

NAVIGATION ON THE HOUSATONIC RIVER
IN THE EIGHTEENTH AND NINETEENTH CENTURIES

1973-1974

by

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NAVIGATION ON THE HOUSATONIC RIVER

Early Physical Description

The Housatonic River Valley before the intrusion of the English and Dutch toward the end of the first quarter of the eighteenth century was a rough, wooded area, broken by occasional intervalles and numerous small streams.¹ Indians were relatively numerous along the lower reaches of the River and had probably cleared many of what the early English settlers called "Indian old fields" for agriculture.² Twenty or so miles inland, the Indians became sparse and the northwestern part of the present state of Connecticut was virtually uninhabited.³

The River itself was marked by numerous rapids and falls, deep pools and shallow fording places. Benjamin Wentworth's party of about forty men were able to cross it without trouble in August, 1696 somewhere north of the present Massachusetts line and in the present town of Kent, Connecticut.⁴ The Marquis de Chastellux reached the banks of the Housatonic River on November 19, 1780 and wrote, "This river is not navigable, and is easily forded near Bull's iron works " in Kent."⁵ In September, 1804, Timothy Dwight had followed the river a good distance and later reported that "Almost all this distance [from Canaan to Derby] is a continued ripple."⁶ Chester Dewey called the River at Sheffield, Massachusetts "silent and sluggish" in 1829; Dwight reported it in Connecticut as "almost universally rapid," and Dewey agreed that in Lee it was "a lively and

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romantic stream of considerable size . . . a rapid river, and occasionally swells itself, so as to overflow its banks."⁷ In short, the flow of the river before damming and major deforestation took place varied radically from place to place and season to season. Indeed, Dewey reported that spring floods deepened the water in parts of Berkshire County by one to ten feet, and in 1824 a flood swept away bridges at Pittsfield and other places.⁸

This is a natural phenomena on all rivers here in the NE - snow melt produces a spring freshet which was what was used in log drives.

Primeval Forestation

The whole region was heavily forested with both hard and soft woods. Chestnut, walnut, oak and especially maples dominated the hard woods. Among the conifers, various kinds of pines were found in abundance, but since the early settlers tended to refer to all evergreens as pines, it is difficult to assess their relative quantity.⁹ As the forests were cut off in the late eighteenth and early nineteenth centuries, the flow of the River became even more erratic, and many small tributaries dried up completely. Thus,

There was a high flow in spring and early summer, whereas many of the smaller streams were almost dry in the fall. In other words, the water was lowest just at the season of the year when crops were being harvested and the grist mills had most need of power.¹⁰

this too is not natural, not necessarily the consequence of land clearing.

The white pine (*Pinus strobus*) was especially sought after because of its utility in ship building, and this variety constituted at the most about 10 percent of the Great Forest of the upper Housatonic region.¹¹ The great value of masting

pinces made them conspicuous, and early visitors to the region tended to designate areas of their growth as "Mast Swamps." There were places of that name, for instance, in Cornwall, Torrington, Norfolk, and Barkhamstead.¹² This appellation has given rise to a long-standing and widely accepted myth about the Connecticut mast trade.¹³

The Myth of the Mast Trade

The great New England masting trade was confined almost entirely to Maine and New Hampshire, with Massachusetts playing a good part as well.¹⁴ In Connecticut, as Governor Wolcott reported in 1753, "There are no White pine Trees fitt for His Majesties navey as I hear of Growing in this Colony but on the lands Lying on the North west part of it."¹⁵ Indeed, there was in fact no masting for the Royal Navy in Connecticut at all.¹⁶

Though one scholar reports no exports of masts from Connecticut¹⁷ there was definitely one cargo taken from Massachusetts, between Deerfield and Cohees, down the Connecticut River in 1764 and perhaps one other in 1732.¹⁸ However, the valuable white pine was being sought in the newly established towns of Norfolk and Canaan in the 1750's, and one whole division of white pine lands was laid out to the proprietors of the former town.¹⁹ A surveyor of masts and spars was sent into Connecticut in 1756, but his activities were confined to the central part of the state where he was tossed into a mill pond at Middletown.²⁰

Masts suitable for use by the Royal Navy were from sixty

to 120 feet long, weighed up to twenty tons, and required huge crews of lumbermen and teams of up to forty oxen. As a matter of fact, those put into the Connecticut River in April, 1764 got stuck on some rocks.²¹ Obviously, no such operation could have taken place on the Housatonic River, with its numerous shallows, rapids, and falls. If it had, certainly some evidence of such activity would have remained for nineteenth-century commentators to remark upon.

*This, I feel
is a reasonable
deduction
as far as
"most trees
are
concerned"*

Logging and Lumber Operations

The clear absence of masting of the magnitude required by the Royal Navy does not preclude the possibility of more modest operations, of course. Indeed, the numerous lumbermills and shipbuilding yards at Derby would seem to imply fairly large-scale lumbering operations on the River. That such activity did in fact occur is implied in a number of documents. In 1795 a group of petitioners were given authority to clear some places in the Housatonic and put locks and keys in others, or to dig a canal or canals between New Milford and Newtown providing they did not affect "the rafting of Timber [&] Lumber down the present bed or Channel" ²² Samuel Church, speaking from memory, said in 1842 that about fifty years earlier,

An extensive lumber business was prosecuted [at the Great Falls in New Milford] Pine timber in large quantities, and of excellent quality, was by the spring freshets annually drifted down the river from the towns above.

And very much earlier, the proprietors of Newtown implied at least the expectation that the Potatuck, Halfway, or Housatonic

would be used for floating finished lumber to Derby, though there is no evidence that this ever did in fact occur.²³

And finally, a 1752 state law regarding trespasses on masts, spars and yards floating down the Connecticut River, broadened to include timber and lumber in 1785, was extended to the Housatonic River as well in 1807.²⁴ The Act was passed apparently without debate according to the House Journal ^{and} ~~or~~ the newspapers, and was carried without alteration into the revised statutes of 1821.²⁵

As late as 1829, Chester Dewey, a resident of Pittsfield, wrote,

At the commencement of the rise of the waters in the spring, thousands of logs of pine and hemlock, have been thrown into this river, and floated down its current from Great Barrington and Sheffield for years, over the falls at Canaan to New Milford and Derby, where they have been converted into boards, planks, shingles, &c. for market in Connecticut and New York. The rise of the water has commonly carried them safely over the rocks in the stream. Their passage over the Falls has often been witnessed with amazement.²⁶

The inferential evidence for at least the seasonal floating of logs for commercial purposes, then, seems on the face of it fairly convincing. Indeed the Dewey statement was accepted by Joseph Hoyt in his doctoral dissertation of 1954.²⁷

On the other hand, the probing scholar will find a number of problems with this evidence. In the first place, contemporary descriptions of the River are enough to cause some immediate and deep skepticism. Here is what Timothy Dwight saw in Salisbury in October 1813.

Five miles from the place where we lodged, we saw a magnificent cataract in this river. About seventy rods higher up, a rift of rocks, twenty feet in height, crosses the stream, which pours over it in a perpendicular sheet. At one third of the distance from this fall toward the cataract rise two large rocks in the channel, each inclining toward the other in a manner fantastical and singular. At some distance below them a dam is erected obliquely across the river to accommodate a suit of mills and other waterworks. A second and very handsome sheet descends from this dam.

The cataract is the next object in the train, and is formed by a vast ledge of limestone, crossing the river obliquely from the northwest to the southeast. The length of this ledge is about thirty-five rods, its perpendicular height sixty feet, its front irregular, broken, and hanging with a wild magnificence.

Here, in a stupendous mass on the western side, and on the eastern in every form and quantity of descending water from the furious torrent to the elegant cascade, this noble stream rushes with astonishing grandeur and the most exquisite beauty. The beauty is unrivaled by any cataract which I have seen except at Glens Falls, and the force when the river is full except by those of Niagara. On the ridge there are three small elevations. The westernmost of these contains earth enough to nourish three considerable trees, and each of the others to sustain one. Nothing can be more picturesque than these objects in this place.

The mass of foam at the bottom, you will easily believe, is in the highest degree tumultuous and majestic. A mist rises from it in greater quantities and finer forms than I have ever seen except at Niagara.

In the year 1792, I was here in the month of May when the river was full. At that time, both complete and imperfect rainbowed circles of colored light ascended slowly from the surface in a continued succession, and gradually floated away on the bosom of a white, misty cloud which filled the bed of the river. In our present journey the sun was covered with clouds, and prevented us from seeing this splendid object.

Below the cataract, the water descends with a hasty

current about forty rods, and there falls a third time over another rift ten feet. Here two islands unite the three divisions of a second dam, which furnishes the fifth sheet within this little distance. Still further down, the river is uniformly a hurrying rapid for fifty or sixty rods, foaming beautifully over a rocky bed and making a regular cadence to the different falls. The whole descent is about 130 feet, nobly arranged and distributed, and comprehending a remarkable variety of beauty and grandeur.²⁸

If this description is at all accurate, it is inconceivable that timber washed over these falls would not be broken to pieces in the process, and jammed among the rocks as well. Surprising, too, is it that Berkshire and Litchfield County newspapers, so full of accounts of fires, crimes, storms, agricultural curiosities, shipwrecks, and accidents, would not report the passage of thousands of logs down the river allegedly "witnessed with amazement" by the people in nearby Canaan. A thorough reading of these papers for the 1790's through 1831 reveals no mention of Housatonic logging at all. It should be remembered, too, that "Logs sent singly down floatable streams must not only reach their destination, but they must stop there."²⁹ No where in the literature of the Housatonic River is there mention of booms or cross river chains--the most common modes of catching drifting timber. Since it was admittedly impossible to float logs in the Housatonic except during the periods of most rapidly running water, booms or chains would have been especially necessary, and logs piled behind them would have certainly caused comment.

That such impediments as the Salisbury, Canaan, and Kent

falls probably made impossible logging operations north of New Milford is given some support from a petition to the General Assembly in 1761. A number of entrepreneurs wished to clear the Housatonic in order to make possible a boat navigation and also to permit "the floating down of large Quantities of pine logs from the northerly part of Connecticut & the Massachusetts" to the river's mouth.³⁰ Just seven years before Dewey's description of floating logs, a group of canal promoters from New Milford and Derby claimed that ship timber from Canaan was "valueless" and from New Milford "nearly so," while proximity to the Connecticut River made it worth \$10 to \$15 a ton.³¹ Indeed, about \$20,000 worth of ship timber had been shipped from Derby to New York during the summer of 1821³²--timber that must have been carried to the River overland, or perhaps by water from New Milford at the farthest. By 1850 at least, the Derby Building and Lumber Company employed a schooner to bring timber down the Hudson River from Albany to Derby and thence by team to neighboring towns.³³ By not later than 1855, however, no lumber was exported from Connecticut at all except through New London, and shortly thereafter the U.S. Government ceased to publish a forestry census for Connecticut though continuing it for the other New England states.³⁴ Indeed, long before this certain kinds of wood, especially cherry, were brought in by the Hudson River route.³⁵

The question still remains, why would Dewey, in 1829 Principal in the Berkshire Gymnasium, formerly Professor of

Chemistry and Natural Philosophy at Williams College, and an ordained clergyman, write so erroneously? One could guess that he was wholly misinformed, for there is no indication that he was an eyewitness to the event. It is also possible that the logs he speaks of were in fact swept down the river during spring floods accidentally, and that he mistook accounts he had heard. Indeed, Orcutt's description--though written at a date far more removed from the event than Dewey's report--is phrased in such a way to suggest such unintentional flotation. He writes of large numbers of sawmill logs, cord wood, ship timbers, and huge trees annually washed downstream by floods and freshets.³⁶

*What were these
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had been
transported
overland?
Believe this
argument
is weak.*

Timber to feed the scores of lumber mills along the Housatonic and its tributaries was almost always a local product. In about twenty sawmill account books, read page by page, a single entry relates to taking logs from a river. Salmon Buck of New Milford entered, on October 24, 1850, a debit "By 2 white wood trees in the river by agreement . . . 4 dollars or 5\$ if I think they are worth it after I get them out."³⁷ The implication here is that taking logs from the river was an unusual event, an implication given greater force by the numerous entries in this ledger to drawing timber by ox team.³⁸ In the many other ledgers surveyed, timber was carted, sledged, drawn, hauled, sledged, and carried. One local historian reports that the saw mills of Lee, Massachusetts produced the chief article of export from that town in the late eighteenth and early

nineteenth century, "the farmers transporting it by horse power to Hudson [N.Y.]." A canal on the Housatonic, claimed Pease and Niles in 1819, would provide transportation for many articles including "timber, lumber, &c."³⁹ Finally, direct positive evidence of overland transportation of lumber is found in the account book of Luther Holley's saw mill in Salisbury. He hired a horse and wagon to carry his boards to Hudson and Poughkeepsie, N.Y. in February of 1807.⁴⁰ It was not until the coming of the railroad in the 1840's that wood products were transported in great quantity out of the area.⁴¹

Local Uses of Lumber

Actually, however, long distance transportation of timber and wood products was not a dominating element in the Housatonic region's economy. A vast proportion of wood was used locally. The typical saw mill served an area only a few miles in radius, and drew its wood supply from sources equally close by.⁴² In the eighteenth century "Two men with a span of horses or a yoke of oxen could cut and haul enough logs to supply the little mill on the frontier where the customers were all found within a radius of four or five miles." Lumber box sleighs and wagons were offered for sale in newspapers, and frequent reports were carried of loads of wood as large as four or five cords.⁴³

No proportionate estimates are available, but it is entirely possible that only a small share of the upper Housatonic timber was used for lumber. Huge quantities, of course, were used for cord wood as home heating fuel. Equally large amounts were cut

to make charcoal for use in the iron furnaces once so extensive in the entire area from New Milford north, and potash manufacturing took more.⁴⁴ Timber for these operations was moved locally, over short distances by team.⁴⁵

Summary

The foregoing discussion of logging does not necessarily lead to the conclusion that logs were not floated down the Housatonic River. It should be reasonably established, however, that if such flotation did occur in any significant amount, it was confined to the area south of the Great Falls in New Milford. Other river transport of logs may have been undertaken for short distances--probably well under a mile--for brief periods in the early spring months. What can be stated with a fair degree of certainty is that, beyond inference and reports of nineteenth-century local historians--all apparently inspired by Chester Dewey, no positive evidence has been uncovered to establish significant logging operations on the Housatonic River; on the other hand, much negative evidence is available to make such operations implausible at best.

Navigation in Massachusetts

It is refreshing now to turn from the jungle of timber to the open waters of boat navigation on the Housatonic River north of Derby, for this question yields more solid materials, and less qualified answers. In Massachusetts there was none, and there are no claims to it at all. The Housatonic there was small enough so that mill dams were early built on the River itself as well as on its more modest tributaries. A sawmill was built in Pittsfield in 1777, and at Great Barrington as early as 1739,⁴⁶ with dams becoming numerous by the middle of the century. "In all its course through Berkshire County," wrote a resident in 1829, "the Housatonic, though not large and deep enough for boat navigation, is an exceedingly important stream . . . for millsites."⁴⁷ Even if the waters had been deep enough at certain seasons the dams made the River impassable.

Boat Navigation in Connecticut

There are a number of scraps of evidence of boat navigation in Connecticut as far north as New Milford, some of them quite convincing. Timothy Dwight reported in 1811 that "Boats have in various instances proceeded during the spring freshets from the foot of the great falls in New Milford to Derby." He thought then that "perhaps at some future day" locks might be constructed to make "navigation safe and convenient at all seasons." "If the bottom were smooth," he added later, "it contains sufficient water to be boatable to New Milford and a

considerable distance above."⁴⁸ That Dwight's optimism, shared by other Connecticut enterprisers, would never find fruitful expression shall be demonstrated shortly.

Dwight merely reported the drifting of boats downstream during the spring, but there was also a modest movement upstream as well. In 1822 a group of canal promoters stated that "At present, a scow is drawn up by a horse more than half the distance" to New Milford, though ambiguously they earlier had reported that the boat navigation "was for some time kept up as far as New-Milford."⁴⁹ An account drawn from family tradition of a bridal trip by boat up the river to the Great Falls in 1738 is a bit garbled, but apparently the couple went by horseback for the bride was "on a pillion behind" the groom. A boat accompanying them, it is claimed, was "rowed and poled up the river," presumably by servants, carrying heavy articles and livestock.⁵⁰ This episode, though implausible, is possible, but family tradition ranks at the bottom of the hierarchy of evidential credibility. However, it is reasonable to assume that row boats, canoes, and perhaps rafts were used at numerous points on the River to cross it and to travel short distances north and south. There is no reason to believe, however, that this boating had any significant economic impact.

There is ample evidence to demonstrate that Housatonic boat navigation, with the minor exceptions described above, went no farther north than Derby. Morse's Gazetteer listed the Housatonic River as navigable twelve miles inland, as did

Pease and Niles, who added that boats could "ascend to Southbury, in seasons of highwater"--that is to the northern border of old Derby. J.W. Barber gave the limits of navigation as fourteen or fifteen miles from the mouth of the river; Dwight described it as ending at the confluence of the Naugatuck.⁵¹ Similar statements abound in archival materials at the Connecticut State Library and in local histories.⁵²

Local Uses of the River

More direct evidence lies in account books of local merchants and lumber dealers. Freegift Hawkins and his wife Mercy carried on an extensive mercantile business in Derby for which an extant account book covers the period 1770 to 1825.⁵³ Hawkins imported rum, sugar, molasses, porcelain and china, salt, wine, "groceries," redwood, walnut, and cherry boards, and numerous other processed goods mostly via New York, but from Boston, New London, and other coastal places as well. He sent out pork, flour, pine boards, "cyder," potash, seed, rye, oaks, peas, corn, and wheat. In 1770 he had a scow built with timber carted in for the job. Prior to this he had tried to carry timber by canoe--an effort he recorded in June of that year. Hawkins used this scow to go to various places in Derby--the Narrows, Alphabet, New Boston, and Leavenworth's Ferry. He also used it to "unlade Barck," to "ship Pork" on board a sloop, and to "Land goods" during seasons of low water. He hauled pork, boards, hay, and staves on it, but he never took it out of Derby except possibly to cross the River to Ripton parish of Stratford.

Despite the scow, Freegift Hawkins did the overwhelming proportion of his transportation over land by carting, hauling, waggoning, sledding, teaming, and drawing--summer, fall, winter, and spring. Here, then, was a major Derby merchant, drawing his export commodities from the Housatonic hinterland, who owned a scow that never went north of Leavenworth's Ferry several miles south of the Woodbury line.

Efforts at River Improvement

A further class of documentary evidence helps to answer the question about boat navigation on the Housatonic north of Derby. There is a great abundance of manuscript and printed material relating to proposals for improving the riverbed itself, or building canals, towpaths, or railroads in association with it.

In 1746 the towns of Derby and New Milford took into consideration a joint road building venture "to see if there can be a convenient highway made near the Great River" connecting the towns.⁵⁴ If it was ever built, it was of little use, and in 1761 a petition to the General Assembly resulted in the appointment of a committee to survey the east side of the Housatonic River from Derby to Canaan. The committee reported that a good cartway could be constructed with little expense, but it is not clear that anything was done about this cartway at that time.⁵⁵ In any event, a companion petition submitted by William Tanner and others requested authorization to establish a lottery to fund a Housatonic River clearing operation. The object of these petitioners was to clear obstructions in

order to make possible boat navigation and the flotation of logs--implying clearly that timber ~~and~~ transport was not then possible.⁵⁶ A committee was appointed to view the River from the Massachusetts line to Derby,

noticing the width, depth, gentleness or rapidity of its current in the several parts of it, incumbrances by trees, rocks or ledges . . . carefully keeping an exact and circumstantial journal of whatever they find worthy of notice therein, as particularly as may be describing everything considerable as an hinderance to navigation or carriage up and down said stream, together with their opinion touching the practicibleness of removing the same and the expence necessary to that purpose . . .⁵⁷

The committee viewed the River from Canaan Falls to Derby between August 4 and 7 inclusive, a rather quick job in view of the fact that the committee surveying the cartway route spent eleven days at it.⁵⁸ The report submitted was optimistic and favorable, but predicted that with considerable labor and £600 expenditure the River could be made navigable except for heavy loads during droughts. Much labor would indeed be required. The committee found the following significant obstructions: a half mile carrying place at Canaan Falls; many stones and boulders to remove for eight or nine miles in Cornwall; blasting at "Millses Falls" in Kent; a one-and-a-half mile carrying place at Bulls Mill at Ten Mile Falls also in Kent; more blasting at Gaylord's Falls; minor "mending," blasting, and a one-and-a-half-mile carrying place in New Milford; "mending at sundry places" at the Shepaug River; more mending at Little Falls at Eight Mile brook; and small alterations thence to Derby. Despite the anticipated hard labor, the lower house approved the

lottery and later concurred when the upper house reduced the authorized sum to £300.⁵⁹

It is clear that there was no plan to open a water navigation all the way to Canaan, or a continuous one even the short distance to New Milford. Indeed, the original petition explicitly stated that portages would be necessary at the falls at New Milford, Kent and Canaan.⁶⁰ A number of Woodbury remonstrants then objected that the cartway that had been surveyed would not properly supplement the improvements on the River. The whole point of the cartway they said was to allow for the carrying places, but the road ran close to the River where the river was navigable, and distant from it where cartage was necessary.⁶¹ In October, 1762, the lottery managers reported that work had progressed all summer and that the money was now all spent. The job remained unfinished, and the incompleted lottery became tied up in legal tangles due to the deaths of its manager and another committee member, as well as the flight from the colony of a third.⁶²

Another attempt to make the Housatonic useful to boat navigation was launched in 1795. This time the petitioners wished authorization to clear some places in the River and build locks and keys at others only between Carleton's Bridge in Newtown and Still River in New Milford, a distance of about ten or twelve miles. They asked three years to do the job and authority to collect fees for forty-three years, without affecting the progress of timber in the River. The petition was

rejected at first, but after Governor Wolcott gave internal improvements some impetus in his speech opening the May, 1796 legislative session, it was finally accepted.⁶³ There is no record of locks built or tolls collected and this canal company was never heard of again, so the evidence for its operations are circumstantial at best.⁶⁴

The 1795 petition had reported that "there are now in said River many Rocks & other Obstructions to the navigation & boating thereon, and many swift waters or rapids in the same, render it highly dangerous and at seasons, totally impossible to navigate said River" Apparently the rocks were still there seven years later when some Derby citizens asked again for a lottery--\$30,000 this time--to clear out shoals and bars south of Derby and make the River "boatable" north to New Milford Falls. This petition was put over to the next year and never revived again.⁶⁵

Writing in 1819, Pease and Niles alluded to past efforts to make the River navigable and suggested that "a canal would supply this defect," and afford very important facilities to commerce. Among other things, they pointed out, a canal would provide facilities to many interests including "timber, lumber, &c.; articles that this region affords in abundance, and which are bulky and heavy requiring the advantages of navigation to facilitate their transportation." Navigation on the River, extending ^{from the Sound} to the tidewaters of Derby, they reported as "very limited."⁶⁶

The commercially interested citizens of the Lower Housatonic Valley did not have to be reminded of the advantages to them that improvement of the waterway would bring. In 1822 they launched their major and final effort to succeed where so many had failed before. The objective of these citizens, mostly of Derby and New Milford, was to build a canal, in association with locks and keys and towpaths, as far as practicable, all the way, they hoped, to the Massachusetts line. A prospectus was published, and public opinion mobilized.⁶⁷ The Derby town meeting encouraged the promoters to incorporate "for the purpose of establishing navigation by the Ousatonic river, by a canal near its banks or by improving the bed of the river so far as the state line. . . ." At Cornwall the townsfolk with more faith than information first voted the canal practicable and then voted to contribute thirty dollars toward a survey to find out if it was. But nothing came of the much ballyhooed project, and Chester Dewey wrote in 1829 that a canal would have to wait till the area was much more populous.⁶⁸

In the 1830's a short canal was built, however, in the Naugatuck up to what is now Ansonia--then still part of Derby. But it proved of little use because "At that time the Housatonic was subject to ice freshets which brought down a good deal of silt and gravel and it was therefore impossible to keep the canal open."⁶⁹ Thus ended efforts to bring practical, reliable navigation to the Housatonic River. The failure was sadly ironic, for the industrial decline of the upper reaches of the

River Valley at the end of the nineteenth century was brought about largely because of the lack of good transportation facilities in face of the development of inland waterways throughout the mid-west. Indeed, canals in Illinois, Michigan, and Ohio "resulted in a comparatively cheap and easy means of transportation which the smaller producing areas, less favored, as the Housatonic Valley, could not meet."⁷⁰

The Housatonic Rail Road

The final coup to dreams of water transportation in the area arose not only from the incapacities of the River itself, but were as much a result of the coming of the railroad. The inability of the commercial interests of the River Valley to gain water transportation caused them to be among the first enterprisers in the United States to investigate a rail link to the hinterland. Primarily they desired to connect with the Western Railroad of Massachusetts in order to gain reliable, year-round access to Albany in conjunction with recently established steamship transportation to New York City.⁷¹ For this purpose the Housatonic Rail Road Company was chartered in 1836 with authority to build from the Massachusetts line in Canaan down the River Valley to Brookfield and then to Long Island Sound at Bridgeport. The railroad was opened to New Milford in 1840 and to West Stockbridge, Massachusetts two years later.⁷²

The First Annual Report of the Company--that of 1838--suggested that all portable cargoes in an area ten miles wide

I wonder if it wasn't rather a hope of diverting freight heading east from Albany to Boston to the Conn. port of Bridgeport. I see no reason for people, or freight to go the long way around N.Y. to Albany then to New York. I think you have the thing in reverse.

on each side of the route "we suppose will as naturally fall to [the railroad], and pass over it as they would pass up or down the Housatonic River, if that were navigable like the Hudson or Connecticut."⁷³ The railroad managed to gather cargoes of ironore, plaster, limestone, marble, cattle, milk, fruit, and other local products, but was never financially successful. It finally went through a series of mergers and lost its independent standing.⁷⁴

Overland Transportation in the Valley

The fact of the matter is that the overwhelming proportion of transportation up and down the Housatonic River Valley from Derby north was over land. Local histories abound with descriptions of foot, horse, wagon, and sled trips throughout the whole pre-railroad era.⁷⁵ More scholarly evidence of the predominance of land transportation can be found, however. One Yale scholar reports great drives of livestock from northern Litchfield County to the tidewater, and though he deals with the economic development of that county through the two centuries under study here, he nowhere mentions water transport. An even more comprehensive study of Berkshire County makes it clear that Housatonic River transportation from that place was never even considered, and she concludes that the lack of cheap and easy transportation from the area was the principal cause of its industrial decline.⁷⁶ Indeed, one nineteenth-century observer describes the Berkshire County town of Sheffield on the Housatonic as "almost cut off from communication with the great

no argument here, I wholly agree

doesn't this disprove a first note. who was this scholar?

cities--the social and commercial centers. . . ." Even as far south as New Milford the principal mid-eighteenth century merchant there traded regularly overland to New Haven.⁷⁷ But by far the best and most authoritative description of overland transportation in the Housatonic River Valley is that given in Howell and Carlson's Empire Over the Dam.

This exhaustive study of the nineteenth-century water power resources and uses in the seventeen Litchfield County towns of the Housatonic River water shed provides the best description written so far of commerce in the area.⁷⁸ The authors, Kenneth Howell and Einar Carlson, have reconstructed in minute detail scores of damsites in the Judea section of Washington, and have walked over much of the rest of the countryside, locating beds of streams no longer extant. In addition, they have read numerous account books of nineteenth-century Litchfield County industries. They conclude that, "Long before the Housatonic Railroad reached New Milford in 1840, sawed marble, chiefly in gravestone sizes, was shipped by the 'water level route' to Derby, then a thriving seaport on the east coast, and from there by boat to large cities." The term "water level route" as used here does not mean a route by water, but an overland route that trailed the streams and rivers. "This route," the authors continue, "followed the Aspetuck River valley to New Milford and thence by the Housatonic River via Newtown to Derby." This^{is} an overland route that Mr. Howell describes as fairly close to Connecticut Route 202 (until recently Route 25)

from Washington to New Milford to Brookfield, down to Newtown via Hawleyville, thence to Derby on Route 34 crossing near Riverside, the probable location of Leavenworth's Ferry. Mr. Howell rules out water transportation north of Derby as very unlikely.⁷⁹

Transportation Out of the Valley by Other Routes

Overland transportation in rugged western Connecticut of the pre-railroad era was not easy. One would have suspected that the farmers and millers of the regions north of Derby might have taken a greater interest in developing a navigation on the Housatonic River. That they did not is in part due to the relatively self-sustaining nature of the early eighteenth-century's communities. But a much more significant element is the fact that they did not trade much with their southern neighbors on Long Island Sound. From the Berkshire Mountains of Massachusetts at the north all the way down to ^{New Milford} ~~Kent~~ at the south, the dominant--almost exclusive--trade route was westerly. It was the Hudson River, not the Housatonic, that drew virtually all the trade of the region.

The westward orientation of Housatonic River Valley trade was given tremendous impetus during the Revolutionary War when the safer inland towns were used for collecting points for food-stuffs, livestock, and other military supplies.⁸⁰ The most thorough and recent scholar of the subject, because of the exhaustive nature of his research and the authority with which he writes, deserves to be quoted at length.

Danbury, Litchfield, Sharon and Woodbury were advantageously situated on roads leading to provisions depots and grain producing regions in the state of New York. From both east and west, provisions and military supplies passed through them. Commissaries stationed in the Hudson Valley transported tens of thousands of barrels of flour to magazines in the four towns, while commissaries located in Connecticut sent large quantities of livestock and barrelled meat to magazines in New York. Litchfield and Woodbury were joined with New York by a road which passed through New Milford. Widely used in the colonial period, this highway continued to be much travelled during the Revolution. In 1783, the selectmen of New Milford described it as a 'very great Usefull and public Road, leading from the Eastern to the Southern States.' . . . Although it was not on a major road which led to the Hudson Valley, Sharon was connected with the prominent Hudson River town of Poughkeepsie by a road which went through New Fairfield. The fourth town--Danbury--was on the highway which went to Fishkill and Peekskill--two large provisions depots in the lower Hudson Valley.⁸¹

Even a cursory reading of eighteenth and nineteenth-century newspapers makes abundantly clear the concern of Berkshire and Litchfield County citizens with affairs in Albany, Hudson, and Poughkeepsie. The Litchfield newspapers never failed to report floods, freezes, thaws, and general weather conditions along the Hudson River. Shipping there, speed records, cargoes, destinations, and tunnage were all regularly reported while no similar interest was shown in activities at the sometimes thriving port of Derby. Advertisements, prices, bankruptcies, sales, and artisan services to the west are all as prominent in the columns of the weeklies, as similar business to the south is conspicuously absent.⁸² "Western Connecticut inhabitants," writes Gaspare Saladino, "preferred to transport

their produce to New York state because this was cheaper than taking it to Connecticut ports."⁸³

This westerly direction of Housatonic Valley trade is taken for granted by the local historian. Heavy goods and agricultural produce from Lenox went to Albany or Hudson, as it *one N* did also from Lee, Great Barrington, and other Berkshire towns, and imports came from New York City much more regularly than from Boston or Hartford. From Pittsfield in the mid-nineteenth century, produce was carried to Albany and south along the river to the steamboat, and later railroad, at Hudson. *this was head of ocean navigation on the Hudson after ships had increased in size early 19th C.* Salisbury *see "R.H. Brown" Union for Americans -* farmers sold locally or "upon the Hudson river," reported their historian in 1841, and the same was true in Sharon. During the American Revolution "Large wagon trains loaded with New York flour--as many as 5000 barrels at a time--rumbled along rocky roads from the Hudson Valley to Sharon." At Kent, even such heavy commodities as iron ore and pig iron were hauled by teamsters to Poughkeepsie.⁸⁴ Indeed, about 1790 the principal route from the area around Kent to Stratford took one to Poughkeepsie and then down a well-developed highway to the Sound.⁸⁵

Timothy Dwight helps explain this westward movement. Within a few years before 1804, the inhabitants of Hudson, he wrote,

with a commendable spirit of exertion, have opened several turnpike roads into the states of Massachusetts and Connecticut, and have thus created an easy intercourse between their city and a considerable tract of fertile and well inhabited country.⁸⁶

These roads, and others through Litchfield, New Milford, Newtown, and Danbury, all

leading to the Hudson were used to a great extent for hauling timber and produce which were to be floated down the [Hudson] river to New York, for sale there or reshipment abroad, a tedious and laborous journey, that diminished materially the profits anticipated.

Canal schemes intended to alleviate this labor

proved a failure and hence the trade of western Connecticut continued to go to the Hudson until the building of the Housatonic railroad in the nineteenth century.⁸⁷

Conclusions

The first consideration of any historian facing the challenges of his craft is to see that he approaches his sources with the right questions in mind. Without doubt more time has been lost to the profession through the pursuit of answers to the wrong questions than in any other way. Nevertheless, considerable initial probing must often be undertaken before the appropriate questions can be framed. In the case of the Housatonic River navigation there is no villain because there is no corpus.

To ask the question how did hinterland trade proceed from the upper and middle reaches of the Housatonic River Valley--whether by land or water--is to launch the search for clues in the wrong place. Rather the question should be asked, in what direction did the trade from the upper and middle reaches of the Valley move? When put this way, the answer is easy to find. The trade of the Housatonic River Valley north of

Derby in its virtual entirety went west to the Hudson River.

Only a small proportion of portable production was carried out of the communities in which it was dug, harvested, quarried, milled, or manufactured. The great bulk of what was not consumed locally was sent to market in New York. A much smaller share made its way overland down the Valley to Derby in the eighteenth century and to New Haven in the first half of the nineteenth.

Addressing the very special question of the navigation of the Housatonic north of Derby in the eighteenth and nineteenth centuries, some fairly definitive answers can be provided. The first conclusion is that there was no significant boat navigation, though there was some. The second is that though there is no positive evidence for the flotation of timber or lumber down the River; it is probable that logs were floated at certain brief seasons for very short distances--probably much less than a mile.

It can be asserted with a high degree of certainty that the River, of great importance as a power source, was insignificant for transportation north of Derby. I dare say that no one in eighteenth or nineteenth-century Connecticut was making a living from the navigation of the Housatonic River north of Derby, nor, I believe, was anyone dependent on such transportation for anything more than marginal uses in his private or economic employments.

List of Abbreviations Used in Citations

Arch.	Archival Series at the Connecticut State Library
CHS	Connecticut Historical Society
CR	Public Records of the Colony of Connecticut
CSL	Connecticut State Library
HMR	Historical Manuscripts Room, Yale University
LHS	Litchfield Historical Society
MHS	Massachusetts Historical Society
NHCHS	New Haven Colony Historical Society
SR	Public Records of the State of Connecticut

Citations

1. Winer, "Great Forest," p. 38; MHS, "Wadsworth Journal," pp. 103-04, 108.
2. DeForest, Indians, pp. 4, 49-52; Hoyt, Connecticut, pp. 32-33.
3. DeForest, Indians, p. 51.
4. MHS, "Wadsworth Journal," pp. 103-04, 108.
5. Chastellux, Travels, I:83-84. Edward Starr claims that the Housatonic could be waded in the eighteenth century at "the Fording Place" near the foot of Waller Hill in Cornwall. p. 245. I have found him too inaccurate a source to rely upon on other accounts, however, and Mr. Garner Holmes of the Cornwall Historical Society confirms my impression. Telephone interview, September 4, 1974.
6. Dwight, Travels, IV:2.
7. Field, Berkshire, p. 205; Dwight, Travels, IV:2; Field, Berkshire, p. 351.
8. Ibid., p. 27; The [Pittsfield] Sun, February 19, 1824.
9. Winer, "Great Forest," p. 68.
10. Fairchild, "Changes in Industry," p. 60.
11. Malone, Pine Trees, p. 2; Winer, "Great Forest," Table 8 and pp. 111, 111n 30, 130.
12. Ibid., pp. 110-11.
13. Starr, Cornwall, pp. 34, 35 for example.
14. Malone, Pine Trees, passim.
15. CHS, XVI, "Wolcott Papers," p. 235.
16. Weeden, Economic and Social History, II:579, pf. 765, 833-34; Malone, Pine Trees, p. 180n 41; Albion, Sea Power, pp. 247, 273.
17. Malone, Pine Trees, p. 180n 41. See also Defebaugh, Lumber Industry, II:17.

Starr & Smith are both wrong on the area - according to Winer p. 68-75 Starr is also wrong about flooding logs earlier than 1720 - Winer p. 38

18. NHCHS, IX, "Ingersoll Papers," p. 256; Gipson, Ingersoll, pf. 84, 96-97, 100; Weeden, Economic and Social History, II:579.
19. Winer, "Great Forest," pp. 50, 54-55.
20. Malone, Pine Trees, pp. 135-37; Weeden, Economic and Social History, II:651; CHS, XVI, "Wolcott Papers," pp. 309-10; Gipson, Ingersoll, p. 85.
21. Malone, Pine Trees, p. 52; NHCHS, IX, "Ingersoll Papers," p. 267.
22. CSL, Arch. "Trade and Maritime," series 2, I:76a-d. Italics in original. The grant is SR, VIII:335-36.
23. Church, Salisbury, p. 54; Johnson, Newtown, p. 24.
24. CSL, Arch., "Trade and Maritime," series 1, II:199; Public Statute Laws of 1808, Chapter II, paragraphs 21-24 and Chapter III; CSL, Arch., "Crimes and Misdemeanors," series 2, V:91a.
25. CSL, House Journal 1806-07, June 3, 1807; Connecticut Courant, May-July, 1807, especially June 17, 1807; Litchfield Witness, 1805-07; Public Statute Laws of 1821, pp. 468-69. In all probability the extension of the act to the Housatonic was associated with the incorporation of the Derby Fishing Company and the reconstruction of the Washington Bridge between Milford and Stratford which also took place in 1807. The lumber in question was probably in the water south of Derby.
26. Field, Berkshire, pp. 27-28.
27. Telephone interview with Joseph Hoyt, September 5, 1974.
28. Dwight, Travels, II:352-53.
29. Maxwell, "Logging," p. 276. "Splash dams" or "drive dams" are another device developed to make shallow streams driveable. These "impound small quantities of water flowing in the channel, and at intervals let it loose as artificial floods." p. 275. There is no evidence of their construction anywhere on the Housatonic River in the eighteenth or nineteenth centuries.
30. CSL, Arch., "Lotteries and Divorces," series 1, I:61a. The petition was apparently renewed in 1769.
31. Anon., Considerations, p. 6.

32. Ibid., p. 7.
33. Sherwood, Derby, p. 158.
34. Hough, Report, II:224, I, forestry census tables.
35. [Litchfield] Gazette, February 22, 1809; LHS, "Hawkins Account Book," pp. 40, 64.
36. Orcutt, Derby, p. 339.
37. Yale, HMR, "Salmon W. Buck Daybook, 1849-1853."
38. See for instance p. 82.
39. Hyde, Lee, pp. 276-77; Pease and Niles, Gazetteer, p. 6.
40. LHS, "Luther Holly and Son Account Book, 1806-08."
41. Fairchild, "Changes in Industry," p. 23; Moss, "Forest Survey," p. 207.
42. Howell, "Over the Dam," galley pages 40, 51; Clark, "Economic Development," passim; Johnson, Newtown, p. 131; Whipple, "Early Botany," pp. 31-32. An excellent illustration of the localism of nineteenth-century millers is found in Lucius Osborn's sawmill account book at the NHCHS. See also Gideon Hollister's account book and others listed in the manuscript sources.
43. Maxwell, "Logging," p. 272; The [Pittsfield] Sun, January 3, 1827, or the [Danbury] Republican Farmer January 30, 1805, for instance.
44. Moss, "Forest Survey," p. 206; Winer, "Great Forest," p. 174 and passim; Smith, Pittsfield, II:38-43; Fairchild, "Changes in Industry," especially pp. 18-22, 36.
45. Winer, "Great Forest," p. 174; account books listed in bibliography.
46. Field, Pittsfield, p. 14; Taylor, Great Barrington, p. 155.
47. Smith, Pittsfield, pp. 29-34; Field, Pittsfield, pp. 13-21; Taylor, Great Barrington, p. 352; Field, Berkshire, p. 26.
48. Dwight, Travels, III:278-79.
49. Anon., Considerations, pp. 1, 10. Italics added.
50. Turrill, "Two Abigails," p. 28.

51. Morse, Gazetteer, p. 330; Pease and Niles, Gazetteer, p. 6; Barber, Historical Collections, p. 198; Dwight, Travels, III:278. There was no navigation on the Naugatuck because, wrote Dwight in 1811, four and a half miles from its juncture with the Housatonic "a ridge of rocks, twenty feet in height, crosses the river and forms a perfect dam about two thirds of the distance. The remaining third is closed by an artificial dam." III:275.
52. See for instance, CSL, Arch., "Finance and Currency," series 2, I:57a, c; Ibid., "Industry," series 1, II:364; Orcutt, Derby, p. 404; Countryman, "Transportation," p. 456.
53. LHS, Freegift Hawkins Account Book, 1770-1825.
54. Orcutt, Derby, p. 305. For an extended discussion of eighteenth- and nineteenth-century road building along the lower Housatonic see Chapter XI of this work.
55. CSL, Arch., "Travel," series 1, II:60,61.
56. Ibid., "Lotteries and Divorces," series 1, I:61a. See also Mitchell, Roads, p. 24 and above pp. 7-9.
57. CSL, Arch., "Lotteries and Divorces," series 1, I:47. It is printed in CR, XI:530-31.
58. CSL, Arch., "Travel," series 1, II:60; Ibid., "Trade and Maritime," series 1, II:67.
59. Ibid. It is printed in CR, XI:600.
60. CSL, Arch., "Lotteries and Divorces," series 1, I:27.
61. Ibid., "Travel," series 1, II:62.
62. Ibid., "Lotteries and Divorces," series 1, I:27; CR, XII:285-86, XIII:269. See also SR, VIII:336n, 387-88.
63. CSL, Arch., "Trade and Maritime," series 2, I:75-77. Also see above pp. 15-16. SR, VIII:362n, 335-36. The editor of the Public Records for the relevant years says that efforts to clear the river at this time "came to nothing," but since he incorrectly claims that no work was done under the 1761 grant, and since some canal promoters stated in 1822 that a boat navigation was opened for "more than half" the twenty-eight miles between New Milford and Derby--a somewhat greater distance than called for in this petition--it is possible that some clearing of the River under this grant was accomplished. SR, VIII:336n; Anon., "Considerations," p. 10.

64. SR, VIII:336n; Anon., "Considerations," p. 10.
65. CSL, Arch., "Trade and Maritime," series 2, I:77-78.
66. Pease and Niles, Gazetteer, pp. 6, 117. By 1819, competition from the Derby Turnpike and better harbor facilities at New Haven had reduced Derby's once magnificent maritime fleet to four modest coasters. Pease and Niles, Gazetteer, p. 117; Heaphy, "New Boston," p. 10; Orcutt, Derby, pp. 305-06.
67. Anon., "Considerations."
68. Orcutt, Derby, pp. 310-11; Starr, Cornwall, p. 65; Field, Berkshire, p. 27.
69. Countryman, "Transportation," p. 477.
70. Fairchild, "Changes in Industry," p. 57.
71. Withington, Twenty Years of Railroads, p. 19; Orcutt, Derby, p. 272.
72. Withington, Twenty Years of Railroads, pp. 19-20.
73. Housatonic Rail Road, "First Annual Report," p. 25.
74. Ibid., Annual Reports, 1839-1888.
75. Orcutt, Derby, p. 76; Johnson, Newtown, pp. 152-59; Starr, Cornwall, pp. 40, 230, 235, 242; Cothren, Woodbury, II:936; Orcutt, New Milford, p. 41; Hawley, Brookfield, pp. 115, 129.
76. Clark, "Economic Development"; Fairchild, "Changes in Industry," pp. 2, 72-73 and passim.
77. Sheffield, Centennial Celebration, p. 55; Collier, Sherman, p. 21.
78. Howell, Empire Over the Dam. Scheduled for publication October, 1974. I read the author's galleys.
79. Ibid., galley 64; interview with Kenneth T. Howell, September 5, 1974; notes of description of overland route in Mr. Howell's hand in the possession of this author.
80. Saladino, "Economic Revolution," p. 45.
81. Ibid., p. 57. See also pp. 50, 60, 254-55.

82. See bibliography under "Newspapers" for the scope of my research.
83. Saladino, "Economic Revolution," p. 254.
84. Field, Berkshire, p. 355; Hyde, Lee, p. 144; Field, Pittsfield, pp. 23-25; Church, Salisbury, p. 52; Dwight, Travels, II:354; Saladino, "Economic Revolution," p. 59; Atwater, Kent, pp. 94-96.
85. Coles, Survey of the Roads, endmap, maps nos. 15-20.
86. Dwight, Travels, IV:92.
87. Mitchell, Road-Making, pp. 23-24.

Bibliographic Essay

Proving that something never happened is most difficult. Such an undertaking is what historians call negative research, and can continue until either the known sources are exhausted or until a positive statement of the negative fact from a definitive authority is unearthed. I have neither exhausted the relevant materials, nor found the definitive negative statement. In view of the unusual nature of the research involved in this project, I think it appropriate to present, in addition to a general essay on my sources, a list of works surveyed even though no citations to many of them are found in the body of the work. Such a list follows this essay.

The paper presented here represents twenty-seven days of research exclusive of writing and editorial work. I visited the libraries and archives at the Connecticut State Library, the Connecticut Historical Society, the American Antiquarian Society, the New Haven Colony Historical Society, the Litchfield Historical Society, Sterling Memorial Library and the Forestry School Library at Yale, the libraries of Old Mystic Seaport, Clark University, and the University of Bridgeport. In each case I surveyed the card catalogs under all relevant subject headings.

I also examined all standard general historical indexes including: Poole's Index to Periodical Literature, 1802-1906;

Nineteenth Century Readers Guide to Periodical Literature, 1890-1899; Annual Magazine Subject Index, 1907-1949; Readers Guide to Periodical Literature 1900 -; Social Science and Humanities Index, 1916 -; Writings on American History, 1902-1961; America: History and Life, 1964 -.

A number of special indexes used were those to the Collections of the Essex Institute, to the Pittsfield Sun, 1800-1905, the Connecticut State Library General Index to the Archives, the manuscript indexes at the above listed repositories, and that of the Historical Manuscripts Room at Yale. Of course I consulted Charles A. Flagg's Reference List of Connecticut Local History (1900); Warren Kuehl's Dissertations in History (1965, 1970); and Kennard and Fisher's A Bibliography of Publications Relating to Water Resources in Connecticut, 1900-1970 (1970). I also scanned the contents page of each issue of full runs of The Connecticut Quarterly and Magazine; Connecticut Woodlands; Forest History; Connecticut Circle; and The Lure of the Litchfield Hills.

From all of these sources, and from the bibliographies found appended to many of them, I extracted over 150 printed items relevant to the navigation of the Housatonic River prior to 1870. I read or scanned each of those items.

I also read relevant sections of the six eighteenth- and nineteenth-century newspapers listed in the bibliography, including every issue for the period late January to mid-May for a collective total of over fifty years, and full years of

several papers for certain significant dates (1807, 1829-30).

The major manuscript sources studied were account books of shipbuilders, merchants, and lumber and sawmill operators in the watershed area. These are listed under the name of their repositories in the bibliography below. I also read numerous petitions, bills, depositions, and surveys in the manuscript Archives at the Connecticut State Library, as well as the manuscript "Journal of the [Connecticut] House of Representatives" for relevant years, and town records for Cornwall and Derby in the town clerks' offices.

Finally, I interviewed in person or on the telephone, several professional scholars of relevant specialty and numerous amateur local historians, presidents and past presidents of local historical societies. They are listed at the end of the bibliography.

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[Litchfield] Witness.

[Pittsfield] Sun.

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Crimes and Misdemeanors

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Rodney Aller, Salisbury Historical Society.

Marguerette Bourdon, Salisbury Historical Association.

Harriett L. Clark, Cornwall Historical Society.

_____ Edwards, Librarian, Berkshire Athanaeum, Pittsfield,
Massachusetts.

Evelyn Hamlin, Sharon Historical Society.

Joseph Heaphy, town of Derby.

Garner Holmes, Cornwall Historical Society.

Housatonic Valley Association, Inc.

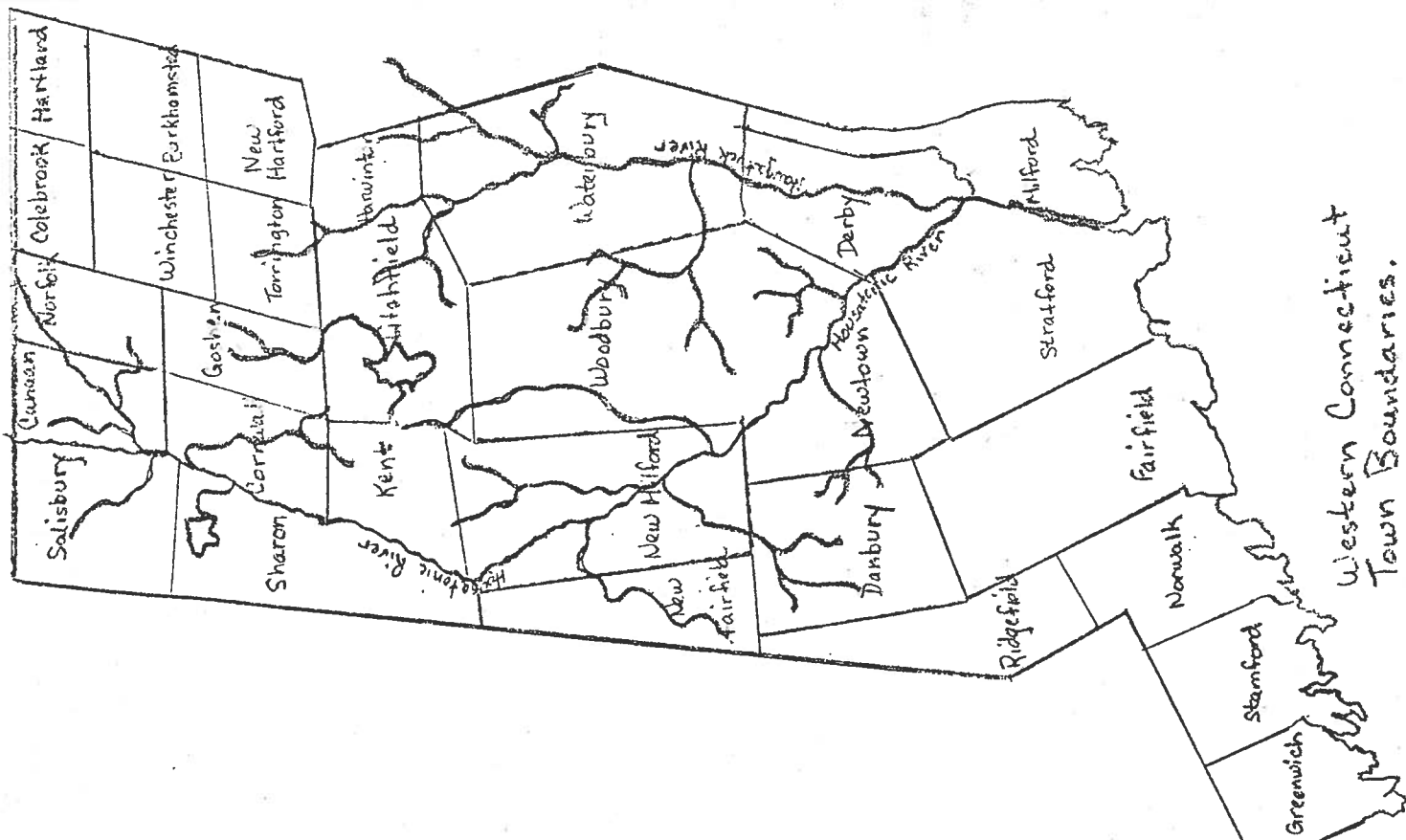
Kenneth T. Howell, author, Empire Over the Dam.

Joseph B. Hoyt, Professor of Geography, Southern Connecticut
State College.

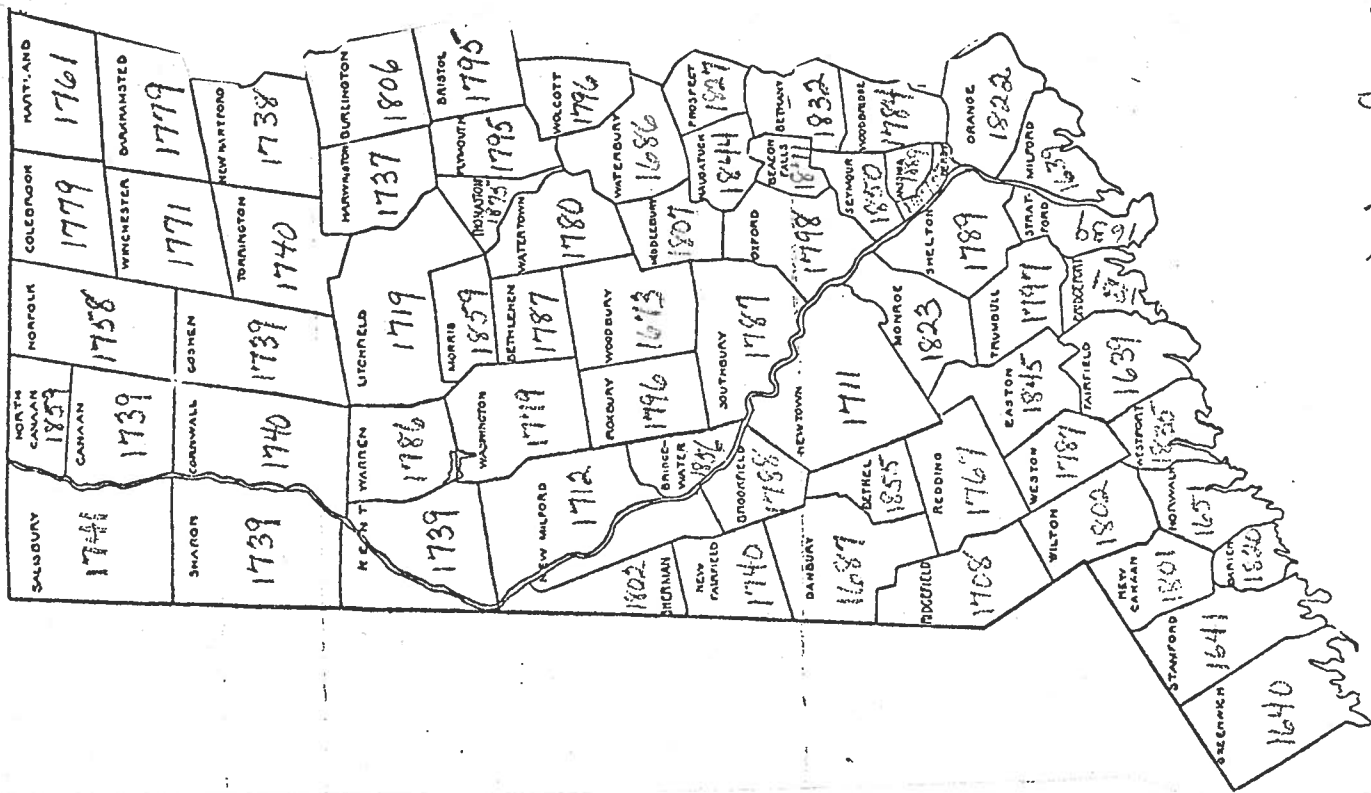
Thomas Lewis, Instructor in Geography, Manchester Community
College.

Joseph Miller, Librarian, Yale University School of Forestry
Library.

Francis Robinson, Salisbury Historical Society.



Western Connecticut
Town Boundaries.
1765



Western Connecticut Town
Boundaries, 1974.
With dates of incorporation

Draft to: Dr. Christopher Collier

11/26/74

From: Jane Tjader, News Bureau, Cortright Hall

Please review for accuracy and return ASAP

Historical events of the 18th and 19th centuries, as researched by a scholar at the University of Bridgeport, are playing a part in the disposition of some problems usually thought unique to the 20th century, with the resolution to be determined in a courtroom in Washington, D.C., according to Dr. Christopher Collier, professor of history at the University of Bridgeport.

It all started when the Connecticut Light and Power Company hired Dr. Collier to do historical research on the use of the Housatonic River above Derby, starting with pre-historic times. The question was: was the river used for navigational purposes? If it had been, then it would come under the jurisdiction of the Federal Power Commission, and if it had not, that agency would not be able to compel the CLP to develop recreational plans for the Candlewood Lake Region which would be open to the public. (Under the 1935 Federal Power Act, rivers that are, or have been, used for navigation, come under the jurisdiction of the FPC).

"I fully expected to discover that the river had been used for navigation," says Dr. Collier, "and I was surprised when all my research seemed to indicate that it had not."

Dr. Collier was recently called to Washington to testify before the Federal Power Commission, testimony which lasted all one day and part of another. Before the case could be considered by the FPC judges, a recess was called, with the hearings to resume in January.

more

The historian's testimony was challenged by the Conn. Department of Environmental Protection (DEP), Dr. Collier said, although the Candlewood Lake communities were represented by counsel and do not want that area opened up for public recreational facilities.

"It's a complex issue," said Dr. Collier, "but it has been very gratifying to me that pure scholarship is found valuable to modern concerns."

Dr. Collier has been a member of the UB faculty since 1961. A Connecticut resident since 1938, he received a BA degree from Clark University, an MA from Columbia, Teacher's College and a PhD from the Columbia Faculty of Political Science.

Prior to joining UB, Dr. Collier taught history at diverse levels ranging from Benjamin Franklin High School in East Harlem to graduate studies at Columbia University.

Prof. Collier is the author of Roger Sherman's "Connecticut: Yankee Politics and the American Revolution" and "Connecticut in the Continental Congress," for the State Bicentennial Commission. He has been editor of the "Connecticut History Newsletter" since 1967, and also served as managing editor of Studies in British History and Culture between 1966 and 1972.

He has published many articles on early American history, the American Revolution, and the history of Connecticut. A work of historical fiction for children, "My Brother Sam is Dead," about the Revolution in Connecticut was published by Four Winds Press in September of 1974.

Collier Testifies In D.C.

Professor Christopher Collier returned last week from Washington D.C. after testifying before the Federal Power Commission regarding the jurisdiction of Connecticut Light and Power Company (CLP).

The jurisdiction of the CLP concerns its control over a portion of land on the Housatonic River north of the town of Derby. Although some aspects of CLP are regulated by the State Public Utilities Commission, The Federal Power Commission controls other aspects.

The Federal Power Commission can regulate power as interstate commerce. Thus, power that is transmitted across the Housatonic, which divides New Haven and Fairfield counties, is classified by the FPC as interstate commerce.

But the ability of the FPC to assert its claim over the CLP depends on whether or not the Housatonic has ever been navigable north of the town of Derby.

Collier was retained by a CLP law firm to make a historical study to determine whether or not the river had ever been

navigable. Although many people believed the river had once been navigable, Collier said he had found no evidence that "the river had been used for significant commercial navigation."

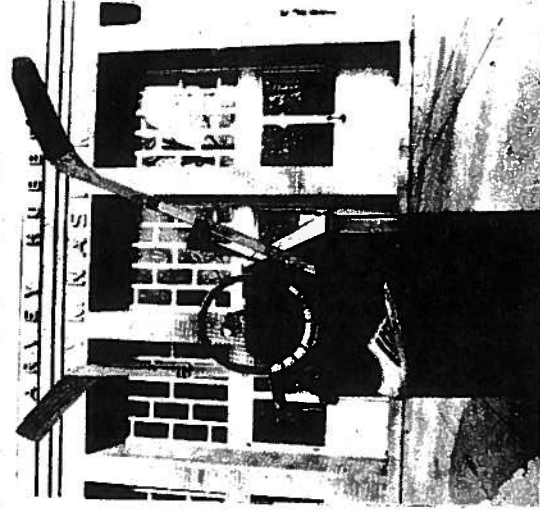
CLP asked him to come to Washington as an "expert witness" in order to report his findings. He said he had to undergo cross examination by three lawyers representing the Federal Power Commission, the Connecticut Department of Environmental Protection (CDEP) and the Lake Can-dlewood Authority.

Collier added that his testimony lasted one and a half days; at this time, the FPC and

the CDEP decided that they wanted a written report of his findings. "The judge has recessed the hearings, and now the FPC is suing to get access to his research materials."

Collier said that he has to return to Washington on January 7, and undergo further cross examination. If the judge gives the FPC access to his research materials, and if the FPC does get jurisdiction over the land alongside the Housatonic, then The Connecticut Light and Power Company has to develop elaborate recreational plans for land which will cost them between one and two million dollars.

Fickle Finger Of Finance



SCRIBE—MANNING STELZER
This weeks fiscal finger of fate winners: the sports programs recently cut at the University. Pictured here is equipment the hockey, golf and tennis teams will not use this year.



Tonight at 7:00 p.m. tune in to WPKN and hear President Jeland Miles, in an interview with Kevin Gallagher and Jeff Tellis.

In the interview, many areas of interest to the University community will be discussed.

Tonight at 9:00 p.m., there will be aired an interview with Stokely Carmichael, chief proponent of Pan-Africanism.

There will be a poetry reading

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There will be a poetry reading by Amir Rashid as recorded live at the Carriage House at 9:30 p.m. tonight.

Ivan Illich, educational and social theorist, will speak on his model for a convivial society—"one which gives the greatest number of people the greatest control over their lives," on Sunday night at 1:00 p.m. This program will be followed by a discussion of Dr. Illich's ideas by host, Kevin Gallagher and his guests Dr. Van Der Geissen and Dr. Durasoff, professors of Political Science at the University.

✓ Joel

continued from page 8
ovations, however.

The late show almost didn't come off. Prior to the earlier performance, the piano tuner's tools were ripped off, leaving an untuned acoustic piano and a pissed off Billy Joel.

Once again, the B.O.D. Concert Committee deserves heaps of praise. The big three—Mike Hedden, Gary Adams, and Mark Luppanacci—and numerous behind-the-scenes people produced another well-organized, smooth-running concert.

—DR. OZONE

ways, at this time, the FPC and

dollars.

hockey, golf and tennis tea

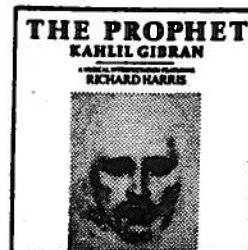
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Produced by Arif Mardin

Hartford Courant, 5-1-77

CL&P-Federal Agency Fight Dates Back to 1716 Land Sale

By J. HERBERT SMITH

and

JOSEPH A. O'BRIEN

When Connecticut Indian Chief Weromaug promised Benjamin Fayerweather of Hartford in 1716 that he could use the Housatonic River "without molestation forever," he couldn't foresee the discovery of electricity or a fight between the U.S. government and the Connecticut Light & Power Co. (CL&P).

The chief sold to Fayerweather for 29 British pounds land including "the whole of Mast Swamp," where trees reportedly were cut for sailing ship masts, and granted Fayerweather the right to travel the nearby river "with rafts, trees, logs, or what else."

The 260-year-old document is part of a legal battle over whether the Federal Power Commission (FPC)

can license and regulate four hydroelectric power plants and dams owned by CL&P on the Housatonic.

The power company has been fighting federal regulation for a decade. The granting of an "easement" by the Indian is no proof that anyone floated logs down the river or even that trees were cut in the swamp, CL&P has argued.

The legal decision on who controls the hydroelectric plants could come down to logging—whether or not there ever was any on the river. If there ever was, the river is considered navigable, thus requiring federal regulation.

The effect of the decision could be expanded public access to and more recreation on the river.

With federal licensing "comes a number of demands," said CL&P spokes-

man William J. Keveney, "including installation of expensive recreational facilities. The towns along the river are not going to be enamored with the prospect" of more picnic areas attracting more persons to the area. Licensing also means annual federal inspection and increased administrative costs, he said.

The FPC wants to license the plants because general law requires it, a commission attorney, Philip R. Telleen, says.

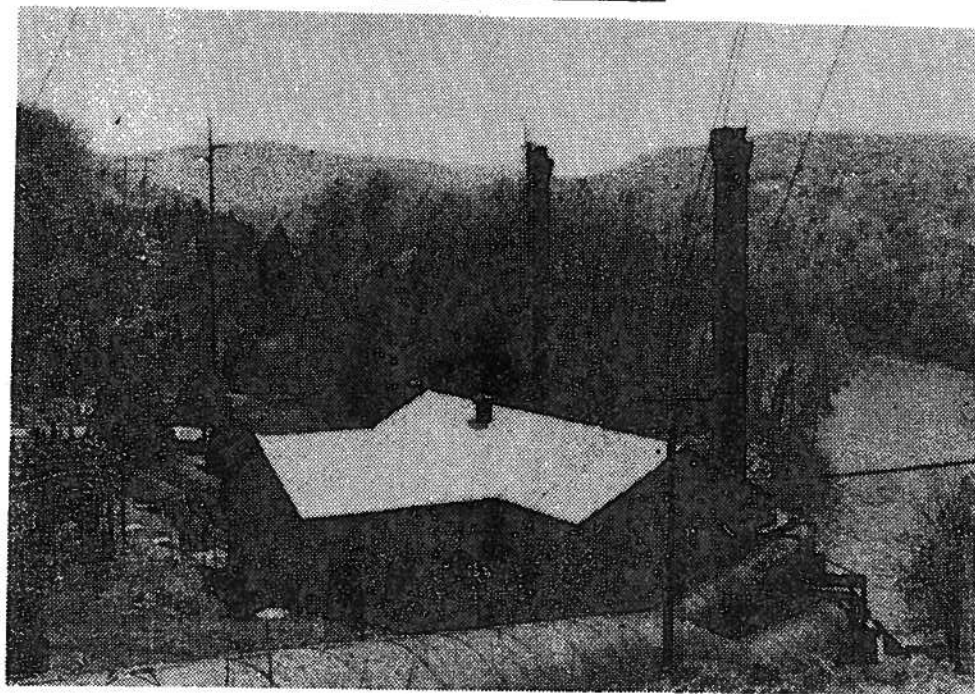
If a river is navigable, or if the projects affect interstate commerce, they must, under law, be licensed and regulated by the federal agency.

In four years of litigation the FPC has held the projects are involved in the interstate buying and selling of electricity. CL&P says the projects are too small to send energy across the state line and serve only south-

See CL&P, Page 12

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Troubled Waters

Indian canoes once rode the Housatonic River rapids here past the present site of the Connecticut Light and Power Company's Bulls Bridge hydroelectric plant in Kent, one of four such plants on the Housatonic involved in a controversy over whether the Federal Power Commission can license and regulate them (O'Brien photo).

CL&P-Federal Agency Fight Dates Back to 1716 Land Sale

Continued from Page 1
western Connecticut.

Navigability has become the crucial argument. Proving a stream is navigable is enough to require federal regulation. CL&P has lost the first two rounds, and a decision from the federal appeals court in New York is expected this month.

Case law over the years has established that if a river was once navigable it remains—legally if not geographically—navigable. And the federal courts have ruled that commercial logging operations are enough to prove

that a river is navigable.

CL&P produced an Army Corps of Engineers report that states only the first 16 miles of the river's more than 130 miles is suitable for navigation, from its mouth on Long Island Sound to just north of Derby.

And the power company retained University of Bridgeport history Prof. Christopher Collier, who researched sawmill account books from 1722 to 1862 without finding any entries relating to commercial flotation of logs down the river.

Collier could find no first-

hand accounts of commercial logging on the river said CL&P.

In addition to the information on Chief Weromau, who was leader of a tribe in New Milford made up of Indians who fled from English settlements in eastern and southern Connecticut, the FPC staff found several other references to logging on the river.

—In 1795 the state legislature approved the clearing of obstructions and building of locks in the river if it didn't interfere with "the rafting of timber."

—In 1807 the legislature passed a law regulating "the floating of logs and other timber . . . down the Ousattannick."

—An 1892 history of Berkshire County, Mass., stating "at the commencement of the rise of the waters in the spring, thousands of logs of pine and hemlock have been thrown into this river and floated down its current from Great Barrington and Sheffield for years . . ."

—An 1841 historical address commemorating Salisbury's centennial by a Samuel Church that "an extensive lumber business was prosecuted. Pine timber in large quantities and of excellent quality was by the spring freshets annually drifted down the river . . ."

The state Department of Environmental Protection is supporting the FPC's bid to regulate the four projects.

"Substantial parts of the Housatonic are owned by the power companies, and it is not that we are so enthusiastic about more regulation, but we are interested in more public access to the river, keeping it compatible with preservation," said Joseph Hickey of DEP's planning and research section.

CL&P dispute

Danbury News-Times

11/21/74

Housatonic hearings drag on

By Mark Brown
Ottaway News Service

WASHINGTON — Federal Power Commission hearings on Connecticut's four Housatonic River power plants dragged through a second day yesterday. At least two more days of hearings now appear likely.

For the second straight day the cross-examination of witnesses drifted into

highly technical discussions of the Rocky River, Stevenson, Bulls Bridge and Shepaug power plants and their effects on downstream waters.

The hearings are being conducted to determine whether the Connecticut Light & Power Co. needs a federal license to operate the four power plants.

Antonio Ferreira, chief of generation, civil engineering division of Northeast Utilities, parent company of CL&P, spent most of the day on the stand.

For the most part he insisted that modifications at the plants were minor in scope and had no effect on navigability on the Housatonic or other rivers.

He was followed by Lyle Thorpe, a consultant with Northeast Utilities, who previously served 30 years with the Connecticut Fish and Wildlife Board.

Thorpe said it is "incredible to believe that people or goods were ever transported on the Housatonic River."

The question of navigability of the Housatonic is crucial to the case. If the FPC determines the river was ever navigable, the power plants would fall under federal jurisdiction.

Some fireworks are expected today when Prof. Christopher Collier of the University of Bridgeport takes the stand. He is CL&P's chief witness on the navigability issue.

Alan Kosloff of the Connecticut Department on Environmental Protection has already indicated he will dispute Collier's competence as a witness.

Moreover, Kosloff, Fred Benedikt of Candlewood Lake Defense Associates, and FPC staff attorney Philip Tolleen strongly believe they can prove the Housatonic River was navigable.

At least five witnesses remain to be called after Collier, dashing presiding Judge Israel Convisser's hopes that the hearings would be concluded in two days.