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United States Department of the Interior  
National Park Service

# National Register of Historic Places Inventory—Nomination Form

See instructions in *How to Complete National Register Forms*  
Type all entries—complete applicable sections

## 1. Name

historic Silver City Water Works Building

and/or common

## 2. Location

street & number Little Walnut Road, N/A not for publication

city, town Silver City \_\_\_\_\_ vicinity of \_\_\_\_\_ congressional district

state New Mexico code 35 county Grant code 017

## 3. Classification

<b>Category</b>	<b>Ownership</b>	<b>Status</b>	<b>Present Use</b>	
<input type="checkbox"/> district	<input checked="" type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	<input type="checkbox"/> agriculture	<input type="checkbox"/> museum
<input checked="" type="checkbox"/> building(s)	<input type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input type="checkbox"/> commercial	<input type="checkbox"/> park
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational	<input type="checkbox"/> private residence
<input type="checkbox"/> site	<b>Public Acquisition</b>	<b>Accessible</b>	<input type="checkbox"/> entertainment	<input type="checkbox"/> religious
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input checked="" type="checkbox"/> yes: restricted	<input checked="" type="checkbox"/> government	<input type="checkbox"/> scientific
	<input checked="" type="checkbox"/> being considered	<input type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial	<input type="checkbox"/> transportation
	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> no	<input type="checkbox"/> military	<input type="checkbox"/> other:

## 4. Owner of Property

name Town of Silver City, Mayor, Don Maxwell

street & number P. O. Box 1188

city, town Silver City N/A vicinity of state New Mexico

## 5. Location of Legal Description

courthouse, registry of deeds, etc. Grant County Clerk's Office

street & number Grant County Courthouse

city, town Silver City state New Mexico

## 6. Representation in Existing Surveys

title Grant County Historic Buildings Survey has this property been determined eligible? \_\_\_ yes  no

date 1980 \_\_\_ federal \_\_\_ state  county \_\_\_ local

depository for survey records Silver City Museum

city, town Silver City state New Mexico

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## 7. Description

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**Condition** excellent good fair deteriorated ruins unexposed**Check one** unaltered altered**Check one** original site moved

date \_\_\_\_\_

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**Describe the present and original (if known) physical appearance**

The Silver City Water Works building is composed of a one-and-one-half-storey section with cross-gable roof, which originally served as the engineer's residence, attached to a one-storey flat-roofed section with raised stonework in its parapet, which housed the water works equipment. It is constructed of sandstone, an unusual choice of building material in Silver City in 1887 - the water works building is the only stone building of its vintage in the town. Windows are double-hung, two lights over two; window and door openings have arched-top wood lintels, and the doors have transoms. An attached shed-roofed porch occupies the northeast corner of the former residence section. The integrity of the structure is very well-preserved, although it is somewhat deteriorated. The building is virtually identical to its appearance in a ca. 1890 photograph, with the exception of the porch, which originally had pierced wood brackets and a sawn balustrade; and a smoke stack, which is no longer standing. A wood paneled garage-type door occupies a doorway in the north end of the building where the water works were located; while the door is not original, the wide entrance, with stone segmental arch, apparently is. The site occupied by the water works building was, at the time of its construction, open land on the far outskirts of Silver City. Today it is part of a residential neighborhood, with an elementary school immediately to the south, and 1930's-vintage residences to the north. The water works for the city are still located on the premises, along with a city shop building. The stone building is now mainly used by the city for storage.

## 8. Significance

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> architecture	<input type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> art	<input checked="" type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> humanitarian
<input checked="" type="checkbox"/> 1800-1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> theater
<input type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input type="checkbox"/> politics/government	<input type="checkbox"/> transportation
		<input type="checkbox"/> invention		<input type="checkbox"/> other (specify)

Specific dates 1886

Builder/Architect John Hill

### Statement of Significance (in one paragraph)

Silver City, New Mexico was, in 1886, a well-established town of substantial brick buildings, with a surprising number of amenities for a Southwestern frontier community. In 1876 Silver City was connected to the rest of the country by telegraph; it was connected by rail in 1883 when a branch line of the A.T. & S.F. railroad was brought in from Deming. The same year, the first telephone system was installed in the little town, and in 1884 an electric light plant was completed - only two years after New York installed its first electric system. In keeping pace with progress in the "States," it was logical that a dependable municipal water system should be a priority, especially in Silver City's arid environment where water was a resource valued almost as highly as the mineral wealth being extracted from the nearby hills. Water at that time was primarily obtained from cisterns and hand-dug wells; mountain stream water was also sold by a few enterprising individuals. Fire protection was of great concern to the early residents of Silver City; in 1875 the town had purchased the first fire engine in the territory and formed a volunteer fire department, and in 1880 a fire-prevention ordinance was passed banning frame construction within the corporate limits of the town. The water works building, constructed in 1887 under city franchise, marked an important milestone in the development of Silver City and its resources, and is significant today not only for this reason but for its distinctive architecture as well. Crafted by a Michigan stone mason, the water works building is one of a very few stone buildings in Silver City, and the only one of its age or stature. It reflects the prevailing building styles of its day for the dual residential/industrial functions it originally served.

(Continued)

## 9. Major Bibliographical References

Deed Records, Grant County Clerk's Office  
Council Minutes, Town of Silver City  
Grant County District Court Records, State Records Center and Archives, Santa Fe  
(Continued)

## 10. Geographical Data

Acree of nominated property Less than 1 acre

Quadrangle name Silver City Quad

Quadrangle scale 1:24,000

### UMT References

A 

1	2	7	5	4	9	0	0	3	6	3	0	3	4	0
Zone		Easting				Northing								

B 

Zone		Easting				Northing								

C 

Zone		Easting				Northing								

D 

Zone		Easting				Northing								

E 

Zone		Easting				Northing								

F 

Zone		Easting				Northing								

G 

Zone		Easting				Northing								

H 

Zone		Easting				Northing								

### Verbal boundary description and justification

The Water Works building is located in the southeast corner of a 6.04 acre plot in northeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of Section 34, T. 17S., R. 14 W., owned by the Town of Silver City and located on the west side of Little Walnut Road, immediately north of the

List all states and counties for properties overlapping state or county boundaries (Continued)

state N/A code N/A county N/A code N/A

state N/A code N/A county N/A code N/A

## 11. Form Prepared By

name/title Susan Berry, Assistant Curator

organization Silver City Museum

date August, 1982

street & number 312 West Broadway

telephone (505) 538-5921

city or town Silver City

state New Mexico

## 12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

national  state  local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

State Historic Preservation Officer signature

title State Historic Preservation Officer

date 9-23-83

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I hereby certify that this property is included in the National Register of Historic Places

Keeper of the National Register

date 1/26/84

Attach:

Chief of Registration

date

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Although Silver City's town council had granted a water works franchise to John A. Miller in the early 1880's, nothing came of it. The Silver City Enterprise of February 22, 1884 lamented: "The water in the lower end of the valley is totally unfit to drink, and almost too hard for any other purpose; and should a conflagration such as has visited many of our sister towns break out in our midst, what sad havoc the devouring flames would make of our beautiful little city! And to what plight some of us would be put who have all invested in buildings and stock! This is a matter for thoughtful consideration by our council, and should the present body fail to grasp it, the water works question should be made an issue at the coming city election."

In May, 1886, George H. Utter of Santa Fe arrived in Silver City, proposing to establish a water works. Born in Green County, New York in 1854, Utter had originally learned the trade of a sewing machine mechanic. He removed to New Mexico in 1880 from Connecticut, locating first at Las Vegas and then Santa Fe, where he established an assay office. Utter in 1884 served as fiscal agent for New Mexico, making the first credit for the Territory by selling \$200,000 in capitol building bonds, and in 1885 he placed railway bonds for the Santa Fe railroad.

Utter's request for a water works franchise from the city was met with a certain cautiousness from local residents, who perhaps remembered the lack of success of the previous effort. The Silver City Enterprise, in an editorial published May 14, 1886, said, "We can think of nothing that our city needs at present as badly as water works, but at the same time it would be well for our city fathers, when granting a charter, to see that the interests of the city are protected, insofar at least as to reserve the right to buy out the plant at any time they may see fit to do so. This will be a safeguard to the taxpayers which will have a tendency to keep the company within reason in its charges. The works as proposed by Mr. Utter cannot be completed [for] under \$150,000, and it is not reasonable to suppose that a company will expend so much money without a liberal charter and some encouragement from the city authorities, which we believe will be granted."

The town council, at their May 20, 1886 meeting, passed an ordinance granting Utter's water works franchise, after considering each of the twenty sections of Utter's contract. The contract was to run for 50 years. One or more reservoirs would be placed at an elevation of at least 250 feet above the corner of Broadway and Main Streets. Twenty hydrants were to be rented by the city for twenty years at \$3,000 per annum. After ten years the city would have the option to purchase the water works, the price to be determined by arbitration. Flushing of streets and gutters was to be done once a week for five hours, not to exceed the amount of water which one stream from a one-inch orifice could furnish. Work was to begin within four months and the water works completed within a year. A tariff for consumers in various branches of business and for private residences was provided for. Churches, city offices and schools were to get their water free of charge. The water works and other property of George H. Utter and assigns were to be free of taxation for five years. In December of 1886 articles of incorporation for the Silver City Water Company were filed. Directors of the company were Utter, his brother-in-law, James K. Livingston, and Henry Foster, a Rhode Island banker who was to have a major role in future events involving the company.

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John Hill, a stone mason formerly of Grand Rapids, Michigan, was awarded the contract for the building of the reservoir and the stonework of the water works building. Russell and Alexander of Colorado Springs, Colorado, were contracted for the laying of pipe. H. G. Douglass donated several acres of land from his homestead north of Silver City for the reservoir (he was to receive in return free water for five years). A large well was sunk to a depth of 60 feet. Just above the bottom of the well a graded tunnel 500 feet long was run two-thirds of the way across the valley through sand and clay on the bed rock, cutting several streams, which were thus emptied into the well. The water was pumped to a reservoir located 230 feet higher than the center of town, giving the city 100 pounds fire pressure to the inch. A one-and-a-half storey stone building, 30' x 97', was constructed for the pump works and an engineer's residence.

In late May, 1887, Utter notified the town council that he was ready for the city to accept the water works, and asked the council to make a test of the water. A stream of water was thrown over the cupola of the courthouse, one of the highest points in town, demonstrating ample pressure for fire-fighting purposes. The machinery, the stone building, and the works were inspected and commented on favorably by the council. A test of the well showed that 85,000 gallons would be discharged from the drift in twenty-four hours. The works were approved by the council.

In addition to providing for the municipal needs of street sprinkling and fire protection, the works, at the time of inauguration, had connected some thirty or forty houses to the supply, as private customers. A schedule of quarterly rates for subscribers included residences of four rooms or less at \$4.50, with \$.75 for each additional room; barber shops, \$3.75 for first chair and \$2.25 for each additional chair; bath tubs, private, \$1.50; bath tubs, public, \$7.50; saloons, bakeries, full-front banks and drug stores, foundries and machine shops, all \$7.50; and further breakdowns for other businesses and industries. The Enterprise of June 10, 1887, predicted, "Ere long the yards and gardens of Silver City will show the effect of an abundance of moisture and the city will be noted far and wide for its floral beauty."

All appeared to be running smoothly. In January, 1890, the Enterprise reported that the income of the water works from the city, stamp mills, cattle ranches, and private property holders, totalled almost \$15,000 annually. However, internal problems were brewing not only between the water company and the city but between the company's directors. Water shortages had become evident within a year of the plant's inception, and the city refused to pay for fire protection they felt they were not getting. In June, 1890 the town council voted to cancel the contract with the water company for non-fulfillment of fire protection. While Utter was negotiating with them on this matter, the Silver City Enterprise reported that unfiltered flood water had been diverted into the city well by the water company: "It is disgusting to think that our citizens are compelled to use such filth for water on account of the penuriousness of the water company's management." Utter was charged in district court in August, 1890 with putting filthy and unhealthy water in the well and reservoir and selling spoiled and unhealthy water (these charges were not prosecuted). At this time, Henry Foster, principal owner of the water company, arrived from the East, expressing himself, according to the Enterprise, "...in readiness to do almost anything, consistent with his own rights, to accomodate the people...He will make many important changes in the water works business, and desires to get along with our people as pleasantly as possible."

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One resident was unable to get along pleasantly with Foster, however. Utter, in the October 31, 1890, issue of the Enterprise, published a letter denouncing the actions of Foster, to whom he had personally become deeply indebted through mortgages on his home and mining property at Gold Hill. Shares of water company stock owned by Utter had been used as security on these notes from Foster. Foster was, according to Utter, using unscrupulous means in an attempt to oust Utter as president and manager of the water company, and to install his cousin, Thomas Foster, in that position. Among other accusations, Utter charged that Foster had notified the American Loan and Trust Company of New York, which held a trust deed to the water works properties, that the water company (of which he was a director) was in default on its interest and tax payments, which, according to the terms of the deed, could result in the Loan and Trust Company taking possession of the property and selling it. Utter maintained that all payments had been made and that the water company had not defaulted, but that through Henry Foster's efforts, Thomas Foster was appointed a local agent (a "pseudo agent," in Utter's words) of the American Loan and Trust Company. Thomas Foster, according to Utter, gained entry to the water company's office while Utter was absent at dinner, and removed all of the company's books and papers.

Thomas Foster responded in the next issue of the Enterprise, denying any wrongdoing on the part of himself or his cousin. He said, "It is true that Mr. Utter owns about one half of the water company stock, which stock never has had any value, and is now worthless. But he has cunningly forgotten to tell you that he has never put one dollar into the construction of these water works. Furthermore, he has forgotten to mention that he has never met the various interest payments on the bonded or mortgage indebtedness, and that he has been retained for the past three years in the position of superintendent only by the very Henry Foster whom he now so falsely accuses." Two weeks later, it was reported that Utter smashed in one of the windows of the water company's office, and with two men took possession. Thomas Foster, representing the trust company, had Utter arrested for breaking and entering. Utter retaliated with a similar charge against Foster for the incident three weeks previous. The case against Utter was dismissed on a technicality, and the case against Foster was tried and dismissed.

It was not until July, 1893, that the dispute between Utter and the water company was finally settled. The Master in Chancery, A. H. Harllee, rendered a decision against Utter, a decision sustained by Judge Albert B. Fall in Las Cruces. In November, 1893, Utter sued for and received \$771.54 for work done for the company as President during the years 1890 and 1891 at the request of the company. Although he lost his position, and also his home (through default on his mortgage to Foster), Utter did not completely drop out of the picture. His involvement with the Silver City area was to continue for many years, where he was remembered for his development of the Cleveland group of mining claims north of Silver City; the claims were sold to Empire Zinc Company in 1913 and a small town built at the site. Utter eventually moved to California, but continued to own property in Silver City for the remainder of his life.

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The waterworks franchise as well as all the real property of the company remained in the ownership of the Foster family until March 6, 1900, when a corporation known as the Silver Valley Water Works purchased the company's holdings. This corporation operated the water works until 1924, when the company, some \$120,000 in debt, was placed in receivership. Complaints of an inadequate supply of water to fulfill the franchise agreement with the city, which had only a few years left to run, were voiced. On July 21, 1925, the water works was sold to the Town of Silver City, an ownership which continues to the present. New sources of water for the city were sought out and developed around the same time, at last alleviating the shortages which had plagued Silver City for the first fifty years of its existence. Although the water works are no longer in the old stone building, they are still on the premises. The water works building is primarily used for storage by the Town of Silver City today.



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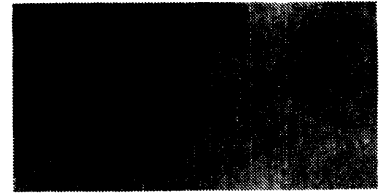
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Representative New Mexicans, C. S. Peterson, Editor and Publisher, Denver, 1912  
Silver City Enterprise, 1884-1925

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José Barrios Elementary School property. The plot has not been subdivided into lots. The nominated property includes only the Silver City Water Works Building and a 10 foot wide strip of land surrounding it.