Daniel Keller-Lancaster County Boat Builder

BY M. LUTHER HEISEY

The name and fame of Robert Fulton, the Lancaster County boy who successfully applied steam to navigation, is known throughout the length and breadth of the nation. Before the launching of the Clermont in the Hudson in 1807, before the use of steam, another Lancaster County inventive genius was working on the problem of better navigation. One Daniel Keller, of Hempfield Township, Lancaster County, Pennsylvania, took out a patent as early as 1795 for a design of boat, operating with paddle wheels, whose motive power was supplied by horses or oxen, which traveled in tread-mill fashion round and round the deck, drawing a wheel geared to shafts extending to both sides of the boat, which in turn revolved the wheels and their paddles. Crude as it now seems in relation to the later and more powerful force of steam, yet here we have the germ of an idea, even as Fulton's, which was a forward step in transportation progress.

With a seeming touch of pride, Daniel Keller usually gave his address as "of Lancaster County, Pennsylvania," but this landlubber, this builder of ships and arks, was quite a gadabout, traveling by land to Huntingdon County in Pennsylvania, then in Virginia, Kentucky, Ohio and Indiana, and in many instances building mills, often the first one in a certain area.

Always living and planning near streams and conscious of their power and utility, there was one time in which he had no use for water as he worked on an improved salt evaporator.

Following his patent of 1795 Daniel built a boat on the Ohio River, and on it he and seven helpers went down that river and the Mississippi to New Orleans. It is claimed to have been the first paddle-wheel boat used on either river (Could its name have been Lancaster?) Its trip was successful, its fate sad but useful. Family tradition tells us authorities at New Orleans seized the boat and rammed it into a breach of the levee at flood time. Never recompensed for the boat, Keller and his crew of seven reverted to "Shank's mare" on the return trip to Louisville, Kentucky.

A Copy of the Original Patent

THE UNITED STATES OF AMERICA

To all to whom these Letters Patent shall come Whereas Daniel Keller a citizen of the State of Pennsylvania in the United States, hath alleged that he has invented a new and useful improvement _____ for propelling boats _____ which improvement has not been known or used before his application; has affirmed, that he does verily believe that he is the true inventor or discoverer of the said improvement; has paid into the Treasury of the United States, the sum of thirty dollars, delivered a receipt for the same, and presented a petition to the Secretary of State, signifying a desire of obtaining an exclusive property in the said improvement, and praying that a patent may be granted for that purpose: THESE ARE THEREFORE to grant, according to law, to the said Daniel Keller, his heirs, administrators or assigns, for the term of fourteen years, from the ninth day of the present month of May, the full and exclusive right and liberty of making, constructing, using and vending to others to be used the said improvement, a description whereof is given in the words of the said Daniel Keller himself, in the schedule hereto annexed, and is made a part of these presents.

IN TESTIMONY THEREOF, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

GIVEN under my hand, at the City of Philadelphia this Twenty-fifth day of May, in the Year of our Lord, one thousand seven hundred and ninety Five — and of the Independence of the United States of America the Nineteenth.

> Go. Washington By the President, Edm. Randolph

The United States of Amer

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Reduced facsimile of the Original Patent Granted to Daniel Keller City of Philadelphia, TO WIT:

I DO HEREBY CERTIFY, That the foregoing Letters Patent, were delivered to me on the 23rd day of May in the year of our Lord one thousand seven hundred and ninety-five to be examined; that I have examined the same, and find them comformable to law. And I do hereby return the same to the Secretary of State, within fifteen days from the date aforesaid, to wit: On this 25th day of May in the year aforesaid.

Wm. Bradford

A DESCRIPTION OF THE PATENT

"The schedule referred to in these Letters patent and making part of the same, containing a description in the words of the said Daniel Keller himself of an improvement for propelling boats — Specification of machinery for propelling boats by the power of horses or oxen or by any other optional power. This machinery consists of a main or horizontal face or bevil geard wheel to the arms of which the power is applied; the cogs of the said wheel plays into and revolves two wallowers face or bevil gear wheels, which are fixed on the ends of two shafts that rest on their gudgeons at a right or other angle in a line of the boat from the main or horizontal wheel — at the other ends of the said shafts are two other vertical face or bevel gear wheels the cogs of which play into and revolves two other wallowers face or bevel geard wheels at right angles; secured on two shafts crossing the boat at right angles and resting in their gudgeons on frames projecting from the boat — in the said shafts between their resting places on said frames and the boat passing through each are arms of an optional number; to every two of which is made fast an oar paddle or float; the whole being four sets containing an optional number of oars paddles or floats to each set - in revolving each oar paddle or float dips in the water in a rotatory succession by the means of the power applied to the arms of the main or horizontal wheel and from that to the specified wheels and shafts; constitutes the means for propelling boats." Jos. Lehman (Signed) Daniel Keller

Alex. Drummond, Witnesses

Ark Patented in 1799

Born May 8, 1753, Daniel evidently spent his boyhood and young manhood in Hempfield Township near the Susquehanna River, where he imbibed a love for the stream and learned of its untamed currents and the dangers of the rapids and rocks in such a place as the Conewago Falls, not far from his home. His dreams led to the construction of a new "safety first" type of ark to ride the rapids, and conserve human life and valuable cargo.

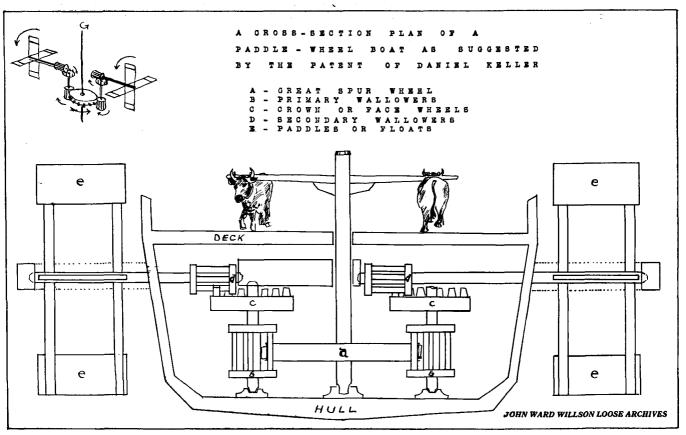
This ark was patented November 25, 1799, but in protecting his rights and fighting against infringements, Daniel had rougher and tougher sailing than he found on the Susquehanna. Fortunately his family preserved a copy of the plans of his boat, but for the ark all records are lost, due in part to the destructive fire of the Patent Office at Washington in 1837.

Undoubtedly this ark or raft was copied widely, and proved its worth at such treacherous places in the river as are found near Falmouth. Immense river traffic was hauled in just such types of arks that Keller had conceived. A drawing or sketch would prove very illuminating if such had been preserved.

Daniel Keller as inventor had the joy of creative enterprise; Daniel Keller the promoter had a sad time in selling and protecting his rights. First, he transferred his patent rights to John Harnly (Hernly) of Lancaster County, and he in turn grants the same to John Cryder, of Huntingdon, Pa. Cryder gives to any applicant the right to construct arks of the Keller pattern for the sum of eleven dollars.

Article of Agreement with John Harnly

"An Article of Agreement, made this twenty-five day of January, in the year of our Lord one thousand eight hundred Between John Hernly of Lancaster County in the Commonwealth of Pennsylvania of the one part, and John Cryder of the Borough of Huntingdon in the Commonwealth aforesaid of the other part; Whereas Daniel Keller of Lancaster County on the 25th day of November A.D. 1799 obtained from the United States Letters Patent under the Seal of the said United States & the hand of the President and Secretary thereof duly executed the full and exclusive right & liberty of making constructing using and vending to others to be used a new and useful improvement being a Boat constructed to descend rapid & obstructed streams with heavy burdens, as by the said Letters Patent granted to said Keller for



the term of fourteen years from this date a schedule thereto annexed in themselves will more fully appear; And whereas the said Daniel Keller by an Article of Agreement made with the said John Harnly the 2 December A.D. 1799 for the consideration therein mentioned did covenant to and with the said John that he the said John should thereafter have hold occupy possess and enjoy & make use of and take all lawful means & ways whatsoever granted to the said Keller by the patent aforesaid full as good & sufficient in Law as if the said Keller had done the same himself as the Article duly executed & acknowledged in itself more fully shew. Now this Agreement witnesseth that the said John Harnly for the consideration of the sum of one Dollar paid by the said John Cryder at & before the ensealing & delivery here of the said John Harnly, Hereby acknowledges the receipt; Hath and by these presents Doth grant & make over to the said John Cryder his heirs admrs or assigns all his right title and interest of in and to the patent aforesaid with full liberty to the said John Cryder his heirs & assigns to enjoy occupy & possess the exclusive privilege in the said Letters Patent contained and to enjoy and receive all his the said John Harnly's part of the profits & emoluments arising from the construction & selling the Boats in the said Letters Patent & schedule aforesaid described, and further the said John Cryder doeth hereby covenant & agree to and with the said John Harnly his heirs administrators & assigns to pay to the said John Harnly the said Daniel Keller's part, to wit one half of all income Sum & Sums of money which he the said John Cryder shall receive & recover and obtain by from or under the said Letters Patent aforesaid, according to the true intent and meaning of the said Letters Patent. In Witness whereof the said parties have hereunto Set their hands and seals the day and year first before written."

Sealed and Delivered) in presence of us)

Recd. Huntingdon the 25th January 1800 the sum of one Dollar being the Consideration money aforesaid of the said John Cryder Test.

A Warning By Handbill

TO THE PUBLIC

The subscriber as assignee of Daniel Keller, to whom the United States have granted a patent for a new and useful improvement, being a Boat constructed to descend rapid and obstructed streams with heavy burthens, and that for the term of 14 years from the 25th day of November last, hereby notifies all whom it may concern; that he has the exclusive privilege of building, using and vending boats of that description for the term aforesaid. All persons who wish to procure a right of making and using such boats may on application to me have such right for the sum of eleven dollars for each Boat, otherwise all persons who make and use or sell Boats of the aforesaid description without first having obtained a license, shall be prosecuted as the law directs.

JOHN CRYDER

Huntingdon, January 30, 1800.

N. B. By an act of congress passed the 21st February, 1793, for promoting the progress of useful arts, it is by Sect. 5th enacted that if any person shall make, devise and use or sell new inventions, the exclusive right of which shall as aforesaid have been secured to any person by Patent without the consent of the patentee, his executors, administrators or assigns first obtained in writing, every person so offending shall forfeit and pay a sum that shall be at least equal to three times the price for which the patentee has usually sold or licensed to other persons the use of such invention, to be recovered as in the said act mentioned.

HUNTINGDON: Printed by J. R. PARRINGTON

Patent Rights to Christian Huber

In 1804 both John Cryder and John Hernly, as well as the inventor, Daniel Keller, relinquish rights to this desirable patent to Christian Huber, another resident of Lancaster County. The agreement reads:

"Know All Men by these Presents that We John Cryder of Huntingdon County in the State of Pennsylvania and John Hernly of the County of Lancaster in the said State for a valuable Consideration to us and each of us at or before the Sealing and De-

livery hereof well and truly in Hand paid by Christian Huber of the Township of Hempfield in the said County of Lancaster and State aforesaid; Have and each of us Hath granted remised released and quit claimed and Hereby Do and each of us Doth grant remise release and quit claim unto the said Christian Huber his Heirs Executors Administrators and Assigns all our and each of our Right Title Interest Property Claim and Demand whatsoever at Law and in Equity of in and to a certain Improvement invented by a certain Daniel Keller for which he has obtained a Patent dated the 25th Day of November Anno Domini 1799. being a Boat constructed to descend rapid and obstructed Streams. a Description whereof is given in the Words of the said Daniel Keller thereto annexed and is made a part of the same, and in which we are interrested by and under a Contract with the said Daniel Keller, who assigned & transferred the said Patent Right of the Improvement aforesaid unto the said Christian Huber. In Witness whereof we have hereunto set our Hands and Seals the fourth Day of August in the year of our Lord One thousand Eight hundred and four."

Signed Sealed and Delivered by (Signed in German)

the said John Hernly in the Presence of us Johan Hernly Daniel Keller

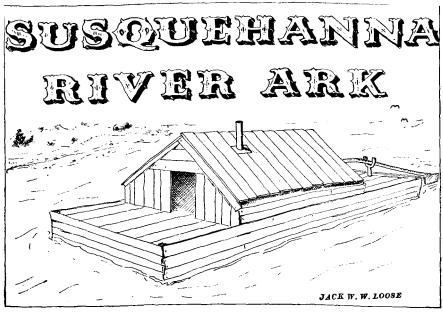
Michael Bausman

Signed Sealed and Delivered by

the said John Cryder in the Presence of us Charles Green (Signed)

John Cryder

Although giving his address now as Hampshire County in the Commonwealth of Virginia, Daniel Keller was in Lancaster on the above date, and drew up an agreement with Christian Huber for the patent rights on an "Ark," for "The United States of America in and by a certain Patent under the Hand of John Adams Present [President] and the Great Seal of the United States aforesaid and countersigned by Timothy Pickering, Secretary of State, dated at the City of Philadelphia the Twenty-fifth Day of November in the Year of our Lord One thousand Seven hundred and Ninety-nine, did grant according to Law to the said Daniel Keller, his Heirs Administrators or Assigns for the Term of Fourteen Years from the said Twenty-fifth Day of November



in the Year aforesaid the full and exclusive Right and Liberty of making constructing using and vending to others to be used the Improvement by him invented being a Boat constructed to descend rapid and obstructed Streams with heavy Burdans a Description whereof is given in the Words of the said Daniel Keller in a Schedule thereto annexed and is made a part of the same.

"Now Know Ye that the said Daniel Keller for a valuable Consideration to him at and before the Sealing and Delivery hereof well and truly in Hand paid by Christian Huber of the Township of Hempfield in the County of Lancaster and State of Pennsylvania; Hath granted bargained sold assigned transferred and set over and by these Presents Doth grant bargain sell assign transfer and set over unto the said Christian Huber his Heirs Executors Administrators and Assigns for and during the Remainder of the said Term of Fourteen years yet to come and unexpired, the full and exclusive Right and Liberty granted by the said Patent of making constructing using and vending to others to be used the said Improvement and all Profits and Emoluments hereafter to be derived therefrom, and also all the Right Title Interest Property Claim and Demand whatsoever of him the said Daniel Keller at Law and in Equity of in and to the said Patent Right and Improvement, and every Part and Parcel thereof. In Witness whereof the said Daniel Keller hath hereunto set his Hand and Seal the Fourth Day of August in the Year of our Lord One thousand Eight hundred and four."

Sealed and Delivered in the Presence of us (Signed) Daniel Keller

John Conner

Philip Gloninger

The above agreement was attested to by William Bausman, a Justice of the Peace at Lancaster, Pa.

A Power of Attorney to David Brookhard

It seems that Daniel Keller had more trouble in protecting or disposing of the rights to the patent that he would have had in descending the Susquehanna rapids near Falmouth. Evidently his business relations with Christian Huber were unsatisfactory, for on October 15, 1819, he gives a Letter or Power of Attorney to David Brookhard, a nephew, to make adjustments and collections for the patent right. Brookhard was a descendant of the family which formerly resided in Lancaster or York County. A portion of the legal contract reads:

"Know All Men by these presents, That whereas I the undersigned in the Year of our Lord One thousand seven hundred and ninety-nine have Obtained from the Congress of the United States a patent to build a Boat Called the Ark upon a Certain Construction particularly described in said patent for the Term of fourteen Years which said patent is now in the possession of a certain Christian Huber of Lancaster County, State of Pennsylvania, and the said Boat was the sole Invention and for the purpose of navigating the River Susquehanna by me the Undersigned Daniel Keller, And whereas many persons during the said Term of fourteen Years for their own Gain and Lucre and without any License or permission from me as the owner of said Invention and patent have built boats according to the Construction set forth in the said patent to the great Injury of myself and others; Now know ye that I Daniel Keller of the County of Clarke, State of Indiana have made Constituted and Appointed and by these Presents do Make Constitute and Appoint David Brookhard of Jefferson County, State of Kentucky, my true and lawful Attorney for me and in my name to ask demand and receive of the said Christian Huber the aforesaid Patent and to take all Lawful Ways and Means to Obtain Correct Information of all and every Person or Persons who in open Violation of the said Patent have built and made Use of the said boat, and for which purpose I Do by these presents empower my said Attorney for use and in my name to Supoena such person or persons whom he shall think proper, and take their Depositions in writing according to the Laws of Pennsylvania, and to Settle Compromise or Arbitrate with any person or persons Company or Corporation who in open Violation of the said patent have navigated the said River Susquehanna with such Boats or Arks as the same is described in the said patent, and in Case of refusal to Settle Compromise or Arbitrate, I do hereby empower my said Attorney to use and take all lawful Ways and Means in my Name or otherwise for the Obtainment of Justice by Attachment Arrest Distress or other wise, and to Compound and Agree for the same, and to ask demand and Sue for all the Money dues Demands and Forfeiture due to me by Virtue of the said Patent, and Acquittances releases or other Sufficient discharges for the same . . . " This was signed by Daniel Keller on October 15, 1819, before John Carr, a Justice of the Peace for Clarke County, State of Indiana.

Those early patent rights extended only for a term of fourteen years, and yet we find Daniel Keller making demands under those rights in 1819, twenty years after date. He evidently made renewals of the patent, for even as late as 1838, he still insists that proper reimbursement be made to him for the use of his type of boat or ark.

Patent Rights to John Stoner

"Know all men by these presents that I Daniel Keller and Margart his wife, of the County of Floyd and the State of Indiana, have made ordained authorized constituted and appointed and by these presents do make ordain authorize constitute and appoint John Stoner, of the County of Lancaster and State of Pennsylvania my true and lawful Attorney for me and in my name and to my use or the use of him the said John Stoner to ask demand sue for and recover and receive of all persons who have received any benefit of my moddle [model] of boats working by machinery and also of arks for passing over the rapids of the Susquehanna in the state of Pennsylvania all and evry such sum and sums of money debts and demands whatsoever which are due and owing to me the said Daniel Keller by and from the said Individuals or Government, and in default of payment thereof to have use and take all lawful ways and means in my name or otherwise for the recovery thereof by attachment arrest (or otherwise) and to compound and agree for the same, and on receipt whereof to make seal and deliver acquitances or other sufficient discharges for the same for me and in my name . . . " Sealed and delivered in the

presents of

Jacob Murphey

(Signed by mark) Daniel X Kellar Marget X Kellar

The Family of Daniel Keller

It is rather difficult to reconstruct the family line of these Kellers. There were some in Virginia, and throughout the records many are referred to as "of Lancaster County, Pennsylvania." Charles Keller, who lived in Lancaster County "near the Susquehanna," bought land in 1748 in old Frederick County, Virginia, and there in 1756 he was killed by the Indians. His widow with the children returned to Lancaster County. Daniel may have been the youngest member of this family. His sister, Esther, married Alexander Stockslager, who bought and sold land in Manor Township in 1767, but removed to Frederick County, Virginia, in 1769; another sister, Mary, married a Bowman. A brother, John, was given a grant of land in Virginia in 1779 by Lord Fairfax, and the records note that John also was "of Lancaster County, Pennsylvania." He and Daniel are found in the assessment lists and militia rolls for 1782 in Hempfield Township, Lancaster County. A sister, Catharine, married Jacob Brookhart (Bruckhart), son of Michael Bruckhart of Hallam Township, York County, and they moved to Virginia in 1785.

On January 27, 1783. Daniel Keller married Anna Margaret. daughter of John [Reformed] and Barbara [Lutheran] Weller,1 of Rapho Township. She was born March 15, 1751.² Daniel now starts on a career of travel and invention, but in his patent of 1799 he is still known as a resident "of Lancaster County. Pennsylvania." In 1804 he claims a home in Hampshire County (part of old Frederick), Virginia. In 1807 he was in Jefferson County, Kentucky, near the Brookharts, and their families have a tradition that Daniel came east and saw the sailing of the Clermont on the Hudson, and that he was an intimate friend of our Robert Fulton. We can take this with a grain or two of salt — from Daniel's improved Salt Evaporator. We would rather cling to the idea that Daniel learned of Robert Fulton when the Fulton Company³ started the operation of a steamship line on the Ohio River, passing near Daniel's Indiana home. And we can visualize him taking a ride, interrogating the ship's officers, and telling them all about his own boats and inventions. And that's how the Fulton story could have originated.

No doubt this Fulton Company sounded the death knell for Daniel's horse-powered boat against the steam-driven one. We hear nothing further about Daniel's boat — no infringements, no claims or law suits, no powers-of-attorney, such as so frequently linked with the patent rights of his Susquehanna ark.

Gone from Lancaster County are all the descendants of Daniel Keller; all were or are living in the West. But Lancaster County has the satisfaction that another of her sons wrought well and achieved success. And Lancaster County is proud to give them honor, however belated it may be.

Daniel Keller died November 5, 1838, full of years, and lies buried near Georgetown, Floyd County, Indiana.

¹ Records of First Reformed Church, Lancaster, Pa.

² Baptismal records of Trinity Lutheran Church, Lancaster, Pa.

³ A company, formed by Robert Fulton, Robert R. Livingston, Nicholas J. Roosevelt and B. Henry Latrobe, started building steamboats at Pittsburgh about the year 1810.

Arks On The Susquehanna

Lacking the description of Daniel Keller's ark, and desiring to learn more about the appearance and construction of arks, we were amazed to discover, after due search and inquiry, drawings or photographs of such craft could not be located.

The ark could be described as simply a flat-bottomed boat, about 90 by 16 feet, roughly decked and enclosed, and covered with a roof, giving it an appearance somewhat like a squarebuilt canal boat. Roughly thrown together and fastened mainly with wooden pins, they were not as well built as a canal boat for their service was brief. Fully laden, they came down the river to the port of Philadelphia or Baltimore, and having served their purpose they were completely dismantled and the lumber sold.

Improvements in the River

We of the Susquehanna Valley could say, with tongue in cheek, that here was a navigable stream, but we fooled no one but ourselves, least of all the experienced rivermen. B. Henry Latrobe, employed by the state in 1802, was one of the many engineers employed in enterprises to improve the river. But they had to contend with such places as Stahl's Ripples, Whistar's Bar, Turkey Hill Falls, Eshleman's Falls and Bar, Indian Steps, Cully's Falls, and Roger's Bottom.

But by 1821 the Susquehanna would hardly admit the passage of an *empty* ark from Columbia to the head of the Maryland Canal, and yet in a few years an ark of 90 feet with a cargo of 25 tons could proceed in comparative safety. In those years, 1824 to 1826, there were shipped from Lancaster County to Baltimore over 6,000 hogsheads of whiskey and 15,000 pounds of flour. The business on the river in 1826, for a period of four months, at a point above Columbia, showed the passing of --

Craft	Average Value	Total Value
1,037 arks	\$1,000	\$1,037,000
164 keel boats	1,000	164,000
1,090 rafts, lumb	er 300	327,000

Early visitors to Lancaster lamented the fact that here was a growing town limited by the lack of navigation, but we assumed the title, "Port of Lancaster," with the opening of the Conestoga Navigation. From that Port, on December 23, 1828, the Ark George Louis Mayer, Captain Ohmet (Omit), laden with 35 hogsheads of whiskey, a quantity of flour, tallow, lard, etc., cleared for Baltimore. At the same time we note the arrival of the Ark Susquehanna, Captain Mullison, with coal from Wilkes-Barre, and waiting for favorable weather to proceed with a cargo to Baltimore. An enthusiastic writer now claimed that the dams on the Conestoga were responsible for "preserving a breadth of from 250 to 350 feet, with a depth in the channel of never less than four feet, presenting a beautiful sheet of water." We fail to imagine that the Conestoga ever attained a width equal to seventenths of a city block! Evidently the country and Conestoga are drier than in those days of huge shipments of liquor by the hogsheads.

In March 1829 Captain Charles Odel loaded his ark at lock No. 4, and Captain Omit, with two arks, put on cargoes at lock No. 8; both destined for Port Deposit.⁴

The fearsome shadow of railroad competition, now approaching nearer, had not yet blighted the business of river transportation. "The river continues in fine order and between thirty and forty Arks arrive and pass us daily [at Columbia]. No rafts have yet come down."

"A large quantity of lumber has come down, and the amount of whiskey, flour, wheat, iron, etc., that has passed us in arks, for the Baltimore and Philadelphia markets, must be immense."⁵

Dangerous Assignment

The Susquehanna had its moody spells of wind and wave, which made travel on it at times a costly and dangerous business. We read of a severe wind storm in which "an ark of flour and two or three arks of coal were sunk — a few bbls. of the flour were lost; and some little damage was done to the lumber rafts along the shore. At Middletown an ark of wheat was sunk. At Port Deposit an ark of wheat was sunk, and a shallop loaded

⁴ Hazard's Register, vol. 3.

⁵ Columbia Spy, March and April, 1831.

with flour broke loose and went down stream while the hands were on shore." 6

We give you another item showing the immense traffic which was carried on by the humble ark: "A few days ago an ark arrived at Columbia loaded with 5.000 rakes, 600 bench screws. 120 bedsteads, 1.000 hoe handles, 100 cradle snaths, 2.000 window blinds, and 12- or 15,000 slats for Venetian blinds, all from the factory of Edward L. Paine, of Orwell, Bradford County."7 But in a few years the ark goes the way of all the earth. and is superceded by more rapid means of transportation, and the glamor and the glory of the river pilot and boatman fade away.