

309 West 93rd Street,
New York, N. Y.

May 10, 1922.

TO THE HEIRS OF GERSHOM STEVENS

MRS. GARRY L. KING

SHELTER ISLAND

LONG ISLAND & N.Y.

Dear Mrs. King :

You will find enclosed or soon receive an assignment to me of all your right, title and interest in the Manorkill Falls and Ravine situated in Schoharie County, New York, together with all right, title and interest you may have in any claim against the City of New York by virtue of the City's appropriation of those lands and water rights.

Will you please be kind enough to sign this document before a Notary Public and obtain a County Clerk's certificate showing that the Notary's term is unexpired, his signature is genuine, and that he has the authority to take acknowledgments of deeds of real property.

In requesting you to relinquish your rights in this family estate, I feel it due you to acquaint you quite fully with the facts leading up to this request. You are scattered from the Atlantic Seaboard to the Pacific Coast, and a good many of you have never visited the old home, nor seen the property in question. In fact, I doubt if all of you of the sixth generation have even heard of the Manorkill Falls, or know the early history of your ancestors.

The Stevens family for three generations lived in Stratford, Conn. prior to the birth of our great great grandfather, Colonel Gershom Stevens, in 1741. His father was a farmer, gunsmith and blacksmith by trade, which did not prevent his being a man of property and a gentleman. In those days of our country, cutting coupons had not become an occupation and there was no leisure class.

Gershom Stevens learned all the trades of his father, but being of an adventurous disposition, volunteered, when a mere boy, in the French and Indian War. Then he took to seafaring, but when still a young man, had become prosperous enough to purchase a valuable farm near that of his father, marry Phoebe Henry, and settle down. But not for long. Indian raids in New Hampshire demanded his services, and then The Revolution.

He volunteered as a private for the Battle of Bunker Hill. He organized a party of thirty who made a daring attack on a British prison on Long Island and rescued several officers. For this he was made an officer himself. He was one of four survivors out of Sixty men who responded to a call for reinforcement by George Washington at Valley Forge, the rest having died of cold and starvation in a blizzard on the way. His most notable achievement, however, was the iron cable which spanned the Hudson at Poughkeepsie, to keep the British out. He superintended the construction of this great cable, one link of which, weighing 300 pounds, may be seen today in the Educational Building in Albany. At the end of the war he ranked as Colonel.

At the Declaration of Independence, Gershom Stevens, with many other patriots had sold his farm and invested all he could raise, in the new American securities, to help establish credit in the Government. The home where he had placed his family, was burned by the British. In 1791 with his perfectly good money of the United States, he bought a large tract of land in Schoharie County (then a part of Albany County) New York, and moved his family there.

Here he lived until his death in 1825, when the property was inherited by his two sons Gershom Jr. and Peter, by will.

For many years it remained undivided, the two brothers running the farm and jointly operating, with their sons and hired help, a saw mill, a gris mill, a shingle and turning factory and a tannery, all by water power in the Manorkill. It is the testimony of one of these sons (my great Uncle Philander) that "boys of such fathers did not have an easy time".

Later, Gershom and Peter stood in a barn door (which was pointed out to me a number of years ago) and divided the property orally between them. Instead of disputing as to who should have the larger tract, they quarrelled vociferously each for less territory. "Now Peter", (Gershom would say) "you are giving me too much". "No" (Peter would expostulate) "you are taking too little".

This disputation, being of an unusual nature among relatives, is preserved for us by descendants of the neighbors.

The Stevens brothers finally settled upon a division which gave Stevens Mountain (still so called) to Peter, and the lower lands with the Manorkill Ravine and Falls to Gershom. These Falls were called Stevens Falls for many years, but were afterwards known from the name of the stream, Manorkill. The division would seem to commit Peter and sons to agriculture, and Gershom and sons to mills and tannery.

The property was wisely divided so as to keep the water power intact. The Peter Stevens branch of the family have always been designated as the "Mountain Stevens". Many of them settled in Sullivan County in a place known today as "Stevensville".

The Gershom Stevens descendants are called "The Falls Stevenses". We are the Falls Stevenses and it is with the Falls that we are concerned.

It might be well for the benefit of those of you who have never seen the Manorkill Falls to give you some idea of them. I will not undertake to convey to you their natural beauty. They are one of the finest bits of scenery in the Catskills. Summer visitors come from Stamford and other resorts to view them and to climb from the lower basin along the side of the ravine to the ruins of the old mill at the top.

The Manorkill, fed by the purest of mountain springs, flows into a ravine, or gorge, through solid rock. It descends in a series of five cascades, about 125 feet. The last two cascades are known as the "Upper Falls" and the "Lower Falls", the latter of which is about 80 feet high.

The volume of water depends upon the season. During a drought, the springs feed little water to the Manorkill. But in Spring, the stream, swollen by melting snows, often becomes a torrent, which precipitates itself over the rocks, filling the ravine, and hurling trees and boulders from its banks, plunges into the Schoharie-gill with a roar that can be heard in the village of Gilboa.

That Gershom Stevens, Jr. knew the value of water power is evidenced by the way he jealously guarded the ravine and falls in conveying farm lands. He made no deed to property which crossed the ravine or included any part of it. In one deed of property on the south side, he granted permission for a dam to be built and the water of the upper falls used, provided that if diverted, it should be turned back into the stream before going over the lower falls.

This concession does not read to "heirs and assigns forever" as does a similar concession to my Grandfather Ozias Stevens in a deed giving him 1/4 interest in a tannery. Another 1/4 interest in this tannery, with dam and water rights also, was given my great Uncle Alanson. These two eldest sons were twenty-eight and twenty-three years old respectively.

Whether Gershom Stevens had reserved the other half interest in this tannery for younger sons, is not known, for he died suddenly without will in 1848 and his estate descended to his widow, eight sons and three daughters.

At least one attempt was made to get the property in the hands of a single heir. Jason was selected to be the recipient of the others' quit-claims. But the effort fell through and, later, when land on the north side of the ravine was sold, - the whole family, including the widow, Abigail, sons and daughters, sons' wives and daughters' husbands, ---- signed the deed. The name of Phoebe Ann does not appear (I wonder why) nor that of Elizabeth, who had died at the early age of ten.

The family preserved the policy of their father in reserving the ravine and water power, and "went him one better". In addition to reserving an acre at the foot of the lower falls on the North side for a mill (as he had done on the South side) and trusting to the law that boundary to a stream gives no riparian rights, - they made their deed read to within six rods of the Manorkill only, and thus retained the sole right to stand on the bank and fish for speckled brook trout which flashed in the clear water of the stream.

Later all the family but my grandfather, Ozias, left Gilboa. Water power became obsolete with the invention of the steam engine, and the Manorkill for many years, fell over the series of precipices unmolested and unused.

Then a neighbor on the South side, having looked at the falls for so long began to claim them for the scenery. She had postal cards made of them, and changing their name to her own family appellation, sent them out as representing her property.

But the community did not accept the new name. And her ownership was anything but "undisputed". Aunt Hattie, my mother's youngest sister, the only member of the family left in Gilboa, still occupied the old homestead. She never allowed the community to lose sight of our ownership of the falls, but contested the claims of the pretender, with a good deal of spirit.

On one occasion, at least, she had help in her contention. In August of 1901, my grandfather's brother, Philander, of Brooklyn, came to Gilboa with the express determination of clearing the title to the Falls. Accompanied by my mother, Aunt Hattie and myself, he visited the home of the neighbor referred to and gave verbal notice that she was claiming our property. Her mother, whom we saw on this occasion agreed with us,

Uncle Philander died before completing the title or obtaining quit-claims and with his death died also the last effort of that generation to accomplish this task.

Again water power came into its own. Niagara, through the agency of electricity began to turn cogs and wheels, light distant cities and run street cars.

I trusted that some day some member of the family would get a clear title to our valuable water power. But I hesitated to undertake so difficult a task myself. Meanwhile the Falls ever became more valuable as the country built up and the price of coal advanced, and I knew that however fast the Manorkill ran, it could not run away.

And now we reach the final chapter in the story of the Manorkill. On the 3rd day of June, 1905 an act of the legislature was passed entitled "An Act to provide for an additional supply of pure and wholesome water for the city of New York". "Permission was given for the acquisition of lands and for the constructions of the necessary reservoirs, dams, filters, and other appurtenances for that purpose." "Investigations on Schoharie Creek led to the abandonment of one dam after another, until a satisfactory site was found at the village of Gilboa".

The property of the whole valley was condemned and taken in 1917, property owners receiving such award for damages as a commission appointed for that purpose, deemed fair. The right to quit-claim, or to develop or sell the Falls, passed from the Stevens family forever.

We are entitled to

erty, but in five years no claimant has appeared to sue for an award.

I had not been to Gilboa for twelve years, but could no longer shirk the responsibility of providing for Aunt Hattie when she was forced to give up her home. It would be tedious to relate my efforts to establish her happily. I bought a house and sold it when it seemed impractical for her to occupy it. I engaged board for her in Stamford near her doctor and friends. But for the present she prefers to live with a cousin, Mrs. Charles Whitney, at South Gilboa, than to go among strangers and be further from Gilboa ---alas.

Gilboa, when New York City first came upon the scene, was a veritable "Sleepy Hollow" of the Catskills, Named, for euphonious reasons, (probably) it capped no mount but reposed in primitive tranquility on a shelf along the Schohariekill. A child once came running to his mother with the startling intelligence that his little sister had "fallen off the village". She might have fallen into it had she lived across the street and climbed up her own back yard.

One long street remained practically unchanged for a hundred years. ~~The same elms, grown great, gave gothic shade ; the same white houses with green blinds, hermetically sealed in front, hospitably open at the side- stood close to picket fences; and the same cats ----- or lineal descendants ----- adorned the headstones of long departed souls.~~

Now, the village, its trees felled, houses unpainted and dilapidated, gardens grown rank with weeds, but awaits the hour of demolition.

Huge derricks rise from rose gardens, buckets of rock swing across the valley, tram cars of gravel run up one hill, down another; Stevens Mountain, under hydraulic pressure from the Manor-kill, is being washed down, its rock blasted for the dam itself. Seven hundred laborers work all day and by electricity all night to complete the reservoir in the seven year contract.

Where gentle old people were wont to sit in the quiet of their gardens, foreigners talk loudly in strange tongues, and New York City uniformed police patrol the town and seem as great an anacronism as a traffic sign to "STOP" and "GO" in the Desert of Sahara.

Aunt Hattie's home in Gilboa was a kind of antique museum of which she was justly proud. She would show you the old burying ground where five generations of the family rested, with a monument to Colonel Stevens inscribed "A hero of the Revolution".

Through the front door, whose brass knocker, painted fast, spoke mutely of more ceremonious days, she would usher you into the parlor, opened for occasional callers, where our great grandmother's piano stood, - a harp on end boxed in like a cupboard, - the second period, -- and where our great grandfather's snuff box still lay on the center table. She would show you many old treasures and, perhaps, dress up for you in costumes of sixty years ago, that she wore when she was young.

But her chief delight lay in her garden. Here blossoms of every native variety shared ground with current bushes and fruit trees. Early daffodils and late crysanthemums marked the season, and morning glories and four-o-clocks told the time of day.

Thus lived Aunt Hattie between her memories of the past on one side and her "green things growing" on the other. Small wonder that she can call no other place home. Her trees killed, her treasures sacrificed, her dead violated, and every association of a lifetime broken, I fear I will never be able to console her or prevent her from lamenting bitterly the sadness of her lot.

For several years I have realized that the task of establishing the Stevens claim to the Manorkill Falls devolved upon me, if such a claim were ever made. But circumstances have combined to prevent my giving the matter the requisite attention. My mother (Anamelia Stevens Robinson) was an invalid for many years. Three years ago she met with a terrible accident, which took me to Florida on numerous journeys summer and winter, until her death a year ago last June.

She had worried over Aunt Hattie, and I determined to make her my special care as the last office I could perform for my dear mother. The following summer was devoted principally to locating her and providing for her belongings. Only the last year have I been free seriously to undertake the Stevens claim.

I will not weary you with my early struggles to bring the case out of its nebulous state. I could interest no lawyer under fifty percent of entire award, because of the difficulties involved, among others, the uncertainty of obtaining assignments from so many heirs.

Therefore, under the guidance of our cousin, Frederick J. Davis, Attorney, of Owego, N. Y., without whose help, I could not have proceeded, I searched the records of Schoharie and Albany and in other ways assembled data which I could present as a "case".

I retained a lawyer at Albany, who reported last January that while the Stevens family had evidently owned the property I claimed, missing deeds prevented our taking the case to Court with any prospect of winning. He said it was a case of the sins of the Fathers being visited upon the children unto the third and fourth generation.

Knowing the family tradition as I did, I could not believe that my careful progenitor, who had displayed such sagacity in preserving the water power for his descendants, could have destroyed any legal documents. After much correspondence, I think I have located

the "missing deeds" with a distant cousin, a descendant of the "Mountain Stevenses", who writes that strangely enough, he has deeds to the old undivided property, extending back to 1791 and Quit-claims from the brothers to each other. He has offered me every help in his power and will go over the property with me, if I come to Gilboa.

I do not feel justified in proceeding further without your co-operation. The expert title searcher who has made my abstract from the records, met with a fatal automobile accident. It will be necessary to engage a new one, as well as a lawyer, an hydraulic engineer and perhaps a surveyor. And I must present myself in Court as a single claimant.

My first plan was to ask you to assign your interest to Aunt Hattie as the natural claimant, not only because she has been the one to suffer by the reservoir, but because she has kept the home fires burning, and, owing to her disposition to "preserve" everything, has saved old documents without which our proof would be incomplete.

But Aunt Hattie is old and feeble. The mere thought of a law suit frightens her. She has turned the old papers over to me to do with as I wish. I hold her power of attorney, invest her money and pay her bills. She would but turn over any award she received to me. And in any case, I promise you all that, should her meagre income not meet her needs, I will never let her want for anything.

But I am not going to ask you to quit-claim to me whatever interest you may have in the property or in a damage suit against New York City, on sentimental grounds, or because of Aunt Hattie. I will make you a fair business proposition. If, after further examination, I find that apparently we have a legal title to any land or water rights along the Manorkill, I will proceed with the prosecution of the suit, providing all the heirs quit-claim their right, title and interest to me. If the suit is unsuccessful and no award is made, I will pay all the expenses of the suit and all examinations of the title and interest in the lands that are involved. On the other hand, if I am successful in the prosecution of the suit, I agree to take Fifty per cent (50%) of the award, whatever that may amount to, and from the other fifty per cent, I will deduct a reasonable allowance for expenses, including the search of title and counsel fees, and divide the remainder among the several heirs according to the laws of inheritance of this State.

Just what I can prove is a question which I cannot answer at present. The old deeds were not recorded and some are, perhaps, lost. Our neighbor on the South has tried to establish claim to part of the property which I think rightfully belongs to us. A competent searcher must study out this title, obscured as it is by cobwebs of the past.

As that neighbor has presented her claim to the Commission, it is important that we be in a position to dispute that claim before the award is handed down. I therefore beg of you to sign these papers and send on to the next heir on the list, as speedily as possible.

Within two years, Stevens Mountain, -- noble monument to a family name----- will be leveled, its rocks used for Schoharie Dam. And the waters of the Manokill will be flowing on their long journey to New York. But we should feel compensated for the loss of these relics by our pride in belonging to a race that can accomplish such titanic achievements as leveling a mountain, turning a stream backward in its course, and digging a tunnel eighteen miles long.

Of Colonel Gershom Stevens and his sons, their lives, activities and deaths, soon a rising reservoir will efface all traces from the land. But may we not preserve for the seventh generation, just now appearing, these traditions of the family?

Thanking all of you who have assisted me with addresses and encouragement in my undertaking, and hoping to hear favorably from the rest of you soon, I am

FROM
MRS. J. L. PAPWORTH
309 WEST 93RD STREET,
NEW YORK, N. Y.

Very cordially your cousin,



