

## OZIEL E. SMITH (fourth son of Oziel)

Compiled by Sharon LaDuke ladukes@comcast.net

Oziel E., third son of Oziel G., was born in Clarendon, Rutland, VT on 19 Apr 1784. We do not know what the E. stood for; possibly Edward (paternal greatgrandfather) or Edwin. He was not yet ten years old when his mother Margaret died. Although he lived for a time with his father and brothers in Clarendon, and then in Livingston County, New York, he struck out on his own at an early age and quickly established himself as a high-profile citizen.

To accomplish all that he did in life, he most certainly must have had the benefit of education. Given that he removed from the relatively settled area of Clarendon when he was not yet a teen, and relocated to an area that would have had – at best – a rudimentary school, he must have been primarily a self-educated man. Surely he learned to read and write and cipher from his parents and what little formal schooling he was exposed to. But he then must have delved deeply into the books of his father and neighbors to expand his understanding. He also learned the carpenter's trade and it seems likely that he gained experience in building while still living with his family.

**Early Buffalo.** In 1806 or 1807, Oziel struck out for what was then Niagara County on the state's western frontier. It's always good to look for a reason for a move. But it may be that he simply had his eye on a location that held promise of expansion.

He settled in the village of Buffalo, so he wasn't looking for farmland. There, the movers and shakers all knew each other. In short order, he was engaged by Joseph Ellicott, the enterprising Holland Land Company agent who would later commit suicide, to build the first county courthouse in Lafayette Square in the Village of Buffalo. It was a two-story timber-frame wooden building, and stood in the center of a circular plot at the intersection of Broadway and Washington Street. The building served not only as the courthouse, but as the school and the meeting place for the Presbyterian Church. Oziel also worked on the jail, a small stone structure nearby. (Buffalo Architecture and History, [www.buffaloah.com](http://www.buffaloah.com) (NY Courts, 8<sup>th</sup> Judicial Dist, History of the Courthouse; [http://nycourts.gov/courts/8jd/history\\_courthouse.shtml](http://nycourts.gov/courts/8jd/history_courthouse.shtml))

Soon the enterprising young man was successful enough to purchase inner lot no. 17 of the Holland Land Purchase. (History of the City of Buffalo and Erie County. Vol 2. Smith, H. Perry. 1884) Nearly on the shore of Lake Erie in what is now downtown Buffalo, the property would today be worth millions. It was also just a stone's throw away from the courthouse according to an early, pre-war street map of the village.

(<http://www.buffalonian.com/history/articles/180150/TheBurningofBuffalo.html>)

On this land he built a home, probably a very rudimentary one, then returned to Livingston County – actually, Ontario County at the time - to marry Phoebe Norton in Lima, neighboring town to Livonia (Tree Talks, Central NY Genealogy Society, 1992).

Phebe was a native of Richmond, Berkshire County, Massachusetts born 22 Oct 1789, the daughter of Abijah and Lucy Cook Norton. With her family she passed her early childhood in Stamford, Bennington County, Vermont. After the death of her father her home was at Lima (now Livingston County) New York with her aunt until her marriage to Oziel on 26 February 1809. (Amherst Bee, c. 1890, courtesy Amherst Museum, Oziel Smith papers)

“Mr. and Mrs. Smith came to Buffalo immediately after their marriage, where Mr. Smith had prepared a home on a lot....purchased of the Holland Land Company, the present site of the William Hengerer store.” The place was wild, and Phebe Smith would later relate the privations and inconveniences of her new home, among which was the spreading of the washed clothes to dry on the native shrubbery that surrounded their premises. (Amherst Bee, c. 1908, courtesy Amherst Museum, Oziel Smith papers)

The township of Buffalo was formed around the tiny village in 1810, the same year Oziel completed the construction of the first court house. The **1810 federal census** for Buffalo, Niagara County, includes Oziel’s household (O. Smith). In addition to he and Phebe, there are two males age 16-25, possibly younger brothers Ward and John, or boarders, part of his construction crew.

On 4 Aug 1811, Phebe and Oziel welcomed daughter Julia into the world. The village was, at that time, still very primitive, with fewer than two hundred fifty households. “Woods, clearings, houses, mud. This is Buffalo in 1812. Not a plank on the sidewalk, not a pavement in the street.” Still, it was a thriving town. Although laid out only a dozen years earlier by Joseph Ellicott, its superb location had quickly attracted settlers. It boasted at least half a dozen carpenters and an equal number of blacksmiths, as well as a mason, cabinet, watch, and wagon makers and an assortment of other tradesmen. The citizens could take pride, too, in their recently established printing office, their two doctors and a collection of lawyers, and their growing number of retail stores. Also that year the first church, a Presbyterian society, was organized. (The First Church in Buffalo. Clark, Walter, 1862. [www.archive.org](http://www.archive.org))

The focus of [settlement](#) was the area bounded by Chippewa Street on the north and Exchange Street on the south and by Washington and Franklin streets on the east and west, but streets were also laid out around Niagara Square, and there were scattered houses on the roads leading to neighboring towns. Indeed the most imposing of the numerous taverns in the area was located on Main Street, then generally called the Williamsville Road. The Smiths lived on Main Street.

The lives of Oziel and his family were disrupted in 1812 when war was declared and the American army took possession of the Smith’s house in Buffalo, among others, for military purposes – barracks, storage and the like. Oziel and family left that home and went to nearby Williamsville, where they moved into a log dwelling known as the “Bunker Hill” House, eight or ten rods north of the water lime quarry. Here they were living when Buffalo was burned. (Amherst Bee c. 1890)

**War of 1812.** A conflict with many causes, at the heart of it was Britain's ongoing war with [Napoleon](#)’s France, which Britain was determined to crush. If America traded with France, then Britain was

prepared to go to any lengths to disrupt that activity. All this British interference seriously angered the Americans. (wikipedia.org)

To engage the British, the militia structure already in place in every town was called into action where needed. There were two Niagara County regiments. Oziel was first the paymaster for Lieutenant-Colonel Chapman's Regiment, but that force lost its leader and subsequently joined in with Lt-Col. Warren's. (History of the City of Buffalo and Erie County, Volume 1. Smith, H. Perry, 1884) Oziel then functioned as paymaster of Warren's Regiment (Military Record Collection, Ancestry.com).

War is often accompanied by pestilence, and this period of time was no different. Early winter 1812 to spring 1813 saw many die from an epidemic of what the physicians of the time called "typhoid pneumonia," associated with a pink rash and meningitis. The infection reportedly originated with British troops in Canada and spread to the American troops, who then brought it home to friends and family.

The mortality rate was said to be 33%; probably much higher among the very old and very young. (A History of Livingston County, New York. Doty and Duganne, 1876, [www.archive.org](http://www.archive.org)) In April, George Smith was born to Oziel and Phebe on the 4<sup>th</sup> day of the month and died on the 26<sup>th</sup>, and the epidemic may explain his early death. (Ancestry.com family tree. Amherst Bee c. 1890) His name appears on the family stone in the Williamsville Cemetery in Amherst.

Despite war and disease, other aspects of life went on: on 26 Feb 1813, Oziel bought a second piece of land in Buffalo, outer lot #124, of the Holland Land Patent. (History of the City of Buffalo and Erie County. Volume 2. Smith 1884). Daughter Julia walked and talked.

**What were they thinking?** Toward the end of 1813, Niagara – already important as a seat of the conflict that led up to the war – became the focus of British revenge after Gen. George McClure, commander of the American forces in the area, burned the Canadian town of Newark (now Niagara-on-the-Lake) before abandoning the west side of the Niagara River. "McClure's action raised a storm of protest, much of it from settlers on the American side of the river. The burning of a defenseless town was rightly seen not merely as an act of wanton cruelty but also as an invitation to British retaliation in kind." Warren's regiment was involved that action.

Within a few days, a substantial British force assembled nearby. Soon they had dispatched the American garrison at Fort Niagara, and decimated the towns of Lewiston, Manchester (Niagara Falls) and Schlosser. They stopped at Tonawanda Creek, but only because the bridges there had been destroyed by retreating American troops.

**Swift revenge, weak defense: skirmish at Black Rock.** The British attack came in the very early hours of December 30. Over 1,000 men, in two divisions, crossed the river quickly and silently. The main force landed close to what is now the foot of Amherst Street. It easily brushed aside American cavalry patrols and captured one of the artillery batteries supposed to protect the locals from just such an attack. The second division moved directly against the [Village of Black Rock](#). When "Mr. Smith heard the rumor that the enemy were at Black Rock.....he at once accompanied the volunteer militia to the defense of Buffalo." (Amherst Bee c. 1890)

News of the British landings reached the commanding officer of the Americans very quickly. Convinced that the main attack was against Black Rock, he marched his whole force to that point. But his militia, poorly trained and at the best of times hesitant, viewed with very little favor the prospect of a night battle against British regulars and Indians, whose war cries they could already hear. In ones and twos and then in dozens they slipped off into the darkness. By the time the Americans reached Black Rock, there were barely 600 men left. They bravely engaged the enemy, then still in the process of landing, but when the British mounted an attack on their flank they broke and fled in complete rout. The British paused a moment to set fire to the Village of Black Rock and then turned to the open road to Buffalo.

(<http://www.buffaloah.com/h/war1812/burning.html>. Bowler, R.A.)

**Capture and escape.** Many were at that time captured by Indians on both sides of the conflict, including Oziel Smith. “He was immediately taken a prisoner by the Indians, painted and sold to a company of Irishmen [soldiers on the British side], who became intoxicated and thus gave him a good opportunity to escape. He reached home at midnight to find it deserted and everything of value taken, news having been brought to Mrs. Smith that her husband had been killed and scalped by the Indians and as every one was fleeing from the little hamlet known as Williamsville, Mrs. Smith fled with the rest, and with her little daughter Julia went to her sister’s in Gorham, near Canandaigua, and many days passed before she heard that her husband was living.” (Amherst Bee c. 1890)

Another view of events is as follows: “During the war of 1812 Mr. Smith was at one time taken captive by the British Indians. His captors set him to gathering wood for their camp fires. He was so energetic and willing that they relaxed their vigilance and allowed him to go unguarded. He forgot to return and in the darkness of the night made his way to Williamsville. At one time hearing voices, he though he was pursued, but found it to be a party of refugees, who like himself were hastening to Williamsville.” (Amherst Bee c. 1908) Both reports of Oziel’s Indian adventure were no doubt second-hand memories of his daughter, Charlotte.

Defeated and deserting militiamen began to stream through the town of Buffalo before the approaching British. The news that the American army was completely defeated and that the British force included Indians was enough to spark panic among the Buffalo townspeople. Piling valuables and necessities onto whatever conveyances were at hand, they joined the flight. Within a few hours they had carried the panic through the neighboring towns and countryside.

The only Buffalonians who decided that resistance was still possible were Dr. Cyrenius Chapin and a small group of his militia company. The carefully planned British advance brought them into the town from two directions, by the Guide Board Road, now North Street, and then down Main Street, and by the old Black Rock Road, which began near the corner of Niagara and Mohawk streets.

Chapin and his men set up an old 12-pounder cannon at the corner of Main and Niagara, where they could face both challenges. But by that stage they were only a straw in the wind. They managed no more than a few shots at the British soldiers emerging from the Black Rock Road before their cannon gave way to its age and collapsed. So ended the defense of the town. Chapin was captured and taken to Montreal, from which he subsequently escaped or was released.

**Burning of Buffalo.** The fighting over, the British then turned to the acknowledged purpose of the raid: the destruction of the villae. With system and dispatch, soldiers proceeded up and down the streets setting fire to the buildings. By 3 o'clock in the afternoon of 30 Dec the entire settlement, with the exception of a half-dozen buildings, was a smoldering mass of ashes. The British recrossed the river that afternoon, taking with them some ninety prisoners and leaving behind more than forty American dead. The cost in British lives was almost equally severe.

A few settlers filtered back into Buffalo the day after the raid, but they quickly dispersed again when a small British detachment returned on January 1 1814 and fired most of the buildings that had escaped the initial conflagration. By that night, all that remained of Buffalo was Mrs. St. John's house (a small cabin), [David Reece's blacksmith shop on Seneca Street](#) and the small, stone-built [jail on Washington Street near Eagle](#). Both Oziel's original house, and the courthouse he had built, were gone.

In court proceedings, the British later claimed that while they were required to respect the property of private citizens in Buffalo, under the "terms of capitulation" they were entitled to destroy such as had been put to military use. That, of course, included Oziel's house. (Memorial of the Inhabitants Residing on the Niagara Frontier, respectfully addressed to the Senate and House of Representatives of the United States of American [1817]. No author stated. [www.archive.org](http://www.archive.org))

When Phebe Smith learned that her husband yet lived, she contrived to return to the family home in Williamsville as soon as she could get any means of conveyance. The house was later occupied by Mr. John Kilen [as written], Sr.

"But the war was not yet ended, wounded officers and soldiers were daily sent to the hospital in Williamsville. One day when Mrs. Smith was alone a stranger, a colored man, came to the door and asked her to give quarters to his master, who was wounded and lying on a sled drawn by oxen, on which stakes had been fastened and blankets thrown over to protect the wounded man from the sun.

"Although it was a hot summer morning this peculiar vehicle was used in order to avoid the jarring that would have been caused by a wagon. He was removed from Buffalo as an attack was expected from the enemy. Afterward a hospital was established on the creek road, about a mile southeast of this village and all the wounded soldiers from the frontier were sent here.

"Mrs. Smith at first thought she could not make him comfortable. When the servant told his master he sent in a request for Mrs. Smith to come out and see him. He told her that he had been refused admission by the neighbors, that he had been wounded in the knee by a poisoned bullet, and hoping to save the limb the surgeons had postponed amputation so long that blood-poisoning had resulted. Her compassionate heart was moved and she had him brought into the house.

"Her husband approved what she had done, and with the assistance of the colored servant cared for him until he died. He was Col. Campbell of Kentucky, a noble man and a superior officer of commanding appearance. He patiently endured his terrible suffering and calmly awaited death, which he fully recognized was inevitable, sending a letter and several mementoes to his wife in

Kentucky. Before his death he feelingly thanked Mr. and Mrs. Smith for their great kindness and unremitting attention in their efforts to alleviate his sufferings.” (Amherst Bee, c. 1890)

The Treaty of Ghent which ended the war was signed in December 1814. Owing to the limited means of communication, battles continued to be fought and lives lost for a few months after the treaty went into effect in February 1815.

**Recovery and expansion.** Although war had devastated the village, the process of rebuilding was under way as soon as the fighting moved on to other venues. A traveler who passed through Buffalo in May 1814 reported that 3 taverns, 16 stores and more than 50 assorted dwellings had already risen on the ashes of the first town, and Oziel must have been busy. The bitterness roused by the senseless destruction, much of it properly directed at America’s Gen. McClure, took longer to erase than the visible signs of the conflict.

(<http://www.buffaloah.com/h/war1812/burning.html>. Bowler, R.A.)

“When peace was proclaimed, Oziel Smith built the Phoenix hotel in Buffalo, which was for many years a landmark on Main street.” That year he was named adjutant and paymaster of the Thirteenth Regiment of Niagara County. (Military Minutes of the Council of Appointment of the State of New York 1783-1821) He was also among a group of Commissioners appointed to contract for and superintend the building of a Court House under the aegis of the Supervisors of Niagara County (Buffalo Daily Courier, March 17, 1876).

Before the court house could be built, however, it appears the aforesaid commission was replaced by another, of which Oziel was not a member. He was off the project, for reasons that are unknown. Perhaps he did not wish to be involved. Perhaps someone else wanted him out of the picture.

Since Oziel’s involvement with this second courthouse is still not entirely clear, I’ll just say a few words about it. Building commenced in 1816 – the year without a summer – near the location of the original courthouse, producing what at the time was considered the largest and most beautiful building in Western New York. It was bordered by Washington, Clinton and Batavia streets. The project was completed in 1817. (Ibid)

That same year, Oziel was named Justice of the Peace in Niagara by the Council of Appointment (Geneva NY Gazette, 10 Sep 1817). By this time Oziel had purchased the house of Jonas Williams – after whom the village near Buffalo was named - on south Main Street west of Cayuga, and taken up the farming of hops to supply suitable drink to the many taverns that had sprung up along the turnpike, some of which he owned or planned to own.

In 1818, the eastern part of the Town of Buffalo was split off to form the Town of Amherst, and that encompassed Williamsville. On the **1820 federal census**, Oziel is found in the Town of Amherst, Niagara County, engaged in agriculture. Still Justice of the Peace, Oziel was also named town supervisor that year. Daughter Julia was 9. The following year, daughter Margaret, named for her paternal grandmother, was born - as was Erie County.

**Government and politics.** The path to countyhood was a torturous one for Erie, but knowing a bit about this history is helpful in understanding family history. In 1789, Ontario County split off from Montgomery. In 1802, Genesee split off from Ontario, and the Town of Batavia included an area that later morphed into Erie Co. In 1808 Niagara County split off from Genesee, and the now defunct Town of Montgomery included an area that later became Erie County. Finally, in 1821, Erie split off from Niagara. Monroe County, the location of Rochester, was also formed in 1821, but from parts of Genesee and Ontario Counties.

In 1822, after serving as both Justice of the Peace and Town Supervisor for several terms, Oziel graduated to state politics. This was a time when the relatively new state government was still ironing out a lot of wrinkles.

“In Erie County, the judges, disregarding the constitution and statute law, proposed that the supervisors meet individually with them and arrange “for their particular towns”, a procedure that would enable the judges to overawe each supervisor. Oziel Smith, the Clintonian supervisor of Amherst (who was angered that the last Council of Appointments had stripped him of his other offices and was determined to see Buffalo succeed) rallied the entire board against the maneuver.” (Dewitt Clinton and the rise of the People’s Man, Handon, C. and M.L., page 82)

Meanwhile, Phebe kept the homefires burning and the area continued to develop. Daughter Charlotte was born in 1824. The following year, the old Dutch names of the principal streets of Buffalo were changed, perhaps explaining discrepancies in old maps. The Erie Canal opened, running close by Williamsville, bringing new settlers into – and far past – Oziel’s territory. The canal connected him in a very direct way to his brother Noah, one block from the canal in Geddes, should either of them been inclined to visit.

“On August 26, 1825, Mr. and Mrs. Smith met with the deepest affliction of their lives in the death of their daughter Julia. She was a beautiful and affectionate girl, just budding into womanhood, and was generally beloved throughout the little village. She was taken violently ill and in a few hours, the bright, promising, loving girl, the pride and joy and blessing and hope of tender parents, and the valued and dear companion of many youthful friends, was dead. In the long after years of life, Mrs. Smith could never hear her name mentioned without shedding tears”. (Amherst Bee, c. 1890) She was interred in the Williamsville Cemetery with baby brother George.

In 1826, Oziel was named to the next New York State Legislature. (Palmyra NY Wayne Co Sentinel) The 16 Sep issue of the Utica NY Sentinel and Gazette tells us Oziel Smith is a representative from Erie to the Utica Convention. Reduced in rank and discharged from the military due to a disability, he petitioned the Assembly for a military pension, along with many other veterans. The first public water system in Buffalo was built.

**Business.** In 1827, Oziel and Phebe were blessed with the birth of Lucy on 14 May. They bought the mill built in 1811 on Ellicott Creek by Jonas Williams at a Sheriff’s Sale for eight thousand dollars (it would later be known as the Dodge Mill). The property included a grist mill, cement and saw mill. Oziel carried

out the repairs needed on the grist mill. As part of the mill transaction, the couple also obtained vacant lands in the village, which included the property on which Oziel soon built the Eagle House.

“We don’t know exactly when construction began. It was known that O. Smith was an experienced builder, having constructed the first county courthouse in Buffalo in 1810. He now owned his own quarry, from where came the limestone for the 2-foot thick foundation of the Eagle House; he owned his own saw mill and many acres of woods from where came the planks and beams for the inn and it is hard to conceive that a man with his energies would delay construction of the inn for 5 years. It is known that he designed the curved ceiling and the ballroom with a spring floor on the second story and did all the joiner work himself.”(History of Erie County, Truman White, 1898. Amherst Bee 1908).

According to Sue Miller Young’s History of the Town of Amherst, Amherst started as an industrial community, with Ellicott Creek and other sources for water power, and Tonawanda Creek and the Great Trail for transportation. Following the war of 1812, however, there had been a period of stagnation; businesses failed or passed into the hands of non-inhabitants. The grist mill was idle and village growth at a halt. “Then in this dull period came Oziel Smith, an energetic businessman, mill operator, real estate dealer, hotel owner and farmer who introduced the fever of expansion to Amherst. He bought the mill, set it to work, opened a water-lime works and, on Main St., the great stage route from Albany to Buffalo, built the Eagle House.”

Young tells us that Oziel owned a hops farm in Buffalo where the Adam Meldrum and Anderson department store stood many years later, and built the Phoenix Hotel nearby. She described him as “years ahead of his time in the factory-to-consumer concept – in this case, from hops to thirsty throats.”

Oziel built the second store in Amherst on property that would later belong to the Hutchinson Hose Company, and became the partner of J. Hershey and Co. with Jacob Hershey. He traveled by canal boat to New York as a buyer (maybe stopping to visit his brother Noah, who lived very close to the canal, on his way through the Syracuse area), returning with bills of goods for hundreds of items, including all kinds of fabric, candles and snuffers, nails and knives, shovels and tongs, handsaws, chalking pencils, coffee mills, and all manner of other merchandise.

He also built a home next to the present (1960’s) site of the Liberty Bank at Main and Cayuga Street, and owned all the property from there to the California Drive-Pasadena Street section. (History of the Town of Amherst. Young, Sue Miller)

A number of letters written by Oziel to Jacob Hershey from 1827 to 1829 have been preserved by the Amherst Museum. Other than frequent reassurances of his good health, and one request to remember him to his wife and bid her write to him, there is little intimate information in the letters. However, they provide insight into the breadth of his plans and ambitions. While his penmanship is difficult to interpret, he writes about the wheat market, mill purchases for the purposes of producing wheat, canal improvements which would support the shipping of wheat, and banks – those that are safe, those that have failed, and those he suspects will fail.

One letter, dispatched from Albany where he was staying on Assembly business, reveals that he doesn’t think much of his “employment” and is not interested in continuing it any longer than

need be. Clearly, he did not wish to be re-elected. Another letter, this time from New York, lists goods he has purchased for the store. One mentions a side trip he plans to take to Providence, Rhode Island but he offers no insight into the purpose.

Oziel built the Mansion House in 1828, the “most prestigious and long lasting” of the inns and hotels built along the main roads of Amherst. It was the most fashionable hotel in Williamsville, attracting patrons from Buffalo, and sporting a ballroom with a floating floor, two bars and twelve fireplaces. Made of local limestone, it stood for 120 years. (Images of America. Amherst. Grande, Joseph A.) It is not clear whether he actually owned and operated the place.

**Business AND politics.** On 23 Apr 1829 by means of an Act of the State Legislature, Oziel formed the Ellicott’s Creek Slack Water Navigation Company for the purpose of improving the navigation of the creek by locks and dams. His partners were Sam Budlong and Ebenezer Mix. John Grove and Jacob Hershey were also mentioned in the record. (Laws of the State of NY Passed at the 52<sup>nd</sup> Session of the Legislature)

“He procured the passage of an act of the Legislature authorizing the construction of slack water navigation from this village down the creek to the Erie canal. His plan was to make a tow path along the bank, build locks and clear out obstructions in the channel. After his death there was no one to take up the enterprise and the plan fell to the ground. One can readily see what a commercial outlet that water route would have been to Williamsville in the days of her larger manufacturing interests.” (Amherst Bee. 1908)

I have not been able to find Oziel on the **1830 federal census**, even though I went through every Smith in Erie County and manually examined every entry on the Amherst census. It seems very strange that the census taker could have missed the important-looking home on Main Street. Perhaps the Smiths were on an extended visit out of town.

Tragedy struck the Smiths again that year, this time in the form of the death of Lucy on 25 Apr. Still shy of three years old, she joined Julia and George in the family plot. The following year, the couple sold the Dodge Mill to Benjamin Hershey at a two thousand dollar loss. They would have given it away, if it would have brought Lucy back.

In 1832, the village of Buffalo became a city by incorporation, with a population of about 10,000. The first Buffalo directory was published; a huge fire about four blocks from Oziel’s original home on inner lot no. 17 took out “several squares of buildings in the heart of the city”. Asiatic cholera, which killed in a matter of hours, swept the country, and Buffalo was not spared. At least 80 died from the scourge.

**The Eagle House Tavern.** That year, Oziel completed the construction of the Eagle House [note: there is debate about whether the year was 1832 or 1827]. When the work was nearly finished, it was necessary for him to visit Buffalo and he instructed the workmen not to open the front door of the building. But his instructions were not followed and the wind whirled burning embers from the fireplace into a mass of shavings left by carpenters and joiners. The building

burned to the ground. The next day he started to erect another Eagle House on the ruins of the original foundation. (History of Erie County, Truman White, 1898)

The tavern and inn soon served as a major stagecoach stop, as well as the village recreational, social and political center. Built of local wood and limestone, it had two fieldstone fireplaces, a large bar and eight guest rooms. Elections were often held there. Some evidence indicates it may have been a station on the Underground Railroad, spiriting slaves to Canada before the Civil War (Images of America – Amherst, Joseph A. Grande).

The Eagle House is still in operation, as the following from its website proclaims:

Imagine 1832 on Main Street in Williamsville. A busy and bustling place. In the heart of the Village of Williamsville, at the "crossroads" of this frontier town stood The Eagle House Tavern. The Conestoga Wagon Line, along with two passenger coach lines, carried freight to the newly prospering City of Buffalo. Williamsville became a nightly stopover for passengers and wagons traveling from Buffalo to Batavia. You can just hear the wagon wheels on dirt roads, horses tied up outside and shouts of merriment floating through the tavern doors.

The Holland Land Company was a surveying company that charted the scenic route along Main Street and Ellicott Creek. Regarding Williamsville, they decreed, "Bird, Beef and Bottle with a bed for the weary traveler". When the Eagle House opened its doors, a hot meal would have cost about 25 cents and a bed for the night was 10 cents.

The Eagle House boasts a long history of owners, beginning with founder Oziel Smith in 1827, all the way to its present day owners, The Hanny Family. Smith is noted "by Sheriff's sale" as purchasing the grist mill on the East side of Ellicott Creek, the saw mill on the West side of the creek and about 100 acres of land throughout the Village. This acreage included the property where he built The Eagle House Tavern.

In addition, he acquired the water lime works and all water power within the Village limits. Legend has it that Oziel Smith was an experienced builder who used his quarry to provide the two foot thick limestone foundation that the Eagle House sits on today. The lumber came from his wooded property and he used his sawmill for generating planks and beams for construction. Close examination reveals their crude but original workmanship.

He is also credited with designing the curved ceiling and ballroom with a "spring floor" on the second story of The Eagle House. Unfortunately, the original grand opening of the Eagle House was delayed. It was necessary for Oziel to travel into Buffalo on business and upon his return he found the original structure burned to the ground. Smith immediately began construction on the building we enjoy today. His pioneering enthusiasm and leadership led him to be elected one of the first Town Supervisors of Amherst and then on to the New York State Assembly. Upon his death, he left the operation of the inn to his wife, Phoebe and daughters, Charlotte and Margaret.

Since then, The Eagle House has changed hands many times...The Smith family operated the inn until 1844 at which time Timothy Hopkins took an interest in the property. In 1857, Mr. Hopkins became the new owner (a photo of Mr. Hopkins and a map of Main Street dating back to 1880 are located in the soffit of the restaurant) . During Mr. Hopkins' ownership, the Main Street stone bridge over Ellicott Creek was constructed.

The Eagle House, or Eagle Hotel as it was originally named, boasts the longest continuously held liquor license in Erie County and New York State (the original 1930's "liquor stamps" can be found along the back hallway of The Eagle House). Some evidence also indicates that The Eagle House may have been a station on the Underground Railroad. The tunnels located beneath The Eagle House and Main Street may have provided a safe haven when moving from the United States to Canada before the Civil War began.

We know you will enjoy your next visit to The Eagle House and we strive to live up to Oziel Smith's fine tradition of hospitality. From Hanny's on Canal Street in the 1880's, to Niagara Street in the 1920's, The LaMarque on Delaware Avenue in the 40's and The Little White House in the 60's, the Hanny family boasts five generations in the restaurant and hospitality industry. Menus from these great establishments adorn the halls of the restaurant. The ever-evolving Eagle House continues to be a center of social, political and business gatherings.

Great strides have been taken to care for and preserve The Eagle House's historic character while maintaining a comfortable atmosphere. Where as the fireplace is always welcoming on a chilly day the tiered patio and covered deck offer added dining options during the summer months. The Hanny family is proud to carry on the fine tradition of offering fresh, homemade, hearty fare started by Oziel Smith.

<http://www.eaglehouseonline.com/history.php>

**Death and burial.** At the age of 52, on 3 Jan 1836 Oziel E. died in Williamsville, Erie, NY. The Jan 11 edition of the Albany NY Evening Journal, reported the death thus: "At Williamsville, Oziel Smith, Esq, aged about 55. Mr. S. was an early resident of Buffalo, an enterprising and industrious mechanic, and has been a Representative in the Assembly of this State." He was buried in the Williamsville Cemetery in Amherst. By the end of the year, the building of the second Catholic church in Western New York would be completed on a 90 x 65 foot plot of land donated by Oziel on the condition that a stone church be built on the site. The pastor was the Rev. John Neumann. Oziel's will went to probate (PROBATE: Index to Letters of Testamentary, Vol. 2 (1832-1850); Erie Co., New York).

"He was a public spirited, energetic, progressive, liberal business man and previous to his last illness had in contemplation many general improvements looking to the future prosperity of the village." (Amherst Bee. 1908) So it would seem that Oziel died, not from an accident, nor from a sudden contagion, but from a chronic health problem.

"Mr. Smith gave the lot for the first village school house and for the first church building. The gift was held open for a long time and finally accepted by the Catholic church. The school house

was built on the southwest corner of the same lot. It was used for religious services by various denominations until they erected church building. At an early day a leading Universalist clergyman, a friend of Mr. Smith, conducted services there.”

This Universalist friend of Smith was without a doubt his cousin, the Rev. Stephen Rensselaer Smith, the subject of his own chapter in this narrative.

“Mr. Smith was a tall, well proportioned man of florid complexion, gray eyes and fine abilities. One who knew him personally said that among the enterprising of the early village community, the most forceful, the man who did the most for the town and county alike, was Oziel Smith, His early death was an irreparable loss.” Although “his early death was a heavy affliction to his family”, “he left a handsome property.” (Ibid)

**Widow and daughters.** Phebe Smith appears on the **1840 federal census** with two 15-20 year old females in the house (Charlotte and Margaret). In 1842, daughter Margaret married Solomon Graves. Phebe continued to run the Eagle House, but in 1844 she sold a partial interest in the tavern to Timothy Hopkins. Hopkins also purchased, “in company with J.B. King and J. S. Tefft, the mill property on the west side of the creek, of the executor of the estate of Oziel Smith, and began the manufacture of hydraulic lime and lumber.” (The Illustrated Buffalo Express, 1894)

On 28 Mar 1847, daughter Charlotte married Dr. George D. Stevens, and the following year, their son Charles N. – Nathaniel, after his mother’s grandfather, it seems - was born.

Something evidently went wrong with this marriage, because by the time of the **1850 federal census**, Charlotte (26) and little Charles (2), were living with her mother in Amherst, while G. D. Stevens (28), physician, place of birth unknown, was living with a McAlister family that owned a tavern in Amherst. Perhaps he was more attracted to taverns than people, and the Eagle House inspired his initial desire for Charlotte.

Phebe had probably been operating both the Phoenix and the Eagle House alone since her husband’s death, or at least since the marriage of her two daughters, but with the breakup of Charlotte’s marriage, her daughter and grandson needed her. She could not continue to focus as much of her energy on the businesses, and so she sold her remaining interest in the Eagle House to the Hopkins family that year.

We don’t know whether Charlotte and her man ever reconciled, but he died in 1852. Tragically, little Charles died shortly after. The 20 Jan 1853 Buffalo Daily Courier carried the following notice: “At Williamsville, on the 16<sup>th</sup> instant (meaning the 16<sup>th</sup> of this month), of scarlet fever, Charles Nathaniel, only child of Charlotte and the late George D. Stevens, M.D., age 4 years, 5 month, 16 days. Death found strange beauty on that polished (illegible) and dashed it out. But there beamed a smile, so fixed, so holy, from that cherub brow, Death gazed and left it there. He dared not steal the signet-ring of Heaven.” Father and son were buried in the Smith lot in the Williamsville Cemetery. After that, Charlotte rarely left the house.

But her mother did. She gave hardship and loss no quarter. A shrewd businesswoman, she knew how to use the law to her advantage. In 1858 she presented a petition to Congress “praying indemnity for property destroyed by the enemy in the War of 1812”. This puts to rest any doubts about whether the family’s first home was razed in the Burning of Buffalo. The petition was referred to the Claims Committee. (source?) And on the next census, she would claim property worth \$150,000. What a fortune!

She also continued to operate the Phoenix Hotel. “Farmers and country people going into the city on the Williamsville road generally put up the Phenix [as written]. The fact that it belonged to ‘Aunt Phebe Smith’, as Mrs. Smith came to be kindly known in her later years, gave it first claim on their patronage.” She sold the property sometime in the 1860’s and the Tifft House, a ‘handsome modern hotel’ was built on the site. (Amherst Bee. 1908) At one point, a Raphael Cook was involved with the hotel, and I wonder if he was Phebe’s kin.

Phebe was also involved in good works. She and her friend, Mrs. Betsey Grove were “invariably seen together visiting the sick and sorrowing and administering comfort and consolation to the afflicted. They delighted in going about doing good and watching with and taking care of the sick.” (Amherst Bee c. 1890)

On the **1860 federal census** for Amherst, Charlotte and Phebe were the only ones in the household, with the exception of a domestic from Germany named Malona Trapp. The coming decade would be full of losses. In 1862, Phebe’s dear friend Betsey passed on. A few years later, Phebe, who had buried a husband, three children, and a little grandchild, would lose a second grandchild.

“Death Notices. In Gravesville, Thursday evening, April 9<sup>th</sup>, after an illness of only a few days, of congestion of the brain (meningitis?), Jessie, the only and dearly beloved daughter and youngest child of Solomon and Margaret Graves, in the 12<sup>th</sup> year of her age. *Well done of God to halve the lot and give her all the sweetness; to us, the empty room and cot, to her, the Heaven’s completeness.*” (Utica Weekly Herald, 14 Apr 1869) This catastrophe surely must have flooded poor Phebe’s mind with thoughts of Julia.

Thankfully, the child’s parents, Margaret and Solomon, had three sons to make life go on. And they were successful boys, too. Edward Oziel became a banker, Crosby John a physician, and Charles Albert served as the Chief of the National Bureau of Engraving and Printing in Washington, DC under the Cleveland administration.

As for Phebe and Charlotte, we find the two still together on the **1870 federal census** (under “Phoebe”), the two women now claiming only \$25,000 of property between them, and without any domestic help. She may have suffered a catastrophic financial loss or simply divested herself of land and buildings and reinvested in assets that were not considered “property”. What ever the case, by the time of the **1880 federal census** (under “Pheby”) for Williamsville, the ladies are once again enjoying the services of a servant, Elizabeth Hinckley from England. Imagine that lilting accent echoing through the house!

So many years gone by so quickly. What were the two women doing all that time? Among other things, Phebe “operated a large property until a few years before her death.” (obituary of Margaret Graves, 26 Mar 1903 edition of the Union Springs NY Advertiser) Also, Susan and Sarah Hershey, likely the widow and daughter of Oziel’s business partner Jacob, lived next door at this time and surely provided companionship.

On 15 Mar 1890, Phebe Smith, widow of Oziel, died in Williamsville, nearly forty-five years after her husband. She was revered by the townspeople as "Aunt Phoebe" and, for many years after she passed away, the couple’s property was known as Aunt Phoebe’s Woods (History of the Town of Amherst, Sue Miller).

“In the death of Mrs. Phoebe Smith, which occurred on Thursday, March 13, 1890, the people of Williamsville lose one of their oldest, best known and most respected inhabitants, and another void is created in the ranks of the early settlers. She will be remembered by many of our older residents as an estimable, kind-hearted, sympathetic woman; a loving wife and an affectionate and tender mother. She had great strength of character, keen perception and good judgment, and all who appealed to her for help and advice were received and kindly assisted. She lived to the remarkable age of more than one hundred years – a space of time covering the administrations of all our former presidents.”

“She was sympathetic, intellectual, with fine business capacity combine with strength of character and keen perceptions. She retained her mental faculties until the final summons came.” (Amherst Bee. 1908)

“On Mrs. Stevens [daughter Charlotte] will the death of her mother fall with a weight little understood or realized outside of the home circle. In lovingly caring and tenderly surrounding her mother with every comfort, allowing nothing of an irritating or depressing nature to reach her, she has admirably filled the highest and noblest duties of life.

“During the latter part of Mrs. Smith’s life, up to her 95<sup>th</sup> year, she went about, visiting stores and ordering goods for the household. Up to within two year she has been active about the house. Formerly she had been a great reader, but her sight growing weak during the last two years, she preferred being read to, and for the six months prior to her death, wholly from the Scriptures.” (Amherst Bee c. 1890)

The news article went on to report the many people of prominence who attended her funeral and served as pallbearers, among them Nelson K. Hopkins and S.H. Smith, said to be a near neighbor and friend. The service was conducted by the pastors of the Baptist and Methodist churches.

“A large number accompanied the family to the grave, where, with bowed heads and sorrowful hearts, was consigned to its final resting place the remains of one who memory will be long and kindly cherished.

“In the room of this grief-shadowed present there shall be

A Present in whose reign no grief shall gnaw

The heart, and never shall a tender tie

Be broken-in whose reign the eternal change

That waits on growth and action shall proceed

With everlasting concord hand in hand.” (Ibid)

**End of an era.** Margaret, older daughter of Oziel and Phebe, died 14 Mar 1903. “Mrs. Margaret Smith Graves, who died in this village on the 14th instant, was born in Williamsville, Erie county, New York, in 1821. Her father, Oziel Smith, who died in 1836, was one of the sturdy pioneers of Western New York. Her mother, Phebe Smith, survived until 1890, being in her 101st year at the time of her death. She was a woman of remarkable energy and business ability, managing a large property with signal success until within a few years of her death. Mrs. Graves was married in 1842 to Solomon Graves of Herkimer County in this State, a man of considerable local distinction. She is survived by a sister, Mrs. Charlotte S. Stevens, of Williamsville, and by three sons, Edward Oziel Graves, a banker of Seattle, Washington; Dr. Crosby J. Graves, of North Wales, Pa, and Charles A. Graves of this village. She removed to Union Springs, with her son Charles, in 1881, purchasing a beautiful place on the shore of the lake, in which the remainder of her life was passed. Her declining years were spent in peace and comfort in this quiet home, surrounded by loving relatives and friends. Her last illness was very brief and she retained her keenness of intellect and her interest in all worthy things until the very last. Mrs. Graves was a woman of superior intellect, of wide reading and information and of kindly and charitable disposition. Her death will be deplored by many loving friends and by none more than the poor and afflicted, to whom she was always ready to extend both succor and sympathy. Funeral services were held at her former home on the 16th in the presence of the members of the family and her intimate friends, Rev. William H. Casey officiating. The next morning the remains were, in compliance with her express directions, taken to Buffalo and incinerated. As directed by her the ashes were conveyed to Williamsville, the home of her childhood, and deposited in the same grave in which the remains of her father were laid to rest sixty-seven years ago.” (26 Mar 1903 edition of the Union Springs NY Advertiser). Union Springs is on Cayuga Lake in the Fingerlakes region of New York.

Finally, the 23 Feb 1926 edition of the Poughkeepsie Daily Eagle informed its readers that “Charlotte Smith Stevens, a resident of Williamsville for over 100 years and the oldest woman in Erie County, died today at her home in Main Street, Williamsville, at the age of 102 years. Mrs. Stevens was born in the village of Williamsville on January 3, 1824. She was the daughter of Oziel Smith, the first village supervisor and builder of the first saw mill in western New York. Her mother was Mrs. Phebe Norton Smith, a native of Richmond, Massachusetts.”

The Buffalo Morning Express’ Friday 24 Feb edition added: “Mrs. Stevens married the late Dr. George D. Stevens when he was a young practicing physician. They had one daughter who died when she was a few weeks old. There is one survivor, Charles A. Graves, a nephew of Union Springs. Despite her advanced age, Mrs. Stevens retained her mental faculties until the end and delighted her many friends with historic tales of Western New York. She was a collector of antiques and her home contains many oddities that will probably be given to some museum. [note: correspondence with local museums did not identify any such artifacts]

“The house in which Mrs. Stevens lived was built by Mr. Williams, the founder of the village of Williamsville, for his bride. Mrs. Steven’s father (Oziel Smith) purchased the house when he came to Williamsville from his home in Clarendon, Vermont. His wife, Mrs. Steven’s mother, died in the family home at the age of 100.

“Mrs. Stevens lived in seclusion with her housekeeper after her husband died and she seldom left the house. Funeral arrangements were made by Mrs. Stevens several years ago. They are expected to be announced today when her nephew arrives.”

That Charlotte’s closest living relative was a nephew who lived at a distance helps to explain the inaccurate information about Charlotte’s child. She was, of course, buried in the family plot in the Williamsville cemetery beside her parents, siblings, husband, and son.