

Chapter XI

THE POCASSET PURCHASE WHICH INCLUDED PRESENT
FALL RIVER TERRITORY LYING SOUTH OF BEDFORD STREET.

The Pocasset Purchase

The Pocasset Purchase was made by a company of men, some of whom were from the Plymouth settlements and others who had recently come from or were still residing in Rhode Island.

Rhode Island had suffered no Indian massacres, the soil was excellent and substantial herds of cattle and sheep had brought to the owners of its farms comfortable fortunes which had been little affected by the hostilities,—so that they had primarily the means to join in this purchase and secondly the ability to promote a resale of the lands at a substantial profit among their own Rhode Island neighbors, who even then needed more extensive pasturage for their stock.

Immediately after the purchase the most available lands were surveyed, and classified, and each classification or division was divided into thirty parts or shares, and then at proprietors' meetings it was determined by lot who was to own the particular lots which fell to his share.

After the first division it was a prerequisite that proprietors should pay their proportional part of the cost of the survey, before they could participate in the drawings. The principal northerly bound of the purchase was the southerly line of the Freeman's purchase, i. e. at the cleft rock at the corner of Main and Bedford streets in Fall River; the southerly line was the northerly line of the Puncatest purchase, i. e. one hundred and ten rods southerly of Seapowet Avenue in Tiverton, but Nanaquaket neck and the Goulding and Lake grants at Punkatest were expressly excluded from the purchase. Bounded westerly by the Narragansett Bay, and easterly by the old Dartmouth line the lands purchased nevertheless extended northerly

in the rear of the Freeman's land to the bounds of Middleboro, including a portion of the ponds in Lakeville (Quittacus and Long Ponds), and running easterly there to the Rochester line. This tail end (as it were) was called the "Pocasset Outlet".

The first allotment was of the house lots and the "Great Lots", and with this allotment certain reservations were made, viz: of a mill lot at Fall River, of two ferry lots at Tiverton (the north ferry and the south ferry) and of the ministry lot at Tiverton.

The 30 house lots were laid out in fan shape between the north ferry and the "Sin and Flesh river", and the pasture or "gore" lots were adjacent to and in the rear of the house lots extending into the woods to a point about a mile distant from the shore.

A highway at the foot (water side) of the house lots in Tiverton was laid out along the shore, and under the laws of Massachusetts (which differs from that of Rhode Island) the land then being in Massachusetts, owners of upland owned to the low-water mark, so that the proprietors owned in common a considerable strip of land along the Tiverton water front which, with three exceptions, was never legally conveyed away, and which therefore is still probably common land except insofar as adverse possession may have intervened.

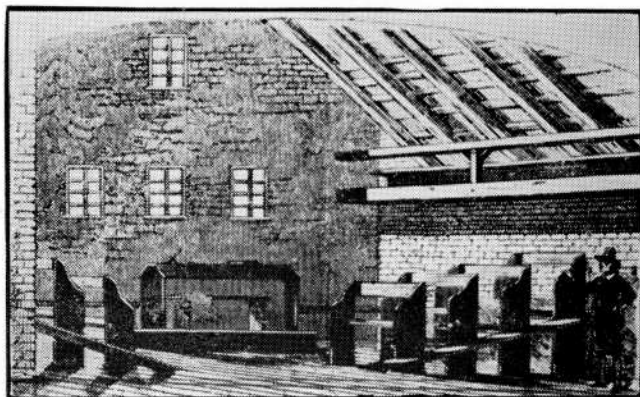
The first exception was at the northernmost ferry lot which, at its northerly line abutted the 23d Great Lot. In March 1700 the County jury laid out a new way through this ferry lot, and the proprietors voted to confirm title of the "old way by the bank" to the owners of the ferry lot. This way led from the north ferry towards Dartmouth and on December 31, 1716 the proprietors found it not "convenient to perform its intended purpose", and it was voted that its use be at the disposition of the town to be either improved or sold, so that another place could be purchased. This is the way which now leads from the Sinclair Oil wharf easterly by the Hambly farm to Fish Road.

Another exception related to the 30th house lot which in 1700 belonged to Joseph Wanton. It was located on the shore of "Pocasset gut", i. e. on the Tiverton side over against Nanaquaket. The proprietors relocated the highway there, moving it "some rods from the bank, above Wanton's work house", and they then assigned to him the land where the work house stood, and the land lying between his "house to the bank or river".

The third exception arose when in 1773 Benjamin Sheldon, who was the owner of a share and a half of the "commonage", was allowed to surrender his interest in the remaining shore land, and was granted in lieu



Capt. Robert Gray House, Tiverton, R. I.



Little Compton Town Hall

thereof sole ownership of that part of the commonage where his dwelling house stood near the north end of Nanaquaket pond. This seems to be the house or location near the Sin and Flesh river, from which my photograph entitled the Heart of Pocasset was taken.

The proprietors exercised care to see that the lands between the road and the bay were not encroached upon. In 1739 it appeared that John Howland had erected a "Smith's shop" (which stood there until the hurricane of 1938) on this strip (which I presume to be the smith shop nearly opposite the Tiverton post office) and had also built two wharves and warehouses, at the "most valuable and convenient places" on account of which the "four rods along the bank" had been "pinched" of its just measure in several places. The proprietors appointed a committee to exercise "speedy care".

The width of the ministry lot had decreased by encroachments. One Joseph Anthony seems to have been a participant because he refused to let the committee measure across his lot (the 23rd great lot) and all known bounds had disappeared. He was a Quaker and not interested in the colonial form of public worship.

Where the village of Tiverton now stands was, one hundred and fifty years ago, the hamlet of Howland's Ferry. At Daniel Howland's house, which was also an Inn, the Proprietors' meetings and the town elections were held as early as 1703. In 1792 on a petition by citizens of the town of Newport the General Court of Rhode Island, held in Newport, granted permission to span the Sakonet river by construction of a bridge between Rhode Island and Tiverton at Howland's Ferry, and two years later a wooden bridge was completed at that point. It was the first driveway leading to the Island of Rhode Island. The bridge was so weak that in spite of efforts to strengthen it by additional piles, it was carried out by the tides during the winter of 1796. It was immediately rebuilt, but in the following year it was again swept away. No attempt was made to again rebuild it till 1807 when a stock company secured subscriptions of \$80,000 and, under the superintendence of Major Daniel Lyman, a stone structure was built. Completed in July 1810, the September gale of 1815 carried away two hundred feet of the structure, after which the bridge was repaired and reopened in 1817. It was then a toll bridge and for half a century it stood firm, but the September gale of 1869 blew off the draw, and its replacement was financed by the State of Rhode Island.

With the state assuming control, the bridge then underwent substantial repairs, was greatly strengthened and made a "free" bridge. Over 280,000

tons of stone were then used in the construction of the bridge. Its cost was approximately two hundred and fifty thousand dollars. Other substantial repairs were made to the bridge from 1905 to 1908 inclusive. A new draw and span were then built, the channel approaches were improved. One hundred thousand dollars of this cost was paid by the State of Rhode Island, and an additional sum by the United States government. It is operated by the State of Rhode Island at an annual cost of seven thousand dollars.

While the ferry was the only means of intercourse with the island, the village, now called Stone Bridge, took the name of Howland's Ferry. When the first bridge was built the place was generally referred to as Howland's Bridge. Since a more permanent structure has linked the island with the mainland, the term "Stone Bridge" has come to signify the village at its eastern approach.

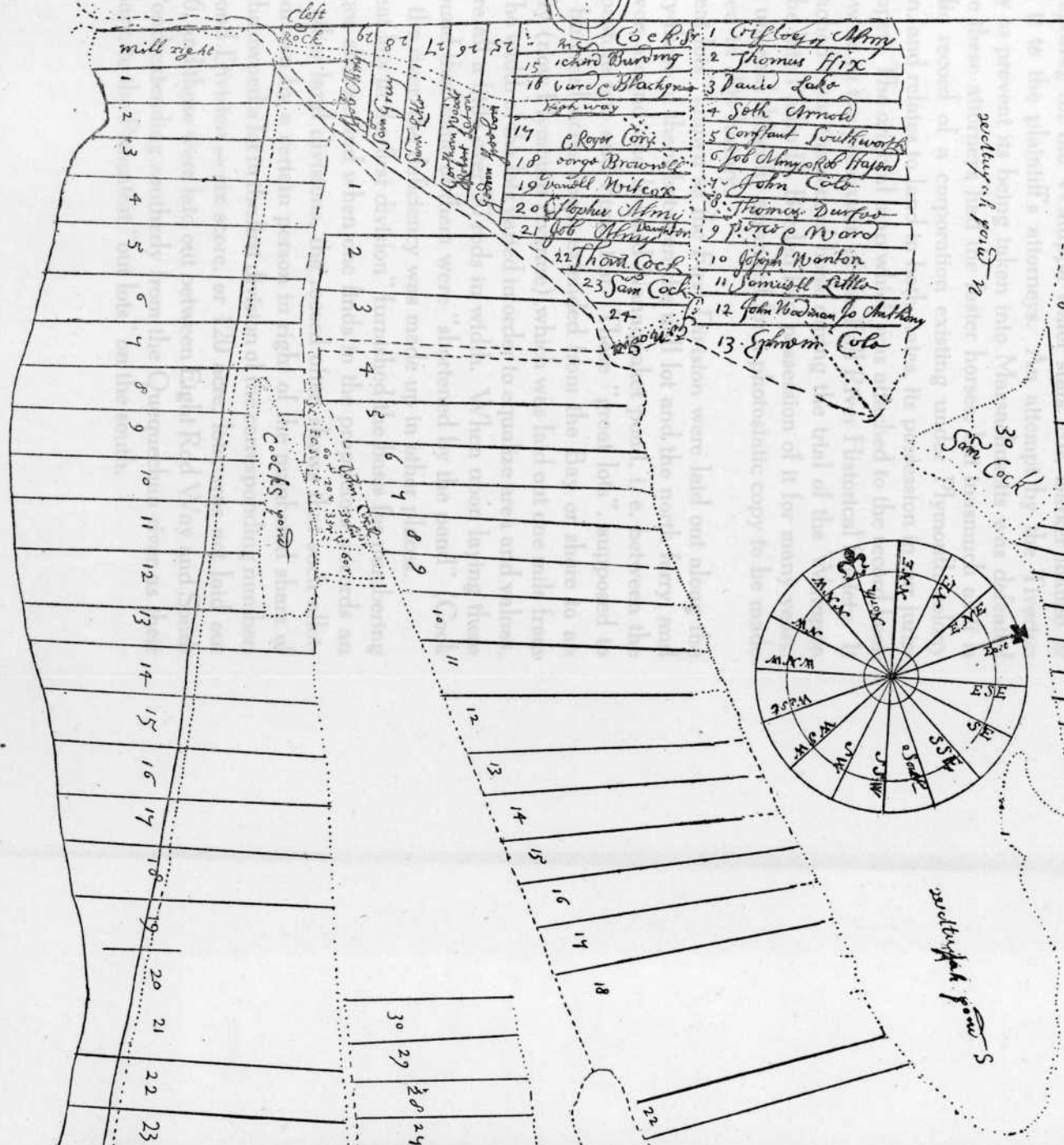
The earlier ferry was operated by Isaac Howland's brother, a bachelor, who, at his death, gave it to John Howland. The Tiverton landing was about forty rods north of the present stone bridge and west of Major Hambly's shop, at a point, as old measurements show, some distance west of the present shore line, where stood a row of poplar trees.

Other Meeting House Records have been located as follows:

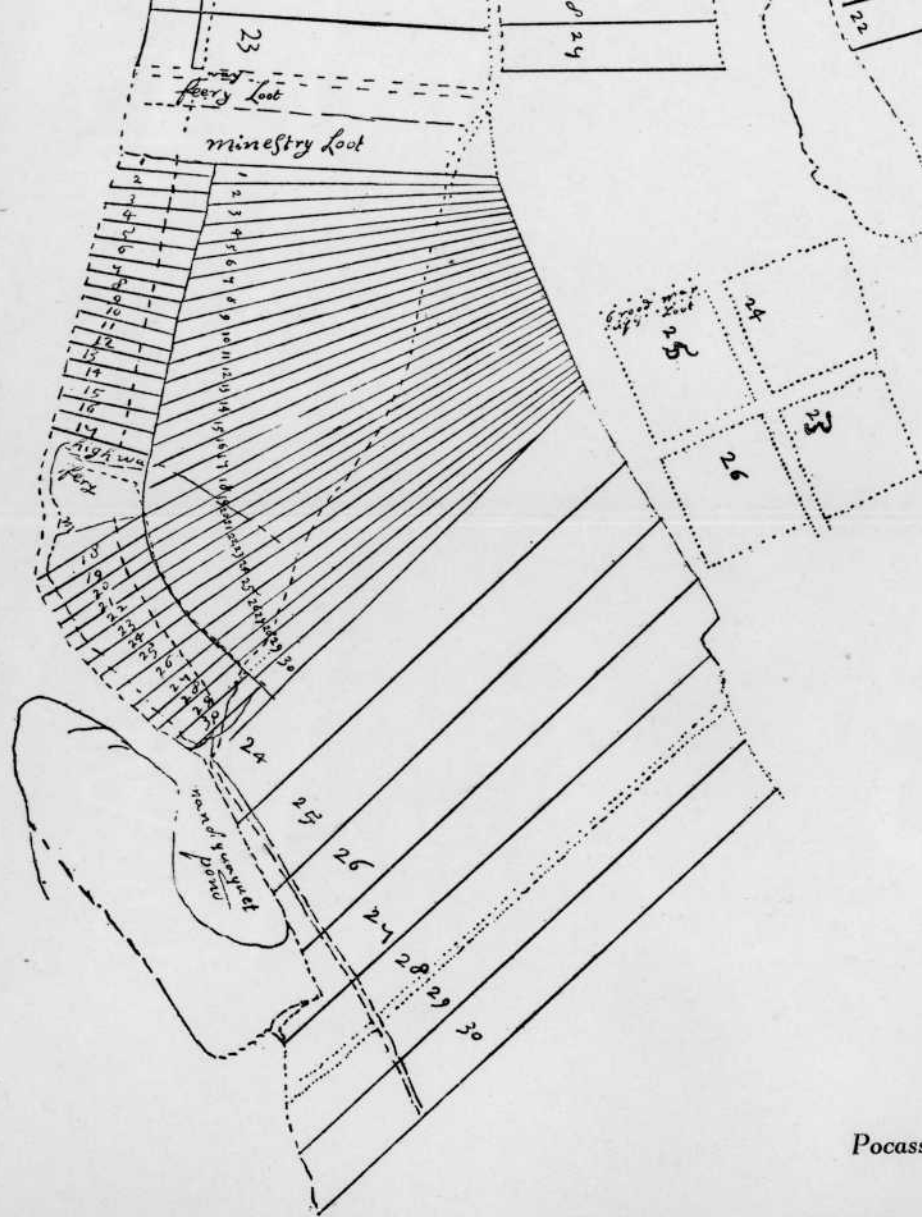
On February 16, 1711 (book 2, page 265) Samuel Snell, in consideration of the good will and affection borne toward the public worship of God, conveyed to Col. Benjamin Church, Lt. Job Almy, Edward Gray and himself, as a committee, ("to erect and build a new meeting house on") the piece of land where the meeting house now stands, — the lot being bounded northerly by the ninth house lot belonging to Joseph Wanton, having a width of three and one-half rods, and running westerly parallel with the ninth lot to the highway.

December 28, 1736, (book 6, page 19) Joseph Anthony conveyed to Samuel Borden, Samuel Hix, Jr. and Weston Hix of Tiverton and to Daniel Howland and Jacob Mott, of Portsmouth, and the survivors of them forever, in consideration of fifteen pounds, one acre of land on which stands a certain meeting house, in which the people called Quakers usually meet, bounded southeasterly on the highway, and southwesterly and northwesterly on the grantor.

The Proprietors of the Pocasset Purchase, continued their activities for many years, until no business other than rent collections and rent divisions was transacted at their meetings. After 1739 these meetings became very infrequent and finally ceased. An attempt to revive the proprietorship during the last generation was made with much legal formality under Rhode



- 1. Crislowe Mny
- 2. Thomas Hix
- 3. David Lake
- 4. Seth Arnold
- 5. Constant Southworth
- 6. Job Mny & Rob Hays
- 7. John Colo
- 8. Thomas Duffee
- 9. Peter C Ward
- 10. Joseph Winton
- 11. Samuel Little
- 12. John Winton & John Anthony
- 13. Ephron Colo
- 14. George Mny
- 15. Richard Winton
- 16. David Blackman
- 17. John Gray
- 18. John Lake
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Pocasset Purchase

Island laws, but it had then become a "quasi corporation" under Massachusetts laws, and the attempt was probably illegal. The proprietary interests had undoubtedly merged into a public ownership by non-user.

The original proprietor's record book has been carefully preserved by the Emery process, and is now on file in the City Clerk's office in Fall River. Benjamin Barker was the last keeper of the proprietor's records, and the book was in his possession as clerk. When it became necessary to use this record in preparing for the Watuppa water suits, Mr. Barker loaned or surrendered it to the plaintiff's attorneys. An attempt by the Tiverton constabulary to prevent its being taken into Massachusetts was defeated only because these attorneys had the faster horses, but inasmuch as it is now a public record of a corporation existing under Plymouth colony authorization, and relates to land in both states, its possession in our jurisdiction is proper. The original map which was attached to the record book is said to now be in the possession of the Fall River Historical Society. It became detached from the record book during the trial of the Watuppa cases, and the late Philip D. Borden had possession of it for many years. I have, with unusual difficulty arranged for a photostatic copy to be made and it is used in this history.

The "great lots" known as the *First Division* were laid out along the shore, twenty-three of them between the mill lot and the north ferry, and the other seven around and beyond Nanaquaket pond, i. e. between the house and pasture lots and Puncatest. These "great lots", supposed to contain one hundred acres each, extended from the Bay or shore to an Eight rod way (now Plymouth Avenue) which was laid out one mile from the shore. The width of the lots varied in order to equalize area and values, but they were all a little over 50 rods in width. When upon laying them out it was found that some of them were "shortened by the pond" (Cook pond) or by the river, the deficiency was made up in other places.

The "great lots in the first division" furnished the basis for numbering the proprietors' shares, and when one finds in the proprietors' records an allotment of other land divisions, the record often shows that such allotments were drawn by a certain person in right of the numbered share of the person who owned a lot in the first division of the corresponding number.

The *Second Division* — six score, or 120 acre, lots, was not laid out till June 1696, and these were laid out between Eight Rod Way and South Watuppa Pond extending southerly from the Quequechan river as their north boundary, to the Puncatest "out lots" on the south.

The Third Division — 25 acre lots were at Flint village, laid out (in 1697) in three tiers (or blocks). The first tier extended between Eastern Avenue and the Watuppa Lake, and south from Bedford street to the river. The second tier (in the same order, i. e. from north to south) extended between Eastern Avenue and Quarry streets, and south from Bedford street to the river. The third tier extended between Quarry street on the east and the Mill lot, where it abutted the first great lot (in the first division) on the west.

I have abstracted the titles for a considerable number of years, to all of these 3d division lots. This work was started by the late Charles E. Mills, Register of Deeds, and I have re-checked his valuable work and added considerable data from my own notes. I shall file these records with the Fall River Historical Society. They are too voluminous and not of sufficient current value to print.

The Fourth Division, the 40 acre lots (also laid out in 1697) ran from the Freetown line, on the Easterly side of North Watuppa Pond (opposite the pumping station) southerly to Cranberry neck, which laid on the easterly side of the South Watuppa pond near the outlet of the Christopher Borden brook. Cranberry Neck was held in common or partnership, and was sold from time to time by the various proprietors in thirtieth parts. Details of these are omitted because they are not in Fall River.

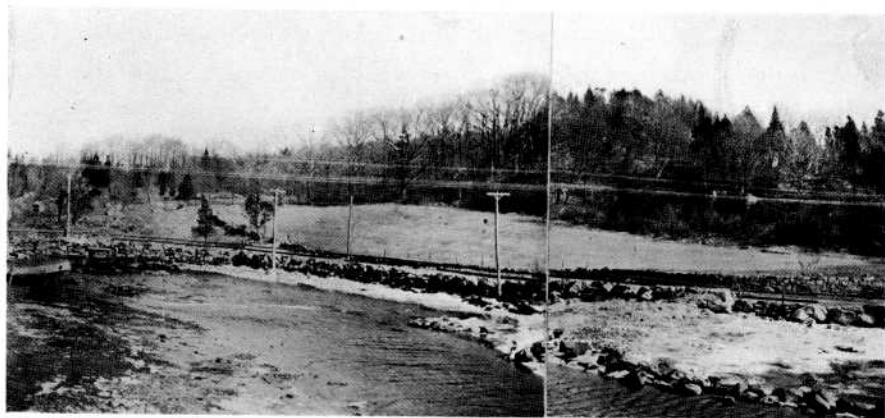
The Fifth Division, known as the Swamp lots, was laid out in 1700 in the Bear's Den section, i. e. from Newton street (which was originally laid out as a three rod highway) southerly to the six rod highway which was laid out near the outlet of Stafford Pond. These also are not in Fall River.

The Sixth Division, known as the upland or 50 Acre lots, was also laid out in 1700 and extended southerly from about the middle of Stafford Pond, to the Puncatest line and Dartmouth bounds. All these are without the city limits.

There were several other divisions, one called the Ash ground to the easterly of the Fourth Division; also the Second Division of Swamp lots in the Copicut swamp easterly of the Freeman's land, and the Second Division of Great Lots from the Pocasset Outlet and Dartmouth line to Middleboro bounds and the Quittacus ponds. These were laid out in 1713. These have now very little historical importance. A small section here was annexed to Fairhaven in 1815. I have discovered an old map which is of



Pocasset Gut



Sin and Flesh River — The Heart of Pocasset



great interest as to the location of old mill sites in this area which also includes Freetown. I have had this map reproduced and it is included in this history. It was prepared by surveyors employed by the Commonwealth of Massachusetts.

The proprietors of the Pocasset purchase and the shares of each (in thirtieth parts) were as follows: Edward Gray (nine), Nathaniel Thomas (five), Benjamin Church (one), Christopher Almy (three and three quarters), Job Almy (three and one quarter), Thomas Waite (one), Daniel Wilcox (two) and William Manchester (five). Coincident with the delivery of this deed there was a dispute with the Freetown men as to the location of the dividing line. The Freetown men claimed that it followed the Fall River stream from pond to bay, but the Proprietors claimed and proved that it followed the river below the cleft rock, and to the east of the rock a line which practically coincides with the northerly line of Bedford street.

The cleft rock was of Fall River granite, and of tremendous size and its remains were clearly visible and were photographed by the writer immediately after the fire of February 2, 1928, which destroyed the business blocks on both sides of North Main Street. It was the most prominent in the Hotel Mohican basement, i. e. on the westerly side of Main Street and in direct line with the northerly line of Bedford street, but portions of it also clearly underlaid cellars on the easterly side of the street. Central street considerably offset Bedford street to the south, apparently from the early necessity of driving around the rock. Inasmuch as the colonial records indicate the rock as lying easterly of the road, the first road may have been westerly of the present Main street. Tradition indicates that during the early years of Fall River (or Troy) the shady sides of the rock served as the village public fish market. After the 1928 fire, water was still flowing from the spring which is often referred to in connection with the rock. The fissure or cleft, which separated two parts of the rock, ran northeast and southwest, to a point nearly even with the surface of the ground.

As we have noticed in the case of lot numbered two of the Punkatest shore lots, delivery of title was not then accomplished by the mere recording of a proper deed, but there was a further prerequisite that someone representing the granting power should cut some turf, sod or twig from the granted land and deliver it peaceably, as a token, to the new owner who thus reduced his contract to possession. When Joseph Church, represent-

ing the Colony, attempted to thus deliver possession to the Pocasset proprietors, he was forcibly opposed by David Lake.¹ Lake's home was at Nanaquaket or Puncatest. He was co-owner with William Earle and John Borden in the most southerly lot (lot No. 1) of the freemen's purchase. Lake was complained of for trespass and his case came up for trial in Plymouth on July 7, 1681. Meanwhile the proprietors had petitioned the Court to settle their line and in March 1681 it had been judicially determined as running "from the great cleft rock on the north side of the river, above and near the path that goeth over the river, W.N.W., until it meets with the river, and so by said river to the Taunton river, and from said rock E.S.E. into the woods to the extent of the freemen's grant." The Court at the same time ordered William Paybody to run the line. The complaint against Lake was that he took and pulled the turf and twig out of the hands of Joseph Church, claiming that he did so in defiance of said Church, pretending title in himself and others. Lake had to pay five pounds damage.

William Earle (another of the co-owners of this lot whose daughter had married John Borden, the third co-owner) "molested, interrupted and hindered Paybody when he started to run the line and assaulted him with a "sharp edged bill hook" saying he would spend his blood and life in defending him from running any line on the north side of the river. For this Earle was before the Court in Plymouth on March 7, 1682 (VII, 247) and it cost him four pounds damage and costs. It cost the proprietors fifteen shillings a share.

¹ David Lake had been granted 100 acres at Puncatest for very useful services during the Indian war and this grant was in terms excepted from the Pocasset grand deeds. Lake had disposed of his interest in the freemen's lands in 1687. He was originally a resident of Portsmouth, where he had been received as a freeman on October 16, 1668.