

**WILLIAM WOODS AVERELL
PAPERS, 1836-1910**

SC12349

QUANTITY: 30 containers (8 cubic feet)

ACCESS: Open to research

ACQUISITION: Purchased by the New York State Library, 1950 with a substantial accretion donated by Mrs. Nicholas Amato, September 1990.

PROCESSED BY: Fred Bassett, Senior Librarian, Manuscripts and Special Collections, May 1991

SCOPE AND CONTENTS NOTE:

The papers of William Woods Averell almost complete documentation of his years of active military service and endeavors in various business ventures. In regards to Averell's military service, the publication of his memoirs has not greatly diminished the value of correspondence, diaries, and official orders, and reports found here. They are especially valuable for the following two areas: A) The cavalry presence in New Mexico Territory, 1855-1858, with many fine details of the wars between the United States Army and the Navajos, Kiowas, and Zunis. There are also interesting descriptions of frontier social life and customs. B) Averell's service during the Civil War, 1861-1865, especially his command of the third Pennsylvania Cavalry and the Eastern Division of the West Virginia Cavalry. Also included, a considerable amount of documentation relating to his being relieved of command by General Philip Sheridan. Averell would devote much of his subsequent life setting the record straight and commemorating the cavalry.

The business phase of Averell's life was largely preoccupied with the development and uses of asphalt for street pavement and electrical conduits. His private papers, business correspondence, and diaries, from 1870-1898 are filled with technical, legal and other details relating to asphalt. Moreover, his diaries record his persistent seeking of street pavement contracts. Also included are legal briefs and court proceedings generating by nearly twenty years of litigation endeared by Averell in defence of the only successful Asphalt pavement patent of the period when many American cities received paved streets. There is also much documentation relating his patent for the asphaltic electrical conduit that was deemed successful; and the water (sonar) telephone, that was deemed unsuccessful.

Other aspects of Averell's career where the documentation is not complete, yet would be worthy of examination include: A) this service as consul general to British North America, (Canada), in Montreal from 1866 to 1869. His diaries contain many fine observations of the activities of the United States Legation and the social life and customs of the French Canadians. B) His service as Inspector General of soldiers homes that generated many official letters and reports regarding his travels and lobbying activities.

BIOGRAPHICAL SKETCH

William Woods Averell was born in the town of Cameron in Steuben County, New York, on 5 November 1832, the second son of Hiram and Huldah (Hemeway) Averell. Very little is known of Averell's life prior to 1851 when he began his studies at the United States Military Academy at West Point, New York, except that he had left the family from a few years earlier to work as a drug store clerk in Bath, New York, which place became his official residence for the remainder of his life.

At West Point, Averell began to keep a diary of daily events. Those recordings along with letters to his family would be invaluable years later when he began his memoir. Averell enjoyed cadet life at West Point where he tasted the pleasure of youth despite the disciplined environment. Averell was an average student, near the middle of his class in all subjects except horsemanship, where he was first. He was also a very amicable person who made him a great number of friends, some of which were lifelong. He graduated in 1855, twenty sixth in a class of thirty-four, and was commissioned a brevet lieutenant of mounted rifles. Initially he was assigned to the cavalry school at Jefferson Barracks, Missouri but was shortly transferred to Carlisle Barracks, Pennsylvania. There he served as adjutant to post commander, Colonel Charles A. May.

In 1857, he was transferred with a detachment of recruits to New Mexico Territory, which still remained Spanish in tone and temperament. Averell found the customs and people strange, particularly the behavior of the women, who not only smoked cigarettes but danced with anyone at the ball even before proper introductions have been made. Such a free and easy attitude made a garrison life pleasant for the young Averell. He had a large number of women friends some of whom were his lovers. Life was not always pleasant, however, as the Cavalry was occasionally engaged in battles with the Navajos, Kiowas, and Zunis, who were raiding frontier settlements. His letters, diaries, and other official papers contain a wealth of information concerning the use of Federal troops to displace Native American Tribes from the land. In one skirmish, Averell was seriously wounded in the leg, that made it necessary for him to be sent home on convalescent leave.

The outbreak of hostilities between northern and southern states in 1861, prompted Averell who was well recovered from his wounds to offer himself for service on behalf of the Union as there was a great need for experienced officers. One of his early appointments was that of assistant adjutant general on the staff of General Andrew Porter, whose forces participated in the hastily planned first Battle of Bull Run. Soon after that discreditable experience for the poorly trained union army, Averell was given command of an unruly Kentucky Cavalry regiment, later redesignated as the Third Pennsylvania Cavalry. Appointed as colonel, he reorganized the regiment and trained the men. His success in disciplining the Third Pennsylvania Cavalry was rewarded with command of a Cavalry brigade in front of the defenses at Washington.

In March 1862, the Third Pennsylvania was transferred to the Virginia Peninsula, where it participated actively in a number of battles and skirmishes that would become known as the Peninsular Campaign. Success in repelling Confederate Cavalry regiment at Williamsburg (4-5 May) and Malvern Hill (1 July) were rewarded with Averell being commissioned captain, 17 July 1862. Thereafter, his troops slowly advanced up the Rappahannock until the advance ended on 13 December 1862, with the disastrous defeat of union forces at Fredricksburg. Shortly thereafter, one of the true Cavalry fights of the war occurred on the Rappahannock River at Kelley's Ford. Averell's

Force had

been embarrassed on 25 February 1863, when a small force of Confederate Cavalry under the command of Fitzhugh Lee captured 150 men. Averell then regrouped his forces and mounted an attack on 16 March that was successful in breaking the Confederate line. Shortly, after Kelly's Ford, Averell was relieved of his command by General Hocker for alleged lack of resolve to fight during Stonement's raid, which may have in part attributed to the Union Army's defeat of Chancellorsville.

Averell was initially ordered to report to Washington but was later told to report to Philadelphia to serve as a mastering officer. On the way there, Major General Robert Schenck badly in need of Cavalry for the volunteer forces of West Virginia, requested Averell to be transferred to his Middle Department. Averell was given command of the fourth separate brigade headquartered in West Virginia. There, as with the 3rd Pennsylvania Cavalry, Averell was successful in reorganizing and disciplining a scattered group of men.

In the summer of 1863, West Virginia was not completely separated from Virginia. Groups of Confederate supporters remained, especially in the eastern part of the State, and Averell was ordered to drive them out. Equally important, was the destruction of the supply line to Confederate forces in eastern Tennessee. During the last half of 1863, Averell participated in three expeditions: Stanton, Virginia (August), Droop Mountain (November), and Salem, Virginia (December). Those raids were a success for the Union Army, as they had cut the Tennessee Railroad, and destroyed large quantities of General Longstreet's supplies of clothing, rations, and equipment.

In March 1864, the Department of West Virginia was reorganized. Averell was given command over half the Union Cavalry in the State and placed under Major General Franz Sigel. Averell set up headquarters in Martinsburg at the northern or lower end of the Shenandoah Valley. Here, Averell commanded Cavalry raids that were effective in harassing the Confederates and disrupted railroad. Though those applications were successful, the Confederates ability to press on was halted only temporarily. An offensive in July 1864 under the command of Jubal Early pushed as far north as Chambersburg, Pennsylvania and penetrated to the very gates of Washington, D.C. Much of the Union Cavalry, including Averell's was caught off guard and unable to stop Early's advance. Partly as a result of this Confederate success, and more because of revised Union plans, General Philip Sheridan was placed in command of all the Union troops in the Shenandoah Valley.

Sheridan was among the new kind of commander that had come into prominence in the Union, like Grant and Sherman, and replaced McClellan, Burnside, and Hooker. The older order had relied on training, preparation, and caution, while the newer ones demanded sacrifice, decisiveness, and success. Averell was of the old school of thought, hence it seemed inevitable that conflict would arise between him and Sheridan. And it did soon after the substantial Union victory over Confederate forces on Fishers Hill, near Winchester, Virginia. The Confederate forces were broken and rapidly retreating which Averell thought it was best to step and regroup rather than move forward quickly as ordered by Sheridan. As a result, two days after the battle, Sheridan relieved Averell of command.

Sheridan's action shattered Averell in a way that physical damage incurred by bullets or fever during the war had not. For the rest of his life he would try to refute this action and other evidence to substantiate his belief that his removal was politically rather than militarily motivated. This action particularly galled the proud Averell late in life when he reflected on his military service and saw his record indelibly blemished by this incident.

Sheridan's orders had not only removed him from command, they also directed to go to Charlestown, West Virginia, and stay there. At Averell's request, the orders were modified to return home to Bath for convalescent leave. With this banishment to his home, Averell's military career had ended. He sat out the rest of the war recuperating from severe dysentery, malaria, his head wound, and a seriously damaged ego. Despite these adverse circumstances, he was nonetheless honored on 13 March 1865 with a promotion to rank Brevet Major General of Volunteers. On 18 March 1865, Averell's resignation was accepted, and for the first time in fourteen years he was a civilian.

The days and weeks that followed Averell's return to Bath were marked by a pattern that already had been established during his active military service. Averell had not limited himself to the daily routine and demands of military life, he had supplemented his military career with a number of business and speculative ventures in the burgeoning coal and oil fields. The establishment of the Averell Coal and Oil Company, in June 1865, was the real beginning of the general's entrepreneurial career. Nonetheless, within a year, despite his determined efforts, the business was in serious financial and operational troubles.

In September of 1866, Averell received an appointment from President Andrew Johnson to the office of council general of British North America (Canada) at Montreal. He served in the post from 2 October 1866 to 1869. General Averell's letters and diaries covering these years of consular service present a detailed, interesting account of his official duties, as well as his personal and social activities. Averell was dismissed from the post specifically because his political affiliation with the Democratic Party was not favorable to the Republican administration of Ulysses S. Grant that assumed power in March 1869.

Undaunted by the abrupt end of his consular career, Averell turned his fall interest to various business endeavors. At first he delved into steel making, but then, however, a different mineral soon occupied his attention. In the Fall of 1870, Averell had become interested in asphalt, especially its uses for street pavements, despite problems he observed with pavement laid in New York City and Newark in an experimental basis according to patented procedures of Belgian engineer chemist Edward J. DeSmeldt. Bad as the pavement appeared, Averell nonetheless convinced of the potential of asphalt, if he could develop the right formula and method to lay it properly. Shortly thereafter, Averell assumed the presidency of the Grahamite Asphalt Pavement Company, where he began to analyze the DeSmeldt formula the machinery used in laying the pavements, and the paving techniques. He then began a series of experiments to improve them. He developed better pavement laying techniques and culminated long years of effort and experimentation by being granted a United States Patent on 14 January 1878 entitled "Improvement in Asphaltic Pavement."

Averell was also engaged in an intensive lobbying campaign before governing officials in Washington, D.C., Albany, and major eastern cities, attaining legal authority and street paving contracts. Meanwhile, business differences with James L. Graham, a partner in the Grahamite Asphalt Pavement Company, resulted in Averell's organizing the Grahamite and Trinidad Asphalt Company in 1873. A year later the firm was again reorganized and renamed New York and Trinidad Asphalt Company. During these administrative changes, Averell's experimentation and lobbying efforts were largely unimpeded.

One prime contract received by Averell was for the repaving of fifth Avenue in New York City. Since this required special action from the New York State Legislature, Averell spent much time in 1875 lobbying for the bill that failed passage mainly because of opposition encountered by the Tammany Hall bloc. As a result, work in New York was delayed for several years. Another major contract awarded to Averell in 1875 was in Washington, D.C. where a test strip of pavement was laid on Pennsylvania Avenue. This test was a tedious, tiresome round of dealing with Congress and the commissioners of the city.

In 1880, Averell was charged with an infringement of patent rights by Edward J. DeSmeldt, claiming interference for seven patents issued between 1 March 1870 to 7 February 1871. The dispute was resolved within a year by a complicated settlement involving as interested third parties, Amazi L. Barber and James McLain. The case was settled out of court by the creation through complex exchanges of stock and capital of the American Asphalt Pavement Company, and the patent action was set aside. The structure of the American Asphalt Pavement Company when incorporated under the laws of New York State, 21 April 1880 consisted of a board of directors that elected Averell as president and a three man executive committee that was headed by Amazi Barber. The executive committee was given full power to transact all business of the company. This arrangement made it inevitable that a conflict would arise, which it did within a year, between the two corporate heads. Questions of patents and royalties and other internal differences led Barber to organize the Barber Asphalt Paving Company. In 1883, Averell sued for infringement of his patent and won a judgement against the Barber Company. There were fifteen years of delays appeals and referee awards. Finally, in 1898 the appellate Division of the New York State Supreme Court upheld an award in Averell's favor for a total amount of \$700,000.

Averell was also interested in the communication field, where he developed and perfected an asphaltic conduit for an underground electrical system for which he received a United States Patent on 21 July 1881. Deemed successful, this device brought Averell a high degree of recognition and respect from individuals like Thomas A. Edison. Another invention, a water (sonar) telephone was deemed to be impractical, though Thomas D. Conynhan of the Hazard Manufacturing Company was greatly interested in marketing it.

On 24 September 1885, at age fifty three, General Averell married an English widow, Kezia Hayward Browning. There were no children from this marriage, but the general and Kezia bestowed much of their interest on the youngest of his sisters, Sarah Averell Dascomb and Lucy Averell Henica.

In 1888, with Grover Cleveland in the White House, General Averell was reinstated in the Army by a special Act of Congress and placed upon the retired list. This return to the army lit was the culmination of a dogged, continuous effort by Averell to achieve some degree of restitution - at least, in his views - for his removal from command by Sheridan twenty-four years before. The reinstatement also brought with him an appointment as Assistant Inspector General Soldiers Homes. In this post, the first he had held with an assured income since leaving his consular post in Canada, General Averell was required to travel to these hospitals to evaluate conditions for the care and treatment of veterans to write detailed reports and to struggle (as always) for appropriations. He resigned the post in 1898. Two years later, on 3 February 1900, he died.

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