

**FALL RIVER'S WATUPPA RESERVATION:  
A BRIEF ACCOUNT OF ITS ORIGIN AND EVOLUTION  
INCLUDING A PROFILE OF THE FALL RIVER INDIAN RESERVATION**

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## Illustrations

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## Preface

Having spent many happy hours as a young boy in the Watuppa Reservation with my father and brothers exploring its hills and valleys, drinking from its crystal springs, and picking its plentiful wild berries, I have long been enchanted by this prized gift of nature, this wonderful woodland of towering pines, mysterious paths, puzzling stone walls, gently flowing brooks, and white-tailed deer. When a few years ago I moved my residence to Blossom Road in Westport in the heart of the Watuppa Reservation, my attachment to the Watuppa woods was renewed, and I soon began exploring both the forests and the history of the area. And there is much to explore. Beyond the abundant wild life and the extraordinary array of plant life, many vestiges of this area's earlier years—foundations, outbuildings, gardens, wells, burial sites, land markers, fences, stone walls—are scattered through the woodlands. The real estate all around North Watuppa Pond and in much of the remainder of the reservation had been in private hands until the early 1900s. Personal residences from simple farm houses to stately mansions circled the pond, and businesses from ice harvesting to gravel hauling operated on the pond itself. In addition, private clubs, picnic grounds, camp sites, and boat houses dotted the shoreline, and boating, fishing, swimming, and ice skating were common sights on the pond.

But what a far different picture exists today—and for all of my lifetime. Just about all of the land around the pond now belongs to the city of Fall River, it having been taken for the protection of the city's water supply. All commercial and recreational activities on the pond are forbidden, and virtually all of the development that had taken place around North Watuppa Pond has not only been arrested but eradicated too. In a matter of a few decades, Fall River's Reservoir Commission returned the Watuppa watershed to pre-colonial times, to the days when the Wampanoags lorded over these lands. Buildings were demolished, forests were regrown, brooks and streams were renewed, and North Pond was reclaimed from its many private owners. And how fortunate Fall River is that these actions were taken. For of all the many assets Fall River possesses, none is more valuable than the Watuppa Reservation, a 7000-acre natural treasure silently standing guard over the city's drinking water.

My objective here is to chronicle how the magnificent Watuppa Reservation came to be, and how Fall River's foresight and perseverance of 100 years ago was responsible for creating this unrivaled municipal jewel. Attention is also given to a related matter—the controversy



surrounding the former Fall River Indian Reservation, a 195-acre site that bordered North Watuppa Pond. Some 100 acres of this Indian land fell within the pond's watershed, and in 1907 this acreage was taken from the Indians by the city of Fall River through a special act of the Massachusetts Legislature.

Much of the material presented here has been taken from one-of-a-kind documents in the possession of the Fall River Water Department. The cooperation and generous assistance of Mr. Joseph Rego, Fall River's Administrator of Public Utilities, both in making these documents available to the author and in proffering his own personal views on some of the matters discussed herein, are gratefully acknowledged. Also, appreciation is extended to the Reference Room Staff at the Main Branch of the Fall River Public Library—particularly, Ms. Mary Reynolds—for their courteous help. Finally, I'd like to thank my wife Patricia and my daughter Julia, without whose urgings these words would never have been written.



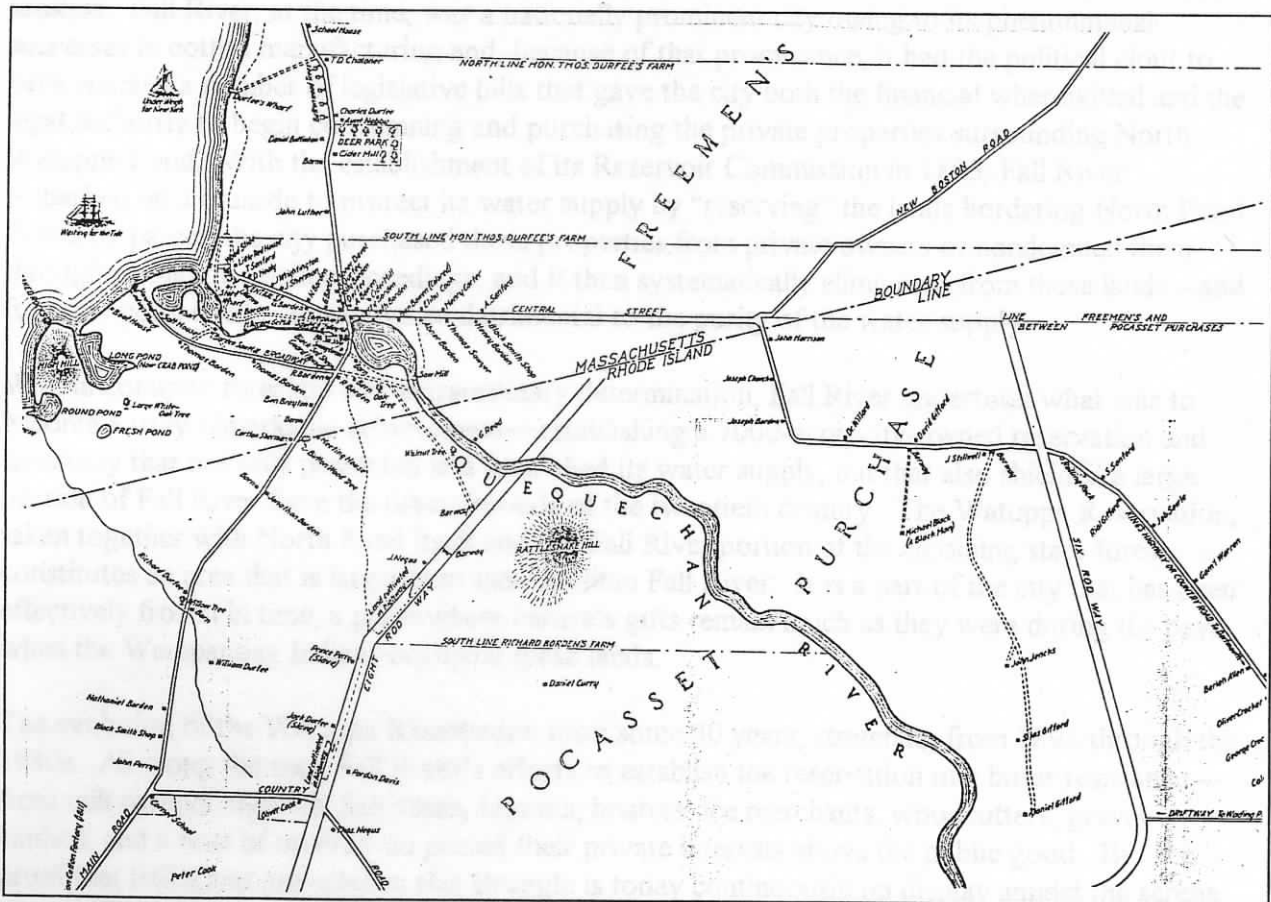
Map of Fall River about 1840

# FALL RIVER'S WATUPPA RESERVATION: A BRIEF ACCOUNT OF ITS ORIGIN AND EVOLUTION INCLUDING A PROFILE OF THE FALL RIVER INDIAN RESERVATION

## I. Introduction

When the tiny village of Fallriver was incorporated a town in 1803, most of its 100 or so inhabitants lived in close proximity to the Quequechan River—the 2-mile-long “falling river” that gave the village its name. These early Fallriverites used the water of the Quequechan, which flowed from the pristine Watuppa Ponds, for diverse purposes; they drank it, they fished in it, they bathed and swam in it, and they employed its currents for powering their grist mills and saw mills.

In 1813, when the town's first cotton factory was built, it too was naturally situated along the river, where the steadily flowing waters powered the factory's machinery. By 1834, the town had gone through two name changes (from Fallriver to Troy to Fall River), and its population had grown to more than 3000 people. As Fall River grew, so did the demands placed on the waters of its outlying ponds and namesake river. By 1840, with eight cotton factories operating in town, and with the number of townsfolk having more than doubled to some 6700, Fall River was



Map of Fall River about 1840 [1].

already heavily dependent on the waters flowing down the Quequechan River. But that was barely the tip of the spindle. When Fall River was incorporated a city in 1854, its population had swelled to 12,700. By 1880, more than 50 cotton mills were in operation in the city, all of them reliant on the waters of the Watuppa Ponds and the Quequechan River for their survival. [2]

Thus, from its very beginnings, the history of Fall River has been closely linked both to the river that runs through the city and to the source of that river—the Watuppa Ponds. Located some two miles east of Fall River's downtown, the Watuppa Ponds were originally one large inland lake. In the early 1800s, the first action toward dividing the lake into separate North and South Ponds occurred when stepping stones were laid across the pond at what was known as "the Narrows," a shoal area located about equidistant from the lake's north and south ends. Later, a "turnpike" was built, and the 7-mile-long lake was forever divided into two bodies of water, although a culvert still connected the two ponds.

The South Pond was that part of the original lake from which the Quequechan River issued. It provided the millions of gallons of water that rushed down river, powering Fall River's cotton manufactories. As the source of Fall River's mill stream, South Pond's fate was forever sealed in the service of the cotton weaving industry.

The North Watuppa Pond too was under the control of the cotton mill owners, and it was not with a little difficulty that North Pond was later ransomed from the clutches of Fall River's water brokers. Fall River, at the time, was a nationally prominent city owing to its phenomenal successes in cotton manufacturing and, because of that prominence, it had the political clout to have enacted a number of legislative bills that gave the city both the financial wherewithal and the legal authority to begin condemning and purchasing the private properties surrounding North Watuppa Pond. With the establishment of its Reservoir Commission in 1895, Fall River embarked on a crusade to protect its water supply by "reserving" the lands bordering North Pond. Parcel by parcel, the city purchased these properties from private owners or condemned them through eminent domain proceedings, and it then systematically eliminated from these lands—and from the pond itself—any activities detrimental to the purity of the water supply.

With uncommon foresight and extraordinary determination, Fall River undertook what was to become a truly remarkable achievement—establishing a 7000-acre, city-owned reservation and sanctuary that not only protected and nourished its water supply, but that also shielded a large portion of Fall River from the urban inroads of the twentieth century. The Watuppa Reservation, taken together with North Pond itself and the Fall River portion of the adjoining state forest, constitutes an area that is larger than metropolitan Fall River. It is a part of the city that has been effectively frozen in time, a place where nature's gifts remain much as they were during the days when the Wampanoag Indians occupied these lands.

The evolution of the Watuppa Reservation took some 40 years, stretching from 1895 through the 1930s. All along the way, Fall River's efforts to establish the reservation met bitter resistance—from mill owners, farmers, fishermen, hunters, boaters, ice merchants, woodcutters, gravel haulers, and a host of others who placed their private interests above the public good. But the proof that Fall River prevailed in this struggle is today continuously on display amidst the serene surroundings and natural treasures of the Watuppa Reservation.

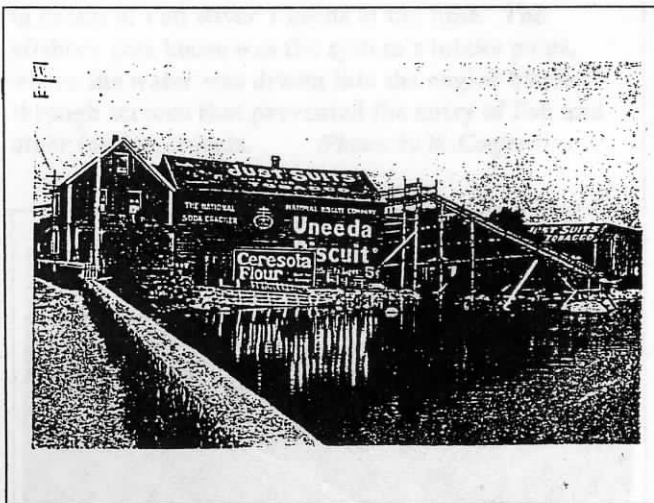
## II. The Struggle Over North Pond

Fall River's considerable success in the cotton industry was the consequence of a number of factors, not the least of which was the enormous water resources available in and around the city for water and steam power. Indeed, Fall River's gifts of nature—a large, safe, inland harbor and a series of large, fresh-water ponds lying just outside the city and feeding a 2-mile-long river that coursed through center city before falling precipitously to the tide waters of *Tehticut* (i.e., the Taunton River)—played a central role in the city's emergence as the world's cotton manufacturing center.

Both the North and South Watuppa Ponds, which together are more than 7 miles long and up to 1 mile wide, are fed by natural springs and streams that collect rainfall and runoff from the surrounding hills. At one time, North Pond alone had 10 streams flowing into it from the adjoining watershed. The South Pond is fed additionally by three smaller ponds (the Davol Pond in Westport, MA, and the Sawdy and Stafford Ponds in Tiverton, RI). Moreover, the North Watuppa naturally flowed into the South Watuppa, so that as the South Pond released its waters into the Quequechan River that water was an intermixture of all five ponds in the chain.

When at full level, the North Watuppa Pond covers some 2.8 square miles and holds more than 7 billion gallons of water. Its watershed area encompasses more than 11 square miles and includes thousands of acres of prime woodlands and undeveloped forest. These are the same lands that were once the province of the Wampanoag nation, the eastland Indian tribe that greeted and generously aided the fledgling colony of Pilgrims that landed at nearby Plymouth in 1620. The name *Watuppa* comes from the Wampanoags and means "the place of the boats."

In the first hundred years or so of Fall River's history, both of the Watuppa Ponds supported a great diversity of uses, beyond powering the city's cotton mills. Ice harvesting, fishing, logging, freight hauling, sand and gravel operations, recreational and commercial boating, swimming, ice skating, and picnic excursions were among the many activities that regularly took place on both ponds.



(Photo from [4])

Ice Houses on North Watuppa Pond Shore, Early 1900s

During this period, the rights to the waters of all ponds that fed the Quequechan River belonged to a group of mill owners, collectively known as the Watuppa Reservoir Company. This company was incorporated in 1826 by an act of the Massachusetts legislature for the purpose of "constructing a reservoir of water in the Watuppa Ponds" to assure a steady and continuing supply of water for Fall River's cotton manufacturing operations. The act allowed the Watuppa Reservoir Company to erect a new dam across the outlet of the ponds (i.e., on the Quequechan River) so as to

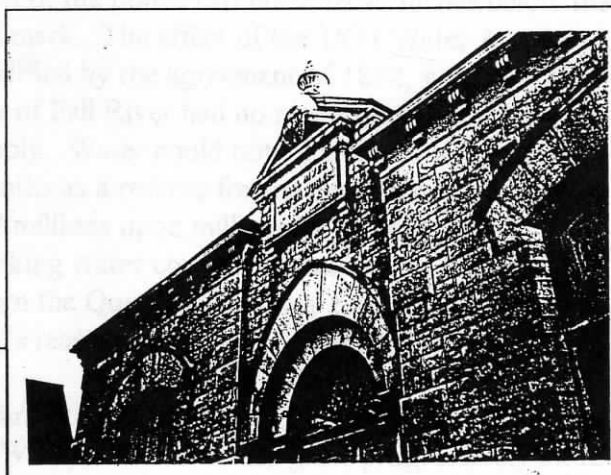
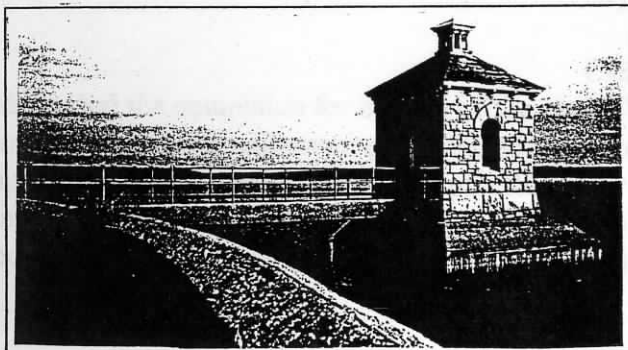


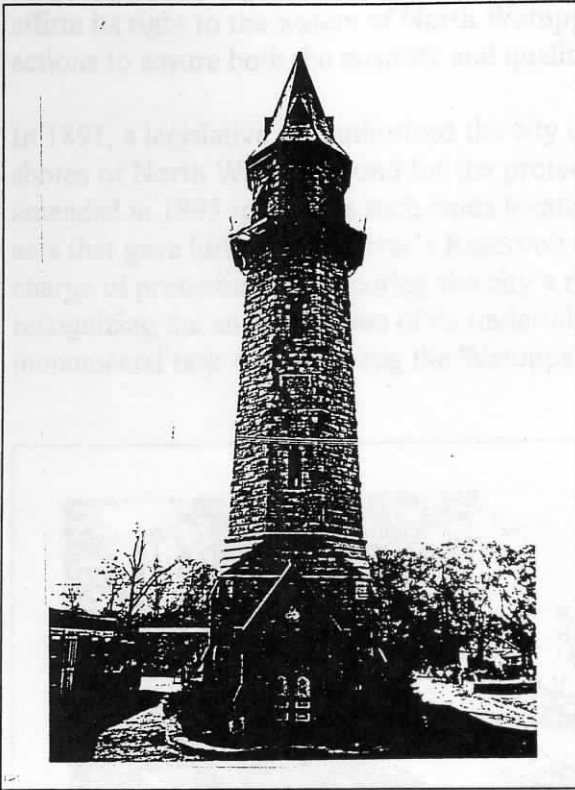
raise the water 2 feet higher, and it allowed the Company to draw off the reserved water in whatever quantities, at whatever time, and in whatever manner the company judged to be in the interest of all concerned. In effect, this act gave virtual control of Fall River's water resources to the cotton manufacturers who were shareholders in the Watuppa Reservoir Company.

As the city grew and its need for a water works system became obvious, Fall River's leaders settled on North Pond as the city's water source. The pond's location, the general sparsity of development in its drainage area, the quality of its water, and its potential for being segregated from the South Pond were among the factors in this decision. In 1871, to the consternation of the Watuppa Reservoir Company, the Massachusetts legislature passed the so-called "Water Act," which granted the city of Fall River the right to take a limited quantity of water for its domestic supply from the North Watuppa Pond. In the same year, the Board of Aldermen appointed Fall River's first Board of Water Commissioners, and they promptly initiated the process of providing the city with a water works system. Earlier, in November 1870, the city had purchased from Jonathan and William Slade some 48 acres of land on the western shore of North Pond. This "water works lot," purchased at a cost of \$21,000, was to become the site of the city's pumping station. In the fall of 1871, what is now the upper part of Bedford Street was constructed and extended to the site, and in 1872 foundations were laid for the water works buildings—the engine house, boiler house, and coal house. These buildings were completed in 1873, along with the system's gate house, their construction being largely of Fall River granite that was quarried in the immediate vicinity. All of this work was financed through the issue and sale of water supply bonds.

Henry Earl, in his 1877 *Centennial History of Fall River*, described the city's then-new system of public water works as one that was regarded by engineers as "most perfect, both in design and construction...." [3] Since it was able to provide more than 8 million gallons of the North Watuppa's pure water each day, clearly, the Fall River Water Works was designed in anticipation

At right, the facade of the water works engine house. Below, the gate house. The two engines installed in the engine house were capable of pumping more than 8 million gallons of water in 24 hours, which was far in excess of Fall River's needs at the time. The offshore gate house was the system's intake point, where the water was drawn into the engine house through screens that prevented the entry of fish and other foreign objects. (Photos by W. Conforti)





*(Photo by W. Conforti)*

A salient feature of the Fall River Water Works is its majestic water tower, erected at the summit of Bedford Street. Some 121 feet tall from its base to the top of its steeple and built of Fall River granite, it houses two 42-inch-diameter standpipes that at one time were an integral part of the water delivery system, each pipe serving to pressurize one of the two large water mains that ran down Bedford Street. Within the tower, a staircase spirals around the standpipes and leads to a balcony that is 72 feet up on the tower. At 324 feet above sea level, this balcony offers a commanding view of the countryside for miles in every direction. (The now-abandoned Fall River water tower and engine house are on the National Register of Historic Places.)

of continued growth. During 1874, the first full year in which the system was operating, Fall River's domestic water demands were a mere half-million gallons per day.

The waters of North Watuppa Pond were still at that time an important factor in Fall River's cotton manufacturing, and they were still largely under the private control of the Watuppa Reservoir Company.

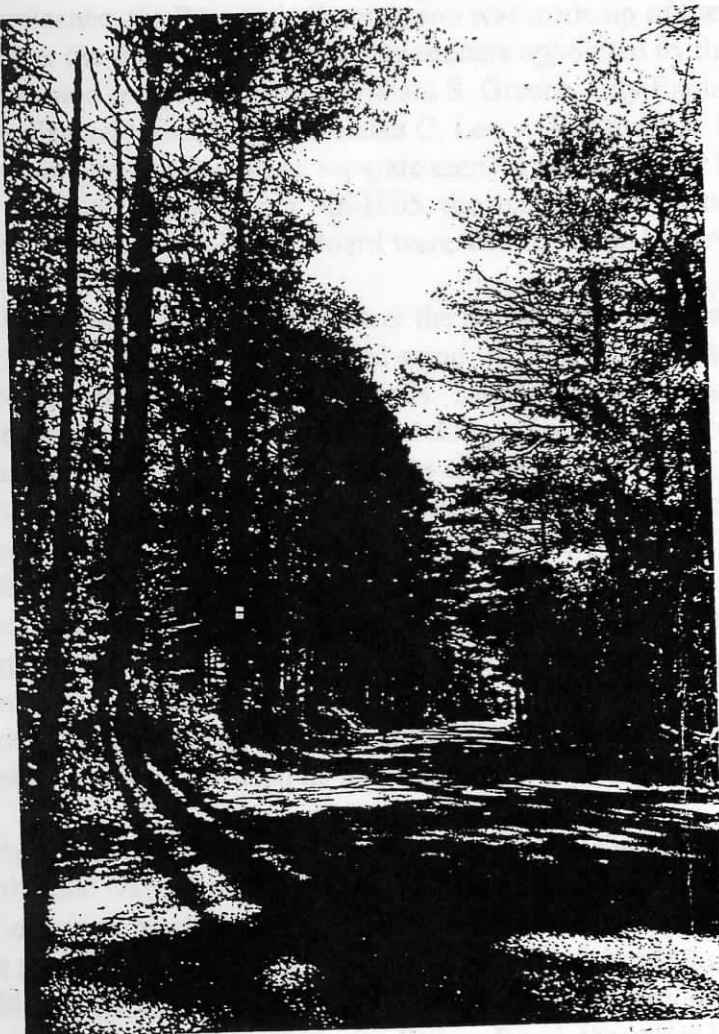
In the 1871 Water Act, the mill owners' interests had been well protected. One provision of the act required that whenever the level of South Pond was 12 inches or more below full, and the water of North Pond was not more than 6 feet below full, the city could not maintain North Pond more than 1 inch above the level of South Pond, thus ensuring the mills a constant source of water even when the North Pond was in a near-drought status. Some 20 years later (in June of 1892) the city and the Watuppa Reservoir Company would reach a new agreement that was not much better—at least from the city's perspective. The 1892 agreement stated that no limit could be placed on the amount of water drawn by the mills until the level of the ponds had fallen to 40 inches below the full mark. The effect of the 1871 Water Act, as modified by the agreement of 1892, was that the city of Fall River had no real control over its water supply. Water could not be stored during the wet months as a reserve for the droughts of summer, and millions upon millions of gallons of pure drinking water could flow into South Pond and down the Quequechan River every day even as the city's reservoir approached dangerously low levels.

Clearly, this was a situation the city could not abide, and the contention for control of the North Watuppa Pond waters grew progressively more intense. While the mill owners recognized the need of a growing city for a steady and reliable supply of drinking water, their Watuppa Reservoir Company allowed Fall River to tap only a limited quantity of North Pond water, all the while reserving for manufacturing operations a boundless supply, unfettered by considerations of the common good or of climatic conditions.



As the collision of public and private interests continued into the mid-1890's, Fall River began to affirm its right to the waters of North Watuppa Pond and soon undertook a number of purposeful actions to ensure both the quantity and quality of its drinking water.

In 1891, a legislative act authorized the city of Fall River the right to begin taking land along the shores of North Watuppa Pond for the protection of the city's water supply. This act was amended in 1895 to include such lands located in the town of Westport. It was these legislative acts that gave birth to Fall River's Reservoir Commission, the municipal body that boldly took charge of protecting and securing the city's rights to North Watuppa Pond. Perhaps never truly recognizing the enormousness of its undertaking, the Reservoir Commission began the monumental task of assembling the Watuppa Reservation.



*(Photo by W. Conforti)*

A view looking south on Blossom Road, one of the pastoral routes through the Watuppa Reservation.

### III. The Reservoir Commission—Architects of the Watuppa Reservation

Fall River's Reservoir Commission was established by city ordinance in 1895 and "to them was intrusted the work of protecting the purity of the city's water supply." [4] At that time, the city's Board of Water Commissioners (later to be called the Watuppa Water Board) had been in existence for nearly 25 years. This board ran the Water Department and was officially responsible for water works operations and for North Watuppa Pond. With the establishment of the Reservoir Commission, however, the Water Board took a back seat in the drive to wrest control of North Pond from Fall River's cotton manufacturers. It was the Reservoir Commission that took the lead, both in protecting the North Pond's water and in championing the city's claim to exclusive rights to that water.

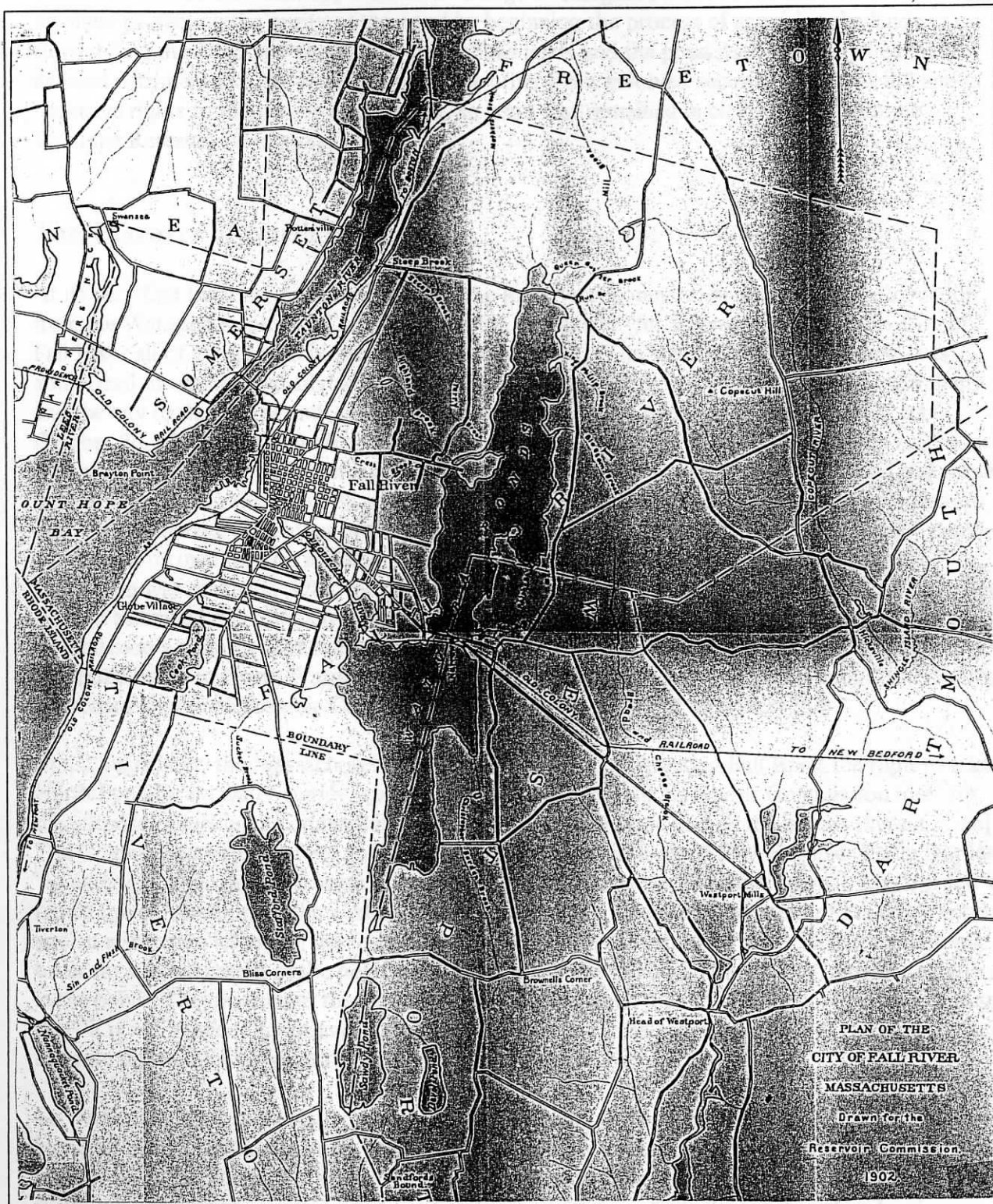
By ordinance, the Reservoir Commission was made up of the Mayor (as chairman), the City Engineer (as clerk), and three commissioners appointed by the mayor. The city's first Reservoir Commission comprised Mayor William S. Greene, City Engineer Philip D. Borden, George H. Eddy, Samuel Watson, and Jeremiah C. Leary. For the first 10 years of its existence, the Reservoir Commission was a separate entity from the Water Board, whose three members were also appointed by the mayor. In 1905, the makeup of the Commission was altered so that the three members of the Water Board were also the three Reservoir Commissioners.

The Commission's charge to protect the purity of the city's water supply was no simple matter. The North Watuppa Pond included some 10 miles of sinuous shoreline, and the lands all along this shoreline were largely in private hands. Moreover, in the absence of any existing regulations, the landowners on the pond were used to doing whatever and however they pleased with their piece of the shoreline. On the west side (the city side) of the pond, Fall River's growing metropolis was encroaching on the pond's watershed and several of the pond's west side feeder streams were already in jeopardy of contamination, notably Cress Brook, Highland Brook, and Terry Brook. On the east side (the Westport side\*), farm animals wandered freely in the pond, and fertilizer, animal wastes, and nightsoil dumping fouled the pond and its feeder streams; a Westport slaughterhouse on Blossom Road was a particular source of pollution of North Nat Brook, which flows into the southeast corner of North Pond. On the pond itself, swimming, boating, fishing, logging, freight hauling, sand and gravel operations, ice cutting, and many other activities were all ongoing, and each involved its own potential for pollution of the drinking water.

At the time the Reservoir Commission came into being, Fall River owned very little land in the North Pond watershed, other than the water works lot. The city did own a small (half-acre) former school house lot on Blossom Road, which it had purchased from an Eli Wordell in 1839 for a mere \$5.00. (For some reason, 24 years later in 1863 the city paid a Thomas J. Pettay an additional \$52.13 for the same lot.) Additionally, the city owned two 1-acre former gravel lots, one on Meridian Street and one on Wilson Road; these lots had been purchased in 1871 and 1873, respectively, for \$500.00 and \$400.00.

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\*The term "Westport side" is a misnomer, as only about one-third of the North Watuppa's east side shoreline is in the town of Westport, the remaining two-thirds being in Fall River.



Map of the city of Fall River in the early 1900s, showing the Watuppa Ponds and their feeder brooks, and the creeping urban expansion on the west shore of the North Pond. [5]



The Reservoir Commission approached its charge to safeguard North Pond on two fronts. One involved protecting the purity of the pond by beginning the process of acquiring the lands surrounding the pond and eliminating from those lands and the pond itself any activities that it deemed detrimental to the water supply. The other front involved securing the city's full and exclusive rights to the waters of the pond, an issue that remained in clear dispute with the Watuppa Reservoir Company.

## **The Takeover of North Pond**

At its very first meeting, on June 10, 1895, the Reservoir Commission discussed "a proposition from the Watuppa Reservoir Company agreeing to transfer (for a consideration) to the City of Fall River all of its rights in North Watuppa Pond..."[6] The chairman, Mayor Greene, was authorized to obtain legal advice as to the respective rights of the Watuppa Reservoir Company and the city to the shores and waters of the pond under the agreement of June 6, 1892. On October 26, 1895, the Commission requested that the City Solicitor write to the Reservoir Company saying that the Commission had considered the mill owners' proposition and had some questions regarding the assumption of certain liabilities of the company and also some questions concerning flowage rights that might need further investigation. The Commission further asked that two of its members be allowed to examine the records of the company before a final conclusion was reached. After the mill owners granted this permission, Commissioners Eddy and Borden examined the company's books in December 1895. No mention is made in the Commission's minutes of the results of this examination, and, indeed, the question of the contested rights to North Watuppa Pond seemed to be disregarded—or at least not discussed for the record—by the Reservoir Commission for a lengthy period of time thereafter.

But, 2 years later, the Massachusetts legislature passed a bill granting Fall River the right to take North Pond for its water supply, and on December 6, 1897 the Reservoir Commission met "for the purpose of making a condemnation of North Watuppa Pond and all the islands therein..." [6] The Commission voted to take and hold North Pond, and it directed City Engineer Philip Borden "to enter and take due possession ... and to report his doings to the Commission." Mr. Borden's report (given verbatim on the next page) embodies both a legal announcement of the city's action and an instructive lesson on the former geography of North Watuppa Pond. The Commission's order for condemnation of the pond made due note of the Watuppa Reservoir Company's rights in the pond. The order cited the agreement of 1892 between the city and the mill owners, stating that "it is not intended by this act of condemnation to vary the provisions of (the agreement) or to increase the amount of water to be taken and used by (the city)."

So, while Fall River had legal possession of North Pond, together with full authority to control activities in and around the pond, some pivotal questions regarding the water itself remained unresolved. The Watuppa Reservoir Company still had flowage rights to North Pond water; Fall River still had a ceiling on the quantity of water it could draw from the pond; and under the existing agreement the city could not store any appreciable amount of water in the pond for use in the dry seasons of summer and fall.

City of Fall River  
Office of Reservoir Commission  
December 6, 1897

Report of the City Engineer on the Taking of North Watuppa Pond

On said day in behalf of said City and by direction of its Reservoir Commission, accompanied by George H. Eddy, Samuel Watson, and Michael Sweeney, I went to the North Watuppa Pond and entered upon and took possession in behalf of said City, of all the premises ... and inspected the waters, examined and perambulated many of the bounds and outlines, drove certain stakes, went upon and took possession of each and every island by turf and twig, did other acts of possession in the premises described; and publicly announced to all persons that I entered and took possession as aforesaid, and that in so doing no right of said City was waived. As some of the Islands had not been named, I did then and there give to them names as follows: The Island north of the Wilson Road, I named North Island, it being the most northerly Island in the pond. To reach this island it was necessary to push the boat much of the way through mud, and many times the boat brought up on submerged tree trunks, and I was obliged to step out of the boat and lift and push the boat into clear water. The most westerly Island at Phillips Swamp I named Hook Island. On the island next east of and near said Hook Island, cranberries were found, and it was named Cranberry Island. The island northeasterly from Cranberry Island and nearest the shore, I called Bog Island. The little island between Cranberry and Bog Island I did not name. The island in the westerly part of the pond near "Interlachen" has been known as "Peleg's Island" and said name was confirmed. An old building standing on this island I tore to pieces and threw upon the ground. The island a short distance northerly from Ralph's Neck I called Ralph's Island. The two islands in the westerly side of cove a short distance east of Ralph's Neck I named Lom(?) Islands. The little island on the easterly side of the last named cove, I did not name. The island in the westerly part of said pond and nearly opposite Locust Street, I named Barren Island, and that next south I named Rock Island.

\*\*\*\*\*

s/Philip D. Borden  
City Engineer.

- Notes 1. This report is taken from the minutes of the Reservoir Commission's meetings. [6] The Commission's meeting minutes span three volumes [6,7,8] comprising some 900 pages, much of which is recorded in Philip D. Borden's long hand—which, incidentally, is every bit as neat as the computer script used above.
2. Mr. Borden goes on in his report to explain that he has caused notice of his taking of the pond to be filed and recorded in the Registries of Deeds at Fall River and New Bedford, that he has published the same notice in the *Fall River Daily Evening News*, and that he has mailed copies to each and every name in a list annexed to his report. The annexed list comprises 102 names and addresses of parties presumably either owning property abutting the pond or having some rights to the pond's waters.
3. Many of the islands cited in Mr. Borden's report disappeared from view as the city raised the level of the pond's waters in subsequent years. Interestingly, however, with the low levels of North Watuppa Pond during the drought of 1995, many of these islands re-emerged.

Despite these critical questions, the issue of North Watuppa Pond water rights again seemed to fade into the background in the ensuing years, as the Reservoir Commission undertook the huge job of acquiring and managing the land around the pond. In fact, it wasn't until 18 years later, in 1916, that the water rights issue began to again be seriously discussed by the Reservoir Commission members. In June of that year, the Commission received a letter from the Watuppa Reservoir Company asking for a conference relative to the rights to North Pond, and later that month the Commission met with representatives of the company at City Hall. The mill owners proposed an agreement whereby the city would take possession of all the rights to North Pond in exchange for, among other things, monetary damages to be decided by an ad hoc arbitration board, as well as the city's sharing in the cost of a proposed dam and pumping station at the so-called Sand Bar on South Watuppa Pond. Out of that meeting came a recommendation from the Reservoir Commission that the Board of Aldermen adopt an order authorizing the Mayor to proceed to take possession of all the rights, title, and interest of the Reservoir Company to the waters of North Watuppa Pond, with any claims for damages to be submitted to a board of arbitration. On June 19, the Board of Aldermen generally accepted this proposed agreement but ordered that any decision by the arbitration board would not be binding on the city. In turn, the Watuppa Reservoir Company rejected the aldermen's action, claiming that they had unfairly altered the agreement and resolving to stand by the original agreement.

One can reasonably infer from this proposed agreement that the mill owners were beginning to see the handwriting on the wall. By 1916, the Reservoir Commission, as will be detailed in the next section, was overseeing a rapidly expanding Watuppa Reservation and was steadily tightening its grip on North Watuppa Pond activities. The Commission was a powerful force in pursuit of an admirable cause, and that combination of factors bred the type of confidence that made no obstacle insurmountable. The mill owners had to see that their hold on the rights to North Pond was a tenuous one, and that it would behoove them to make a deal sooner rather than later.

In October 1917, the Reservoir Commission sent a letter of warning to the Watuppa Reservoir Company and other riparian owners along the Quequechan River advising that at any time the city may decide to prevent the flow of water from North Pond to South Pond in order to avert a shortage of the city's water supply. This brash action was, in effect, a declaration that the city would no longer abide by the agreement of 1892.

Over the next 2 years, the city and the Watuppa Reservoir Company exchanged proposals and counterproposals several times regarding the termination of the mill owners' rights to North Pond. At one point, the Reservoir Commission authorized the Mayor to offer \$75,000 for the termination of the agreement of 1892 and for all right, title, and interest of the mill owners in the pond. After much wrangling, posturing, and negotiation between the parties, the Watuppa Reservoir Company on January 9, 1919 presented a formal seven-point proposal by which it would convey to the city its rights to North Pond; this proposal included \$75,000 in cash payments to the Watuppa Reservoir Company and the other riparian owners as follows:

\$12,500.00	Watuppa Reservoir Company
\$ 7,936.45	Troy Cotton and Woolen Manufactory
\$48,563.68	Pocasset Manufacturing Company
\$ 5,999.87	Massasoit Manufacturing Company.



On May 3, 1920, Fall River's Board of Aldermen approved the agreement, and the city finally had secured full control and exclusive rights to North Watuppa Pond.

### **The Piece-by-Piece Assembling of the Watuppa Reservation**

Armed with substantial sums of money raised by the city from the sale of water supply bonds, and backed with authority granted both by Massachusetts law and city ordinance, the Reservoir Commission embarked on a 36-year-long struggle to secure the shores of North Watuppa Pond by acquiring for the city thousands of acres of land around the pond. The Commission's efforts to purchase these lands were filled with controversy, dispute, and debate, and they were accompanied by a flood of litigation from private parties dissatisfied either with the Commission's tactics or with its judgment and actions. Many businesses operating on and near the pond viewed the Commission's work as needless and useless governmental intrusion into private affairs—an inept environmental crusade, and they didn't hesitate either to use their political influence to impede the Commission's work or to bring suit when all else failed. Numerous landowners who felt coerced to sell their land or who felt they weren't getting a fair price also sued the Commission. Others tried to take advantage of the circumstances, offering their properties to the Commission at inflated prices, and hoping to pocket a financial windfall from a municipal board that some viewed as a "golden goose." As the Commission routinely rejected such inflated offers, it made regular additions to the growing list of its detractors and adversaries.

The Reservoir Commission was regularly and roundly assailed and vilified in both the media and the courts. It was variously portrayed as bumbling and incompetent, corrupt and dishonest, cold and callous, and authoritative and intimidating. But, in truth, much of this opprobrium was unjustified, it being largely the predictable byproduct of private interests losing out to public interests. While the Commission, like any other government board, obviously made some poor decisions, and while there were undoubtedly some decisions tainted by political considerations and some dealings that hinted of insider connections, as well as some apparent conflicts of interest, the overall record shows that the Reservoir Commission was not the incompetent, unscrupulous, bureaucratic board that its critics claimed. Throughout its tenure, and through all the changes of mayoral administrations and appointments of new members, the Commission was staffed by knowledgeable and able persons; it was reasonably consistent in its decision-making; it was at times hard-nosed but at other times compassionate; and it was unquestionably dedicated to its chartered objective of protecting North Watuppa Pond.

**Land Propositions and Prices.** Before describing the Reservoir Commission's myriad land transactions, it would be instructive to note how the Commission proceeded with regard to making its real estate deals and setting upon of prices. Most of the hundreds of parcels obtained by the Commission were purchased for cash from their owners; a much smaller number were obtained through condemnation proceedings (i.e., having the courts pronounce them unfit for use), where cash sometimes was paid and sometimes was not. Once it began acquiring pond lands, the Commission was frequently approached by many owners eager to sell, and these owners would ask the Commission to name a price it would be willing to pay for their land. But the Commission repeatedly refused to "name prices," and instead it would respond, "Make us a

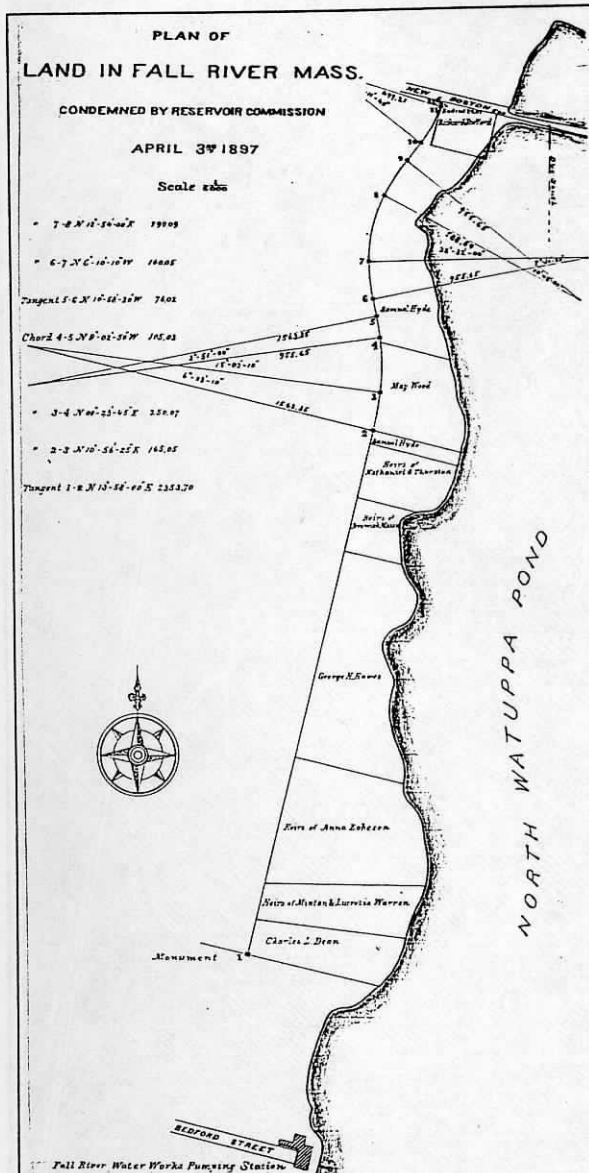
proposition and we'll consider it." [6] Such propositions would then be accepted or rejected, depending on whether, in the Commission's judgment, the price and other conditions of the offer were fair. Always a careful husbinder of the city's funds, the Commission would often make counter-offers to prospective sellers who either asked too much in price or attached too many expensive conditions to the sale. For example, early in 1903, a William F. Bennett offered to sell 3 acres of land to the Commission for \$1000 on the "condition that the city remove the bodies from said land, allow the tenant to occupy said premises until January 1, 1904, and grant the present owner the right to cut the wood on said premises until March 1, 1904." The Commission voted to accept this offer but without the obligation to remove the bodies. [6] At other times, the Commission would simply reject certain offers as not being in the interests of the city.

While not wanting to make itself seem too eager to buy, the Commission also didn't wish to be seen as indifferent; it wanted to let prospective sellers know that it was interested in receiving their proposals. From time to time, the Commission would instruct its real estate agent to visit owners of land bordering the pond and tell them they should make a proposition to the Commission. The agent was also instructed to apply some gentle pressure by telling the landowners that "unless a proposition is made within a reasonable time, no further action looking to purchase their lands will be made in the near future." [6]

The prices paid by the Commission for the parcels it bought varied greatly, depending of course on the size of the parcel, whether or not buildings or other improvements existed on the property, and the condition of the land (swampland, woodland, farmland). Aside from these obvious factors, however, a higher price was generally paid for those parcels on the city (west) side of the pond than for those on the east side. In the early years of the Commission's dealings, unimproved land on the west side of the pond was generally valued at \$200-\$400 per acre, while similar land on the east side generally brought considerably lower prices. Land bordering the so-called Pond Swamp, the marshland on the north side of the Wilson Road causeway, was valued at only \$20-\$25 per acre. Similarly, low land values were placed on parcels on the east side of the pond that were not contiguous with the pond (e.g., lots on the east side of Blossom Road, on Yellow Hill Road, and on Indiantown Road).

**Land Acquisition Begins.** Oddly enough, Fall River's Reservoir Commission began its work in Westport, when in March of 1896 it obtained the first eight pieces of the giant jigsaw puzzle that it was attempting to assemble. These eight parcels bordered Ralph's Brook on the Westport shore of the pond and covered some 60 acres; the parcels were condemned and their owners were paid approximately \$14,000 in settlement damages.

In April of 1897, the Commission condemned 17 more parcels of land, this time in Fall River, and again totaling some 60 acres. These lots were located on both sides of the water works site and extended along the west shore of the pond from New Boston Road on the north to near the Narrows on the south. The Commission paid some \$48,000 in settlement damages for these lands. (Because condemnation proceedings were lengthy, expensive, and disagreeable, the Commission tried to avoid this means of land acquisition, and it was quite successful in doing so. The great preponderance of the Commission's subsequent land takings were accomplished



Some of the first Fall River parcels condemned by the Reservoir Commission, April 1897. [6]

through volitional agreements with sellers, though many of these sellers were surely disinclined to part with their properties.)

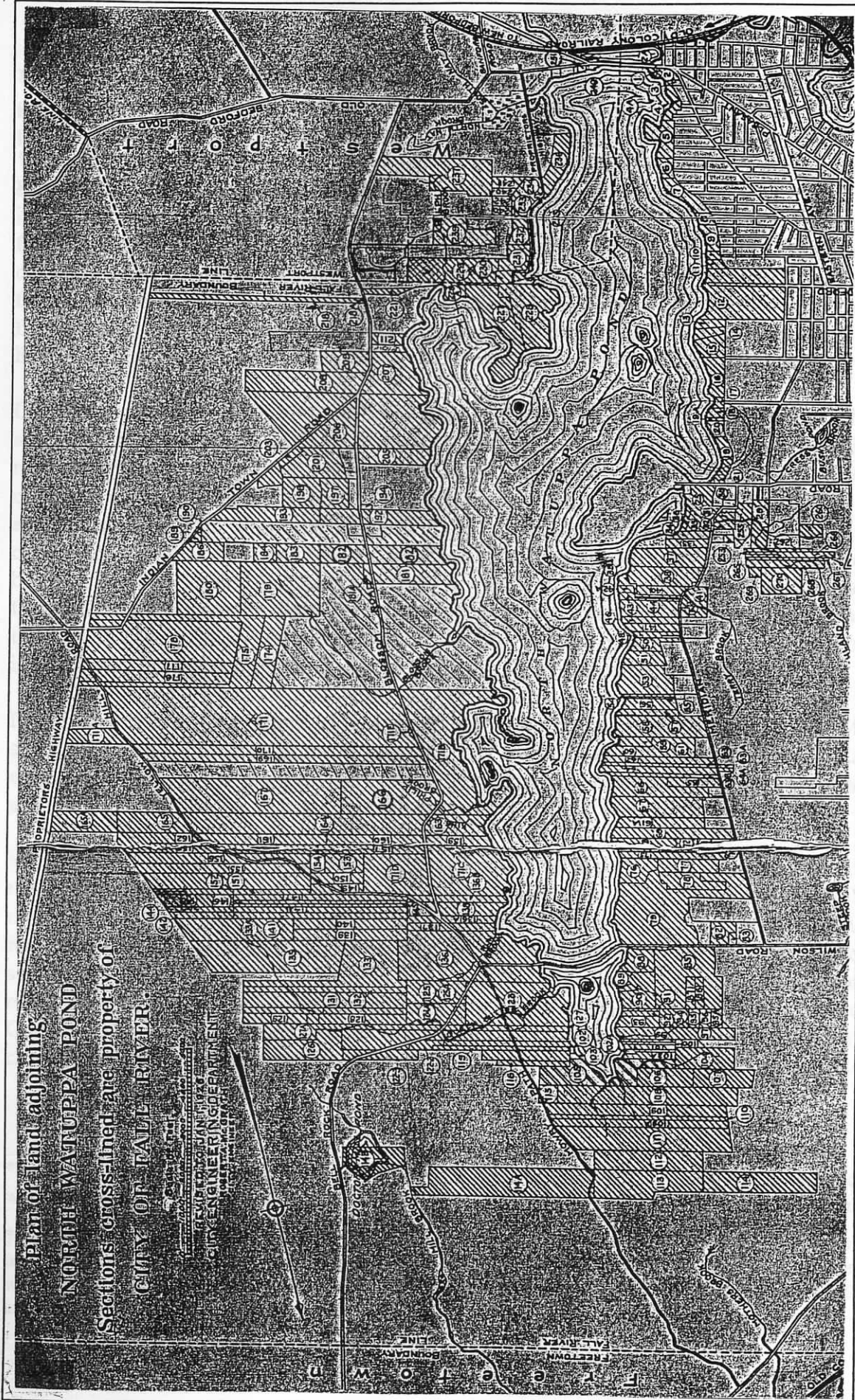
From 1898 through 1901, the Reservoir Commission purchased no real estate, probably because of a shortage of funds; but, in 1900, the Massachusetts legislature authorized the city to issue additional water bonds, and soon the Commission was actively back in the land acquisition business. Beginning in 1902, the Commission re-initiated and greatly accelerated its land taking. It acquired approximately 870 acres in 1902, some 550 acres in 1903, and a whopping 1000 acres in 1904, expending close to \$100,000 in total for these purchases. In virtually every year thereafter through 1925, the Commission continued to add to Fall River's holdings in the Watuppa Reservation, disbursing another \$200,000 to acquire hundreds of additional acres.

On January 1, 1926, the Reservoir Commission published a composite listing and map of city-owned property adjacent to North Watuppa Pond. [9] That listing showed that the Reservoir Commission through 1925 had acquired for the city, either through outright purchase or condemnation, more than 3300 acres of land around the pond, at a total cost of approximately \$360,000. Of course, the work of the Reservoir Commission continued for many years after 1925, and the city's land holdings continued to grow. Mr. Joseph Rego, Fall River's

Administrator of Public Utilities, reports that the city now owns more than 7000 acres in the Watuppa Reservation, which he estimates is 80 percent of the total North Watuppa Pond watershed. According to Mr. Rego, very few cities in the entire nation share with Fall River the distinction of owning and regulating so much of the catchment or drainage area of their drinking water supply.

Interestingly, when Fall River began purchasing the land along the shores of North Watuppa Pond in the 1890s, it had neglected to obtain the legal rights to the bed of the pond itself, "which rights were necessary to provide a reservoir in which to store a water supply." [5] In 1897, the city took legal possession of both all the water in the pond and the land under that water.





Map of Fall River's land holdings on the shores of North Watuppa Pond as of January 1, 1926. The cross-hatched parcels are those owned by the city. [9]

**Intercepting Drain.** Amidst of all of its land-taking activities and its management of an ever-growing reservation, the Reservoir Commission undertook another major project to further protect Fall River's water supply. In 1905, the total population living in the watershed of North Watuppa Pond amounted to some 3000 people, and some 2700 of these were concentrated on the Fall River side in the drainage area of the Cress, Highland, and Terry Brooks, all of which flowed into the North Watuppa Pond. Cress Brook, which was about 1.5 miles long, flowed easterly from the Stanley Street area, crossed New Boston Road, flowed through Oak Grove Cemetery, crossed Freelove Street and entered North Watuppa Pond. Highland Brook, nearly 3 miles long, flowed easterly across Meridian Street and then entered the pond in what was formerly known as Brightman's Cove, just north of Interlachen.\* Terry Brook flowed from a spring in the Wilson Road/Meridian Street area and entered North Pond near the outlet of Highland Brook.

Only about one-third of the 2700 residents living in the brooks' drainage area were served by the city's sewer system, the remaining two-thirds relying on cesspools, outhouses, and other primitive methods of handling household sewage. The dense population and the lack of sewers in this area, combined with the fact that the brooks' drainage area included two large cemeteries (Oak Grove and St. Patrick's), caused serious pollution of the brooks and threatened a similar contamination of the pond. In one of its early reports, the Reservoir Commission noted that the number of bodies interred at both St. Patrick's and Oak Grove Cemeteries was increasing rapidly,<sup>†</sup> and that there was "danger from the hasty burials of contagious cases and shallow graves." [4] Because of the large number of inhabitants in this part of the city, the cost of acquiring the lands and buildings in which they lived was prohibitive, so the Reservoir Commission sought other solutions.

In February of 1908, the Commission hired Arthur P. Safford, an engineer from Lowell, MA, to study the drainage problems of the brooks. Almost 4 years later to the day, after much study and engineering work by Mr. Safford, the Commission authorized him to proceed with preparation and plans for his "scheme 1" to protect the purity of the North Watuppa's water.

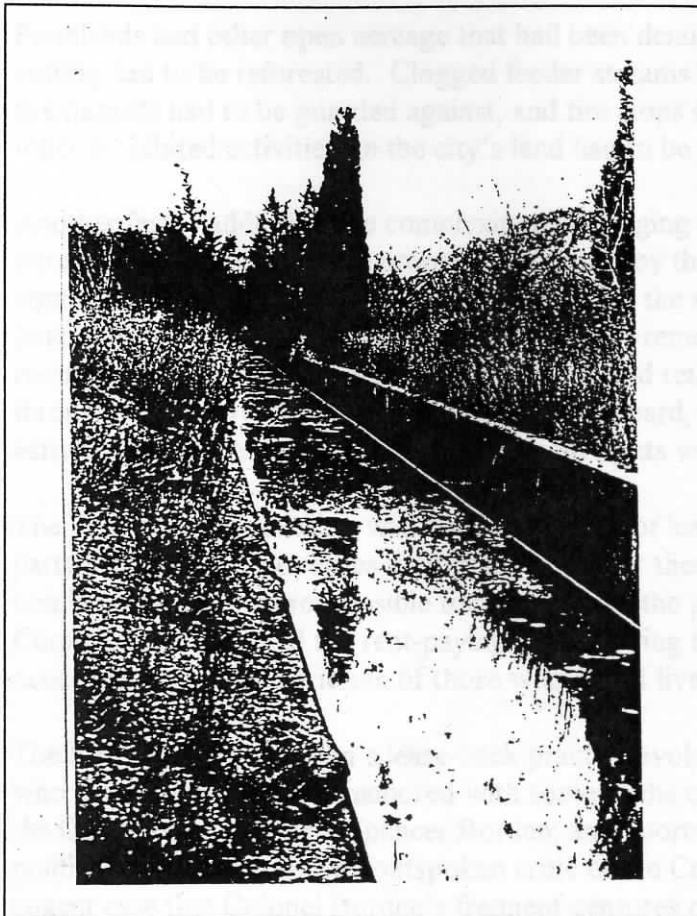
Mr. Safford's "scheme 1" involved the construction of a canal that would intercept the waters of the three polluted brooks and divert and carry them miles away to South Watuppa Pond. While this diversion would significantly reduce the quantity of water entering North Pond and thus reduce its safe daily yield by about 25 percent, the pollution danger to the pond was deemed serious enough that the water loss would be a lesser evil than the potential contamination of the entire water supply. In anticipation of constructing this so-called intercepting drain, the Reservoir Commission in 1911 had recommended that the city "in order to properly protect the purity of the city's water supply" take immediate action to purchase a strip of land from New Boston Road

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\*Interlachen, formerly the Cook Farm, was the name of the palatial estate of Colonel and Mrs. Spencer Borden; it was located on an island on the west shore of North Watuppa Pond. (See page 23 for more on Interlachen.)

†The commission reported that the number of bodies interred at St. Patrick's Cemetery was 3867 previous to 1902, and that this number had increased to 10,731 in 1909 and to more than 16,000 in 1911. At Oak Grove Cemetery, which was practically full by 1911 but was being enlarged, the number of bodies interred was some 14,000 in 1902 and nearly 19,000 in 1911. [4]





*(Photo by W. Conforti)*

A section of the intercepting drain near New Boston Road.

to the Narrows "of sufficient width to build a road and construct a sewer in which to collect the wash from...the west side of the pond and deliver same into the South Pond at the Narrows." [4] This "sewer" is what came to be known as the intercepting drain.

Put into operation in January of 1916 after 6 years of planning and some 2 years of construction, the intercepting drain is an open concrete conduit, 5 feet deep, that meanders for some 2.5 miles along the west shore of the pond. The drain is 6 feet across at its inlet on Meridian Street and gradually widens to 10 feet across at its outlet at the Narrows.

The cost of the drain's construction was considerably more than \$200,000, exclusive of the land damages involved, and exclusive of the controversy it caused. Critics labeled the drain another folly of the Reservoir Commission and a colossal waste of money. Some property owners affected by the diversion of the three brooks were in vehement opposition to the drain's construction, and they sought

damages from the city for, among other things, loss of riparian rights. Notably, Colonel and Mrs. Spencer Borden, prominent figures in the Fall River community who lived at "Interlachen," a substantial island estate on the North Watuppa Pond, were at the forefront of the opposition to this project. As will be discussed later, the Bordens were among the more outspoken detractors of the Reservoir Commission.

An unanticipated bonus connected with constructing the intercepting drain was that once it was completed and in operation, the city was able to sell some of the lands that it had previously acquired on the west side of the pond, as these lands no longer posed a threat to the purity of the North Pond.

**Managing the Reservation.** As Fall River's holdings in the Watuppa Reservation mounted into the hundreds of properties, the Reservoir Commission and Watuppa Water Board became the overseers of an expansive empire of lands and buildings that involved countless details of care and management. Vacated properties had to be secured and cleaned up; also, as many of these properties either were in poor condition or presented pollution perils, they had to be demolished.



Farmlands and other open acreage that had been denuded either by fire or by indiscriminate wood cutting had to be reforested. Clogged feeder streams had to be opened and maintained. Forest fire hazards had to be guarded against, and fire stops constructed. Unauthorized woodcutting and other prohibited activities on the city's land had to be monitored.

Another factor adding to the complexity of managing the reservation was the fact that many of the purchase agreements for the properties obtained by the city included provisions giving the sellers continuing rights for months and even years after the sale. These provisions covered a variety of limited rights, such as for cutting wood and hay, removing sand and gravel, farming the land, reserving of rights of way across the property, and retaining access to burial lots. The city, through the Reservoir Commission and Water Board, was responsible for monitoring these activities and for ensuring that these reserved rights were not abused.

The Reservoir Commission was also in the habit of leasing back, either to the seller or to a third party, some of the properties it purchased. Under these arrangements, the lessee paid the city a nominal rent and was responsible for maintaining the property in good condition. The Commission monitored the rent-paying, often having to pursue those who fell in arrears, and occasionally ordering eviction of those who didn't live up to the terms of their lease.

The Reservoir Commission's lease-back practice evoked much criticism, especially from those who weren't particularly enamored with some of the other actions and perceived shortcomings of the Commission. Colonel Spencer Borden, an important member of the Fall River business and political community, was an outspoken critic of the Commission, although one could make a cogent case that Colonel Borden's frequent censures of the Reservoir Commission and the Watuppa Water Board were less than objective. As a principal in the Fall River Bleachery on South Pond, and as the owner and occupier of a substantial estate on North Pond, Colonel Borden obviously had some very important business and personal concerns with the work of the Reservoir Commission. The Commission's active role in attempting to secure the city's rights to the waters of North Watuppa Pond had potentially serious implications for the Colonel's business interests, and the Commission's tightening control of activities on the pond directly threatened the Colonel's personal interests and avocations. Also, as the Commission's land-takings gradually locked up the shores of the pond in the city's possession, Colonel Borden's grand Interlachen estate stood out conspicuously among the remaining private properties, and he likely foresaw its eventual confiscation and control by a city board that he considered both foolhardy and misguided. There was also perhaps a political aspect to Colonel Borden's antagonism toward the Reservoir Commission. The Colonel was a member of the Fall River Board of Aldermen for a lengthy period in the early 1900s, and he was a blunt opponent of Mayor John T. Coughlin, under whose administration the Reservoir Commission had taken several reservation-related actions that sparked controversy from many in the community. Remember that the mayor was, *ex officio*, chairman of the Reservoir Commission. It is entirely probable that Colonel Borden let his political differences with Mayor Coughlin influence his perceptions of the Commission's work.

Whatever his motivations, Spencer Borden was clearly no fan of the Reservoir Commission, and his continual denunciations of its actions made the Commission's job of securing and managing the Watuppa Reservation considerably more bewildering than it already was.

As it tended to the many responsibilities of overseeing the reservation, the Commission also continued to consider offers for additional pieces of property. Commission members often spent long days scrutinizing offered properties, surveying ongoing work, and viewing and addressing problem areas. These activities were in addition to their frequent regular meetings, which were held sometimes five or six times each month. The hours and hours of unpaid personal time spent by the Reservoir Commission in assiduously attending to its duties are undeniable evidence of its devotion and commitment to the cause of the North Watuppa Pond and Reservation.

October 17, 1905

Commission met at 8 A.M. Present full board. In a carriage, the Commission proceeded to and around North Watuppa Pond, viewing various properties belonging to the City of Fall River. They also visited the Christopher Borden Brook (so called) and Davol Pond, returning to the city about 6 P.M. where a meeting was held....

\*\*\*\*\*

s/Philip D. Borden  
City Engineer

Excerpt from Reservoir Commission's Meeting Minutes: the Commission frequently spent long days on the reservation attending to city business. [6]

To carry out the many jobs embodied in its role as manager and landlord of the reservation, the Reservoir Commission began to employ some much needed help. Caretakers (and later armed reservation officers) were hired by the Commission to patrol the properties on the shores of the pond, enforcing the Commission's and Board of Health's rules and regulations, and guarding against any activities that might adversely affect the pond. And beyond the common problems of simple trespassing, dumping, and unauthorized woodcutting, these patrolmen had many other rules to enforce. By the early 1900s, boating, swimming, fishing,

To the Editor of the News:—One would think there was public outcry enough when the Old Colony Street Railway Company was allowed to cut a swath 50 feet wide through the Watuppa Reservation, so that the powers entrusted with its care by the citizens of Fall River would understand that the people were opposed to such vandalism. I am sorry to be compelled to call attention to an even worse outrage.

The fine pine trees of Blossom's Grove, one of the last remains of primeval forest within many miles of Fall River, a place hallowed in the memories of most of our older citizens, where excursions took us for lovely outings, have been sold to a dealer, who is cutting them down to feed into a sawmill; he has erected on the grounds. Can nothing be done to prevent such behavior on the part of our servants?

The whole scheme of so-called protection of our water has been marked with worse than folly from beginning to end.

Land has been purchased or acquired by condemnation that never was needed, and was no menace to the purity of the water in the hands of its original owners. To pay for these lands, bonds were issued, whose interest is met by taxation, the city owning the land that pays taxes no longer, and then the land is either leased to the original owners at less than the rate of interest on the bonds, or worse, leased to less thrifty people who are less able to pay or keep the land up.

One piece under my immediate observation is not leased at all; the gates are down and neighbors' cows graze on the land; the buildings are going to ruin; windows broken; doors unhung.

Worse yet, woodland, which in the possession of former owners was a protection of water supply, is denuded of wood, in stupid ideas of economy, large tracts of city land having been so stripped, allowing the sun to get in, drying up the springs and reducing the ability of the land to hold water.

And now someone is going to make a lot of money out of the pine grove at Blossom's.

I think it a competent question for the Watuppa Water Board to answer: For whose benefit is this forest destroyed? And how much has been sold of wood on the Watuppa Reservation? At what prices? How much more of the wood is to be cut on the city land? Is it intended to sell all the 200 or 300 acres of oak forest east of Blossom road to be destroyed, as well as the old pines, which it fears it is too late to save?  
Spencer Borden

A 1906 letter by Spencer Borden to the *Fall River Daily Herald* chastising the Reservoir Commission for its oversight of the Watuppa Reservation. [6]

and skating on the pond had been outlawed at the urging of both the state and the city Boards of Health, despite howls of protest from many quarters. Owing to strong protests and intervention by the Board of Aldermen, fishing from the shore of the pond was later allowed "by permit," but by 1920 it was again forbidden, and this time for good. Hunting on the reservation was outlawed in 1912, after much "gunning" was reported, whereupon the Commission adjudged that hunting presented a danger for the reservation men and for starting fires. In November of 1913, the Commission partially relented on this prohibition, allowing hunting north of Wilson Road and north and east of Yellow Hill Road.

The reservation patrolmen also were responsible for watching over the Commission's many tenants in the watershed, many of which kept animals on their properties. Tenants were often cited for allowing their animals to wander into pond waters, for letting animal manure accumulate in the watershed, and for importing swill onto reservation property. The Reservoir Commission regularly referred such matters to the city's Board of Health for action.

After seeking advice from private forestry consultants and from the State Forester, the Reservoir Commission hired its own full-time forester and a staff of laborers for the reservation. Their duties included growing and planting trees, opening fire lanes, establishing fire stops, tending to the reservation's agriculture, and fighting forest fires, among others. Beginning in 1911, the Commission undertook a major reforestation effort. Hundreds of acres of reservation land were planted, principally with white pine nursery stock, much of which was raised in the reservation's own nursery. At other times, the Commission purchased nursery stock—always from the lowest bidder—and sometimes in lots as large as 100,000 trees at a time. Within a few short years, much of the former farmlands and other open areas on the reservation were transformed into flourishing young forests of healthy white pine.

The Reservoir Commission and Water Board also maintained a good deal of reservation acreage for agricultural purposes. On these lands, the reservation laborers engaged in extensive farming operations, raising sizable herds of farm animals, and growing large quantities of vegetables. Most of the produce from these reservation farms was used at the city's General Hospital. The 1919 Reservation Commission minutes [8] give some indication of the substantial farming operations conducted by the city. In May of that year, the Forester was directed to plant the reservation farmlands as follows:

sweet corn	2 acres
potatoes	8 to 10 acres
beans	5 acres
oats	30 acres

Often, the city would have a surplus of a particular crop, and the Reservation Commission and Water Board would authorize the Mayor to distribute the surplus to various charities at his discretion. In 1918 and subsequent years, citizens were allowed to plant private gardens on the reservation under the supervision of the forester. But, by 1923, as the Commission exercised ever-increasing control over activities on the pond and reservation, it began to have second thoughts about the prudence of conducting widespread agricultural operations near the water



supply. In June of that year, it voted that all the city's cattle and sheep on the reservation be disposed of, that all unnecessary farming be discontinued, and that the reservation staff do "only that work which is necessary for the conservation and preservation of the reservation." [8]

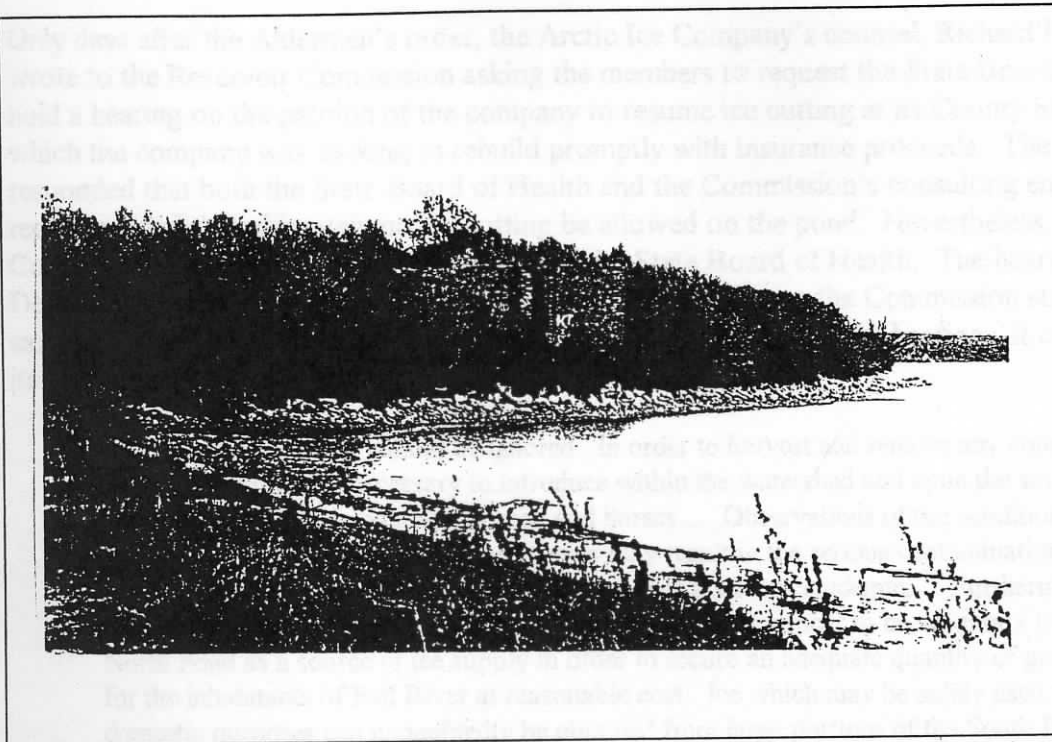
For a period of time in the early 1900s, the city and Reservoir Commission entertained some grand plans for the extensive reservation lands the city had acquired. (There was talk of constructing boulevards and establishing public parks and nature trails to make the lands accessible to the public.) The Adirondacks Grove and Blossom's Grove on the eastern shore of the pond were two of the focal points in these plans. Both of these groves had long been favorite and well-used picnic grounds, the sites of many excursions, outings, and field days by schools and other community groups. The city's plans for this type of reservation development, however, turned out to be short-lived, as concerns soon arose both over the cost of carrying out these projects and the potentially deleterious effects of a large public presence on the reservation.

**Ice Cutting Disappears.** Ice houses had operated on both the North and South Watuppa Ponds since as early as the mid-1800s. But, with Fall River's taking of North Pond for its drinking water, ice harvesting on the North Watuppa began a long, slow, contentious passage toward extinction.

Ice harvesting was an inherently dirty operation, very definitely presenting a pollution menace to the pond's waters. Large crews of men, assisted in the early days by teams of horses and later by gasoline-powered machines, would spend several weeks on the ice each January, working feverishly from morning until nightfall, cutting hundreds of tons of ice in huge blocks and moving them into the storage houses bordering the pond. The working animals, machinery, and other paraphernalia used in the ice cutting and hauling operations left various contaminants on the pond's ice and in its waters. Also, the ice-cutting operation was annual spectacle that drew many onlookers to the shores of the ponds, presenting further potential for contamination.

When Fall River took control of North Pond just before the turn of the 20th century, the Reservoir Commission almost immediately imposed a prohibition on the construction of new ice houses on the pond, and it began earnestly seeking to buy out existing ice operations. At that time ice harvesters on the North Watuppa included the Ouellette Ice House, the Lassonde Ice House, the Durfee Ice House, the Crystal Ice Company, the North Pond Ice Company, and the Arctic Ice and Cold Storage Company. The ice house operators were understandably reluctant to give up their businesses, and they waged a long battle with the Commission seeking to preserve their livelihoods. They enlisted help in this battle from many quarters. The Board of Aldermen were induced to intervene, and various members of the business community began to pressure the Commission to allow continued ice harvesting on North Watuppa Pond. It was, however, a battle that the icemen were destined to lose, sooner or later, as the mounting momentum for safeguarding North Pond was clearly too powerful to reverse.

In February of 1913, the North Pond Ice Company, located north of Interlachen off Meridian Street, gave up in its long fight with the city over ice cutting, and it sold the company's property to the Reservoir Commission for \$10,000. This sale was a harbinger of the string of ice house closings to come.



*(Photo by W. Conforti)*

The remains of the Arctic Ice and Cold Storage Co.'s ice house on the North Watuppa Pond near Interlachen.

The Arctic Ice and Cold Storage Company was among the several other ice harvesters still operating on North Watuppa Pond; it ran two ice houses on the western shore of the pond, one on County Street and the other on the New Boston Road approach to Interlachen. (The remains of the latter ice house can still be seen along Interstate Route 24.) The company's County Street ice house had been destroyed by fire in July of 1912, and the Reservoir Commission had refused to allow it to be rebuilt, citing advice from the Massachusetts Board of Health that ice cutting should not be permitted on ponds used for drinking water.

The Board of Aldermen, choosing to ignore the advice of the State Board of Health and bending to obvious pressure from the ice cutters, passed the following order on October 8, 1913 [7]:

Ordered that the Reservoir Commission be, and is hereby requested, to remove the prohibition on the construction of (ice) houses on the shores of the North Watuppa Pond for the storage of ice cut thereon, and to lease city ground abutting the pond for the purpose of facilitating the furnishing of an adequate supply of cheap and pure ice for the people of the City.

This order, passed by the body charged with ensuring the well-being of the city, was wholly inimical to the interests of the water supply and thoroughly at cross-purposes with the previous actions of the Reservoir Commission and Water Board. Appropriately, the Reservoir Commission simply ignored it.

Only days after the Aldermen's order, the Arctic Ice Company's counsel, Richard P. Borden, wrote to the Reservoir Commission asking the members to request the State Board of Health to hold a hearing on the petition of the company to resume ice cutting at its County Street property, which the company was seeking to rebuild promptly with insurance proceeds. The Commission responded that both the State Board of Health and the Commission's consulting engineer have recommended that ultimately no ice cutting be allowed on the pond. Nevertheless, the Commission agreed to request a hearing with the State Board of Health. The hearing was held on December 16, and one week later the Board of Health wrote to the Commission stating that it had examined the locality and considered the information presented at the hearing. It concluded from its evaluation that the

...danger of ice cutting cannot be ignored. In order to harvest and remove any considerable quantities of ice, it is necessary to introduce within the watershed and upon the surface of the pond considerable numbers of men and horses.... Observations of the conditions under which ice is cut...show that these processes may result in the serious contamination of the water, in a recent case being the probable cause of a serious epidemic.... Furthermore, from the information presented at the hearing, it does not appear to be necessary to use North Pond as a source of ice supply in order to secure an adequate quantity of good ice for the inhabitants of Fall River at reasonable cost. Ice which may be safely used for domestic purposes can undoubtedly be obtained from large portions of the South Pond.... In view of the circumstances and the information presented, it seems to the board unnecessary to use North Watuppa Pond as a source of ice supply...and the Board recommends that the further use of North Watuppa Pond as a source of ice supply be discontinued at the earliest practicable time. [7]

On January 14, 1914, a committee of six members of the Retail Grocers Association appeared before the Commission and petitioned members to sanction the cutting of ice on the pond. The Commission's clerk read to them the recent recommendation of the State Board of Health, viz., that all ice cutting on the pond be terminated at the earliest practicable time, and the Commission made it clear that it intended to follow that recommendation. To soften their unwelcome message, however, the Commission reminded the grocers that ice cutting from existing ice houses would be permitted during that current winter.

With the State Board of Health's recommendation in hand, the Reservoir Commission proceeded to press the remaining ice operators to sell out so that their operations could be closed down. Lengthy negotiations were conducted with the Arctic Ice Company, and numerous proposals were exchanged with no success. Finally, in April 1915, unable to reach agreement with the company's proprietors, the city condemned the County Street property, paying the owners nearly \$40,000 in damages. In subsequent years, the remaining ice houses on North Pond fell to the city, one by one, and the annual ritual of ice harvesting on the Watuppa Pond quickly became a cold and distant memory.

**Interlachen.** The grand estate of Colonel and Mrs. (Effie) Spencer Borden known as Interlachen ("between the lakes") was situated on an island just off the western shore of North Watuppa Pond. Access to the island, which at one time had been a peninsula known as the Cook Farm, was via a causeway that connected to the mainland in the area of New Boston Road. A second



causeway was built by the Bordens in 1906 across Brightman's Cove, a swampy inlet of the pond north of Interlachen. This latter causeway was constructed to connect Interlachen with another parcel of land owned by the Bordens. Its construction was in fact an illegal filling of the pond that was carried out—defiantly, some would contend—in the midst of the city's efforts to clean up and secure the pond for Fall River's drinking water supply. The Reservoir Commission, upon learning of and examining this new roadway in April 1906, ordered its clerk to confer with the City Solicitor and "cause notice to be sent to Spencer and Effie Borden directing them to remove such material as they had caused to be placed in North Watuppa Pond over land owned by the City of Fall River...and notifying them that no further filling in of said pond would be allowed." [6] In response, the Bordens—through their counsel, Richard P. Borden—claimed ownership of Brightman's Cove and maintained that it was not a part of the North Pond owned by the city. (To any disinterested observer of the area's geography, the Bordens' claim would have been seen as utterly preposterous, as the cove was clearly a contiguous portion of the pond itself.) In August 1906, the Commission directed its Chairman, Mayor Coughlin, to proceed in court against Spencer and Effie Borden for illegally filling into North Watuppa Pond. As to who prevailed in this dispute, one need only today tour Interlachen and Brightman's Cove to see that, nearly 100 years later, the disputed causeway across the cove is still there. This one episode reveals much about Colonel Spencer Borden, and about the Bordens' relationship with the Reservoir Commission.

Spencer Borden was an important and influential man in Fall River in the early 1900s. A successful businessman, he founded and ran the Fall River Bleachery, a major player in the city's cotton-finishing industry, and was also involved in banking. His community service included 8 years on the Board of Aldermen, from 1907 through 1914. Additionally, he was a traveler, author, lecturer, and sportsman, with interests ranging from floriculture to antiquities to horses and polo. In brief, Colonel Borden was the essence of success and affluence, and his Interlachen estate proclaimed his status as one of Fall River's leading and most prosperous citizens.

The centerpiece of Interlachen was the Colonel's majestic mansion, which sat high on the island overlooking the waters of North Pond. A sprawling and regal structure, it was marked by a magnificent portico whose stately white columns rose two full stories over the main entrance. Manicured lawns that sloped to the shores of the pond surrounded the house, and expansive formal gardens dotted the landscape, making the Bordens' estate at least the equal of those found along Newport's Ocean Drive. The grounds of Interlachen were teeming with exotic plants, trees, and other flora that the Colonel brought in from all over the world. Many of these specimens flourish to this day at Interlachen, while many others have been purloined over the years by Interlachen visitors and transplanted to private gardens and landscapes. The Colonel and Mrs. Borden shared their island estate with their son, Spencer Borden Jr., and his family, who resided in a more modest home at the southern end of Interlachen. Caretakers' quarters and stables for the colonel's Arabian's horses were among the other outbuildings on the estate.

From very early in the 1900s, Spencer Borden and members of his family regularly expressed their displeasure and vexation with the Reservoir Commission and Watuppa Water Board in regard to the restrictions placed on North Pond activities, to land-taking around the pond, and to general management of the reservation. As touched upon earlier, although Colonel Borden obviously had



*(Photo from [10])*

**Colonel and Mrs. Borden outside their Interlachen mansion, 1906.**



*(Photo by W. Conforti)*

**One of Colonel Borden's unusual trees, still thriving at Interlachen .**

some genuinely valid complaints with the Reservoir Commission's actions and policies, his low opinion of the Commission was at least partly influenced by how the Commission's actions had already affected—and would likely continue to affect—the Colonel's business and personal interests.

The matter of the causeway across Brightman's Cove was but one of the many differences Colonel Borden had with the Reservoir Commission. In 1906, he fought the Commission over its fishing and boating restrictions on North Pond, charging that these strictures were too severe and an injustice to the public. In 1907, in his position as Ward Eight Aldermen, he spoke out about the state Board of Health's interference in the city's affairs as regards the limitations imposed on North Pond use, and later that year he introduced an ordinance to the Board of Aldermen proposing to transfer all of the land in the North Watuppa Reservation from the control of the

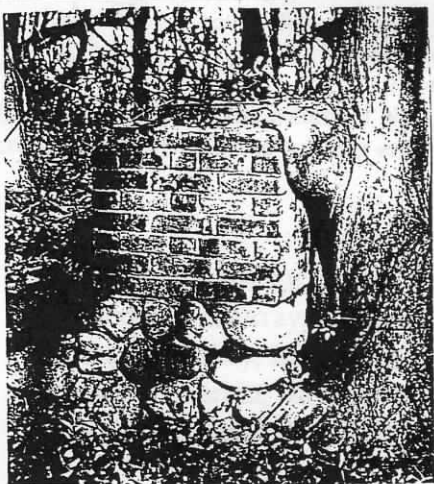
Reservoir Commission to the city's Parks Department. In 1913 during the city's planning for the intercepting drain, Effie Borden requested a hearing with the Reservoir Commission at which the Bordens' attorney expressed the family's opposition to the proposed diversion of Cress Brook

into Highland Brook, claiming that such diversion would cause damage to the family's property by reason of the quality and quantity of water to be added to the flow in Highland Brook, which emptied into Brightman's Cove—the cove the Bordens claimed to own. Their attorney also argued that if the united waters of Cress and Highland Brooks were diverted into the proposed intercepting drain, the Bordens would suffer the loss of riparian rights. These claims not only impeded the city's progress on the intercepting drain project, they also rekindled the question of ownership of Brightman's Cove and initiated a series of legal moves by both sides. The drain project went ahead despite these hindrances, being completed in 1916. But it wasn't until December of 1917 that the Brightman Cove question was settled, when the city finally gave legal notice to Effie Borden that it claimed title to and ownership of the cove.

In 1923, however, two years after the Colonel had died, the Bordens and the Reservoir Commission were again at odds, this time over damage to Interlachen caused by the high level of North Watuppa Pond. (Upon construction of a gate house at the Narrows in 1908, Fall River had the ability to restrict the flow of water from the North to the South Pond, and the city gradually raised the level of the pond some 2 feet above the normal high water mark.) The Bordens' spokesperson this time was Sarah Borden, the wife of Spencer Borden Jr. She reported extensive erosion damage and the loss of trees owing to the high pond level, and she asked for—and eventually got—\$10,000 in settlement of these claims, for which sum she agreed to release the city from present and past damages but not any future damage caused by the city's allowing the pond to rise above full level.

In the protracted controversy between the Reservoir Commission and the Bordens, both sides very likely recognized that the final resolution of their differences lay in the city's taking title to the Bordens' property at Interlachen. As early as 1911, the Reservoir Commission had noted that "the Spencer Borden houses at Interlachen, although having an arrangement for the disposal of sewage, may sometime prove to be a menace and ultimately should be controlled by the City of Fall River." [4] But, apparently, none of the Fall River mayoral administrations of the time possessed the political will or strength to take on such a prominent citizen. From the Colonel's

perspective, he presumably foresaw what was to happen, for his was the only remaining private property on the pond. And, in a futile attempt to forestall the inevitable, Colonel Borden chose to impede and obstruct and oppose.

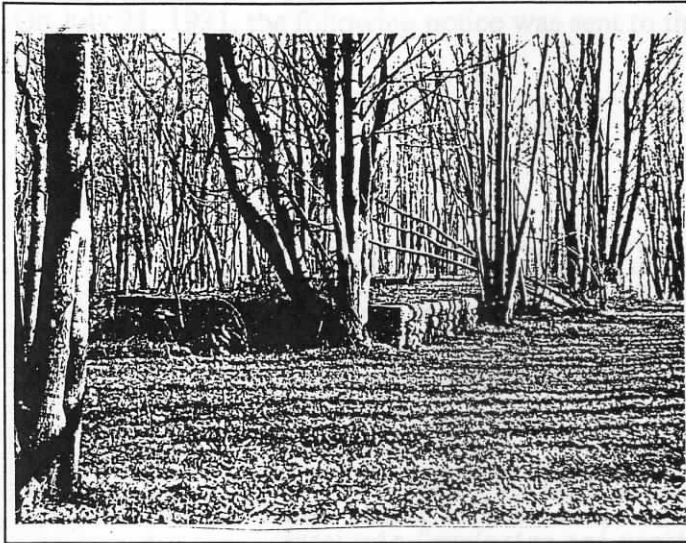


*(Photo by W. Conforti)*

One of the portico cornerstones of the former Borden mansion.

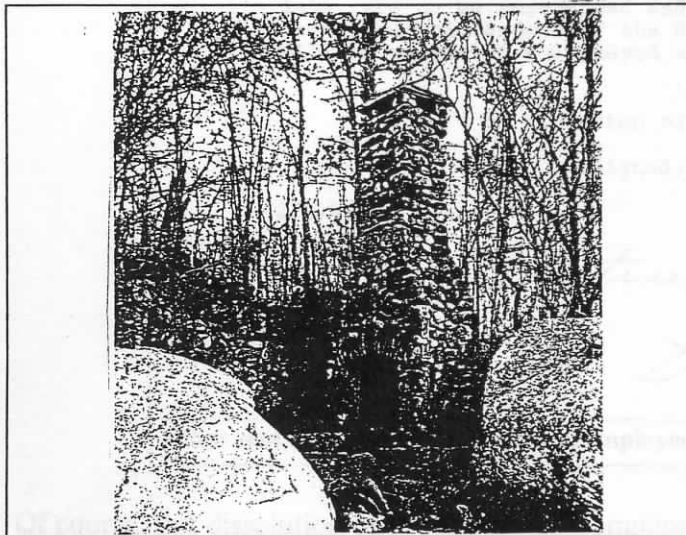
The last chapter in the Bordens' long-running feud with the Reservoir Commission wasn't written until the early 1940s, when Fall River condemned the Colonel's beloved Interlachen, demolished all of its buildings, and turned the island estate back to nature. Today, the grounds of Interlachen offer the inquisitive visitor some poignant reminders of its earlier grandeur. The foundation of the Borden estate sits forlornly on the hillock overlooking North Pond, its stone walls crumbling and pieces of its tiled portico floor strewn about. The lawns and gardens





*(Photo by W. Conforti)*

**The remains of the Borden mansion at Interlachen.**



*(Photo by W. Conforti)*

**A fireplace directly on the waters of North Pond at Interlachen, likely a part of a 1900s-era steam room.**

have vanished, replaced by a tangled growth of briar and underbrush that compete with mature pine and oak trees for their share of the day's light. Around the island, the remains of outbuildings and the overgrown walkways of once-elegant gardens bear witness to the long-ago splendor of the Borden estate.

Yet, there is no feeling of emptiness at today's Interlachen. With man's intrusions all but eradicated, the island's natural landscape and tranquil beauty are at their finest prominence. At its unique location as the sentinel of the North Watuppa Pond and Reservation, Interlachen has been returned to its original, unspoiled glory.

### **Abolition of the Reservoir Commission**

At the time that Interlachen passed into the city's possession, the Reservoir Commission had long since disappeared from official existence. Having completed a major portion of its work and accomplished many of its stated objectives, and—perhaps most tellingly—having expended all of the political capital at its disposal, the Commission was abolished on July 14, 1931, when the City Council passed an ordinance transferring all of its duties and powers to the Watuppa Water Board. Members of the Commission at the time of its abolition were

His Honor the Mayor, Daniel F. Sullivan, Chairman  
 Alexander C. Murray, Commissioner of Public Works  
 Thomas E. Lahey, Member of the Watuppa Water Board  
 Thomas F. Harkin, Member of the Watuppa Water Board  
 Amable Chouinard, Member of the Watuppa Water Board.

On July 21, 1931, the following notice was sent to the employees of the Reservoir Commission [8]:

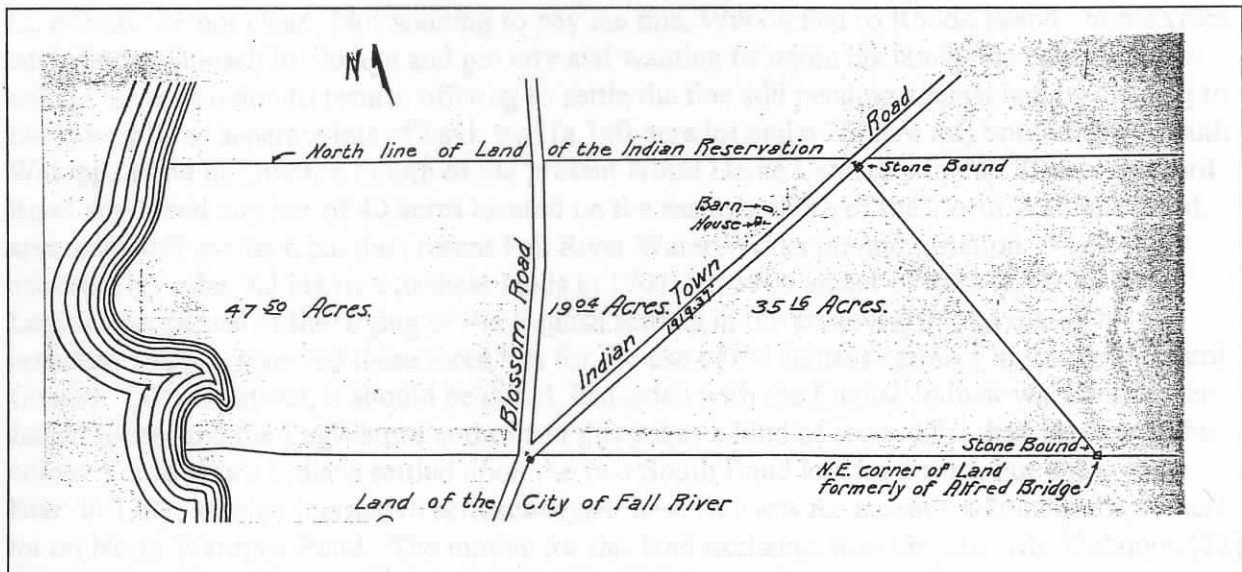
(COPY)
July 21, 1931.
To- Charles B. Jenney, Vernon L. Stafford, Martin H. Delahanty, George Coyle, John A. Ragan, Stephen L. Stafford, Victor P. Perry, William F. Shea, Charles H. Martin, Philippe Desrosiers, Andre Desmarais, Henry V. Heyworth, Thomas Moore, Albert Lescault, Lester M. Peckham, Roland Stanley, John Clancy and George Moffett.
Gentlemen:-
At a meeting of the City Government held July 14th., an ordinance was adopted abolishing the Reservoir Commission and vesting the duties and responsibilities in the Watuppa Water Board.
All employees of the former Reservoir Commission have been transferred by the Civil Service Commission to the Water Department, and after that date, are to be supervised and directed by John W. Moran, Superintendent of the Water Department, who will be respected and obeyed accordingly.
By direction of the WATUPPA WATER BOARD,
(Signed) James J. Kirby,
JJK/KBP. Clerk of the Board.
<i>A true copy</i> <i>James J. Kirby</i>
Notice sent to Reservoir Commission employees in July 1931.

Of course, this dissolution of the Reservoir Commission amounted to no more than a political ceremony—the expunging of a name that had unfairly accumulated too much ignominy—for the three members of the Watuppa Water Board and the three members of the Commission were one in the same, and both groups were effectively under the control of the Mayor. The Watuppa Water Board carried on the work of the Reservoir Commission well into the 1940s, acquiring additional properties and managing the reservation, and even today the Water Board occasionally bids on private property that comes up for sale within the North Pond watershed.

The work of these two boards in acquiring North Watuppa Pond and establishing the Watuppa Reservation has placed Fall River in a position that many cities would envy. The owner and sole master of a vast, undefiled, protected watershed and an abundant supply of pure drinking water, Fall River is indeed a rich community. The Reservoir Commission and Watuppa Water Board were largely unappreciated and widely rebuked over many years. But as the visionary architects of what today is Fall River's greatest treasure, they are surely due some recognition for their constancy of purpose and ultimate success in realizing this singular accomplishment.

## IV. The Fall River Indian Reservation

**The Taking of the Indian Reservation.** One of the parcels of land taken by the Fall River Reservoir Commission for the protection of North Watuppa Pond was that part of the Fall River Indian Reservation lying within the pond's watershed. This parcel, comprising some 101 acres of the original 195 acres of Indian land, extended easterly from the east shore of the pond up to and across Blossom Road and continued easterly on the other side of Blossom Road and then across Indiantown Road. The acquisition of this piece of land in 1907 was no simple matter, requiring a controversial petition by the city to the Massachusetts Legislature. This special petition, the granting of which is still being contested today, was necessary because the Legislature's acts of the 1890s authorizing Fall River to take the lands lying within the North Pond watershed did not allow the city to take property that the state held for a different public purpose. The Indian Reservation was, of course, held in trust by the state for the Indians who were occupying that



The Indian lands condemned by Fall River in 1907. [5]

land. So, on the one hand, the Indian Reservation qualified for taking by the city since it was within the pond's watershed, while on the other hand it failed to qualify because the state held it for another public purpose—the exclusive use of the Fall River Indians. Not only did this issue have to be resolved, but also the title to these lands was uncertain, it having been conveyed to the Indians in colonial times, and Fall River needed a clear title before it could put the lands to the public use it proposed.

A complete account of the issues and arguments attending this proposed land-taking is given by Hugo A. Dubuque in his 1907 history of the Fall River Indian Reservation. [11] Mr. Dubuque, who was City Solicitor at the time, prepared this history as a legal brief in support of the city's special petition for acquisition of the Indian lands. Mr. Dubuque succinctly states the need for the city's petition as follows [11]:



The maintenance of an Indian Reservation would imply the use of buildings and dwelling houses thereon; whereas the appropriation of land by the city, to prevent the contamination of its water supply, implies that barns, pig pens, outhouses and dwelling houses shall not be erected thereon. Therefore, the two purposes being practically inconsistent, it requires a clear expression of legislative intent, by a special act, to authorize the city of Fall River to condemn any part of the lands of the Indian Reservation.

On July 22, 1907, the Massachusetts Legislature passed a special act authorizing the city of Fall River to acquire the Indian Reservation lands it sought.

**Origin of the Indian Reservation.** How the Fall River Indians came to be settled on the shores of North Watuppa Pond is an involved story. In greatly simplified form, the chronicle is as follows. In 1693, a Daniel Wilcox was fined 150 pounds sterling (a substantial sum even today) either for selling rum to the Indians or for illegally buying land from them—the circumstances of his offense are not clear. Not wanting to pay the fine, Wilcox fled to Rhode Island. Some years later, finding himself in old age and poverty and wanting to rejoin his family, he petitioned the colony for permission to return, offering to settle the fine still pending against him by deeding to the colony three separate lots of land, two (a 140-acre lot and a 25-acre lot) bordering on South Watuppa Pond in Tiverton (south of the present Notre Dame Cemetery in Fall River's Stafford Road area), and another of 40 acres located on the easterly shore of the North Watuppa Pond, approximately across from the present Fall River Water Works pumping station. The colony accepted his offer, taking title to these lands in 1701. In 1704 an act of the Massachusetts Legislature, passed at the urging of the English settlers in the area who felt sympathy for the homeless natives, reserved these three lots for the use of the Indians residing in southern Bristol County. (These natives, it should be noted, had sided with the English in their wars with other Indian tribes, and the Legislature authorized this act as a kind of reward for their service to the colony.) The area's Indians settled upon the two South Pond lots for a time, but a few years later, in 1707, another legislative act exchanged these two lots for acreage adjoining the 40-acre lot on North Watuppa Pond. The motive for this land exchange is in dispute. Mr. Dubuque [11] reports that the Indians petitioned for this exchange so that they could all dwell together on a single tract of land and be farther away from the English, and he reproduces their petition for the land exchange, in which they say that

...we can by no means live upon the Tiverton land or make any improvement to answer the end proposed, that is, to enjoy the public worship of Almighty God nor to keep a school to have our children taught in the winter time, therefore we pray...to sell the six score acre lot and twenty five acre lot for lands joining the forty acre lot where the whole will join upon the undivided lands which will make it proper for the end that it was intended for....[11]\*

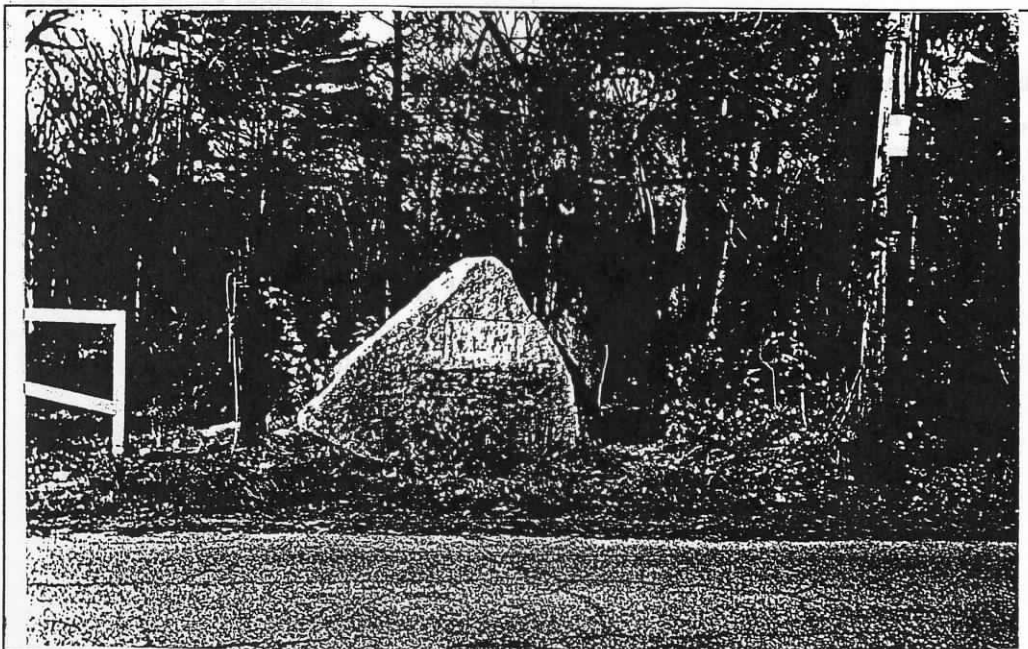
Other sources [10] state that the Indians' English neighbors in Tiverton regretted having invited them into the area, as the two groups did not get along very well together, and the English asked

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\*This excerpt is paraphrased here in standard English; see page 50 of [11] for the original version.

the legislature to move them into the woods across the pond. Whatever the impetus, the land exchange was made, and the Indians were moved, taking up residence on the easterly shore of North Watuppa Pond in 1709.

Thus, the Indians living on what eventually came to be known as the Fall River Indian Reservation were remnants of the Pocasset tribe, as their Tiverton roots would indicate. (Later, they were sometimes referred to as the "Troy Indians" in official documents because that was the name of Fall River in the early 1800s.) They were so-called "praying Indians"—those who had become Christians or who had been loyal to the English in their struggles with other Indian tribes.



*(Photo by W. Conforti)*

A defaced monument on Blossom Road marking the site of the Fall River Indian Reservation. (A bronze plaque that was stolen from this monument in the 1960s memorialized Daniel Page, a descendant of the first Pocasset to occupy the Fall River Reservation. The Pocasset Wampanoag Tribe expects to replace the plaque in the spring of 1996.)

**Life on the Indian Reservation.** Records of Indian lifestyle and activity on the Fall River Reservation through the 1700s are sparse. It is known that the number of Indians living there was never large. In 1764, only 28 families consisting of 59 persons resided on the reservation. In the early 1800s, a small meeting house\* and school house, combined in one building, together with a number of dwelling houses, existed on the reservation. From what little has been written about their reservation life, it seems that theirs was a pauper's existence. They did little with their

\*The Fall River Indians might have had another meeting house in Westport because, in 1857, the Massachusetts Legislature appropriated \$160 for the purchase of pews for a meeting house "at North Westport." It is also possible that the Fall River meeting house was the one for which the pews were purchased and that its proximity to North Westport led to an erroneous reference.

Indian land, save renting a portion of it for pasturage and selling small quantities of their timber, and some members of the tribe relied on the state for a portion of their support. (The Fall River Indians had become wards of the state in 1818.)

By the 1840s, the number of Indians living on the reservation had dwindled to 37. Mr. Dubuque [11] cites an 1849 report on the Fall River Indians to the Massachusetts Legislature. The following excerpt from that report, which was prepared in response to a resolve of the Massachusetts Legislature directing that the Indians remaining in the Commonwealth be visited "to examine into their condition and circumstances," gives some inkling of the pitiable condition of the Fall River Indians:

The territory occupied by this tribe is within the limits of the town of Fall River some 3 or 4 miles from the village. The whole amount of the territory is about 190 acres, of which about 20 acres are held in severalty,\* and the remainder held in common. The soil is generally good; but the indolent and improvident habits of the tribe render it of little use to them as a means of support.

The poulation of the tribe is 37.

Families,	10,
Males,	17,
Females,	20,
Natives,	29,
Foreigners,	8,
Under 5 years,	1,
From 5 to 10 years,	2,
" 10 " 21 "	8,
" 21 " 50 "	15,
" 50 " 70 "	10,
Over 70,	1,

\*\*\*\*\*

Eighteen or twenty of the above, who are considered as belonging to the tribe, do not live on the territory. Many of them will probably never return, unless it should be to claim a portion of the territory, in case of a division. The means of subsistence are mostly day

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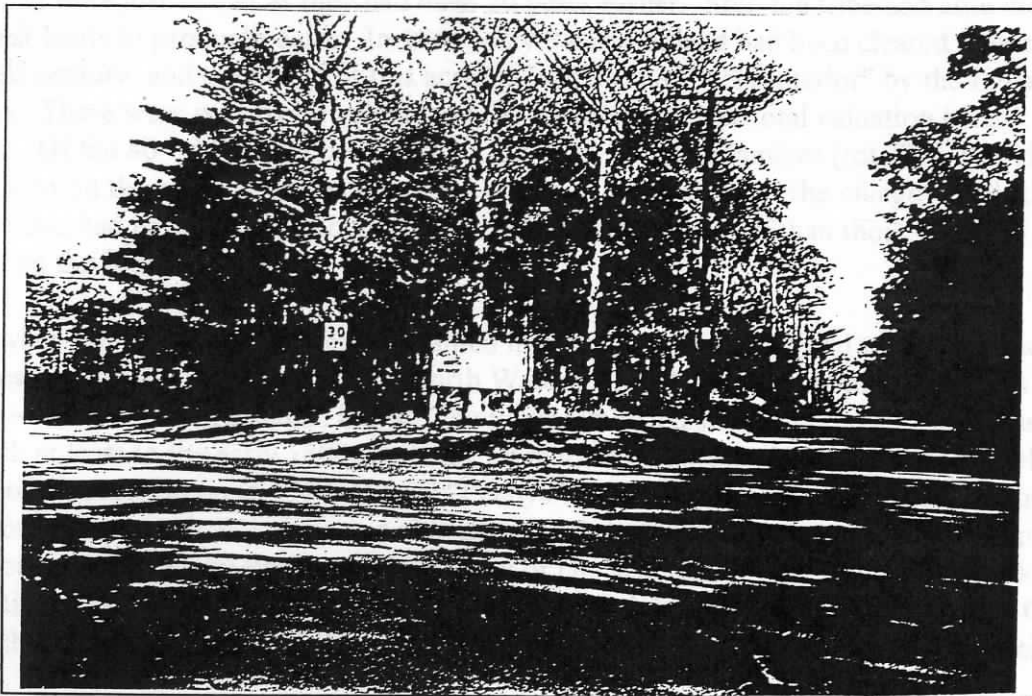
\*The lands held in severalty were those "owned" by the heirs of the original Indian settlers of the reservation, although the state never considered the Indians as owners of the land. In 1764, the reservation lands had been partitioned—at the Indians' request—into 28 individual lots of nearly 7 acres each, and each lot was assigned to the heirs of the original tribe members. This partition, however, in the state's view as established through court rulings, did not confer ownership of the lots to the Indians, either collectively or individually. Instead, they were seen as tenants at will on land held for them in trust by the state.



labor. The whole stock of the tribe consists of 2 pigs and 20 or 25 fowls. They have no public income, (except some 25 or 30 dollars a year from rent of pasture lands). No schools and no preaching. Of the five children under 16 years of age, 4 are bastards, belonging to a family not residing on the Indian lands....It might be expected from the above statement of the condition of the tribe, that the appropriations by the State for the support of their paupers, have been large. For the five years previous to 1848, they have received from the State (a total of \$1122.90).

(From "House Document No. 46," 1849, as cited in [11].)

In response to this report, Benjamin F. Winslow, who was at that time the state-appointed guardian of the Fall River Indians, wrote a letter to state officials in which he addressed some of the issues raised in the report. This letter (given in [11]) corroborates the remarkably disturbing picture of life among the Fall River Indians painted in the House report. Mr. Winslow states that "The general state or condition of the tribe is such that it seems hardly possible to conceive of any plan that would be conducive of any great good to them, as a tribe, for they are but a 'miserable remnant' comparatively speaking, and are but little disposed to associate or make a society of themselves, but seem to live isolated, and look for little else than the supply of their physical wants...There are four families living on the Indian land, and but two men among them, who are able to labor for their support...the males generally are at sea..." He further notes that the Fall River Indians are not very industrious, that they have no other source of income except for a small amount obtained from the sale of wood from their lands, that they have no school although the Indian children "generally" have access to the public schools, that seven of them were being



(Photo by W. Conforti)

The former site of the "Indian Common" at the intersection of Blossom and Indiantown Roads.,

supported by the State at an average cost of about \$40.00 each per year, and that the tribe's health was generally good, except for a few cases of intemperance and smallpox.

Mr. Winslow's letter also reveals the incredible absurdity that the Fall River Indians had not been granted U. S. citizenship and were unable to vote. On this matter, Mr. Winslow opines that "the tribe would receive no benefit from the privilege of citizenship, if conferred upon them" and that their not being allowed to vote was of "no disadvantage to them." This attitude toward what should have been the basic birthrights of all Indians is but one indication of the lowly status of the Fall River Indians in the mid-1800s. It is today unimaginable that such viewpoints could even have been held, and especially by a person whose as Indian guardian would have been expected to be both aware of and sympathetic to their wretched plight. The Indians' own guardian—their sole connection to the government they were locked out from—relegated them to the status of undeserving aliens, a people unworthy of and uninterested in participation in society. With these prevailing beliefs, it is not surprising that the Fall River Indians were but a "miserable remnant" of their forebears.

By the 1860s, the number of Indians belonging to the tribe of Fall River Indians had increased to 80, and many of the children were attending public and Sabbath schools. This population increase was the result of an amalgamation of Negroes into the Indian community through intermarriage. By 1867, the Board of State Charities reported that among the so-called Indians, there was a majority of persons with some infusion of African blood. In Benjamin Winslow's 1849 letter, he noted in speaking of the tribe's lack of industriousness that the "half-Negro is more disposed to labor than the full-blood native." But despite these greater numbers, conditions on the Fall River Reservation were just as bad as they had been 20 years earlier. Still, the tribe had little incentive to put their lands to productive use. In 1861, only 9 acres of land had been cleared after more than a half-century, and the tillage of this acreage was deemed "very inferior" by the Indians' state guardians. There were only five dwellings on the reservation, their total valuation being \$1000.00. Of the 80-odd people belonging to the tribe, only five families (totalling 19 individuals) actually lived on the reservation. Many of the others had moved into "the village" (Fall River), and those that had moved were generally regarded as being better off than those who had remained on the Indian lands.

In 1907 when the city of Fall River was granted its petition to condemn and take possession of the Indian Reservation for the protection of North Watuppa Pond, only one family—that of a Fanny L. Perry—was living on the Indian lands. The Perry family's history on the Fall River reservation dated back at least to the early 1800s and may, in fact, have gone back even farther. (In the partition of the reservation in 1764, several "Pennys" are mentioned among the heirs of the original lot owners; such variations and alterations in the spelling of surnames were common in official documents.) Fanny Perry was the widow of Dr. William P. Perry, who was well-known in the Fall River area for his ice-skating prowess, and who might likely have been the city's first naturopath, reportedly making his living from the selling of medicines he concocted himself. [10]

Owing to the legal controversy over this land-taking and the public sentiment over the dispossession of the Fall River Indians, the city's Reservoir Commission was very attentive to the Perry family. Although Mr. Dubuque in his brief for the city had stated that the city "does not

intend to disturb (Mrs. Perry's) occupancy," the Commission soon made arrangements to move the Perry family from its existing house on the north side of Indiantown within the North Watuppa watershed to another site on the south side of Indiantown Road, farther east and outside the watershed. In 1911, the Commission had a foundation constructed at the new site and then moved a house from one of its other reservation properties to the new Perry homesite. The Commission paid for all necessary renovations, including papering and painting of the house, as well as for the digging of a well, and it also moved an outbuilding from one of its properties to the new Perry house to provide shelter for the Perrys' animals. The Perry family was installed in its new home in the fall of 1911. The old Perry homestead, together with the other remaining structures on the condemned portion of the Indian Reservation, had all been demolished by the end of 1911.

**The Indian Burial Grounds.** The condemned portion of the Fall River Indian Reservation contained two tribal burial grounds. The older of these two burial sites was on the Indian Common; the other was on the western parcel of the reservation, near the shore of North Watuppa Pond. In July 1911, the Reservoir Commission made some effort to preserve this latter site, authorizing its clerk to "cause a fence to be constructed to define lines of the Indian burial lot..." [6]. The Reservoir Commission's reference to a single Indian burial lot leads one to believe that the Commission might not have even been aware of the other burial site and, indeed, no record of any attempt to preserve the older burial ground can be found in the Reservoir Commission's minutes.

Arthur Phillips [12], writing in 1941, describes the two Indian burial sites as follows:

Included (in the condemned portion of the reservation) were two Indian burial grounds known as the "Old" and the "New". The newer burial ground, on a bluff overlooking the waters of the pond, is enclosed in a rough post and single rail fence. The older burial ground was a part of the "Indian Common" located at the northeasterly corner of the Blossom and Indiantown Roads and it has had no care. Within my early memory there were 25 to 30 grave markers upon it—today there are eleven....

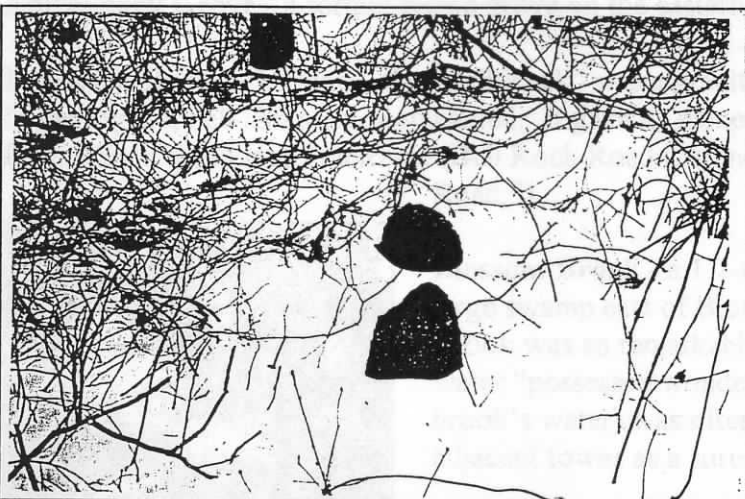
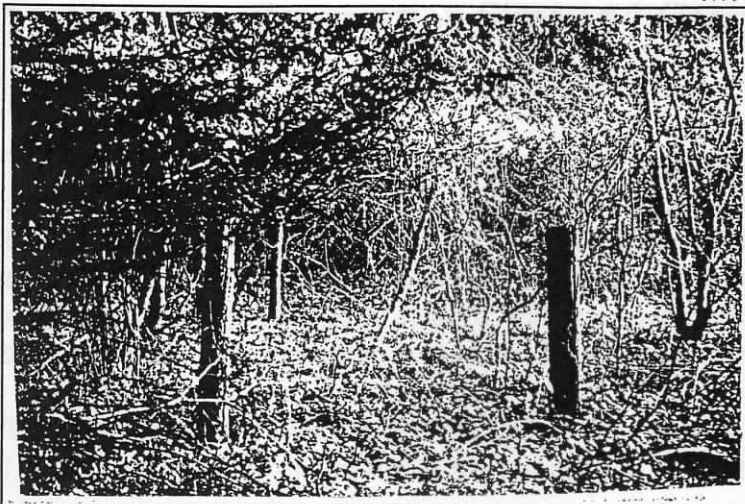
The last Indian to be buried in the new cemetery was Dr. Bill Perry; this was about forty-five years ago....

There are now (1941) fifty-four burial stones in the new Indian burial lot on the Watuppa Reservation.

Today (1996), none of the 11 gravestones that Arthur Phillips counted in 1941 at the "old" burial site can be found. In fact, there is no indication anywhere on this parcel of land that an Indian cemetery even once existed.

The "new" burial ground has fared not much better. With some difficulty, one can find remnants of the fence constructed by the Reservoir Commission in 1911, a rotted post or two emerging aslant from the briary thicket and underbrush that has overtaken the site. As to the "fifty-four burial stones" found by Mr. Phillips at this location in 1941, a determined search through the decomposing residue of the autumns of too many years reveals only 10 or 12 well-scattered grave markers—elongated, flat stones skewered on end into the soil and bearing no mark or symbol of





(Photos by W. Conforti)

Upper photo: Two of the fence posts remaining at the "new" Indian burial ground. Lower photo: Some of the few grave markers still visible at the "new" burial ground.

their intended purpose. These few markers are all that can be found at the site. A few short years from now, as these stones are toppled and buried by nature's hand, this burial site will all but vanish, and the final resting place of many of the Fall River Indians will be gone forever. As was the case with the tribe it now inters, this Indian burial ground has for too long been the victim of indifference and neglect. The restoration and preservation of this unhonored site, which lies within the heart of the Watuppa Reservation, would be both a fitting tribute to the memory of the Fall River tribe, as well as an appropriate symbol of the Indian roots that pervade the reservation lands.

*"There remains today little to recall the red man....A few Indian names have been adopted by the mills, given to streets or clubs, but generally the memory of the untutored child of the woods has vanished like the mists before the sunshine from the present busy generation of men. We cannot dismiss him from our recollections, however, without thinking of the strange destiny which awaited him two centuries ago....He was then the monarch of the forest, the proud possessor of boundless acres, the only explorer of the lakes and streams. He lies now in unmarked and unhonored grave(s), without an epitaph to tell of his valor, and without a record of his deeds except that which his foes have seen fit to preserve....Peace to your ashes, wild child of nature!"*

Hugo A. Dubuque (1897)

[11]

## V. Watuppa Reservation Sites and Geographic Features

The Watuppa Reservation includes many unusual localities and geographic features, some with quite intriguing names. Wolf Hole, Hog Rock, Prince's Cove, King Philip Swamp, Queen Gutter Brook, Bell Rock Road, Fighting Rock Corner, Green Hill, Yellow Hill Road—the list goes on and on. Some of these unusual site names derive no doubt from Indian legend and from the myths and fables of imaginative early settlers. Other names are the product of some event or action that took place at a particular site. Still others have their origins lost in obscurity.

The following list of sites has been compiled from various sources, including [2], [5], [11], and [12]. The map at the end of the listing attempts to place these sites as accurately as possible.

**Adirondack Grove** - a former picnic grove on the eastern shore of North Watuppa Pond.

**Bell Rock/Bell Rock Road** - the "Bell Rock" was a granite ledge from which, according to Indian legend, bell-like sounds emanated. It gave its name to the road that runs northeasterly from Wilson Road into Freetown. (Bell Rock Road is sometimes referred to as "Fighting Rocks Road.")



*(Photo by W. Conforti)*

**Blossom Brook's healing waters** were sought by many ailing Fall Riverites.

**Blossom Brook** - a 1.2-mile-long spring-fed brook that drains a large swamp east of Blossom Road. One branch of Blossom Brook was so remarkably clear that the early settlers claimed its water "possessed wonderful medicinal properties, and (the brook's water) was often sought by residents of Fall River and adjacent towns as a sure cure for any and all diseases." [5]

**Blossom's Cove** - a former camping site on the eastern shore of the North Watuppa among a grove of large pine trees.

**Blossom Road** - one of the principal roads through the Watuppa Reservation, running north from Old Bedford Road along the eastern shore of North Pond to the intersection of Wilson and Bell Rock Roads. In early Fall River history, Blossom Road was an important byway. Travelers going from Providence and points west to New Bedford and Cape Cod crossed the Taunton River by ferry landing at Steep Brook Village, proceeded north along Wilson Road to Blossom Road, and then connected with the road to New Bedford.

**Boat House Trail** - a fire lane that runs westerly from Blossom Road to Prince's Point.

**Bridle Path** - a lane that begins on Interlachen (at the New Boston Road causeway) and runs along the western shore of the North Watuppa to Wilson Road.

**Brightman's Cove** - an inlet of North Watuppa Pond on the northern side of Interlachen. (Colonel Spencer Borden claimed ownership of this cove for many years after Fall River took possession of North Pond.)



(Photo by W. Conforti)

**Brightman's Cove** during the drought of 1995.

**Cook's Farm** - an earlier name for Interlachen.

**Copicut** - a name for the far northeastern corner of Fall River (where the current Copicut Reservoir and Dam are located).

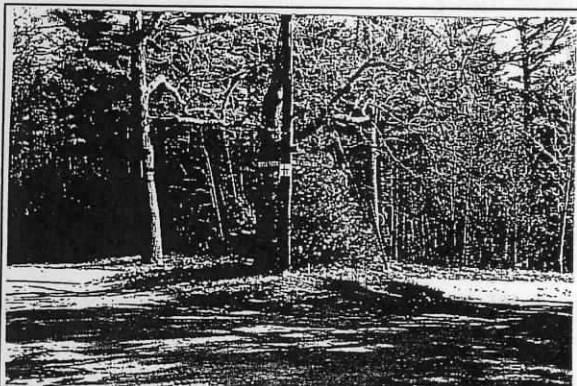
**Corduroy Road** - a fire lane that runs easterly off Blossom Road, just north of the Reservation Headquarters.

**Cress Brook** - a 1.6-mile-long brook on the western shore of North Pond that originates in the Stanley Street area and that used to enter the

pond near Interlachen. (Cress Brook is now diverted into the Intercepting Drain, q.v.).

**Drift Road** - the proprietors' way from Old Bedford Road to Adirondack Grove.

**Fighting Rock** - a large boulder that was formerly located at the intersection of Blossom, Bell Rock, and Wilson Roads. It got its name from an altercation that took place at this intersection in 1773 over whether Blossom Road (then under construction) would proceed north to Assonet Village or west to Steep Brook Village.



(Photo by W. Conforti)

So-called "Fighting Rock Corner," shown here looking east from Wilson Road.

**Green Hill** - a peninsula on the eastern shore of North Watuppa Pond that makes up the northern shore of Prince's Cove.

**Highland Brook** - a 2.7-mile-long brook on the western shore of North Watuppa Pond that originates in St. Patrick's Cemetery and that used to enter North Pond at Brightman's Cove. (Highland Brook is now diverted into the Intercepting Drain.)

**Hog Rock** - the name for one or more large rock formations north of the Copicut Fire Tower.

**Indian Common** - The triangle of land that makes up the intersection of Blossom and Indiantown Roads. (The site of the "old" burial ground of the Fall River Indians.)



**Intercepting Drain** - a 2.5-mile-long concrete conduit that carries the diverted waters of Cress, Highland, and Terry Brooks to the South Watuppa Pond.

**Interlachen** - the former island estate of Colonel Spencer Borden on the western shore of North Watuppa Pond.



*(Photo by W. Conforti)*

**King Philip Brook** flowing lustily across Blossom Road.

**King Philip Brook** - a brook on the eastern side of Blossom Road that drains King Philip Swamp and enters North Pond near Green Hill. (According to Arthur Phillips [12], tradition has it that a camping place used by King Philip and his Indians existed near this brook and that Philip spent the night there during his retreat from Rochester to Mount Hope near the end of the Indian War.)

**Lightning Lane** - a fire lane that runs easterly off Blossom Road north of King Philip Brook.

**Macomber's Cove** - the cove between Ralph's Neck and the eastern shore of the North Watuppa.

**Mowrey Path** - a former Indian trail that ran from Freetown to Bell Rock Road. (Also called the Morey Trail.)

**(The) Narrows** - the dividing point between the North and South Watuppa Ponds, where the ponds narrow to a shallow

strait and where Rt. 6 and Rt. 195 cross the ponds.

**Nat Brook** - a brook in North Westport having south and north branches that entered North Pond in the area of Drift Road (Proprietors' Way). Both branches are now diverted to South Pond.

**North Narrows** - another name for the Wilson Road causeway across North Pond.

**Pond Swamp** - that part of the North Watuppa Pond lying north of the Wilson Road causeway.

**Prince's Cove** - the cove between Green Hill and Prince's Point.

**Queen Gutter Brook** - a brook that originates on Copicut Hill flows into Pond Swamp.

**Ralph's Brook** - a brook that drains swampy areas on both sides of Blossom Road and enters North Pond at Macomber's Cove.

**Ralph's Neck** - a large peninsula that extends northerly into North Pond from the Westport line, forming the western shore of Macomber's Cove.

**Intercepting Drain** - a 2.5-mile-long concrete conduit that carries the diverted waters of Cress, Highland, and Terry Brooks to the South Watuppa Pond.

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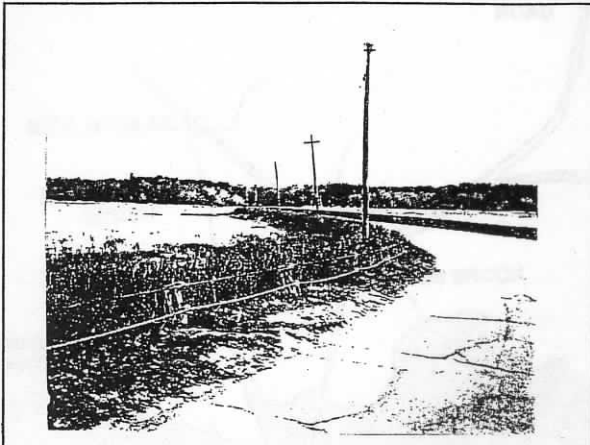
**Pond Swamp** - that part of the North Watuppa Pond lying north of the Wilson Road causeway.

**Prince's Cove** - the cove between Green Hill and Prince's Point.

**Queen Gutter Brook** - a brook that originates on Copicut Hill flows into Pond Swamp.

**Ralph's Brook** - a brook that drains swampy areas on both sides of Blossom Road and enters North Pond at Macomber's Cove.

**Ralph's Neck** - a large peninsula that extends northerly into North Pond from the Westport line, forming the western shore of Macomber's Cove.



*(Photo by W. Conforti)*

**Pond Swamp**, shown here looking east from Wilson Road.

**Run Brook** - a 1-mile-long spring-fed brook that has its source at so-called Wolf Hole and enters North Watuppa Pond just south of Wilson Road.

**Terry Brook** - a brook that originates on the west side of Meridian Street, 1 mile south of Wilson Road and that used to enter North Pond at Brightman's Cove. (Terry Brook is now diverted into the Intercepting Drain.)

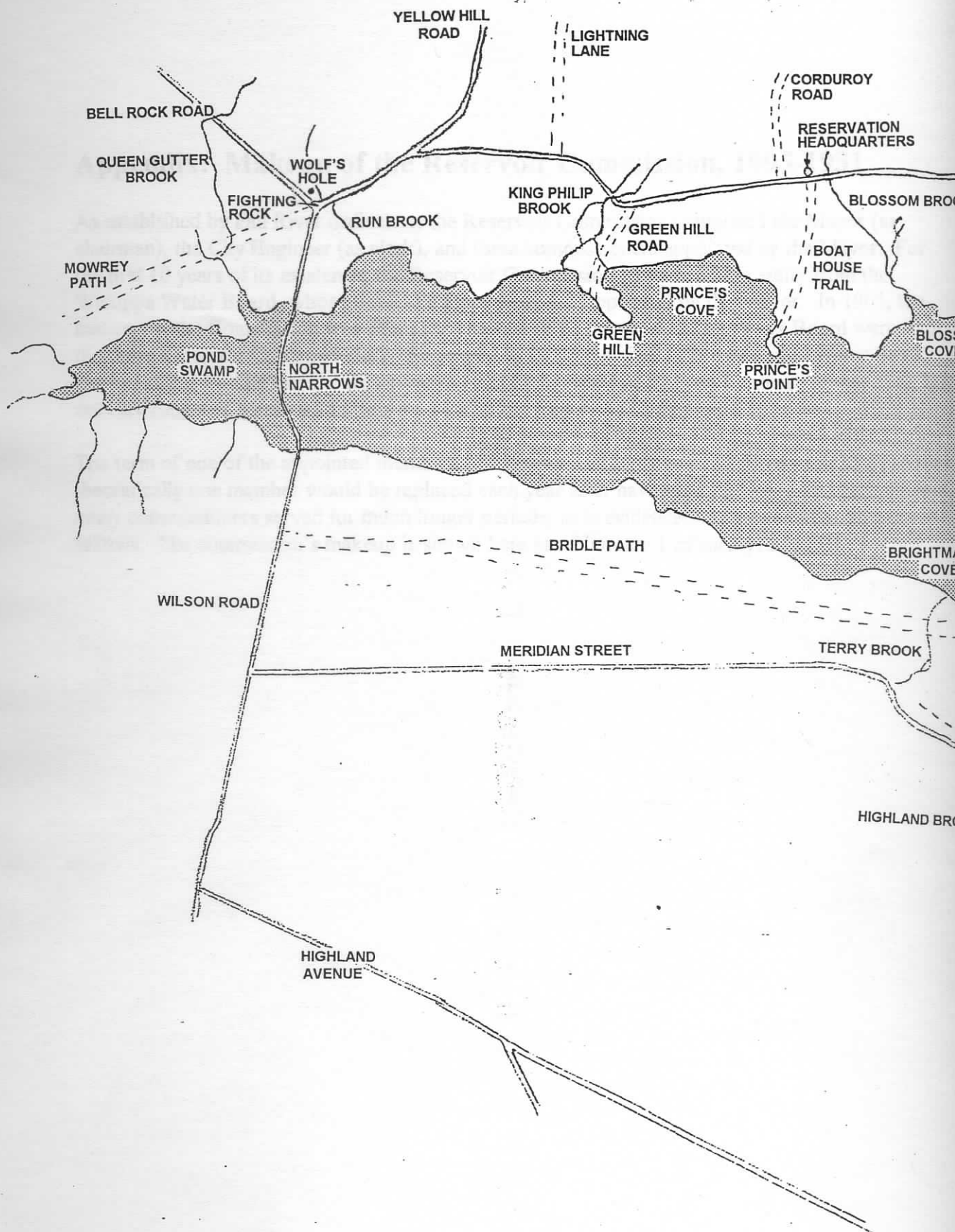
**Watuppa Reservation Headquarters** - the former Barnabas Blossom House on Blossom Road, which has served as the center of operations for the Watuppa Reservation since the early 1900s.

**Wilson Road** - the road that crosses North Watuppa Pond at its northern end. (At one time, the current Wilson Road was known both as North Pond Road and East Road. Originally, Wilson Road was what is now Yellow Hill Road.)

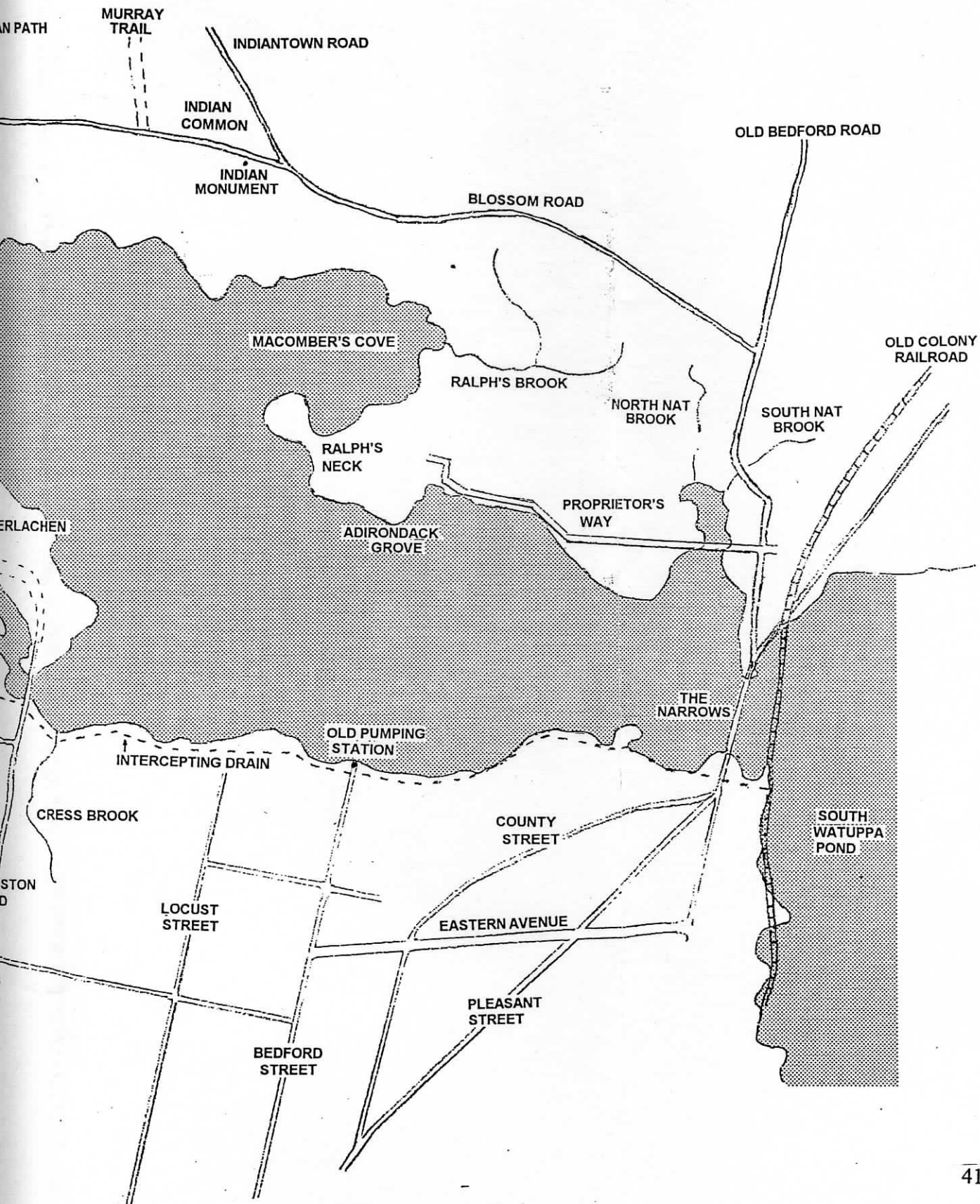
**Wolf's Hole** - a location near the intersection of Blossom and Bell Rock Roads where Run Brook originates; the origin of its name is unknown.

**Yellow Hill Road** - the road that runs from Blossom Road southeasterly through the Watuppa Reservation into Dartmouth.





## Watuppa Reservation Sites and Geographic Features



## Appendix: Makeup of the Reservoir Commission, 1895-1931

As established by Fall River ordinance, the Reservoir Commission comprised the Mayor (as chairman), the City Engineer (as clerk), and three commissioners appointed by the Mayor. For the first 10 years of its existence, the Reservoir Commission was a separate entity from the Watuppa Water Board, whose three members were also appointed by the Mayor. In 1905, the makeup of the Commission was altered so that the three members of the Water Board were also the three Reservoir Commissioners. Beginning in 1915, the clerk of the Watuppa Water Board also served as the clerk of the Reservoir Commission, relieving the City Engineer of that duty, but the City Engineer continued to be a member of the Reservoir Commission.

The term of one of the appointed members of the reservoir commission expired each May, so that theoretically one member would be replaced each year after having served for three years. In fact, many commissioners served for much longer periods, as is evidenced in the tabulation that follows. The commission's makeup is shown here as of January 1 of each year. [13]



Makeup of the Reservoir Commission, 1895-1931			
Year	Mayor	City Engineer	Commission Members
1895	William S. Greene	Philip D. Borden	George H. Eddy, Samuel Watson, Jeremiah R. Leary
1896	William S. Greene	Philip D. Borden	George H. Eddy, Samuel Watson, Jeremiah R. Leary
1897	William S. Greene	Philip D. Borden	George H. Eddy, Samuel Watson, Jeremiah R. Leary
1898	Amos M. Jackson	Philip D. Borden	George H. Eddy, Samuel Watson, Michael Sweeney
1899	Amos M. Jackson	Philip D. Borden	George H. Eddy, Samuel Watson, Michael Sweeney
1900	John H. Abbott	Philip D. Borden	George H. Eddy, Samuel Watson, Michael Sweeney
1901	John H. Abbott	Philip D. Borden	George H. Eddy, Samuel Watson, Michael Sweeney
1902	George Grime	Philip D. Borden	George H. Eddy, Michael Sweeney, William Mitchell
1903	George Grime	Philip D. Borden	George H. Eddy, William Mitchell, John S. B. Clarke
1904	George Grime	Philip D. Borden	William Mitchell, J. S. B. Clarke, William J. Harley
1905	John T. Coughlin	Philip D. Borden	William Mitchell, J. S. B. Clarke, William J. Harley
1906	John T. Coughlin	Philip D. Borden	Daniel J. Sullivan, William Biltcliffe, Joseph Watters
1907	John T. Coughlin	Philip D. Borden	Daniel J. Sullivan, William Biltcliffe, Frederick J. McLane
1908	John T. Coughlin	Philip D. Borden	Daniel J. Sullivan, F. McClane, Thomas Taylor
1909	John T. Coughlin	Philip D. Borden	Daniel J. Sullivan, F. McClane, Thomas Taylor
1910	John T. Coughlin	Philip D. Borden	Daniel J. Sullivan, Thomas Taylor, Edmund Cote
1911	Thomas F. Higgins	Philip D. Borden	Daniel J. Sullivan, Albert J. Brunelle, Harry Greenalgh
1912	Thomas F. Higgins	Philip D. Borden	Albert J. Brunelle, Harry Greenalgh, T. Duncan Kelly
1913	James H. Kay	J. Edgar Borden*	Albert J. Brunelle, Harry Greenalgh, T. Duncan Kelly
1914	James H. Kay	J. Edgar Borden	Albert J. Brunelle, T. Duncan Kelly, R.F. Haffenreffer Jr.
1915	James H. Kay	J. Edgar Borden	Albert J. Brunelle, T. Duncan Kelly, R.F. Haffenreffer Jr.
1916	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, T. Duncan Kelly, R.F. Haffenreffer Jr.
1917	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, T. Duncan Kelly, R.F. Haffenreffer Jr.
1918	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, R.F. Haffenreffer Jr., Henry F. McGrady
1919	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, R.F. Haffenreffer Jr., Henry F. McGrady
1920	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, R.F. Haffenreffer Jr., Henry F. McGrady
1921	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, R.F. Haffenreffer Jr., Charles B. Chase
1922	James H. Kay	Albert Wolstenholme	Albert J. Brunelle, R.F. Haffenreffer Jr., Charles B. Chase
1923	Edmund P. Talbot	Robert A. McGrath	Albert J. Brunelle, Charles B. Chase, Joseph P. Phelan
1924	Edmund P. Talbot	Robert A. McGrath	Albert J. Brunelle, Charles B. Chase, Joseph P. Phelan
1925	Edmund P. Talbot	Robert A. McGrath	Joseph P. Phelan, T. Duncan Kelly, Simeon Desjardin
1926	Edmund P. Talbot	Robert A. McGrath	T. Duncan Kelly, Simeon Desjardin, Thomas F. Harkin
1927	W. Harry Monks	Alexander C. Murray	Simeon Desjardin, Thomas F. Harkin, Thomas E. Lahey
1928	W. Harry Monks	Alexander C. Murray	Thomas F. Harkin, Thomas E. Lahey, Amable Chouinard
1929†	Edmund P. Talbot	Alexander C. Murray	James A. Burke, Thomas F. Harkin, Eugene J. Cote
1930	Edmund P. Talbot	Alexander C. Murray	Thomas F. Harkin, Thomas E. Lahey, Amable Chouinard
1931‡	Daniel F. Sullivan	Alexander C. Murray	Thomas F. Harkin, Thomas E. Lahey, Amable Chouinard

\*J. Edgar Borden took over as City Engineer from Philip D. Borden in July 1913.

†In 1929, James A. Burke, who was Chairman of the Watuppa Water Board, also served as Chairman of the Reservoir Commission in place of the Mayor. Also in 1929, Eugene J. Cote, a Watuppa Water Board member, served dually as a Reservoir Commissioner.

‡In July 1931, the Reservoir Commission was abolished, and all of its duties were transferred to the Watuppa Water Board.

## References

- [1] "Report of the Watuppa Ponds and Quequechan River Commission to the City Council, City of Fall River," September 1915.
- [2] Orin Fowler, "History of Fall River," Fall River, MA, 1841.
- [3] Henry H. Earl, "A Centennial History of Fall River, Mass.," Atlantic Publishing and Engraving Co., New York, 1877.
- [4] "Report of the Reservoir Commission to the City Council, City of Fall River, Mass.," City of Fall River Reservoir Commission, Fall River, MA, April 1911.
- [5] "Report of the Reservoir Commission to the City Council, City of Fall River, Mass.," City of Fall River Reservoir Commission, Fall River, MA, July 1902.
- [6] "Record of the Doings of the Reservoir Commission of the City of Fall River," Book #1 (June 1895-January 1913), City of Fall River Reservoir Commission, Fall River, MA.
- [7] "Record of the Doings of the Reservoir Commission of the City of Fall River," Book #2 (January 1913-April 1914), City of Fall River Reservoir Commission, Fall River, MA.
- [8] "Record of the Doings of the Reservoir Commission of the City of Fall River," Book #3 (April 1914-May 1931), City of Fall River Reservoir Commission, Fall River, MA.
- [9] "Tabulation of Parcels of Land Belonging to the City of Fall River Adjacent to the North Watuppa Pond," City of Fall River Reservoir Commission, Fall River, MA, January 1, 1926.
- [10] Philip T. Silvia, "Victorian Vistas: Fall River, 1901-1911," R.E. Smith Printing Co., Fall River, MA, 1988.
- [11] Hugo Adelard Dubuque, "The Fall River Indian Reservation," Fall River, MA, 1907.
- [12] Arthur Sherman Phillips, "The Phillips History of Fall River," Dover Press, Fall River, MA, 1944-1946.
- [13] City Documents, City of Fall River, 1895-1931.