, to Montreal to study the problem and recommend action. His report, that the contagious character of the malady had been exaggerated, failed to dispel fears in Rochester. The village launched a clean-up campaign and endeavored to inspect all incoming lake vessels.

But it was over the canal from New York that the town's first cholera case arrived in July. Soon the victims began to multiply, reaching eleven in one day by the middle of that month. Terror gripped the community and thousands fled, leaving many of the town's essential functions untended. Two members of the board of health resigned, but fortunately other more courageous men took their places. Outstanding among the heroic leaders that arose during the emergency was Col. Ashbel W. Riley who assumed personal responsibility for hunting out and burying the victims. Constable Simmons took charge of an improvised hospital in an old cooper shop where the village gave shelter and the scant treatment available to homeless victims, among them a boat load of 56 immigrants from the east, 19 of whom died.

The pious assumption that only the dissipated would suffer soon proved false as victims appeared among the most respectable. The plague continued its ravages throughout July and most of August. Reports from other cities, where the situation was equally frightful, gave little consolation until news arrived that conditions in Montreal were improving. Finally the number of new cases reported in Rochester began to decline, and the townsfolk rejoiced when the second week in September passed without a fatality. The board of health, in reporting the disaster, listed 118 victims out of approximately 400 cases and congratulated the town that most of its 12,000 residents had remained in good health. That their seeming optimism was not complacency became evident when a threat of small-

pox later that fall spurred them to provide free vaccinations to all applicants. Fortunately the villagers escaped that threat, and the next spring, when a general state of good health was reported, many paused to honor those who had rendered faithful service during the emergency.

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The effects of a business recession in 1829, the ravages of cholera in 1832, and the increasing number of destitute immigrants brought by the canal combined to aggravate the problems of poor relief. A vague distinction between town and county poor resulted in some duplication of effort. Thus in 1832, when some 390 persons in Gates and Brighton, the townships encompassing Rochester, received county relief, the two towns gave direct assistance to another 462, while 168 from the same area received shelter for a time in the poorhouse erected by the county in 1826. The plight of most of the inmates of the poorhouse was attributed by the manager to intemperance. He also reported that a third were of foreign birth. Approximately a tenth were children, some of them, that year, cholera orphans, others had been abandoned by westward migrating families. The one bright spot at the poorhouse was the productivity of the 47-acre farm where the inmates raised sufficient food to keep the weekly per capita budget at 59 cents.

The most formidable problem confronting the supervisors was the construction of a new jail. Repeated grand juries condemned the original structure. In addition to its insecurity, demonstrated by frequent escapes, they found serious objection to its arrangement which crowded debtors, detention cases and felons together around one narrow and poorly heated corridor. Finally the authorities selected a new site on the southern tip of the island formed by the river and the Rochester-Montgomery race. The new jail, built on the cell-block pattern of Auburn Prison and completed in 1833 at a cost of \$12,000, attracted favorable comment from the many citizens and travel-

ers who in that day still took a curious delight in visiting prisons.

The civic function which most urgently called for responsible supervision was that performed by the scattered district schools. The county appointed inspectors whose authority had some application to rural schools but little relevance to conditions in the village. Gates and Brighton together numbered 4,085 resident children of school age in 1834, yet only 2,490 of them attended any public school during the year. The several private and charity schools maintained in the village enrolled perhaps another thousand youngsters. Nevertheless, the lack of a central authority left the poorer districts largely untended.

Brighton Districts 4 and 14 made the most forthright attempt to provide a school adapted to the needs of the growing town. Unfortunately the cost of the building they erected as the Rochester High School, under a special charter granted by the legislature in 1827, exceeded the fund available by \$3,000. As popular opposition forestalled an additional tax, the district trustees, who had advanced the necessary sums, determined after three struggling years to lease the building. The Reverend Gilbert Morgan reopened the school in 1832 as the Rochester Seminary. His staff of nine teachers attracted over 300 scholars and provided the village with one of the best schools in western New York. Most of the pupils were enrolled free of charge from the Brighton districts in lieu of rent, but 106 were graded in the higher branches or special classes where they paid fees totaling \$1,681 for the year. The Regents contributed \$318.46, the largest grant made to any academy in the state. Yet the combined funds failed to cover the salary budget and difficult times lay ahead.

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The difficulties encountered in every civic department focused renewed attention on the need for a city charter. Unfortunately the battle between the Rochester Clintonians and the Regency-

controlled legislature acquired an ideological character in 1832 when the Albany authorities agreed to grant Rochester a charter similar to those drafted for Buffalo and Utica that year. However the milltown had prepared its own draft and refused to accept the legislative amendments, one of which provided that a state appointed recorder should sit and vote with the locally elected city council. A second amendment called for the appointment of local justices of the peace, rather than their election as desired in Rochester.

The Bucktail factions in control at Buffalo and Utica, seeing no objection in these provisions, accepted their city charters, but Rochester was determined to achieve local autonomy. When the Antimasonic faction moved to compromise the differences by shearing the recorder of his vote, the Rochester trustees signified their agreement and ordered the preparation of a city map and of assessments on the new territory. Unfortunately, the measure failed to pass because of uncertainty at the last moment over the selection of the justices.

When the same issue obstructed the progress of a renewed charter application the next year, the Antimasons endeavored to capitalize on the charge that the Democratic Regency would not permit the "filthy mechanics" of Rochester to elect their own justices. Local Democrats retorted with the accusation that wealthy Antimasons were blocking the charter's passage because they wished to avoid the higher taxes its \$8,000 limit permitted. Since most citizens had become impatient for greater urban services, the Antimasons lost all contests in Rochester that November. A renewed application for a city charter secured favorable action at Albany the next April.

The Rochester charter, as finally adopted in 1834, followed a widely used municipal pattern. It provided for the election of one alderman and one assistant alderman from each of the five wards. It empowered them, sitting as a council, to levy taxes not in excess of \$8,000 a year, to appropriate public out-

lays and exercise the varied powers granted to the city. A recorder, named by the governor, represented state authority but lacked the power to vote or otherwise control the council. The aldermen, not the people, chose the mayor as well as the justices and most other officials. The aldermen likewise served as commissioners of schools and of highways in their wards, and four of them, with the recorder, formed a board of health. The charter also expanded Rochester's limits to include 4,819 acres, almost four times its former size, which gave it a population of approximately 13,000.

The organization of the first city government brought several old contests to a head under new political alignments. The Clintonians and the Antimasons had coalesced under the Whig banner. Old Col. Rochester had swung around to support of this group before his death in 1831, and his son-in-law, Jonathan Child, was now an active leader in the new party. It vigorously opposed the Jacksonian or Democratic party which attracted chief support from those mechanics and others who favored a liberal grant of liquor licenses and a relaxing of other restraints. One Whig spokesman declared during the election that "Whiskey runs like water in Dublin [the Irish quarter]. We intend to be ready for them."

The Whigs did indeed triumph. They proceeded to choose Jonathan Child as mayor at the first meeting of the council on June 9, and they celebrated their victory at a picnic a few days later on Brown's island overlooking the main falls. The "Lord Mayor" congratulated his fellow citizens on the community's sudden rise to urban proportions. His message struck an historic note prompting Henry O'Reilly, one of his listeners and the first historian of Rochester, to transcribe extensive portions in his *Sketches of Rochester* published four years later. We may well excerpt a few sentences for reflection 125 years after:

". . . ROCHESTER, we all know, has had little aid in its permanent improvement from foreign capital. It has been

settled and built, for the most part, by mechanics and merchants, whose capital was ECONOMY, INDUSTRY, and PERSEVERANCE. It is their labour and skill which has converted a wilderness into a city; and to them surely this must be a day of pride and joy. They have founded and reared a city before they have passed the meridian of life. In other countries and times, the City of Rochester would have been the result of the labour and accumulations of successive generations; but THE MEN WHO FELLED THE FOREST that grew on the spot where we are assembled, ARE SITTING AT THE COUNCIL-BOARD OF OUR CITY. Well then may we indulge an honest pride as we look back upon our history, and let the review elevate our hopes and animate our exertions. Together we have struggled through the hardships of an infant settlement and the embarrassments of straitened circumstances; and together let us rejoice and be happy in the glorious reward that has crowned our labours. We *have* no conflicting interests—we *ought to have* no hostile feelings. . . .”

Unfortunately, conflicting interests did exist in that early day and also hostile feelings, as numerous blasts in the *Liberal Advocate* at the “Lord Mayor” and his “blue light” associates indicated. Conflicting interests have persisted and remain with us 125 years later. They are inherent in any complex human society, as Mayor Child admitted in his next sentence in which he asked his fellow citizens to “concede to others the same integrity of purpose (each man claims), and ascribe our different opinions to the different points of view from which we examine the same subject.” We can appropriately close with his concluding words in 1834:

“Surely, in the prosperity of our young city, we have a common interest. Here the fortunes of us all are embarked on a common bottom, and it cannot be too much to expect a union of counsels and exertions to secure their safety.”