

Arthur S. Phillips



# THE PHILLIPS HISTORY OF FALL RIVER

♦ Fascicle I ♦

The Aborigines Explorations and Early Settlements The Freemen's and Pocasset Purchases Boundary Disputes

by

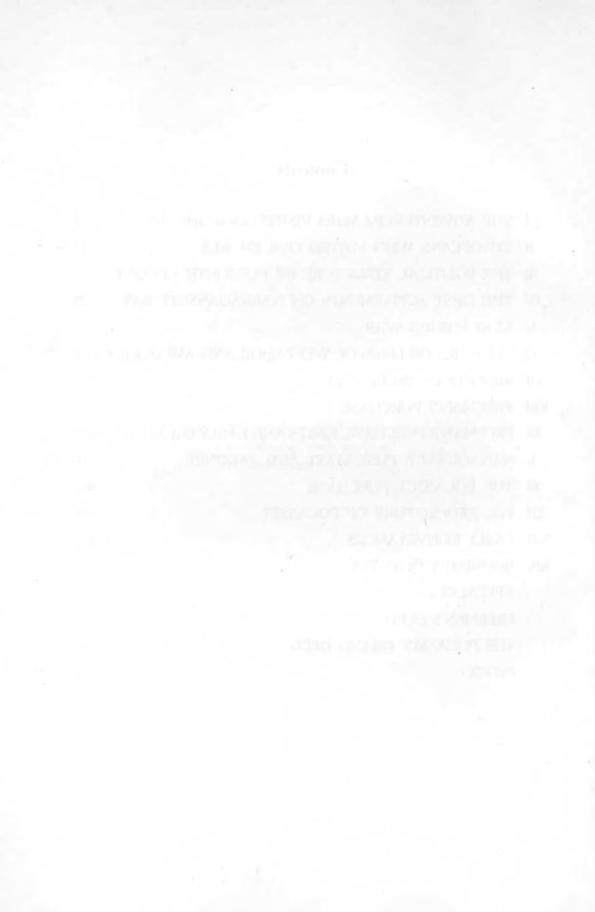
# ARTHUR SHERMAN PHILLIPS 1941

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### Foreword

This, the first fascicle of the "HISTORY OF FALL RIVER" was finished and the author intended to publish it without waiting for the completion of the second book. For this reason the manuscript was placed in the printer's hands. It is the hope of the editor, that from the many recorded investigations and copious notes of the author, the second volume may be prepared at some not too distant date.

Mr. Phillips would wish to acknowledge the assistance he has received in the preparation. The first person to be so recognized would undoubtedly be his faithful secretary for many years, Mrs. Florence E. Bentley. Mrs. Helen R. Porter and Mr. William E. Emery were at times, in the employ of Mr. Phillips engaged in research and recording. By correspondence with individuals and organizations, in personal interviews and conversations, many helpful facts and suggestions were received. To mention the names of some would slight many unknown. Recognitions will be frequently found in the text.

The Editor is very fortunate in having Miss Alice Brayton assume the responsibility of indexing this fascicle and wishes to express his gratitude to her for this difficult undertaking.

EDITOR.

October 18, 1943.



### ARTHUR SHERMAN PHILLIPS

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ARTHUR SHERMAN PHILLIPS was born December 13, 1865, in East Bridgewater, Mass. His parents were Mark Phillips and Susan Sherman Phillips, nee Pratt. The family removed from East Bridgewater to Fall River in 1872, first establishing a home on South Main Street (opposite Morgan Street); then at 605 Second Street (opposite Branch Street), and later at 377 Prospect Street, corner of Grove.

The first school he attended was in Liberty Hall, on the northeast corner of South Main and Morgan Streets; after that Morgan Street School till grammar school graduation in 1879; then the Fall River High School, first in the Davenport School on Branch Street and then in the Foster Hooper School on June Street, where he graduated with the class of 1883. He entered Williams College in the fall of 1883 and graduated with the class of 1887.

The same month that he graduated from college, he moved to Lowell, where he entered the employ of the Washington Mills Co. (afterwards the American Woolen Co.) as assistant to the bookkeeper. He was with this company for three years and for the same period he was in charge of the bookkeeping department in the Lowell Evening High School, and after that of a similar department in the Fall River Evening High School. While in Lowell he also tutored in mathematics and started a course of legal study with Frederick Fisher.

In 1890 he came back to Fall River and became a law student and general bookkeeper, typist and aid in the law office of Morton and Jennings, where the work was arduous, interminable but worth while. The work hours of one day often ended on the next day following. He was given much personal attention by the elder partner and was always coached and taught most efficiently, with plenty of practical illustrative work. He was admitted as a member of the bar in June 1891 and in the fall of the same year enrolled in Boston University Law School and was graduated in the 1892 class with a degree of LL.B., "magna cum laude". He was the prize essayist. Almost immediately he re-entered the Jennings office and worked on the defence of Lizzie Borden. For nearly a year he was the "trigger man" in collecting evidence, for which he gained legal recognition.

During the year the associated firm was Jennings and Brayton and when James M. Morton, Jr. came into the firm, Mr. Phillips opened an office of his own in Granite Block and shortly after associated with William E. Fuller, Jr. as Phillips and Fuller, which firm occupied rooms over the Union Savings Bank on Main Street and subsequently at 22 Bedford Street, till Mr. Fuller's health failed. Mr. Jennings had assisted Mr. Phillips in the organization of the Lafayette Co-operative Bank. He was engaged as counsel for the bank and held that position for fifty-three years. As personal counsel for Earl P. Charlton, he handled large financial and business interests, followed by similar work for the F. W. Woolworth Company, from the date of its organization, in which he assisted, till his retirement in 1938.

In religious beliefs, he had Congregational tendencies, for he described himself as a follower of Mark Hopkins. As an educator in addition to teaching, he was for many years treasurer and trustee of the Bradford Durfee Textile School and paid some attention to literary work, particularly on historical and legal lines. For recreation, he enjoyed hunting, fishing, golf and farming on his estate at Bristol Ferry.

Mr. Phillips was a member of the United States Supreme Court and of Circuit and District United States Courts in Massachusetts and Rhode Island; also of the State courts in Massachusetts and Rhode Island. He tried cases in Maine, New York and Pennsylvania and associated in considerable legal work in many other states. He was city solicitor of Fall River in 1899, under former Mayor Amos M. Jackson.

This brief sketch of the life of the author of this history was written in the first person by him, at about the time of his retirement from active legal practice. This first volume of "A History of Fall River" was complete at the time of his demise. Only a very few minor changes have been made in the text. The book is a record of years of most painstaking and exhaustive research and will serve posterity as an accurate reference for the early history of this region.

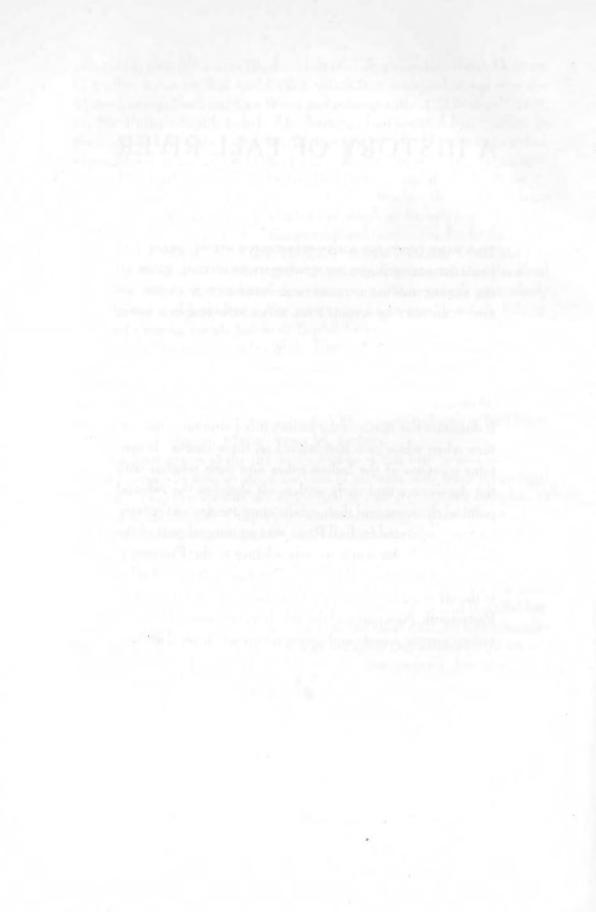
Arthur S. Phillips died March 18, 1941, in his seventy-sixth year. Simple funeral services were held in the Unitarian Church at East Bridgewater. He was buried in the same lot, in the East Bridgewater cemetery with his parents, his grandparents and his great grandparents. In an adjoining grave yard lies his Revolutionary soldier ancestor, his great great grandfather.

## A HISTORY OF FALL RIVER

THIS PART CONTAINS A COMPREHENSIVE STUDY, FROM THE EARLIEST RECORDS AND TRUSTWORTHY TRADITION, PRIOR TO ITS SEPARATION OR INTEGRATION FROM OTHER LANDS, OF THE TERRITORY OF WHICH FALL RIVER NOW FORMS A PART.

It discusses the status of the Indian tribal structure from the time when white men first landed on these shores. It contains a review of the Indian tribes and their relation with the discoverers and early settlers. It sketches the colonial political divisions and their subdivisions insofar as the territory now occupied by Fall River was an integral part of the same. It includes many records relating to the Freemen's, Sakonet, Puncatest and Pocasset Purchases. It refers briefly to the other settlements on Narragansett Bay at Providence, Portsmouth, Newport and Bristol. It records several land divisions among private and corporate owners since that time.

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### A HISTORY OF FALL RIVER

### Scope of the Work

THIS STORY must be more comprehensive than would at first seem necessary, because the territory which includes Fall River was for a long time included in other jurisdictions, and while so included the story of the events which occurred in those other jurisdictions and applied to Fall River territory, are a part of Fall River's history. For instance until King Philip's war (1676) a large part of the city was Indian territory, not assigned to any town. The Pocasset Indian tribe, under direct control of the Pokanoket nation, occupied and was in control of a large territory which included all of Fall River. We shall make considerable study of those Indians and of their history, so far as applicable to our own. A part of this Fall River territory was organized into the town of Freetown, and the balance was included in the Pocasset Purchase which also included the town of Tiverton. Since many of the activities which controlled either of these towns related also to Fall River territory we shall consider them.

After the Indian war, when the colony sold these lands to pay the debts and obligations of the war, purchasers and settlers came largely from other towns, many from Portsmouth, some from Duxbury and Plymouth, and of these many prominent men purchased land for their relatives, for their own homes and for investment. We must inquire about many of these in order to determine what tendencies and what influences of either a civil or religious character came in this way to affect the lives of our early settlers. Religious activities are an important part of every history. Distinction between the influence of the Congregational (Orthodox and Colonial) churches, and those of many other societies which settled here must be studied at considerable length due to the large number of these churches and their varied influences. The vast number of records which have been examined make it necessary that some subjects of importance be only lightly and perhaps insufficiently considered and abstracted.



### THE PHILLIPS HISTORY OF FALL RIVER



## Chapter I

THE ADVENTURERS WHO VISITED OUR SHORES IN ANCIENT TIMES Norse visits and colonization (Leif Ericson and others)

The Florentine voyage of Hieronimo de Verrazano Miguel Cortereal

#### Norse Visits and Colonization

Prior to the preparation of accurate maps and before places had permanent and definite names and particularly before 1620 those adventurers and explorers who visited Narragansett Bay described conditions and events so differently that a skeptical historian might question the accuracy of their reports. For that reason I have recorded events which I believe occurred prior to the landing of the Mayflower and have stated my source of information if the stated facts seem in doubt.

We know that New England had been visited by Europeans for several centuries before the voyages of Columbus, but although we know the dates of many of these visits and have a rather detailed record of the sections visited and the names then given to these sections, a subsequent rediscovery of these places finds these names so changed and the description of them so modified (even though changed slightly and then only by changed vistas) that we are often left in doubt as to the sequence of time of debarkation at the localities under consideration.

Deductions from available evidence lead to the conclusion that three major expeditions sojourned in the Narragansett Bay region prior to 1620, and that the influence of each of them can be rather definitely traced. Many other navigators quite certainly came to these shores bringing and leaving behind influences which are less tangible.

That very competent historian, Professor Wilfred H. Munro of Brown University, in his "Story of Mount Hope Lands" (1880) says that in the year 1000 A. D. Leif Ericson sailed up the Pocasset (now Sakonet) river and landed on the shores of Mount Hope Bay; that his crew consisted of thirty-five men from Greenland; that at first they visited Newfoundland, then went to Markland, or the "land of the woods" (Nova Scotia), then to Nantucket "where the dew was sweet"; and finally that they landed at a place "where a river flowed out of a lake" (i. e. Mount Hope Bay with the Sakonet river flowing out of it). This they called Vinland.

From Leif's record that the shortest day of the year was nine hours (7:30 to 4:30) Munro fixes with a seemingly proper allowance for the Norse methods and means of computation and using the Skalholt or Icelandic time (twelve decades to the hundred) that the shortest day of the year (October 17th) can be nine hours long only in latitude 41°-24'-10". a latitude which is almost exactly that of Mount Hope. Leif Ericson returned to Greenland after his second summer, after which his brother Thorwald visited Vinland and spent three winters in the huts (Leif's booths) which had been erected by his brother, but Thorwald was shot by the natives (Skraelings) and his party returned to Greenland in 1005. The records of this voyage are not minute. In 1007 another Norse voyageur (one hundred fifty-one men, seven with their wives) in three ships proceeded to colonize an island in Buzzard's Bay. They brought cattle with them but few provisions, and as the winters were extremely cold, and the forests and waters were frozen, they barely survived. They did however move to Leif's "river flowing through a lake" in 1008 and there erected houses additional to those which Leif had built, found the following winter mild and without snow so that the cattle lived unhoused, but they too had trouble with the natives and most of them withdrew to Buzzard's Bay and thence home in 1010. Norse records show other voyages to Vinland. Some of the navigators did not return. Freydis, with her husband (she a sister of both Leif and Thorwald), was there in 1011, and it is presumed from an Icelandic record of 1121 that Bishop Eric sailed to Vinland in 1021 to visit a colony which had been established there. It thus appears that the "Hop" Colony became permanent. No later "saga" has yet been discovered which gives more reliable information. Doubtless the mingling of races, during the five hundred years which intervened before Verrazano landed here in 1524, is responsible for the unusual stature and mental gualities which were then possessed by the local Indians who were the progenitors of our powerful Narragansett tribes and of the good old Sachem Massasoit. I have consulted the Norse "sagas" contained in the copy of 1860 which is called "Flateyjarbok". The original manuscript finished in 1387 is called "Codex Flatoensis", and is preserved in Copenhagen. No later "Sagas"

relating to this subject have been found, and the dark ages of Icelandic history followed almost immediately.

Doubt has been cast upon this story because it states that sand bars existed across the mouth of the Sakonet river to the extent that ships were obliged to wait for a high tide before they could enter. Such bars do not now exist. Babcock<sup>1</sup> says that the shifting of sand bars has occurred all along the eastern coast and that bays and entrances to rivers have changed within the interim of a thousand years.

Norse reports speak of very severe winters in Buzzard's Bay; and of winters at "Hop" when the cattle were comfortable in the open during the entire winter. This is not inconsistent with our present varying winters. We often have little snow and grasses and winter crops sometimes survive the season. These conditions seem to corroborate a conclusion that this Norse exploration must have been of land south of Cape Cod.

My theory of Norse visits to Narragansett Bay has been and doubtless will further be criticized, due to a fair question as to whether the proof is sufficient. I am writing of ancient times before written histories were numerous. I am therefore appending a further statement showing some corroboration.

The Viking explorers were a most rugged, courageous and adventurous people. In the ninth and tenth centuries the seas were dotted with their little open boats. They settled Iceland, crossed to Greenland and colonized Vinland. The ruins of their settlements are often discovered by explorers in latitudes which had seldom been visited (e. g. by MacMillan in north latitude 56). When they discovered America no one was prepared to make a permanent settlement there. Not long after the year 1000 a great historian of Bremen by name "Adam" wrote of their activities and his is the first reference to a "Vinland" which they had discovered, so that our first written reference to the voyages of the Vikings comes from Germany.

The "Pageant of America", compiled by the Oxford University Press and copyrighted by the Yale University Press in 1925, shows at page 72 a drawing of the "conjectural routes" of the Norsemen from 800 to 1000 A. D., and, for use in this history only, I have been allowed to sketch the supposed path of these "Norse Sea Rovers". This first recorded reference to Vinland by Adam of Bremen can be found in his history in the "Staats Bibliothek" in Vienna. It was written long before the sagas or legends of early Scandinavian literature were collected; yet for many years story-telling

<sup>&</sup>lt;sup>1</sup> William H. Babcock "Early Norse Visits to North America"; Smithsonian Miscellaneous Collections, vol. 59, No. 19 (Washington 1913).

introduced into Iceland from Norway had served to entertain the educational centers of Iceland.

The "Flatey" book of sagas was written by one Pordarson, not earlier than 1387, so that the sagas and tales then collected were a version of Vinland voyages which had occurred nearly 400 years before that date.

I have been able to acquire and to study carefully a copy of this "Flateyjarbok", and of the "HAUK Book", containing a photostatic reproduction of the Icelandic text, and of its English translation, — both being manuscripts from the Vatican Library, and accompanied by Papal letters of approval and Chancellor's certification. They seem to confirm my conclusions.

#### The Voyage of Verrazano

The second major expedition which visited the Narragansett Bay region was that of Hieronimo (or Govanni) de Verrazano, a Florentine in the service of the King of France. After visiting Block Island he proceeded to another place which he says was fifteen leagues distant, and entered what he termed a very excellent harbor. He called it Refugio. It was the harbor of Newport, R. I.

Historians do not agree as to the accuracy of the detailed report of this trip which Verrazano made to Francis I, the then king of France, claiming that it was much colored in the interest of the Adventurer. His visit here was in May 1524, and his report was dated July 8, 1524. Its authenticity is accepted by those who believe that he made a substantially accurate description of the places visited. These include Munro in his "Mount Hope Lands" (chapter 2) and Bicknell in his "History of Rhode Island". The latter published an elaborate translation from original sources. A learned and elaborate memoir of this visit was also prepared by J. Carson Brevoort Esq. from Italian texts filed with the New York Historical Society. This is also found in the Archivio Storico Italiano. Portions of the story were extremely criticized in a publication by Henry C. Murphy in 1872, he claiming that many details are either unverified or untrue.

Verrazano says that before entering Refugio he saw about twenty small boats filled with people who approached his ship with various cries and wonderment, yet they would not approach nearer than fifty paces; that they looked over the structure of the ship and the person and dress of the crew, and cried out their delight in unison; that they were inspired by signs with a measure of confidence and then came near enough to accept tokens of bells, glasses and toys at which they laughed and then came aboard without fear, among them two kings who were more attractive in form and stature than can be described, one being about forty years old and the other about twenty-four; that the elder king had a deer-skin, decorated with many embroideries wrapped around his nude body, and his hair bound behind with various bands, his head bare with vari-colored stones hanging in a large chain around his neck; that the younger king was like him in appearance; that the people were the fairest ("colore bianchissimo") and their costumes the handsomest that were seen on the voyage; that they exceeded the Europeans in size, were of very fair complexion, some inclined more to a white and others to a tawny color: that their faces were sharp and their hair long and black, and evidenced by its adornments the exercise of great care; that their eyes were black and keen, their demeanor gentle and attractive, with nothing to suggest bodies other than that of such good proportion as belong to well-formed men; that the women were graceful, handsome and attractive in dress and manners, but with no clothing other than the ornamental deer skins, though some wore rich lynx skins over their arms, various ornaments on their heads, with braided hair hanging to their breasts; that the married people wore ornaments in their ears, hanging down in oriental fashion.

Verrazano reports that he saw pieces of wrought copper which were deemed more precious than gold inasmuch as they apparently disliked a yellow color, valuing rather articles of blue or red; that they preferred gifts of bells, azure and toys which they could hang from ears or necks and did not value silks or draperies nor implements of steel or iron, not even admiring the weapons of the crew; nor did they like looking glasses, which they returned with smiles; that they were very generous in giving of what they had.

Verrazano also reports that during the fifteen days he remained at Refugio, the natives came every day, often with their wives of whom they were very careful, not allowing them on board the ship but leaving them on land for their safety while the king would remain on shipboard for a long time.

Verrazano reports that he visited the interior of the land for a distance of five or six leagues and found it to be pleasant, adapted to cultivation with large open spaces free from trees and so fertile as to yield excellent crops; that there were apples, plums, filberts and other fruits, but that the animals differed from those of Europe, deer, lynx and others being captured in considerable numbers by snares and by bows, the latter being the principal weapon, the arrows being beautifully made with points of emery, jasper, marble and sharp stones instead of iron; that these sharp stones were also

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used to fell trees and to construct boats from a single log, which were hollowed out with remarkable skill and were of size to seat a dozen persons; that the oars were short, with broad blades and used with force of the arms as carefully and as speedily as wished; that their dwellings were circular in form, ten or twelve paces in circumference, and made of split logs, and covered with straw nicely put on and ample to keep out wind and rain; that the whole family dwelt in a single house, sometimes twenty-five to thirty people, their food being pulse, which is better and more carefully cultivated here than elsewhere; that their sowing was governed by the moon; that they hunted and fished and were long lived, curing themselves with the heat of the fire, yet when they died the relatives joined in weeping, mingled with song, for a long while.

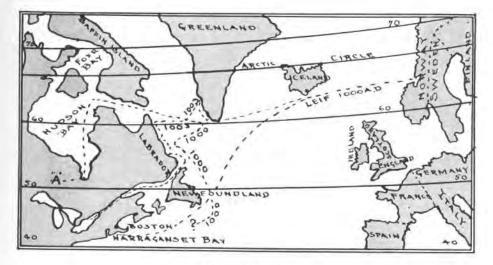
Verrazano could not learn about their religious faith, but judged that they had no knowledge of a "First Cause" and that they did not worship any heavenly body. I accept his statement of historical facts as true.

#### Miguel Cortereal — Dighton Rock

The third major visit of Europeans to Narragansett Bay is that of the expedition which probably settled on Assonet Neck in the present town of Berkley, Massachusetts. This site was formerly a part of Dighton and the settlement was at or near the so-called "Dighton Rock". The inscriptions on this rock enter very largely into the probable location of the settlement. A wide variety of inscriptions are carved upon Dighton Rock, some of them shallow and probably made by Indians or by idle sojourners, but a few of them are ancient and deeply carved. Goodwin<sup>2</sup> says that these must have been cut with metallic tools by a person of skill. Many rocks on the Atlantic coast have carved inscriptions (petrographs). There is one at Machias Bay in the State of Maine, and there are a dozen or more along the shores of Narragansett Bay. While Dighton Rock is the more prominent and best known of these, there are inscriptions of great interest near the "Bristol Narrows", which were described by Professor Munro in the appendix of his book of Mount Hope Lands. Photographs and a cast of the petrographs on Dighton Rock were at a very early date sent for study to antiquarians in Denmark. Goodwin says they held these materials for more than a century before concluding that the inscriptions were not Norse.

The Indians in the east had many pieces of metal, some formed into wrought tools, and there is an exhibition of these at the George Haile Free

<sup>&</sup>lt;sup>2</sup> Goodwin was the author of the "Pilgrim Republic" published in 1920. It is a fine "Historical Review of the Colony of New Plymouth."



Viking Voyagers





Earliest Picture known of Dighton Rock



Library in Warren. There is a carved rock in Tiverton situate on the shore about five miles south of Stone Bridge; another one in Portsmouth, R. I. and still another in Warwick, and the details of all of these are collected in the publications of Professor Edmund Burke Delabarre, who was professor of psychology at Brown University. His book entitled "Dighton Rock". published in 1928 is exhaustive, evidences remarkable skill and care in its preparation, and his argumentative conclusions (Chapter XVIII) should be accepted by a historian as probably true.

Other publications by this same author, viz: "The middle period of Dighton Rock History"; "A Recent History of Dighton Rock" (See Mass. Colonial Society Records, vols. 19 and 20 for the year 1917), his contributions to the Journal of American History and to the Rhode Island Historical Society, and his demand as a lecturer, manifest his deep study and knowledge of this subject, and the general public interest in his conclusions shows a substantial adoption of his viewpoint, as follows: —that Gaspar Cortereal with several ships from Lisbon explored the coast of Newfoundland in 1501; that he sent his boats back but did not return himself; that his brother Miguel set out in search for him leaving Lisbon on May 10, 1502; that he went to Newfoundland and sent his ships out singly, each to search a different coast and to return to the rendezvous on August 20th; that Miguel did not return and that after a considerable delay the other ships returned to Lisbon.

Professor Delabarre concludes that Miguel, in his search, came to Narragansett Bay and became marooned there, and that Miguel is the author of certain of the petrographs which were inscribed on Dighton Rock. In his book entitled "Dighton Rock" Professor Delabarre exhibits photographs of these inscriptions (see pages 169 and 172). The words "Miguel Cortereal" rather clearly appear, but the other inscriptions, though deeply cut, (including the date "1511") have been carefully examined by those who were anxious to discover in them writings of definite importance, and who have been unable to concur with Professor Delabarre, that they furnish a definite proof. (See "Harvard Historical Monographs XIV", printed in 1940, edited by Samuel Eliot Morison, at note No. 118 on page 72.)

For seventy-five years after 1511 no white man, except Verrazano's party, is known to have visited Narragansett Bay, and by that time recollection of Miguel had ceased. We assume that he must have died prior to 1524, else Verrazano's party which explored five or six leagues inland would have found him.

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#### THE PHILLIPS HISTORY OF FALL RIVER

Of course Miguel might have visited Dighton and might have caused these carvings without remaining as a settler, yet the word "dux" indicates that he was a ruler over some Indian people there, and that the inscriptions were leisurely done. There is some slight corroboration of this probability in the survival of two Indian traditions or myths. The first is reported by Danforth as of 1680 to the effect that many years before there came sailing up the Assonet river a wooden house and men of another country who fought the Indians and slew their sachem. The other tradition lately reported by Kendall is that in days long past white men arrived in Assonet Neck like a bird, took natives as hostages and fresh water from a spring; that the natives attacked the white men at the spring and slew many, whereupon thunder and lightning came from the bird and the hostages escaped. The spring which feeds a brook near Dighton Rock is called "White Man's Spring".

Professor Delabarre says that Cortereal was then too old to proceed further with his adventures (doubtless his outfit was damaged), but that by his high qualities of leadership he was able to hold the power of the deceased sachem as the word "dux" indicates; and that the petrographs and the seal were engraved at a place where they would likely be seen by other adventurers, in order to show where Cortereal might be found.

The Indian word "hassam-et" means "near the rock" and the word Assonet is its corruption or its English synonym.

I believe that Professor Delabarre has presented facts which a historian should accept, and that the basis of his theories so thoroughly edited and his arguments so forcefully put, lend verisimilitude to his conclusions.

### Chapter II

#### 

EUROPEANS WHO VISITED OUR SHORES PRIOR TO THE LANDING OF THE PILGRIMS. THE INDIANS AND THEIR TRIBAL STRUCTURE IN THESE EARLY TIMES

#### European Visitors from 1497 to 1620

While these three major expeditions into Narragansett Bay had a substantial influence on the physical life of the natives, a great many other explorers who passed along our shores had a greater influence on the attitude of the natives toward the white men. John and Sebastian Cabot passed along these same shores in 1497, Gaspar Cortereal in 1501, and Stephen Gomez in 1525. In 1602 Bartholomew Gosnold, under patent of Sir Walter Raleigh, was here and gave the present names to Cape Cod and to Cuttyhunk. It was because of threatened Indian hostilities (see Goodwin p. 144) that he returned home. On the next year came Martin Pring. He went six miles inland from the shore probably at Plymouth (see Goodwin p. 146) and in order to urge his departure the natives, who had become hostile, set the woods on fire causing a great conflagration. Capt. George Weymouth came in 1605. He landed at Nantucket and explored one of the Maine rivers. He kidnapped five natives and took them to England. Also in 1605 a French expedition came with Samuel Champlain, who had already explored Nova Scotia and the St. Lawrence. He entered Boston Harbor in 1605 and visited Plymouth, making a very fair map of its harbor. He also took home with him five of the natives. probably as slaves, though he claimed only for the purpose of educating them to act as future interpreters. In 1501 Gaspar Cortereal had taken with him to Lisbon, fifty Indian slaves (see Morison p. 71).

In 1607 Capt. John Smith settled his Jamestown Virginia colony, and in 1614 he came to Monhegan in Maine and gave our shores the name of New England. In 1615 and again in 1619 Smith came on the last trip with the renowned Capt. Thomas Dermer. Capt. Thomas Hunt came in 1614 and kidnapped seven natives from the Cape and twenty others from the mainland, all of whom he carried to Europe as slaves.

In 1616 a French fishing ship was wrecked on Cape Cod, and when the crew landed all but three of them were slain by the natives. These three were captured, and (as exhibits) were tortured in many Indian settlements, till one was finally allowed to marry into the tribe and the other two escaped, to be later located in 1619 by Capt. Dermer upon his return voyage. Meanwhile there was the voyage of Dr. M. Richard Vines in 1616-17. He passed the winter with the victims of the Indian plague of that year, he and his men mingling with the natives and even sleeping in the cabins of the sick. No white man was affected, but the plague killed every resident native of the Patuxet tribe (which occupied the area around Plymouth) and the Penacook (Maine) tribe were reduced from ninety to only five. The disease, now known not to have been yellow fever or smallpox, was probably a virulent type often called "quick" tuberculosis.

In the spring of 1620 (n. s.) Dermer, accompanied by Tisquantum. travelled inland from Plymouth (a day's journey) to Nemasket (Middleborough) from whence he sent a message to Massasoit at Pokonoket and the "two kings" (Massasoit and his brother Quadequina) accompanied by fifty armed men came to see him. One of the Indians who came with Dermer was "Samoset", who had been a sachem at Monhegan Island, a place much frequented by English fishermen, and from them he had learned a scattering of English words and their meaning.

Although the Indians were much prejudiced against the English on account of the matters just cited, and had intended to kill the Captain, Massasoit finally spared him upon Tisquantum's earnest entreaty. This was the occasion upon which one of the men who were captured from the French trading ship, was released in Captain Dermer's custody.

At a later time Dermer had considerable trouble with other Indians and at Martha's Vineyard many of his men were killed. He, while escaping, received fourteen wounds which subsequently proved fatal.

#### Indian Tribes

The race of Indians who occupied that part of North America which lies east of the Rocky Mountains were called "Algonquins". We are concerned only with this tribe which came to New England. Our best authority with reference to them is Professor Daniel Gookin. In 1674 he was appointed by King Charles to make a historical collection of facts relating to the Indians in New England. Other historians have regarded him as a friend of the Indian tribes and when he is criticized as to the accuracy of his statements, that criticism is always directed toward his friendliness to the Indians and his advocacy of their cause.

He says that the five principal nations of Indians in New England were (1) Pequots, (2) Narragansetts, (3) Pokonokets, (4) Massachusetts and (5) Pawtuckets.

The Pequots dwelt in the southern part of New England, west of Narragansett Bay, including a large part of Connecticut and along the Connecticut River.

The Narragansetts occupied the territory which included that part of Rhode Island west of Narragansett Bay and also included some islands in that bay. Their sachem held dominion over Long Island, Block Island and over some of the Nipmuck Indians who lived remote from the sea.

The Pokonokets lived to the east and northeast of the Narragansetts. The dominion of their sachem included Nantucket, Martha's Vineyard and some of the Nipmucks.

The Massachusetts tribe occupied territory north of the Pokonokets, including the coast of Scituate and north of it and the territory around Blue Hill and Massachusetts Bay.

The Pawtuckets occupied territory north and northeast of the Massachusetts extending west nearly to Concord and northeasterly to Saco, Maine.

As a matter of fact there was also a sixth tribe, the Nipmucks, who occupied the land north of what is now Pawtucket, R. I. as far as the Concord River. Goodwin says (page 131) that there were about a thousand Nipmucks in central Massachusetts, living in disconnected groups and having little in common.

The Mohawks occupied territory in the upper Hudson River valley and northeast from that to and into Canada. They were a very fierce and warlike nation of Algonquins, making inroads into New England, sacking the villages of local Indians and carrying away captives and plunder. These Mohawks not only came into New England through the Mohawk trail for a long time after the whites had settled here but they continued their raids until restrained at Fort Massachusetts, which was erected and fortified between North Adams and Williamstown. They received tribute from some of the New England tribes, including the Nipmucks (see Goodwin, page 131). They also came into the eastern states through the head waters of the St. John River. The Marisites, an Indian tribe living in the vicinity of what is now Edmundston, N. B., were in as mortal fear of them as were our local Indians. Many traditions of raids in the St. John valley have been told to me by my Indian guide from Edmundston. The Mohawks were not successful, however, in their raids into the Pequot, Narragansett and Pokonoket territory because the Indians living there were also warriors of distinction and could defend their homes. These local Indian tribes did not dwell in peace amongst themselves and the territory which presented the best fishing or the best hunting was occupied and defended by the strongest tribes; hence the Pequots were the strongest of the New England tribes and their strength was closely approximated by the Narragansetts and the Pokonokets who were engaged in an almost continuous warfare with each other until about 1617, when a pestilence so overcame the tribes affiliated with the Pokonoket nation that the Narragansetts wrested from them a part of the Nipmuck territory, also the territory around Warwick, and Aquidneck Island in Narraganset Bay.

Massasoit and his father (rulers of the Pokonoket nation) defended their territory heroically but in the end they were obliged to submit to and pay tribute to the Narragansetts. Roger Williams notes a talk with Massasoit, in which, while admitting his inability to defend in this war in which his father was probably slain, he would not admit ultimate defeat, claiming that it was the fatal sickness among all of his associates which prevented him from then assembling his full strength of fighting men.

We have to do only with the Pokonoket nation of Indians. The lands which they occupied correspond almost exactly with the area of Plymouth Colony. The Pokonoket nation was composed of twelve Indian tribes: and of these the ruling tribe was the Wampanoags, and their chieftain Massasoit (properly called Ousamequin) was the sachem of that tribe and ruler of the nation. The lands occupied by the Wampanoags\_included the present town of Bristol, R. I., the east shore of the Providence River up to and including Rehoboth, Mass., also Warren, and the territory east of Warren to Gardner's Neck. The Pocassets were also a very powerful Pokonoket tribe. Their territory included Gardner's Neck, and was bounded easterly by the present Westport line, bounded northerly by the southerly line of Berkley, and southerly by the southerly line of Tiverton. It included a long stretch of hinter-land which extended northerly back of Freetown to the Middleborough line. Their sachem was Corbitant, second in power in the nation and always seeking to overthrow Massasoit. He was the father of Weetamoe and of Wootonekanuske. At later times Weetamoe was the wife of Massasoit's son Wamsutta, also called Alexander. while Wootonekanuske became the wife of another of his sons, Metacomet, otherwise known as King Philip.

Another powerful tribe were the Sakonets. Tolony was the sachem of that tribe, but he was apparently killed in battle and his wife Awashonks succeeded him as squa-sachem. It is said by Drake that she was a very close relative of King Philip. As Indians kept little track of their relatives, she was undoubtedly either his oldest sister or his aunt, very likely a sister of Massasoit. Another tribe, the Patuxets, occupied the land around Plymouth. That whole tribe was wiped out by the plague; the Nemasket tribe occupied the section around Middleboro and Bridgewater; the Agawams at Wareham; the Manomets at Sandwich; the Satuckets at Mashpee; the Mattakees at Barnstable; the Nobscots at Yarmouth; the Monamoys at Chatham and the Nausets at Eastham. Gookin says that the tribes on the islands of Nantucket and "Nope" (Martha's Vineyard). and some of the Nipmucks were also Pokonokets.

The only survivor of the Patuxet tribe was the Indian interpreter Tisquantum, who was carried to England in 1614 by Captain Thomas Hunt when he kidnapped seven Indians from Cape Cod and twelve from the mainland. Tisquantum had lived in England three years and had then become versed in English after which he was sent to Newfoundland; thence again taken back to England by Captain Dermer (see Goodwin p. 122) he was brought by Dermer back again in 1619 to Plymouth where he found himself alone in the world because ninety-five per cent of all the natives from the Kennebec to Narragansett Bay, and his entire Patuxet tribe, had been annihilated in the great plague of 1617.

#### Indian Life and Character

Except for a very few Sachems and Indians of special rank, there is little praise to be accorded to the race which occupied the Narragansett Bay territory before the Pilgrims landed on our shores. Lest we conclude that they were as a rule unjustly treated, lest we attribute to them qualities of a heroic nature or glorify their status, I call attention to some records and to the writings of some prominent and competent observers of that time. I am referring to the attitude of the Pilgrims of Plymouth Colony and not to the policies of Massachusetts Bay or of Weston's colony or even of Warwick or the south country. In 1641 the Plymouth Court compelled one Hallet to pay an Indian for a deer, and later the same year compelled one DeVille (Davol) to pay an Indian for shooting a hole in his kettle. In 1645 Governor

Bradford raised an inter-colonial issue with Governor Winthrop of Massachusetts Bay, because a Boston man had not paid proper wages to a Cape Cod Indian. In the same year (in October) a colonist was ordered to pay a certain amount of corn to an Indian in restitution for venison improperly taken. The next spring one Chesboro was sent to jail, and one Hitt was fined for "raising an affair" with Sachem Massasoit, and at another time an Indian was reimbursed for damage done his corn. When one Woodcock took property from an Indian's house in lieu of a debt, he was fined fifty shillings, and was put in the stocks at Rehoboth. In August of 1655 one Jones was tried because an Indian complained of him about his gun. During the following year after a pound had been established in Rehoboth and the Indians had been authorized to drive and put in the pound all cattle which damaged their corn, it appearing that the Inhabitants of Rehoboth were remiss in completing the Indian pound, a fine was imposed, to be payable if the pound was not completed within thirty days. One John Williams was fined five pounds for pulling down an Indian wigwam. Captain Dermer, who was in Plymouth a few months before the Pilgrims landed and travelled inland through Indian villages, reported that the Indians bore an inveterate malice towards the English and were of more strength than all the savages from thence to Penobscot.

In 1636 Roger Williams spent twelve weeks in Massasoit's wigwam at Sowams (Bicknell 147). He says "God was pleased to give me a painful patient spirit to lodge with them in their filthy smoke-holes, in order that I might gain their tongue".

William Morrell, an Episcopal clergyman, was in Plymouth in 1624. He reported to the Ecclesiastical Court that the Indians "Conceal their designs and never display their intents till they conclude their end by might or fraud"; when offended once they are

> "wondrous cruel, strangely base and vile, quickly displeased and hardly reconciled".

Steven Hopkins and Edward Winslow, who made the first call upon Massasoit at Sowams in 1621, spent two nights in his wigwam and then felt forced to return, fearing that if they stayed longer they would not be able to reach home for want of strength because with "bad lodging, barbarous singing, lice and fleas within doors and mosquitos without, we could hardly sleep".

When Mrs. Rowlandson (wife of Rev. Jos. Rowlandson, of Lancaster, Mass.) was an Indian captive early in the Indian war, she came across her

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son who had shortly before been taken captive. She found him "almost overcome with lice". Her description of the food which they ate is too revolting to repeat. "The Narrative of the Captivity and Restoration of Mrs. Mary Rowlandson," first published in 1682, has had over 35 editions.

Trumbull in his History of Indian Wars (page 23) says that in 1636 while the Pequots had a treaty of friendship with the English, they captured two daughters of a Mr. Gibson, in Hartford, and that after gashing their flesh, they filled the wounds with hot embers and mimicked their dying groans. The following January they ripped the bodies of a boat crew, split their backs and hung them on trees.

Roger Williams wrote the Massachusetts rulers on October 8th, 1654 that all Indians were "treacherous, inconsiderable pagans and beasts, wallowing in idleness, stealing, lying and whoring", and in a letter in the following year added (see Drake III, 71) "Your Wisdoms know the inhuman insultations of these wild creatures".

Goodwin says (page 547) that Williams was always most true to the Indians, but that (see Plymouth Records X, 442) Sachem Philip broke all laws against the Plymouth men, who were the ancient friends and protectors of his tribe. Williams also said (5 Mass. Hist. Coll. 428) "all Indians are extremely treacherous".

While the Indians were in the Pocasset swamp, besieged there by English troops, they killed several of their own children whose crying might betray their whereabouts, and whose presence might become an encumbrance. (See Hubbards Indian Wars Vol. II, page 276).

When the Pocasset Indians were in retreat and Captain Church and his Indians were in pursuit, they came upon an Indian camp. One Indian pointed out his father's wigwam and asked whether "he must now go and kill his own father". Captain Church answered in the negative and told the Indian to point out the father to him and said that he would deal with the father while the Indian fell on others, to which Captain Church's Indian replied "That very good speak".

Robert Cushman, a man of marked ability and integrity, came to Plymouth from England early in 1621, and returned on the following December. He was sent in the interests of those who had financed the colony. In later years his son Thomas Cushman was elder of the Plymouth Church (succeeding Brewster). Both he and his wife Mary Allerton are ancestors of mine.

Upon the return of Robert to England, he delivered a discourse on the "reasons" of the settlement, — of the land and the natives he said "Their

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land is spacious and void, and they are few, and do but *run* over the land as do foxes and wild beasts; they are not industrious, neither have they art, science, skill or faculty to use either the land or its commodities, and we have it by common consent. Our faculty is small and our strength less and we live with them on friendly usage, love, peace, honest and just carriage and good counsel, so that they may live in peace forever".

Daniel Gookin was Indian Commissioner in the colony of Massachusetts Bay. As late as 1742 he described his wards to King Charles saving "their customs and manner are very brutish and barbarous. like unto savages. They take many wives, yet one of them holds their chief esteem and affection; and also they put away their wives and the wives in turn leave them when displeased; and they are very revengeful and take vengeance, even after a long time. upon such as iniure them or their kindred. Also the payment of wampum was a customary satisfaction for all wrongs, even for life taken. The men are very idle, disposed chiefly to hunt. fish or make war. The tillage and planting is done by the women. If they remove to a new location, as they often do, the women carry the greatest burdens and prepare all the diet: they are much addicted to lying and speaking untruth and unto stealing, especially from the English. They are very indulgent and loving to their children: and are usually civil to women. even if they are captives: they make cider and are great lovers of strong drink, and when drunk are very outrageous and mad, even killing one another; they are addicted to gaming and will play away all they have. taking much delight in their dancings (they dance singly) and in revellings which sometimes last for a week, the men succeed each other in the dance. one after another, night after night."

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# Chapter III

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## THE POLITICAL STRUCTURE OF PLYMOUTH COLONY SHOWING THE TERRITORY ORIGINALLY GOVERNED AND A CHANGE IN BOUNDARY LINES

#### INTRODUCTORY

It is not my purpose to write a history of the Pilgrims or a history of the Town of Plymouth, but insofar as these Mayflower passengers settled in the section around Narragansett Bay or insofar as during their lifetimes their descendants settled in this district, their influence concerns us because their sturdy character influenced the character of their descendants. Our territory was settled by innumerable descendants of the Pilgrims. For instance, the writer is descended from twenty-five percent of those of the Mayflower passengers who had survived the first winter and also from a very substantial percentage of those who came in the other two ships. After a lapse of seven generations that influence can hardly control the activities of those who are now living.

### The Pilgrim Settlement and Relations with Indians

As was true of other colonial settlements in New England, the Pilgrims had left their English homes because of religious differences, and on account of the religious intolerance of their neighbors. They had sought to read and study their Bible in the privacy of their homes rather than while it was chained to a church altar. They desired to apply its teaching to their own lives according to their own interpretation of its doctrine. When this was denied they became "separatists" from the English Church and through many vicissitudes finally fled to Leyden in Holland. Carver, Bradford and Brewster were among their leaders. The word "Pilgrim" was not an applied word but one chosen by themselves. Bradford says, referring to the time when they left Leyden for the new world, "they knew they were 'pilgrims', and looked not so much on beauteous things but lifted their eyes to the heavens and quieted their spirits". Though in voluntary exile the Pilgrims still claimed to be Englishmen. Their departure from Leyden was very largely due to the fact that they were gradually becoming Dutchmen, and they preferred the hardships of the voyage and of colonization and sought rather to worship without supervision than to enjoy and be merged in the easier life of Holland.

On the trip over the "Mayflower" was blown northward from the intended course and the voyage had been so difficult and the health of the passengers was so much impaired, that they abandoned their intended course to Virginia and landed at Plymouth by force of circumstances. They had some charter rights for their Virginia settlement, but as they were forced to land in a strange country where no municipal law was binding upon them, they entered into a "compact" as to their form of government before they left their ship. This is America's first, "declaration of rights".

Plymouth was settled within the limits of the territory patented in 1606 by James I of England to the Plymouth Company. During the next year (1621) the colony secured a "sub-patent" from this Plymouth Company, but it was gotten in the name of their agent, John Peirce, of London. The Peirce patent did not specify their exact colonial limits and it provided for the payment of rent. In 1622 Peirce dishonestly procured an exchange of this patent for a deed to himself and his heirs, thus making himself proprietor and owner of the lands on which the colony had settled. He demanded surrender by the colony of its assets and when his demands were refused he took ship to America to enforce his ownership, but he met with two ominous marine casualties which finally forced him back to England, and then he compromised his claims and assigned his patent to the "Adventurers", who were a body of men who had originally financed the "Mayflower" voyage. Peirce had paid fifty pounds for his patent and had demanded five hundred pounds for it. Still Plymouth Colony had no boundary limits and it was not until January 13, 1630 when a new and definite patent, known as the "Warwick" patent, was granted by the "Council for New England" to William Bradford, his heirs and associates and assigns, that the Pilgrims really owned their colony. Bradford had fifty-seven associates in this purchase, and their names are listed in the Plymouth Colony Records, on the last page of Volume II. These Associates made transfer of their patent to Plymouth Colony December 1, 1640, but they made reservations of certain portions of the colony lands to themselves as individuals to compensate them for their costs and for an expense of five hundred pounds, spent in their previous attempts to secure a roval charter.

We are somewhat interested in the land which was "reserved" for the private ownership of Bradford and his associates, because it included "Warren and the adjacent lands; and all the land between the Warren and Providence Rivers extending eight miles into the land". In November 1636 by order of the "Crown" a committee of the "whole body of the Commonwealth of Plymouth" met. They enacted basic laws at great length. They established by surveys the boundaries of their colony. These laws were the first operative laws adopted by the white men which were binding upon the Indians and other inhabitants of the entire territory of the colony. In a later part of this work I shall discuss the question of "great ponds" as applied to the Watuppa Ponds in Fall River. As this law codification of 1636 was the basic law of the colony I will here quote a clause which has an important bearing upon the Watuppa Ponds. It is as follows: "Fishing, fowling, hawking, hunting be freely allowed", but "if any damage comes to any particular by the prosecution of such game, restitution be made or the case actionable". There had been an older Plymouth law or rule upon this subject, passed in 1623, which read that "fishing, fowling and hunting be free"; "every man be allowed a convenient way to the water". (Vol. XI, pp 5 and 16).

The Warwick patent fixed the limit of Plymouth Colony "from Cohasset to the utmost bounds of Pokonoket and southward to the southern ocean".

The Pokonoket Indians are those with whom the Pilgrims came in contact at the landing of the "Mayflower" and it is to be noted that the Warwick patent had the same limitation of territory as that occupied by these Pokonokets. Included in this patent were the towns which were afterwards included in the counties of Plymouth, Barnstable and Bristol, now in Massachusetts, and the towns of Bristol, Barrington, Tiverton and Little Compton, which are now in Rhode Island. The Island of Rhode Island was disputed territory and Plymouth never exercised any control over it. Bristol County in Plymouth Colony, then included Taunton, Rehoboth, Dartmouth, Somerset, Swansea, Freetown and Attleboro which are now in Massachusetts, and Bristol, Tiverton and Little Compton, which are now in Massachusetts, and Bristol, Tiverton and Little Compton, which are now in Massachusetts.

The Pilgrims, apart from two or three elderly advisers, were either youths or young men. One hundred and two passengers left England and one hundred and two reached Provincetown. The hardships of the voyage brought disease, and when the next spring arrived just half of them had died. Those who survived had been through every hardship that was known. They were the hardiest set of pioneers who ever came to America. They were not extremists in belief or action; their punishments were mild

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compared with those meted in the old world which they had left. As a colony they were fair in all their dealings with the natives and their neighbors. From the first they safe-guarded the land ownership rights of the Indians. In some colonies the settlers claimed to own all they had discovered; in others they recognized the ownership of the Indians, but placed no restrictions upon its purchase, so that many sales were procured by fraud, or for little or no consideration. In Plymouth Colony a colonist was allowed to enter into negotiations with an Indian with reference to purchase of his land, but he was not allowed to conclude the negotiations but had to engage the colonial officers to complete the sale for him. The terms of sale were always carefully scrutinized. A few colonists disobeyed the law in this respect, but they were severely punished. One fine of a thousand pounds, accompanied by a jail sentence, was meted upon a Tiverton man for accepting a gift of land from his Indian friend.

Edward Winslow in the same publication writes (in 1621), "There is now great peace among the Indians themselves, which was not formerly, nor would have been but for us. We walk as safely and peaceably in the woods as in the highways in England, entertain them familiarly in our houses, and they as friendly bestow their venison on us".

Winslow himself was largely responsible for this condition since he represented the Pilgrims in many of their dealings with Massasoit; he was the first to greet Massasoit when Massasoit first came to Plymouth (Wednesday, March 22nd, 1621. See "Journal of Pilgrims", p. 61). With Hopkins he made the first trip to Sowams (July 1621) to cement their treaty, and in 1623 when Massasoit was ill, Winslow brought to him the remedies for his ailment. So ill that he could not see and so perturbed, at the taunts of the chieftains because (as they claimed) his English allies had deserted him in this emergency, that his mind was wandering, his greeting "is it really you Winslow" showed marked devotion. Finally, Massasoit's complete recovery due to Winslow's treatment so cemented the friendship that to him the Pilgrims were "Winslow's men" throughout his life.

While this thought is not new I have not before seen as complete verification of it as I find in a letter addressed by Roger Williams to Governor Winthrop of Massachusetts Bay Colony under date of August 14, 1638.<sup>1</sup> It seems that an Indian (one Penowanyanquis) had been slain by

<sup>&</sup>lt;sup>1</sup> 4 Mass. Hist. VI, p. 249.

some Englishmen and Williams writes that Massasoit told him that four men were equally guilty, but that the one who inflicted the wound must not die for that he was "Mr. Winslow's man" and further because the deceased was by birth a Nipmuck and so it was not worthy that any man should die for him.<sup>2</sup>

As soon as Massasoit's son (Mooanam or Wamsutta, later Alexander) was old enough to participate with him in his tribal duties, Massasoit brought him to Plymouth (September 25, 1639) and desired that his "Ancient league and confederacy" be confirmed; so it was again solemnly agreed that Massasoit "would not needlessly or unjustly raise any quarrels or do any wrong to any other natives or provoke them to war and would not give away or sell any of his lands without colonial assent, and that the colony would defend him and his against all such as should rise up against them to wrong or oppress them injustly."<sup>8</sup>

Massasoit's alliance with Plymouth Colony was based upon the necessity of protecting his nation from further encroachment upon its territorial integrity and also of protecting himself in his tribal supremacy within the nation; he grasped at it not knowing whether it was a "straw" or a "plank", but when its worth had been proved not only by Winslow's devotion but also by the support accorded him in the common war against the Pequots and in his troubles with the Narragansetts, which troubles were both external due to the encroachments of the Narragansetts and also internal on account of the support rendered by that tribe to Corbitant in his attempts to circumvent Massasoit's power within the nation, his sincerity in the alliance was proved. When (in 1621) Squanto circulated damaging stories with reference to Massasoit's connection with Corbitant, and when the colony refused to surrender Squanto for punishment, this cordial relationship was seriously strained, only to be cemented for Massasoit's lifetime upon the occasion of Winslow's visit to Sowams in March 1623. It seems impossible otherwise to account for the fact that Massasoit withheld information of the conspiracy of the Massachusetts chieftains until Winslow was leaving Sowams for Plymouth, and that he then disclosed it secretly to Hobbamock. (Goodwin, p. 221-2). It would seem that otherwise Massasoit would have at the beginning declined to enter into the conspiracy, rather than allow himself to be "repeatedly urged".

<sup>&</sup>lt;sup>2</sup> For this offence three men Arthur Peach, Thomas Jackson and Richard Ster were hung in Plymouth on September 4, 1638. (Peach was "Winslow's man"). (Goodwin pp 406-7).

<sup>&</sup>lt;sup>8</sup> Pl. Col. Book 1, p. 133.

Four months later (in July 1623) Massasoit's confidence in the Plymouth men was further increased, because, after a seven weeks drought had parched all the crops and forest fires were threatening, their prayers and supplications (during a fast day which was set apart for that special purpose) seemed to bring immediate relief.

# Chapter IV

## THE FIRST SETTLEMENTS ON NARRAGANSETT BAY THE PROVIDENCE PLANTATIONS PORTSMOUTH AND NEWPORT

## **Providence** Plantations

Roger Williams arrived in Boston in February 1631. Gov. Winthrop then spoke of him "as a Godly minister". Invited at an early date to supply the pulpit of the "First Church" in Boston, Williams made a critical and negative reply which induced Deputy Governor Endicott to advise caution by the Salem Church which proposed to select him as "teacher". He however "taught" for a time in Plymouth where he supported himself by manual labor, and here he met Massasoit (Osamequin) and began to study the Indian language. In June 1635, at the age of twenty-eight, he was ordained pastor of the Salem Church and so became associated with Endicott who was the chief deacon of the church and the most influential man in Salem. In October of the same year having announced his belief that "the natives are the true owners of the land; that a wicked person should not be called upon to 'swear' or to pray; and that the power of civil magistrates extends only to the body and to goods", his doctrines were held dangerous and against the authority of the magistrates and he was ordered to "withdraw from the jurisdiction and not return". Williams spent the winter at Plymouth and with Massasoit at Warren (also called Pokonoket or Sowamset), settled in the spring on the easterly banks of the Blackstone river, whence, after being reminded that he was there within the limits of Plymouth Colony, he moved across the river into Providence proper, into the lands of the Narragansett Indians. and became in 1637 the founder of the colony of Providence plantations.

### THE PHILLIPS HISTORY OF FALL RIVER

#### Portsmouth and Newport

The schism in the Puritan church which most influenced the settlement of the Narragansett shores was not that of Roger Williams, but that of the Antinomians who had been largely fomented by Anne Hutchinson. She was a prominent member of Boston's first church, was charitable. versatile, fearless, sincere, the mother of a large family and the wife of a "mild-mannered" man. For three or four years (1634 to 1638) her influence increased till all but five members of the Boston church favored her doctrines. She held a midweekly conference at her hospitable home, at the corner of Washington and School streets in Boston, which was more largely attended than many of the church services, and at these meetings the sermon of the previous Sunday was discussed and often criticized, with result that the hostility of the clergy was aroused. Her doctrine of faith is historically termed "Antinomianism". Theologically she believed that the human soul held close communion with the Divine Over-soul; she believed in direct and special Divine revelation and in the spiritual Justification of the soul of man, with God, through Faith. It was the doctrine of "Justification through Faith" rather than that of "Sanctification through Works". Practically it amounted to a belief in free religious and revealed thought, a belief in the divorcement of Church and State, and of the equality of all men before the law.

This sect included in its members many if not most of the educated and influential Boston gentry, and in the election which followed for the control of the church fisticuffs were engaged in by the most devout, and a pastor harrangued the voters (all of whom were church members) from a tree. Prominent among the members of this sect was Dr. John Clark who was, by profession, both a physician and a clergyman, a Separatist in belief. and by education a graduate of the University of Leyden in Holland. Another prominent believer was William Coddington, who was then Deputy Governor. This faction carried Boston but they were out-voted by the country districts, and following their loss of control of the church Anne Hutchinson was tried for heresy, the trial lasting twenty-four days. At the end of that period she and most of her adherents were ordered to leave the colony. In their search for a suitable place in which to settle they visited Roger Williams in Providence. He recommended Sowamset at Warren. R. I. as a first choice and the Island of Rhode Island, then called Aquidneck, as a second choice. At the suggestion of Williams a delegation visited Plymouth to ascertain whether the Plymouth Colony claimed jurisdiction of either of these places, and being told that they claimed jurisdiction at Sowamset but that they would be glad to have such a Godly colony settle upon the Island of Aquidneck, the new colonists migrated and settled there during the early part of the year 1638. They named their new town Pocasset and located it on the cove now known as "Town Pond" at Bristol Ferry in Portsmouth, R. I. The town site was at the southerly end of the pond. The house lots assigned to Gov. Coddington and to Dr. Clark were on the westerly shore of the pond, adjoining Mt. Hope bay, where the Pocasset golf links are now located.

At the end of a year (by 1639) more than a hundred families had settled at Pocasset, and the colony then divided. Most of the prominent men (including Gov. Coddington, Gov. Easton and Dr. Clark) removed to Newport and founded a colony there, and after that the Pocasset settlement was called Portsmouth. It was merged again with Newport in 1640, and in 1644 the freemen voted that the island be henceforth called the Isle of Rhodes, or Rhode Island. Aguidneck had been purchased on March 24, 1637 from Canonicus and Miantonomi, chief sachems of the Narragansetts. It had no charter till July 1663 when Dr. Clark who was a good diplomat secured a charter from King Charles II, the bounds of which included not only the site of the colony, but also overlapped Plymouth lands for a distance of three miles on the easterly and northerly shores of Narragansett Bay. King Charles II was a Catholic at heart, though the chief faction supporting him was the Presbyterian branch (the conservative or more strict branch) of the English church. In his coronation proclamation he promised freedom of religious thought for all his subjects, which of course would allow to the Catholics the same freedom of worship which was allowed churchmen and dissenters; but no English King had much interest in the "Separatists" who had settled in Plymouth. They had no such able representative at Court and no political fund to draw upon. Clark's colony of Rhode Island was the only one which allowed absolute freedom of religious activities; it was populous, had already overgrown its allotted territory and had overlapped into Plymouth lands, which were unprotected by any "Royal" charter.

Clark spent the greater part of twelve years in London before he secured this charter. It is said to have been written by his own hand. Its outstanding features were its recognition of the primary ownership of all colonial lands in the native Indians, — the recognition of majority rule, — and that freedom of worship and of conscience were the basis of individual right. That as Bicknell says is "true democracy".<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> The first public free school was established in Newport in 1640.

Nothing, however, contributed more to the ascendency of Rhode Island,<sup>2</sup> or to the overflow of its people into the less populous neighborhoods, than the lenient and sympathetic treatment there accorded to the Quakers. The first Quakers to settle in New England landed in Newport on August 3, 1657 in the "Woodhouse" (The Quaker Mayflower), a vessel, built and manned by Quakers and carrying six Quaker passengers. In 1656 two Quaker women had landed in Boston, coming from England via Barbadoes. They were deported at the expense of the ship's master after their books of "corrupt, heretical and blasphemous doctrines" had been publicly burned, and after they had been stripped and searched for witchcraft tokens. The Bay colony then passed drastic laws against the Quakers and those who interceded in their behalf were heavily fined. Mary Dyer, wife of William Dyer, Secretary of the Rhode Island colony for ten years, was publicly hung on Boston Common in 1660 for her "pernicious and dangerous doctrine of Quakerism".

In Plymouth colony, beginning the same year,<sup>8</sup> the Quakers were prosecuted not so much for their belief, but because they reviled, and interfered with the established worship by interrupting the church services and by boisterous behavior within the church on the Sabbath day. There were ten "enforced departures" of Quakers from Plymouth colony and five strangers belonging to the sect were whipped for disturbance and contempt of Court. Appropriate laws were passed providing fines for attending or housing a Quaker meeting, and for harboring a foreign Quaker.

Roger Williams too was hostile to Quaker tenets, and when George Fox visited Newport in 1671 Williams challenged him to a debate. There were few Quakers in Providence, but many in Rhode Island. Governors Coddington and Easton became members of their church,<sup>4</sup> and when we check up the names and former homes of those who became the first settlers of Fall River we find that they were pretty generally Quakers from Rhode Island. Clark himself was a Baptist, and the first minister of the Baptist church in Newport. He is buried there.<sup>5</sup>

The religious movement of the Society of Friends (Quakers) is discussed further in the Ecclesiastic (first section) of Fascicle II.

<sup>5</sup> Bicknell has written his biography.

<sup>&</sup>lt;sup>2</sup> It is interesting as determining the then relative importance of the settlements at Newport, Portsmouth and Providence, to note that the cost of procuring the charter was apportioned according to financial means, lifty pounds to Newport, thirty pounds to Portsmouth and twenty pounds to Providence.

<sup>&</sup>lt;sup>8</sup> Goodwin's Pilgrim Republic, page 477.

<sup>&</sup>lt;sup>4</sup> Bicknell's R. I. p. 531 and seq.

# Chapter V

KING PHILIP'S WAR KING PHILIP AND HIS ASSOCIATES THEIR ACTIVITIES DURING HOSTILITIES

### King Philip's War

It is not my purpose in this chapter to tell a complete story of the Indian war, but rather to make a brief resume of the warlike activities which took place within the territory to which this story relates and the activities of King Philip as the leader of the Pokonoket nation and of the Indians who exercised leadership in the Pocasset and Sakonet tribes, including Squaw Sachems Weetamoe and Awashonks and their subjects. Even here I shall not attempt to include all that is generally known about them, but to be rather exhaustive in the researches I have personally made.

The Indian war of 1675 interrupted the building of homes upon those lands which had been purchased from the natives along the shores of Narragansett Bay. While lands along the Providence River and on the island of Rhode Island had been occupied by the colonists for almost two score years and dwellings there were numerous, and while lands on the easterly shore of Narragansett Bay lying northerly of the falls river and south of Tiverton had been allotted to the proposed settlers, there had been very limited building operations in these sections. The land lying between the falls river and the southerly line of Tiverton and the vast hinterland extending to the Lakeville Ponds, as well as the Mount Hope lands and much territory to the west of the Taunton River as far northerly as the north line of Berkley, was still in the possession and control of the Indians and their ownership continued to the end of hostilities, at which time these lands came into the possession of Plymouth Colony and many were sold to pay the debts of the war.

There is a tendency among historians to treat this Indian war as an unjust war of persecution and conquest, and instances have been cited where the white man acquired land by improper means but no such inference can be drawn from the treatment accorded to King Philip and his lands by the Colony of Plymouth which had a co-extensive territorial limit with those of his Indian nation. Plymouth Colony always maintained a fair and just attitude toward individual and tribal Indian rights. While individual wrongful acts on both sides can, of course, be cited, Indian misdeeds were more frequently ignored and less severely punished in Plymouth Colony than those which were committed by the white men. The Indians, including Philip himself (Volume V, page 24) had become frequent litigants as petitioners in the Plymouth Courts and records show that they invariably received justice. (Many instances of this character I have referred to specifically in another chapter.)

The first mortality of the Indian war which is recorded in the Plymouth Colony records occurred on the banks of the fall river stream when Thomas Layton was killed there on June 24, 1675 (Volume X, p. 364).<sup>1</sup> He was a Portsmouth man and he and his brother George were both signers of the original compact there in 1639. He had been at various times an overseer of the poor, assessor, constable and commissioner but as he is not mentioned in Portsmouth records for several years prior to his death, it is believed that he had settled upon Plymouth lands and probably in Dartmouth when in 1652 those lands were bought. We find that an Isaac Layton and a John Layton are referred to in the colony records relating to Dartmouth, the former as a proprietor and the latter for not attending public worship (Vol. V, 169). (John Layton was ordered to mend his ways or depart.)

Out of a total of twelve Indian tribes which were component parts of the Pokonoket nation, headed by Sachem Philip, only three (the Pocassets, Sakonets and Wampanoags) took part in the war, and these three tribes were the most remote from Plymouth. Philip had been pampered by the Bay colony, had been prejudiced by his brother's widow (Squa Weetamoe) and had listened to old Anawan, until he felt obliged to resort to massacre to uphold his prestige. He saw that a large majority of his tribes had adopted the new civilization, saw their improved social condition, their easier lives, and at the same time knew that his authority and power were waning. Although he had adopted a certain measure of civilization himself (including the keeping of swine - see Portsmouth record of June 7, 1669) the praving Indians no longer recognized him as supreme, his winter life in the wigwam was severe when compared with the adopted home-life of Indian servants in the white men's houses, and he felt peeved, felt the ultimate end of his nation in world progress, and knew that it must be met either by acceptance or war. Bad counsel pushed him into the contest which he himself knew would most likely mean his banishment or death.

<sup>&</sup>lt;sup>1</sup> Citations referring only to "vol. etc." refer to the "Records of Plymouth Colony" which were published by the State of Massachusetts in 1855.

He entered the war in violation of his tribal treaties and contrary to his promises, brought massacre upon those who had risked their own lives to restrain his tribal enemies from eliminating his own nation.

Philip's first act as sachem was to complain about the relationship existing between Weetamoe and the Narragansetts. In this instance the Plymouth Court was palliative, for while advising Weetamoe to dismiss the Indians who were entertained by her "to Philip's offense", the Court also suggested that "unkindness be buried and that they live in peace and love". Almost immediately thereafter Philip began to claim further compensation for the lands which his elder brother and father had sold.<sup>2</sup> and a series of readjustments followed; he was given eleven pounds in goods "to continue peace and friendship" on account of a disputed boundary line at New Meadows Neck (in Barrington, R. I.); he was given ten pounds "to prevent any claim of his" in marking out the bounds of Acushena and Coaxet (Dartmouth, which also included the present city of New Bedford). In July, 1664 the town of Plymouth offered him a "gratuity" for his "satisfaction, reward and encouragement" if he would confirm their title in the Puncatest lands." (This was the land concerning which Weetamoe had filed complaint in 1662.) Although the extension of the colony lines alarmed him, he evidently preferred money to his lands for in 1664 he sold Mattapoiset, which was in the Pocasset territory and was the ancestral home of Corbitant, his daughter Weetamoe and of his own wife Wootonekamuske, to William Brenton of Newport. His wife joined in this deed.

The Pilgrims seemed to have always been conciliatory to Philip's demands, but when in June 1669 he put several swine on Hog Island, which was claimed by the "Antinomians" of Rhode Island to be a part of Portsmouth, and which Massasoit had deeded away to one Richard Smith, the town brusquely informed him<sup>4</sup> that he was intruding on the town's rights and directed him to "forthwith remove said swine".

On August 6, 1662 it having been brought to Philip's attention that he was suspected of some plot against the English, he appeared before the Court at Plymouth, and "earnestly desiring a continuance of amity and friendship" he signed articles indicating a continuance of the former treaty. He offered one of his brothers as a hostage until his fealty could be proved, but this offer was declined. His principal chieftains executed the treaty.

<sup>&</sup>lt;sup>2</sup> This was not an unusual thing for Indians to do. Pumham joined in the sale of portions of Warwick to Rev. Samuel Gorton "agreeably to the laws and usages of the Indians", yet he subsequently claimed ownership. Drake III, 71.

<sup>&</sup>lt;sup>8</sup> Pl. Town-Bk 1, p. 73.

<sup>&</sup>lt;sup>4</sup> Portsmouth, p. 149.

He seemed to rely upon the Plymouth Courts to enforce his rights. In March 1663 he complained about certain inhabitants of Rehoboth for felling some of his swamp timber, and Captain Willet made a satisfactory adjustment.

Nothing further occurred to mar the friendly relationship between Philip and the Plymouth colonists until he had been a sachem for five years. In the spring of 1667 one of his captains reported to Plymouth that Philip had told his men that he was willing to join with either the French or Dutch settlements against the English in order to enrich his warriors with their lands and goods. Although little credence was placed on such Indian rumors, the Court set out to ascertain the facts and a party of prominent colonial officials was sent to bring Philip and his captain to a conference.<sup>5</sup> The captain reaffirmed his statement and Philip denied it, alleging that Ninigret had hired his captain to spread the rumor.

On June 4, 1667<sup>e</sup> Philip came before the Court and produced a letter from a Narragansett sachem which tended to corroborate his statement about Ninigret, but the Court being suspicious of the letter sent two army officers to Narragansett who caused the sachem to be brought before the Warwick Court. Upon examination he denied that he had written any letter concerning Ninigret. Roger Williams also spoke favorably of Ninigret so that the Plymouth Court, in view of the fact that Philip was present and still continued his professions of love and faithfulness, concluded that Philip's tongue "had been running out" but judged it better to keep a watchful eye over him and to continue terms of "love and amity".<sup>7</sup> Philip continued to appeal to the Court and in October 1668 he demanded justice against one Francis Wast<sup>®</sup> concerning a gun and some swine. The selectmen of Taunton furnished relief.

In 1671 Philip appeared in Boston and misrepresented certain facts concerning the Plymouth Court; and reports increasing as to his entertainment of strange Indians, he was asked to appear before the September Court. Philip failed to appear and went to Boston and made further complaint there, whereupon the Massachusetts authorities tendering their aid to adjust the matter, it was arranged to have a joint conference in Plymouth on September 24, 1671. A fair and deliberate hearing was then had, Philip being present with interpreters. The conference lasted till September 29.

<sup>&</sup>lt;sup>8</sup> Ply. Col. Vol. 4, p. 151.
<sup>9</sup> Ply. Col. Vol. 4, p. 164.
<sup>7</sup> Ply. Col. Book IV, p. 166 (July 2nd, 1667.)
<sup>8</sup> Ply. Col. Book V, p. 6.

It was found, in accord with Philip's admission, that he had refused to have a right understanding of the matters in dispute and that he had harbored and abetted strange vagabond Indians, professed enemies of the English, who had left their own sachem.

Even after this the terms of the old treaty rights were continued and Philip often relied on the Plymouth Court for aid in his tribal administration. On September 20, 1672 Philip accepted a reference by the Court to settle the boundary of lands concerning which several Indians had made complaint. The Court records reveal that Philip said he "wished to be helpful".

On October 29, 1672 it appearing to the Court that Philip owed eightythree pounds to Harvey and Richmond of Taunton, the Court adjusted the matter by arranging with Philip that upon the assignment of these claims and the payment of an additional sum, he would convey certain lands to the town of Taunton in cancellation of the debt and purchase.

Between 1672 and 1675 rumors of hostile activity among the Indians increased. Gookin says that one of the Indian chiefs named "Walcut" disclosed a hostile rumor, as did John Sassamon, an educated praying Indian who had become a scribe to Philip and (afterwards deserting him) had settled upon land near Nemasket. Sassamon verified the fact that an uprising was being planned.

Mather says that this information was not much regarded because "one could hardly believe the Indians when they did speak the truth", to which Drake adds that "scarcely any one could be found who would allow that an Indian could be faithful or honest in any affair". It seems that, although secrecy was enjoined. Philip came to know what Sassamon had disclosed. decreed that he had thus forfeited his life and ordered him to be killed. Early in 1675 Sassamon's body was found in the ice of Assawamset Pond in Lakeville, with his neck broken. Three Indians were tried for the murder and after conviction by a jury of mixed English and Indians, all of whom concurred in the verdict, they were executed. One of them named Tobias, who had been a counsellor of Philip, confessed. When Benjamin Church met Weetamoe and Benjamin<sup>®</sup> (or Peter) in Pocasset, Peter told Church that Philip had said he was guilty of contriving Sassamon's death, and that he expected to be called to Plymouth for examination about it;<sup>10</sup> also that, in order to prevent his young men from killing the messengers who came to him from Plymouth, he had promised that on the next Lord's Day

<sup>&</sup>lt;sup>9</sup> Church calls him "Peter" Nunnuit. Drake calls him Petananuet. Probably Peter and Benjamin were the same person, so Weetamoe may have had only one husband between 1663 and 1675. (Church, p. 27, and Drake III, p. 3.) <sup>10</sup> Church, p. 27.

they might rifle the English houses and thereafter kill their cattle.<sup>11</sup>

The Plymouth colony records indicate that the war began exactly as Peter had forewarned, hence we assume the accuracy of his information. The Plymouth records<sup>12</sup> show events as follows:

1675, June 14 (June 24 n. s.) Brown, one of the messengers from Plymouth to Philip could get no reply from Philip to the colony's amicable letter.

June 20 (June 30 n. s.) (Sunday) sundry houses were burned.

24 (July 4 n. s.) Thomas Layton was slain at the falls river.

25 (July 5 n. s.) sundry persons in Swansea were slain.

It is to be noted that this all happened at places within or adjoining the Pocasset territory.

While these events were transpiring between Philip and Plymouth colony, at least some of the vagabond Indians who had left their sachem at Narragansett, had left their Assonet Neck homes, and were living in Weetamoe's Pocasset tribe. These were the very Indians concerning whom Philip had complained against Weetamoe, and the very ones who, in conjunction with the hostile faction of the Narragansett tribe, were urging Philip to his doom. This is evidenced by a certificate which I find recorded under date of April 27, 1673 in Vol. 12 page 242 of the Plymouth records. The lands that were included in the Freeman's deed executed by Weetamoe in 1659 extended northerly as far as Stacey's creek on the westerly side of Assonet neck. Next northerly of this bound was a strip of land bordering on the Taunton River, which was in the possession of one Piowant (an Indian), and ran up along the "Dighton Rock" section to the southerly bound of Taunton. This certificate was designed to establish the boundary line of the colonial lands and was signed by Weetamoe, by her husband Benjamin and by four other Indians, one of whom was "Quanowin". Such deeds were usually signed by Indian captains as an indication of their assent to the action of their chieftain, and there is no known Indian with name similar to Quanowin, except Quanopin, who became the next and last consort of Weetamoe.<sup>18</sup> He was a Narragansett of the "royal" house,<sup>14</sup> was at least ten years younger than Weetamoe, and was leader of the warlike faction of the Narragansett nation; he is referred to as a "young lusty sachem and a very rogue", and had three squaws, Weetamoe being the

<sup>&</sup>lt;sup>11</sup> Church, p. 29.
<sup>12</sup> See Ply. Col. Vol. X, p. 362 et. seq. (Report to the Commissioners of the United Colonies, made

in Nov. 1675). <sup>13</sup> Drake says (page 161) that according to Indian laws, if a wife deserts her husband another may take her. <sup>14</sup> Sachems pp. 74, 87. His name was spelled in almost every possible way (See Drake's Book III, p. 51).

second. Quanopin's absence from the Narragansett country is accounted for not only because Canonicus and Ninigret of the peace party were in power, but also because he was a fugitive from justice from Rhode Island. As early as 1671 he had harbored and refused to deliver up to the constable of Prudence Island an Indian who had there been guilty of a felonious assault, and having on account of his connivance been committed for trial to the jail at Newport, he and one John Carr had broken the prison and got over to Narragansett, whence Quanopin "gave out threatening to do mischief to the English" and prepared to fight and to draw other Indians into his conspiracy, whereupon the Rhode Island Assembly resolved that the Warwick assistants demand from "Mosup and Ninecraft" that they apprehend said Carr and Quanopin and deliver them up to his Majesties officers.<sup>15</sup> Ouanopin was not apprehended, by reason of his escape from Narragansett, and this is doubtless the time when he went into the Wampanoag territory, and began the mischief he had threatened.

After the breaking out of the war, and upon the first approach of the colonial troops into Swansea, Philip and his forces withdrew to Mt. Hope and thence crossing over to Tiverton and entering the Pocasset swamp,<sup>16</sup> ioined forces with the warriors of Weetamoe. After this they outmanoeuvered the English forces who thought them surrounded, and circling through the swamp they came out to the Taunton river (about August 10th, 1675 N. S.), probably through the Mowry trail, substantially at the line which now marks the boundary between Fall River and Freetown. After crossing the river Philip and Weetamoe separated, he and his army proceeding northwesterly through Rehoboth<sup>17</sup> into the Nipmunk country, while Weetamoe proceeded to Shawomet, known also as Warwick, in the Narragansett country.<sup>18</sup> There is no record which places Quanopin with her at

<sup>&</sup>lt;sup>15</sup> For this record I acknowledge the cordial assistance of Mr. Lloyd M. Mayer, of the Newport Historical Society. (See R. I. Col. Records 1664-1677, pages 295 and 420).

<sup>&</sup>lt;sup>16</sup> It is said that in the "swamp light" a brother of Philip who had been educated at Harvard College, was killed, and that, when leaving the swamp approximately 100 men, children and infirm persons were left behind. (Church p. 50 note).

behind. (Church p. 50 note). <sup>17</sup> While crossing Seekonk plain, Weetamoe's army was discovered by an English force under Rev. Noah Newman, and at daybreak her camp at Nipsachick, R. I. was attacked and plundered, but Philip's lighting men executed a counter attack in which there was considerable loss of life. The combined forces of Weetamoe and Philip numbered 250 men, but with the withdrawal of Weetamoe, desertions, etc. only 40 warriors reached Quabaug with Philip, about August 15 n. s. (See Hutchinson's Hist. of Mass. Vol. 1, page 293; Ellis & Morris, p. 80. Drake p. 214). <sup>18</sup> The contest over tribal supremacy at Shawomet had caused much strife. Pumham, the local sachem had maintained his independence even against Samuel Gorton who claimed title under deed given to him in 1643 by Miantunnomoh. During the dispute Pumham had stabbed a rival claimant and Uncas had become involved. It was here that the bitterness between Uncas and Miantunnomoh germinated. The Commissioners of the United Colonies endeavored to settle the trouble in 1649 by decree that although it had heretofore been

of the United Colonies endeavored to settle the trouble in 1649 by decree that although it had heretofore been a part of Massasoit s domain yet henceforth it should be a part of Massachusetts. The Pockonockets continued to have such a large following among the Warwick chieftains that in 1653 Roger Williams called the attention of Massachusetts to the "wretched state" of Warwick. Pumham was one of the first to follow Weetamoe and Philip into the war. (See Drake, bk. III, ch. V.).

that time, but historians agree that at this time her consorting with this "lusty outlaw" began, and they also agree that throughout the campaign Quanopin maintained separate living quarters for each of his three squaws.<sup>19</sup> That they had servants is indicated by the fact that Mrs. Rowlandson was the servant of Weetamoe, she having been "purchased" by Quanopin for that purpose.

In his flight to the Nipmunk country Philip had as a definite objective the Quabaug territory (North Brookfield) because the tribes there had also previously been tributary to his father. It would seem that when in 1659 Alexander and Philip took over the chief sachemship of the Pokonoket nation upon the alleged death of their father Massasoit (then spoken of in all the records as Ousamequin or Wassamequin), he was not in fact deceased, but troubles having developed at Quabaug in 1661 he was engaged there in a war with Uncas.<sup>20</sup> It is likely that he deceased at Quabaug about that time, for Mr. John Mason then wrote a letter to the Massachusetts magistrates in behalf of Uncas, indicating that there had been a dispute between Wesamequin and Onopequin (his deadly enemy), the latter a Quabaug native, as to who was the overlord of the Quabaug tribe and that "Alexander, sachem of Sowamsett challenged the Quabaug Indians to belong to him and had warred against Uncas on that account".

The Massachusetts magistrates as peacemakers ordered Uncas to make "remuneration" and it seems that Uncas in some measure complied; that "the old peaceable Ousamequin, put up with the result without avenging his wrongs," and that Alexander, being involved in troubles at home, ceased to follow up his quarrel with Uncas. It is extremely likely that after Massasoit's death, a friendly sachem (not improbably one of his sons) was at the head of the Quabaug tribe, that they were unfriendly to Uncas and so at heart anti-English. Philip knew that in his flight thence, he was reaching friends, as his emissaries and his example had already induced them to begin hostilities. So also Weetamoe had in her flight from Pocasset the definite objective of reaching the Narragansett territory and the warlike friends of Quanopin who resided near Warwick.

By the end of October, due largely to the influence of Weetamoe (See Chapin's Sachems, p. 78) the Narragansett war party was in full control of that nation, whereupon Canonchet the leader of the party issued his famous defiance to the English refusing to surrender the Wampanoag refugees, and various massacres occurred until the English army invaded

<sup>&</sup>lt;sup>19</sup> Sachems p. 88.

<sup>&</sup>lt;sup>20</sup> See Drake, book II, p. 101, and the documents there collected.

the country, and the "Great Swamp fight" (near Kingston, R. I.) took place. Here Quanopin was the second in command and thereafter Canonchet remained behind in charge of his defeated warriors while Quanopin and Weetamoe with their forces proceeded northerly in January and joined the Wampanoags at Quabaug. This was prior to Philip's return from the Mohawk country.

Toward the end of the war Philip had visited the Mohawk country and urged that nation to join in the war and to exchange wampum for powder. In his first quest he was not only unsuccessful but vengeance was inflicted upon his army because he ordered the murder of a few straggling Mohawks under circumstances calculated to lead the warriors to believe that the crime was committed by the English. One of the men who had been attacked lived to tell the correct version and so Philip's cunning frustrated his own plans and forced him back upon his supporting body of warriors at the Connecticut river near South Vernon, Vt. Such deceitful practices on the part of Philip led him into disrepute among his supporters.<sup>21</sup> It is to be remembered that at Sakonet, while urging Awashonks to join his forces, he threatened her that he would "kill the English cattle and burn their houses" under circumstances which would cause the English to believe the acts were committed by her unless she joined his forces. (Church, p. 25). At a prior time Philip had untruthfully told Awashonks that the English were getting together a great army to invade his territory.<sup>22</sup>

When Philip returned from his trip to the Mohawk country and rejoined Canonchet. Weetamoe and Quanopin, they knew that their power was waning and that some extraordinary effort was needed to stem its collapse. Even while he was on the return journey the command of his army had vested in Quanopin, under whom on February 20, 1676 n. s. Lancaster was sacked. Then Mrs. Rowlandson was captured and her narrative furnishes much to enlighten the closing events of our story, for (although captured by another chief) she was sold to Quanopin and used as co-servant with an Indian maid for Weetamoe. On March 1, 1676, a great council of war was held by the Indians, and it was then that Canonchet and Philip first met (Palfrey II, p. 85); they discussed the all important questions of "Supplies". There had been such need of supplies that Canonchet, then a leader in the Nipmuck country, returned to the Pawtucket river for seed corn (Church, p. 107). On March 8th, 1676 when Philip rejoined his confederates, Mrs. Rowlandson as an occupant of the

<sup>&</sup>lt;sup>21</sup> See Increase Mather's Brief History p. 108.

<sup>22</sup> Church p. 23.

same camp wrote of the event. That Philip had no part in the Lancaster attack and that it was deliberately planned from Quabaug is evidenced by the fact that James Wiser, an Indian convert, employed as an English scout notified the magistrates on February 4, 1676 n. s. that the Indians would fall on the English settlements in twenty days.<sup>23</sup>

The Sudbury fight took place on April 28th, 1676 n. s. and Mrs. Rowlandson savs that although it was hailed as a great Indian victory the Indians returned home without that reioicing and triumph which they were wont to show at other times.<sup>24</sup> To restore their morale a great wigwam was built preparatory to a war dance, and on the following Sunday the dance was carried on by eight of them, of whom Quanopin and Weetamoe were two. "He was dressed in his Holland shirt with great laces sewed at the tail of it, with silver buttons, white stockings, his garters hung round with shillings and girdles of wampum on his head and shoulders. She had a jersey coat. covered with girdles of wampum from the loins upward, her arms from elbows to hands covered with bracelets, handfuls of necklaces about her neck and several sorts of iewels in her ears — with fine red stockings, white shoes and her hair powdered and her face painted red, that was always before black. Two others sang and knocked on a kettle for music. They kept hopping up and down, with a kettle of water in the midst (upon embers) to drink of when they were dry and they held on till almost night. throwing out wampum to the standers by".

Philip did not participate in the dance nor in the negotiations for Mrs. Rowlandson's release which began after the dance. He refused to attend the "General Court" (as they called it) but Quanopin promised to release her if he could have "one pint of liquors" in addition to the ransom. After promising the release before three witnesses. as was required by the English, he was furnished the liquor, and became drunk. Mrs. Rowlandson says he was the first Indian she saw drunk during her captivity, but it was not a new experience for Quanopin, since Roger Williams describes his father as a "poor beast (always drunk)", and Chapin says that Quanopin took after his father and was one of the few sachems who were accustomed to get drunk (Sachems pp 68 and 89).

<sup>&</sup>lt;sup>23</sup> See notes to Mrs. Rowlandson's narrative in appendix.
<sup>24</sup> Mrs. Rowlandson says (p. 56) they were "unstable and like madmen" — "little more trust to them than to the master they served", so reduced by hunger that they would pick up old bones, scald them till the vermin came out, then boil them, drink the liquor, pound the bones in a mortar and eat them, with horses guts

and ears, dogs, skunks, rather snakes and the very bark of trees. After the inception of the war the praying Indians, professing fidelity to the English, secretly supplied powder and shot to the warriors. A letter from Mary Pray (from Providence) (see publication of Dec. 29, 1923 by the Rhode Island Society of Colonial Wars) complains of their doings in this respect and says (see page 24) "there is no trusting them - they are so subtle to deceive".

It is now generally recognized that this change of policy from warfare to barter, accompanied by the failing of Philip's attempt to secure Mohawk aid, and the hardships which the Indians were enduring, led to dissension in their ranks. The Nipmucks who were bearing the brunt of the war wavered in their allegiance and then withdrew from their alliance with Quanopin and Philip, who in their turn withdrew into their own country as the war entered upon its final stage. Parleying with the English is said by Drake to have been "detestable to Philip" (book III, p. 88), but it is better to infer that had Philip been a bold and commanding leader he would not have refused to attend the council meetings or slyly tried to secure a gift for himself from Mrs. Rowlandson for "speaking a good word for her", when he had already been over-ruled. The drunken debauch of Ouanopin which Mrs. Rowlandson describes on page 65 of her narrative, the fact that such a man was in control of the councils, and the vacillating attitude of all the sachems must have been a controlling reason why the Nipmucks should repudiate their confederates, who had brought so many hardships upon them and so little gain.

Whether the withdrawal of Weetamoe and Philip into their own country was due to fear resulting from an assault made upon them by the Mohawks who had attacked Philip's force and killed about fifty of them in June, as stated in Hubbard's Indian Wars at page 239; or whether it was due to their precarious supply of crops and stores, or to the attitude of the Nipmucks, it is true that there was a collapse of Indian power and that at the end of June Philip and the Narragansetts had gone "to their own places" to do what mischief they could to the English there. (See Ellis & Morris, p. 236; see Daniel Henchman's letter in Hubbard's Indian Wars at Page 237; see Drake book III, p. 88).

As to the events which took place in Plymouth Colony after the return of Philip and Quanopin we are again indebted to Church's "Indian Wars". When Church came upon the Indian army near Fairhaven, his scouts informed him (Church p. 103) that part of the army belonged to Philip and part to Quanopin; that both of them were about two miles off in a great cedar swamp which was full of Indians from one end to the other. After the attack upon Bridgewater the Indians retreated across the Taunton river over a tree which they had felled, and there Philip's uncle was shot (Church p. 110). The next morning (Sunday, July 30, 1676) Church came across Philip and his family, and Philip escaped by leaping from a tree down the bank on the other side of the river (Church p. 110). He left his wife and nine year old son behind and they were captured. Hubbard says that Philip had cut off his hair in order that his identity might not be known.

Quanopin and his Narragansetts were with Philip in this retreat, but after crossing the Taunton river Quanopin remained with the warriors while Philip had "fled away in a great fright when the first English gun was fired" (Church p. 111). The next day Church caught up with the women and children of the retreating force. These had been left in the rear by Philip, and acted as a guard against his surprise. During the night Captain Church manoeuvered around the women so as to come upon the main Indian body at day break, but Philip had sent two scouts back upon his own track to see if "he was dogged" and when Church came upon these scouts they made such a noise that Philip fled into the swamp "leaving his kettles boiling and his meat on the spits, roasting".

After this desultory warfare, Philip returned to Mount Hope with only ten of his original followers, but with a few other confederates, among whom were two Puncatest Indians named Alderman.<sup>25</sup> Philip killed one of the Alderman brothers because of a difference in matters of state<sup>26</sup> and the other in revenge, deserting, informed Captain Church of Philip's whereabouts and offered to assist in his capture, whereupon on August 12th Philip was shot at Mount Hope by this same Alderman while he was attempting to escape from his encampment.

Captain Church, knowing of Philip's timidity and believing that if an attack was made upon his front Philip would be the first to escape by the rear, posted an Englishman (Caleb Cook) with Alderman in ambush at the edge of the swamp and Philip was killed in his attempt to escape in the exact way in which Captain Church had anticipated, i.e. he had "catched up his gun, thrown his powderhorn over his head and ran into the ambush with no more clothes than his small breeches and stockings only to fall on his face in the mud and water, with his gun under him and a bullet through his heart".

Weetamoe had returned to Mattapoiset (Gardner's Neck),<sup>27</sup> where her warriors (now reduced to twenty-six men) were attacked by a force of colonists and all of them except Weetamoe were captured. She attempted to cross the Taunton river on her way to the falls river upon a small raft made from pieces of broken wood, and becoming either tired and spent with swimming or starved with cold and hunger, she was found drowned.

 <sup>&</sup>lt;sup>25</sup> Drake III, pp. 35 and 36.
 <sup>26</sup> Church, p. 121.

<sup>&</sup>lt;sup>27</sup> There was another Mattapoiset which was then a part of Rochester, Mass.

With the fall of Weetamoe and her warriors the Pocasset tribe of Indians was decimated. None remained except a few aged men and a few women and children and these were placed by the colonists in an Indian Reservation.

Quanopin was captured on August 16th, 1676 and was turned over to the Rhode Island authorities. The records show that at a court martial held in Newport for the months of August and September 1676, at the impeachment of Edmund Calverly, Attorney General, Quanopin admitted "that he was in arms against the English nation at the Swamp fight, at the burning and destroying of Pettacomscutt, at the assaulting of Carpenter's garrison at Pawtuxet, and at Nashaway. Quanopin did not then deny the statement of his brother that he was a commander in the war and was the second man in command in the Narragansett country, next to Nenanantenentt (alias Conanchet). He was adjudged guilty, ordered to be shot at 1 A: M. on August 26, 1676 and the sentence was executed.

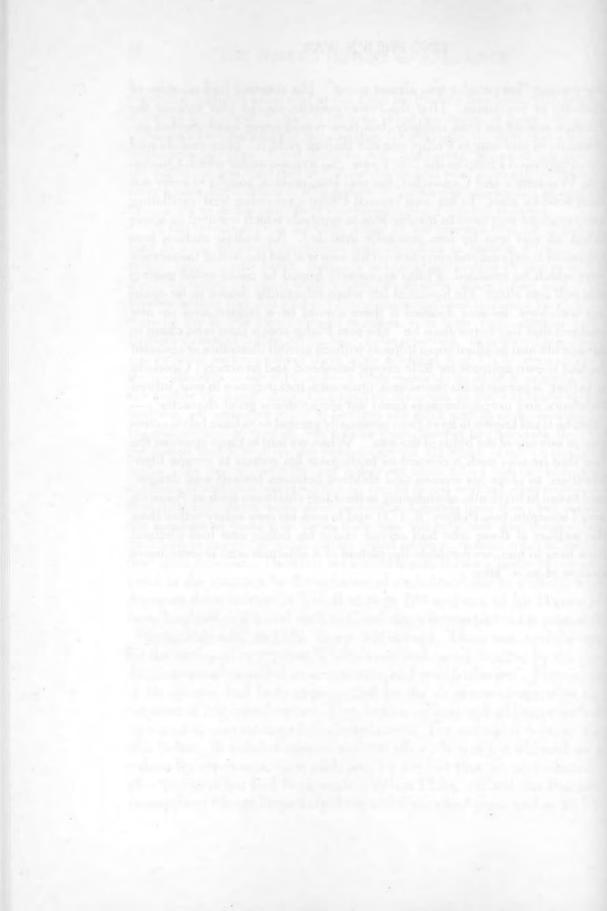
There is something to be admired in the character of many of these chieftains. Nanuntenos (alias Canonchet) was justly aggrieved at the conduct of the Massachusetts magistrates in their consistent support of the unscrupulous Uncas, who by cajolery had led them to interfere with the activities of his father Miantonomi whereby his capture was effected and his execution approved (Drake II, 49 and 66). His was a manly act, when captured after an energetic campaign and condemned to death, he answered "I like it well: I shall die before my heart is soft, or I shall have said anything unworthy".<sup>28</sup> So too his cousin Quanopin, though by inheritance the son of a drunkard, was bold and fearless, his conduct at the "Swamp Fight" showed courage and poise, and his planning and conduct of the various sieges showed the capacity of a warrior. We would criticise his maintenance of a harem on the fighting line and his becoming drunk at the critical stage of the war, but confronted with death he was as fearless as was his cousin.

As to Weetamoe, she had great capacity along the lines of her chosen effort: she was a queen who on account of her personal charms demanded and received obedience from her chieftains; she was true to her inheritance in the belief that her tribal destiny was inconsistent with English supremacy, as well as in her father's belief that there were many inconveniences in a single marital alliance. She was supremely active and she enforced her convictions to the utmost of her power, sacrificing her health and comfort

<sup>28</sup> Church, p. 108. See also Hubbard, II. p. 60.

to remain with her army and at the crisis by leading the dance which was designed to prevent its disintegration. That her warriors were ever true is shown by the fact that at the end they fought to the death that she alone might escape. Even if we disagree with her tenets, we must agree that she was a heroine, and that in this terrible Indian war, although her beliefs were wrong, her conduct and that of the Pocasset tribe, including, of course, Quanopin as its supreme field commander, were shining features.

A fair inference from the facts which I have referred to must as clearly lead to a far different conclusion with reference to sachem Philip. The name "king" or any heroic phrase is not fairly applicable to him or to his aims; he began his reign with the bright example of his father and elder brother before him. his first act being to request aid from the English in causing the hostile Narragansett warriors, who were disseminating anti-English doctrines within his territory, to be removed. Whether this request was truthful or hypocritical there is no evidence that Philip ever resisted their influences or sought to enforce their removal; he at once married into the hostile Pocasset camp; he began to complain of the lessening of his territory, yet was ever ready to confirm old sales and to make new ones. He complained of wrongs, yet was so fairly treated in Plymouth that he petitioned that Court for the enforcement of his rights, and he received justice. As to his character and policy we must adopt not the historical opinions of writers whose conclusions would prove, without clear evidence. that their forefathers were more corrupt and unfair than they: but rather the opinions of those who know their own integrity and who realize that their virtues are not so much self-acquired as they are tendencies inherited from their ancestors. Therefore we should incline, in the absence of definite proof to the contrary, to the opinions of such historians as Palfrey, who discusses those matters in Vol. II at page 184 and seq. of his History of New England, 1873, and such as Goodwin, who completed his estimable "Pilgrim Republic" in 1879. (see p. 544 et seq.). These men were delving for the truth. — they say that "Philip's outbreak was prompted by the vindictiveness and caprice of an unreasoning and cruel barbarian". No portion of his country had been appropriated by the strangers except after the payment of just consideration. Their Indian civilization had been enriched by access to conveniences hitherto unknown. The war arose because the idle Indians demanded support without effort. It was not planned as a redress for grievances, as is evidenced by the fact that no comprehensive plan of campaign had been made. When Philip entered the Pocasset swamp from Mount Hope only thirty of his men had guns, and as he left the swamp "his powder was almost spent". His warriors had no store of clothing or provisions. That the Narragansetts should plot against the English was at no time unlikely, but they would never have yielded supremacy in any war to Philip, nor did they so yield it. They craftily and cunningly used Philip as the "cat's paw", as a name under which Quanopin. Weetamoe and Canonchet, the real king-makers, sought to carry out their warlike aims. In his own council Philip's wavering and vacillating temperament was used to involve him in reprisals which resulted in a war when no war was by him primarily intended. An Indian sachem was supposed to express and carry out not his own will but the will of the council over which he presided. Philip apparently hoped he could avoid putting this will into effect. He hesitated but when reluctantly drawn in he could not withdraw, he was doomed if there should be a failure, and no one realized that fact better than he. The real Philip was a man who clung to savage life and heathen superstitions: without mental discipline or restraint he had shown aptitude for little except falsehood and treachery: Goodwin savs that "a person of his coarseness, ignorance, inexperience in war, inbred indolence and purposelessness could not spring into a great character". "that he is not known to have been personally present or to have taken active part in any one of the fights of the war". When we add to these opinions the fact that he was such a coward as to disguise his person to escape identification: to place his women and children between himself and danger, and to run to his death, abandoning to their fate chieftains such as Anawan and Tispaguin (see Palfrey, II, 173) and to seek his own safety rather than the welfare of those who had served under his father and had pledged their lives to him, we complete the picture of a chieftain who is some times spoken of as a "king".



## Chapter VI

SKETCHES OF THE LIVES OF WEETAMOE AND AWASHONKS

### Weetamoe

There are many facts relating to the activities of Weetamoe which are not previously referred to, and also much detail concerning the activities of Awashonks, who was a squa-sachem of the Sakonets during the Indian war. These are important to our story because Weetamoe was ruler over the tribe which occupied the Fall River territory, and Awashonks was until the end of Indian occupation ruler over the adjoining Sakonet tribe.

Weetamoe and her sister Wootonekanuske are generally deemed to be the daughters of Corbitant. Weetamoe had married Alexander (Wamsutta) the overlord (after his father Massasoit) of the Pokonoket nation, and Wootonekanuske married Philip (Wamsutta's younger brother) who succeeded him to that power.

Weetamoe died on August 6, 1675, at the age of forty-four years, but there is no record relating to the activities of Corbitant after 1623, so that there is no record which relates to any ruler of the Pocasset tribe for a period of ten years. In 1623 Corbitant was in disgrace on account of his hostility to Massasoit, hence his later life may have been of little public importance though he may have lived many years thereafter. To many the absence of record has seemed to indicate that he had died before Weetamoe was old enough to assume leadership. There may have been an interregnum but I adopt the general view that she was Corbitant's eldest daughter and succeeded him when the male line of inheritance had failed; that she inherited from him his hostility to the then dominant white race. She upheld the reputation of her race as a clever dissembler, and we find no overt act of hers which upon careful analysis discloses a voluntary attempt to favor the development of the colonies.

Weetamoe was described in April 1675 as a "severe and proud dame. bestowing every day in dressing herself neat, as much time as any gentry of the land, powdering her hair and painting her face, going with necklaces. with jewels in her ears, and bracelets upon her hands, and when she had dressed herself her work was to make girdles of wampum and beads". Her love of finery overcame her purpose to overcome colonial advancement. When she sold the "Freeman's" lands (Freetown and part of Fall River) in 1659, a portion of the purchase price was her indebtedness for and the furnishing of new items of personal adornment by John Barnes, a Plymouth merchant. We would not suppose that these elaborate toilets were prepared solely for her personal satisfaction but rather to heighten her dignity and attractiveness to her warriors and male associates, as an incident of her superior position. In these matters Weetamoe was very successful and her divorces and marriages were more speedy and varied than the most liberal Courts of today would allow. During the twenty-five years of her adult life she had many husbands, and shared at least one of them with other squaws. She was known by several names, viz: Namumpum, Tetapanum and Weetamoe, the latter spelled in a variety of ways.

Miss Virginia Baker, late of Warren, R. I. studied the life of Weetamoe and wrote an article thereon which is published in Vol. 54 of the New England Historical & Genealogical Register. Miss Baker was a careful historian and records discovered by her show that at the age of eighteen (about 1651) Weetamoe was the wife of Weequequinequa: that at the age of twenty-three (about 1656) she had become the wife of Wamsutta: that at the age of thirty (about 1662) she was the wife of Quinquequanchet; that very shortly after that she was the wife of Petownonowit (Peter or Benjamin),<sup>1</sup> while in the fall of 1675 she had become the concurrent second or third wife of Quanopin. As the wife of Wamsutta she executed a deed on June 9, 1659 under the name of Tattapanum<sup>2</sup> and on June 3, 1662 she filed a petition in Plymouth as Namumpum, wife of Quingueguanchet. It seems that at this last date Wamsutta was still alive. The records place his death as having occurred between June 13 and August 16, 1662. (N.S.)<sup>3</sup>

We know little about Weetamoe's first marriage (the marriage of vouth) but as wife of Wamsutta (alias Mooanam, alias Alexander Sopo-

 <sup>&</sup>lt;sup>1</sup> Capt. Church speaks of meeting Peter Nunuit, husband of Weetamoe, on June 17, 1675.
 <sup>2</sup> Fall River Reg. Deeds, C. R. book 1, p. 361; R. I. & Prov. Plant. Book of Land Ev. p. 211.
 <sup>3</sup> Goodwin, (p. 543); Ply. Col. Book IV, pp 16, 25. Cf. June 3d o. s.

quit or Pokonoket etc) Weetamoe was squa-sachem of the Pokonoket nation. She was a dozen years younger than her husband and likely shared his wigwam with other wives

At a time very shortly after Weetamoe's birth. viz: on September 25. 1633. Massasoit and Wamsutta appeared before the Court at Plymouth and jointly renewed the ancient treaty of peace and fealty. Wamsutta was verv young at that time. but from and after that time he began to assume the duties of a junior sachem." During the score of years which elapsed before he made his union with Weetamoe. Wamsutta's habits, aims and methods had become well fixed. They did not materially change after he fell under Weetamoe's influence and charm: their married life was not altogether peaceful. While acting as joint ruler with his father, he had come to know that the Courts at Plymouth were always open to his race, and he had seen swift justice meted out whenever his people were wronged.

Wamsutta seemed verv anxious to turn his Indian lands into cash and not only sold his own land but he also sold lands belonging to his wife and to subordinate chieftains, and this caused resentment on their part. Weetamoe was opposed to sales of her lands by him to the colonists. After the death of Massasoit and Wamsutta, Philip questioned the extent and efficiency of many of these deeds and caused some of them to be revised. Weetamoe however gave immediate notice of her disapproval of sales which had been made, and she petitioned the Plymouth Court with reference to the Freeman's Purchase (deed of June 1659); she admitted that she had renounced her title. but claimed she received none of the purchase price. and she secured a compromise of her claim in the form of a court order that she should receive new merchandise equal in value to a third of the price to compensate her for moving the Indians from the land.

On June 13. 1660 Wamsutta appeared at the Plymouth Court and representing that his father was lately deceased<sup>5</sup> desired to change his name and that of his brother according to the custom of the Indians. The Court ordered that thereafter he be known as Alexander Pokonoket and that his brother be named Philip.

It seems that years earlier Massasoit had set apart certain lands within the Pocasset territory as a residence for certain Narragansetts. "on condition that they should live under him and always observe his orders and customs"." These Indians were sympathetic with Weetamoe and undesirables

<sup>&</sup>lt;sup>4</sup> E. G. Canonicus and Miantonomi; Massasoit and Quadequina (See Goodwin, p. 152). Probably Philip performed some governmental functions under Alexander. See also Verrazani's narrative of 1542. (Bicknell Vol. 1, p. 65 and seq.). <sup>5</sup> This was probably not true. See Drake's book II, p. 103 note.

so far as Alexander and Philip were concerned. Their tribal connections were with the anti-English or war faction of the Narragansett nation, for in the Narragansett country as well as in Pokonoket divergent opinions were entertained with reference to the colonists. There was a peace party headed by Canonicus and Ninigret, while the disgruntled and warlike section was headed by Canonchet, the son of Miantonomi and by his uncle Co-ion-o-quant and after death of the latter by Cojonoquant's son Quanopin. The presence of this faction in his territory as well as his alliance with Weetamoe. led to rumors that Alexander was plotting against the whites, and Captain Thomas Willet asked him to appear at Plymouth on June 3rd. 1662 (o. s.)<sup>7</sup> in order that the matter might be cleared. Willet at that time was one of the Governor's assistants, a man of excellent repute both with the whites and the Indians. He had adjusted several troublesome issues between them to their mutual satisfaction. So judicious in temperament and so fair was Willet that he was selected to accompany the King's Commissioners on their tour of the colonies when they arrived to study and report on intercolonial relations. When New York was taken from the Dutch. he was made the first English Mayor of Manhattan at the request of the Dutch residents,<sup>8</sup>—in fact after the delivery of the message to Alexander. Willett went to New York and was so long in returning that Alexander, who had waited to confer with him again before appearing at Court, had gotten no further than Monponset ponds in Halifax when the Plymouth Court had convened. Weetamoe had, however, been present at the Court in Plymouth on June 3rd and the fact that she had resumed her former name of Nannumpum in the petition addressed to the Court complaining that Wamsutta had sold certain of her lands without her consent and that she was joined in a similar petition by a Sakonet Indian, Tatacomuncah.<sup>®</sup> who alleged a similar infraction by Wamsutta, indicates to the writer that Weetamoe was much displeased with Alexander not only on account of indiscriminate sales of land.<sup>10</sup> but also because he had determined to satisfy the Pilgrims as to his alleged activities. On that account she then married Quinguequanchet (who was one of her own tribal captains), and returned with him to her Pocasset home. The Court record of June 3rd makes no mention of Alexander, making it clear that no official demand had then been made upon him. Contrary to the custom of holding

<sup>Ply. Col. Book 4, p. 24.
7 Drake, Ill, 5 "He was asked to attend Court for their satisfaction".
8 Goodwin, p. 60 note. See also p. 543.
9 Ply. Col. Vol. 4 pp 16 and 17.
<sup>10</sup> Ply. Col. IV, p. 8 "He sold land also to strangers".</sup> 

monthly meetings, however, a second June session convened one week later. By this time Alexander had deceased, and Philip, as sachem of Sowams. appeared before the Court making specific claim<sup>11</sup> that Quinguequanchet and Namumpum (Weetamoe) his wife were entertaining the Narragansett Indians "against his good will and liking". The correct story of Alexander's death is undoubtedly that which was stated by Major Bradford (who was with Winslow at Monponset), and Hubbard's story that violence and incivility towards Alexander were suspected by the Indians is entirely without foundation.<sup>12</sup> It should be added that the lands concerning which Weetamoe had complained were located at Punkatest, at the place where Capt. Church later had his encounter with the Indians. then called by him "Almy's pease-field". Tatacumuncah's lands were in Sakonet. and at a later time legal proceedings were instituted in the Plymouth Courts between Mamanuah and his mother Awashonks, the squa-sachem of Sakonet, as to who was entitled to the purchase price of the Sakonet lands. After two jury trials and two reviews it was held that Mamanuah had the "chiefest right".<sup>18</sup> Suit was also brought against Philip by Peter Talmon of Rhode Island with reference to some lands which he claimed to have been sold by the Indians to him, but the plaintiff failed to recover anv damage.

We find no facts in Weetamoe's life with Alexander which justify Miss Baker's conclusion that as a result of his death she "dedicated her life to the sacred purpose of avenging his untimely end". It is a fact as stated by Miss Baker that Quequequanchet was Weetamoe's husband but that name appears for only a short time. He may have deceased, but it is probable that he changed his name to Petownonowit, the next known name among her husbands. He was generally known to the English as "Peter" or "Benjamin".<sup>14</sup> He had some education, could speak some English and was rather inclined to favor the colonists. When, in 1675, Philip was in conference with the Narragansett warriors and engaged in a "pow-wow" at Mt. Hope, at which Weetamoe's warriors were also present. Peter Nunuit left the conference and returned to Weetamoe,<sup>16</sup> who was encamped near the falls river. There Capt. Church met and conversed with them both. Peter gave him much information, while Wee-

Ply. Col. Vol. IV, p. 24. under date of October 8.
 Goodwin, p. 545. 4. See my "Sakonet and Punkatest" collections.
 Pl. Col. VII-p. 191.

<sup>&</sup>lt;sup>14</sup> Peter was rewarded for his pro-English feelings. After the war he was put in charge of the prisoners. (Drake III, p. 3). He may have been the Indian who led the English to the "great swamp" fort. (Church, p. 57). <sup>15</sup> Church, p. 27.

tamoe dissembled.<sup>16</sup> Miss Baker properly concludes that inasmuch as this fourth husband did not rally to her support, and allied himself with the English, she "disdainfully repudiated him". In the war which followed she became "next to Philip in respect to mischief done".

### Awashunkes

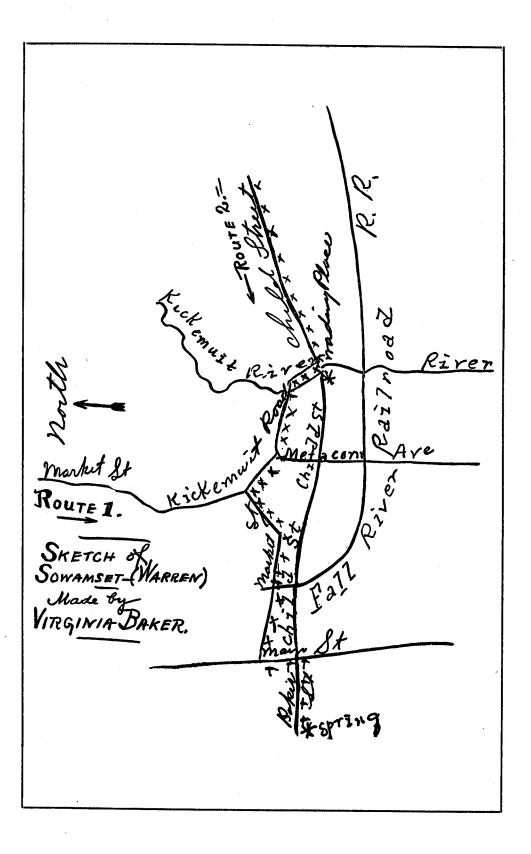
The word Awashunkes may be properly divided into two separate names. The English interpreted the word "Awa" as being the equivalent of Alice, and the Indian word "Shunkes" conveyed the idea of grandeur—of a person of importance (we have heard its equivalent "shooks" in English). We first hear of "Alice the Great" in the year 1671. At the July session of that year the Court sent two messengers to Awashunkes and five other sachems at Sakonet, requiring them to appear at Court and "engage for their future fidelity".

In 1662 Wamsutta (alias Alexander) the husband of Weetamoe and son of Massasoit had died. This caused considerable unrest among the Indians, culminating in action by the Court in July 1671 (Colonial Records book 5, page 62), when all the fire-arms possessed by Indians were confiscated and ordered to be returned to the Court. On July 6, 1671 the colony had voted to raise a force to be sent to the Indians at Sakonet "to fetch their arms, and in default thereof their persons".

On July 24, 1671 Awashunkes came into Court, executed an agreement for a partial alliance. She agreed to give up her arms, pay fifty pounds for her default and receive a limited protection from Indians who were hostile to her submission. She returned to Sakonet and early in August addressed a note to the governor,—giving a list of the Indians who had agreed to her submission, and asking his protection against Indians who were opposed to her submissions; she reported that her tribe had six guns; that she had sent in four, but that the other two were too large to carry; that she had offered to surrender one of them to Mr. Almy (which he had refused to take), and that the other one had been stolen from her wigwam by an Indian named "Broadfaced Will" who had carried it to Mount Hope.

The list of persons returned to Plymouth as being faithful to the English did not include Awashunkes' two sons nor her brother. In October 1671 Gov. Prence wrote her a letter of disappointment because she had succeeded no better with her own kin, but suggesting that upon her application the guns returned might be loaned to her for use during the coming season.

<sup>&</sup>lt;sup>16</sup> She said that her warriors had gone to Philip's dance against her will. (Drake, III, p. 31).





#### THE LIVES OF WEETAMOE AND AWASHUNKES

In 1661 the general Court, the Plymouth Court, had voted to purchase lands at Sakonet from the Indians and to provide there a settling place for servants or men "put to service" who were entitled by their covenant of service to have lands apportioned to them. In 1662 a deal was made with Wamsutta (Volume 4, page 16) for selling Sakonet neck, and both Tatacomuncah and Nanumpum (a name of Weetamoe) complained to the Plymouth Court that they owned or had an interest in these lands. In March 1674 Mamanuah claimed to be chief sachem of the neck lands, but when he attempted to give possession to the English, Awashunkes with help of many assembled Indians forceably prevented delivery, so he brought an action against her which was tried before a jury in Plymouth resulting in a verdict that so far as these lands were concerned Mamanuah had the chiefest title.

The next year marked the beginning of King Philip's war, and at that time Philip sent six of his chief men as messengers to Awashunkes to engage her in the war. She artfully called all her people together for a great dance, but sent secret word to Capt. Church inviting his presence.

Church, accepting her invitation, went with an interpreter and found hundreds of Indians assembled from all her dominion; she, in a foaming sweat was leading the dance. Hearing that Church had come she stopped short and sat down, then ordered her chiefs into her presence and subsequently called Church. She told Church that Philip had sent six men to urge her into the war: that Plymouth had raised a big army to invade Philip's country and asked if it was so. Church denied it and asked her if she thought he would have come to Sakonet and brought his goods to settle there if such were true. She pretended to believe the truth of Church's statement and then ordered the six Pokonokets into her presence. Their presence was imposing,—faces painted, hair like a cock's comb: the balance of the head shaven. They had powder horns and shot bags. She told them what Church had said, whereupon a warm discussion followed. She told Church that Philip had sent word that unless she joined him, he would send to burn all the houses and kill the cattle of the English, and the English would think that she had done it. The warriors said that their bullets were to shoot pigeons. Church advised her to kill the six Indians and to shelter herself under the English, whereupon one of them became very enraged. His name was "Little Eyes" and he tried to get Church apart from the rest of them so that he could kill him. Awashunkes told Church that she had decided to put herself under the English and sent two men to his house to act as guides. They urged him to remove his goods but he declined and

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told one of them to keep the goods safe in case of war. He immediately left for Plymouth, arriving there on June 7, 1675.

On his way he met Weetamoe who had just returned from Mount Hope and she confirmed Philip's intention. The war started before Church could return and Awashunkes was carried away in the tide of Philip's success. The battle in Almy's pease field occurred while Church was trying to get back to Sakonet from Plymouth. It is impossible to believe that Awashunkes did not know of it. Early in the war Church was severely wounded, felt that he was not well treated by the Plymouth men and retired to Rhode Island, but in May 1676 he returned to the war, and on his return to Rhode Island from Plymouth he sailed around Sakonet Point where he saw two Indians fishing on the rocks,—one of whom was George whom he had asked to guard his goods. Church went near the shore and George told him that Awashunkes had deserted Philip and was in a swamp three miles away; so he sent word to her and her son Peter, her chief captain, to meet him two days later at the lower end of Richmond Farm.

Awashunkes' retreat was at a well known Indian encampment now known as the Wilbour Woods, and it can now be seen in its yoretime splendor. The whole tract has been recently conveyed to the Town of Little Compton, and is maintained as a public park by the town, open to visitors during the day time. The wigwam lot is maintained in its primitive surroundings and nearby is the "Wigwam Pond" which has been artificially dammed, so that the outflowing brook can be controlled to its normal height. The native shrubbery and trees are still there.

Church went to Rhode Island and urged Awashunkes to come to him there, but her warriors would not allow it, so he took two Indians and his own men, a bottle of rum and some tobacco and kept his appointment at the Richmond farm, where he found Indians, and he went back approximately fifty yards from the shore to meet Awashunkes. All at once many Indians arose from the high grass and entirely encompassed him. They were painted and their hair trimmed in complete military array. Church told Awashunkes that George had said that she wanted to see him and thought it proper for her men to lay aside their arms while he and she talked of peace. Seeing that this caused much displeasure among the Indians he said that they need lay aside only their guns, which they did, and then came and sat down. He drew out his rum and asked her whether she had forgotten its taste. She insisted that Church drink and then asked him to drink again. He told her it was not poisoned and he lapped more up from the palm of his hand, whereupon she drank and passed it around and then they began to talk. Awashunkes asked why he had not returned as promised the year before, saying that if he had done so she would not have joined Philip. He said he had tried but at Puncatest he was stopped by a multitude of Indians and forced to retreat, whereupon the warriors set up a great murmur and one gigantic fellow waved his club as though to kill Church, but others restrained him saying that his brother had been killed at Puncatest.

Awashunkes finally agreed to serve the English if she and her men and their wives should be spared and not transported. Then the chief captain stepped up and said if you will accept me and my men and will lead us, we will help you and will have Philip's head to you before the corn is ripe. Church wanted to take a few of them to Plymouth but Awashunkes thought it hazardous to go by land, so they agreed to go by water, but after some delay only Peter Awashunkes went with Church.

Meanwhile a big storm came up and Church and his men were driven into "Pocasset Sound" <sup>17</sup> and thence toward Newport on the west side of the island. Meanwhile Philip's war had slumped and Capt. Bradford had come to Pocasset so that Church met him there and two days later they went to Puncatest and met Awashunkes with her warriors. She had expected that her men would be added to the Indian army but Bradford ordered them all to go too and to be there in six days. At that time Church went to Buzzard's Bay and met her and spent the night in her tent and dined with her. She had three dishes for supper, - a curious young bass in one dish, eels and flat fish in another and shell fish in the third. After supper the warriors brought many pine knots and made a big fire. Awashunkes made a ring around the fire and sat nearby with Church. All her lusty, stout men formed in the next ring, leaving the rabble in a third ring on the outside. First the chief captain danced around the fire with a hatchet and began fighting the fire by reciting the name of all the tribes who were opposed to the English; then another chief did the same until. six in all had danced, being all her chief men; then Awashunkes told Church that they were all engaged to fight for the English and she presented Church with a very fine gun.

On the following day, July 22nd, Church sailed with a number of her men and went with them to Plymouth where he secured a command and was joined by some English men and thus began a series of expeditions in which the Sakonets bore a conspicuous part and which ended in the death

<sup>17</sup> Church apparently refers to Mt. Hope Bay.

of King Philip and his chief warrior Annawan, one at Mount Hope and the other on his retreat from there, at the Annawan Rock in Rehoboth.

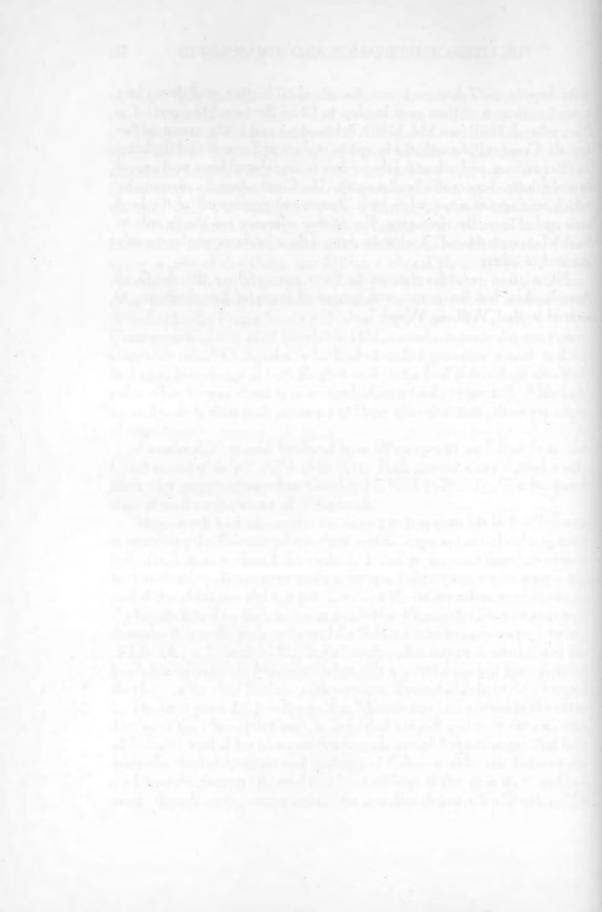
Toloney was the first husband of Awashunkes and by him she had three children. Mamanuah. Betty and Peter. We know little about Toloney except that he was killed in war while his children were yet young. The Sakonet tribe seemed to have a far different line of succession than others: the tribe itself was composed of the followers of many families under separate chieftains, who segregated into camps of their own. Prior to the Indian war Mamanuah's camp was near the Dartmouth line along the upper waters of the Paget brook (See Colonial Record VI-73), while Awashunkes' camp was at the Wilbour Woods. and then living with her there were her daughter Betty and her son Peter. Even at that time Awashunkes had some family difficulties, as is shown by reference to the Court records of July 1683 (Book VI, 113), and also because the son Peter. otherwise called Quegusha, who had attended grammar school and so had some knowledge of both English and Latin, had suffered an attack of palsy when he was about to enter the Indian school at Harvard. Although several records exist with reference to Peter after that time, there are none of importance.

Awashunkes' second husband was Wewayewitt as I find from the Court record of July 7, 1674 (VII-191). Both he and Peter signed a certificate for perpetual record on October 27, 1682 (VII-257). The husband then signed under name of Wayewett.

Mamanuah was apparently too young to join with his father Toloney in governing the Sakonet tribe so there was no apparent or trained successor to that sachemship when Toloney died. Tribal government therefore passed to Awashunkes. It was apparently a custom, if the circumstances warranted and if the chieftains did not interfere, that the sachemship would pass to the female line if no male heir was available. Plymouth Colony recognized Awashunkes as the squa sachem of the Sakonet tribe as appears from record of July 24, 1671 (book V-75), but when Awashunkes contracted to sell her lands for colonization Mamanuah brought a petition against her, claiming that he was the chief Sachem of those parts. Record of July 14, 1673 (cited by Drake at page 251) indicates that Mamanuah had proved to the satisfaction of the Plymouth Court, in behalf of himself and his brethren, sons of Toloney, and of his kinsman Anumpash, son of Pokattawagg, that they were the chief proprietors and sachems of Sakonet, although Takamunna and Awashunkes and those of that kindred were of the same stock and had some, though more remote, rights. As a matter of fact (See Strock p. 36)

Tatuckamua (or Tokamona) was Awashunkes' brother, and their claim arose on account of their near kinship to Chief Sachem Massasoit. On November 3, 1671 (see Vol. V-80) Takamunna and Philip appeared before the Court at Plymouth, the former as sachem at Saconet, and the latter as chief sachem, and submitted themselves to the colonial laws, and agreed to pay tribute. (one wolf's head a year). The Court advised a compromise which was agreed upon, whereby a "convenient proportion" of the land was settled upon the claimants. For further reference see the records in book VI at pages 44 and 73, whereby some of these lands were subsequently granted to others.

No written record exists as to facts surrounding the death of Awashunkes, but her grave, with graves of many of her chieftains, is located in the "Wilbour Woods".



## Chapter VII

RESULTS OF THE INDIAN WAR IMPOVERISHMENT OF THE COLONIES APPRENTICESHIP AND SLAVERY OF INDIANS

#### Results of the Indian War

The Indian war left all of the colonies in an extremely impoverished condition, but Plymouth was the most devastated and pecuniarily the weakest of all. The soil around the town of Plymouth had proved to be the least productive in the colony, and before the war many, if not most, of its prominent and forceful men had moved to other towns within the colony where the returns of their labor were more abundant. These outposts were completely destroyed and the expenses of the war had been so large that Plymouth's share of it equalled and perhaps exceeded the total value of all the remaining personal property owned by its settlers.

There was no financial aid offered from the home country and except for some contributions from Ireland, the colonies were left to accomplish their own reconstruction. There were many bereaved families and many crippled soldiers to aid or support, and there was no public money in the treasury, yet Plymouth never shrank from its duties or obligations and never compromised its indebtedness.

There were some public lands previously reserved for Indian habitation upon which no previous encroachment had been made. In the generation which had elapsed since the landing of the forefathers, the Indian tribes had divided into two classes, viz: those who had accepted and those who had partially rejected the advanced civilization. Those who had in the main adopted the European culture had formed permanent settlements and were called "praying Indians" by their fellow tribesmen. They lived in segregated towns, some had permanent places of residence and permanent fields for tillage, and many acted as servants for the settlers. They were heartily disliked by the roving Indian element composed of some of the older generation and the younger, socialistic, element, and although they had adopted many of the foreign cultural benefits, — such as the use of firearms, the use of more modern field implements and the raising of cattle and swine as a winter food reserve, these roving bands still shrank from domestic and farm work, rejected the Christian religion and made themselves generally offensive. A careful analysis of the figures relating to the ratio of settled and unsettled Indians with the territory formerly occupied by the same tribes, would indicate that the roving bands had as much unoccupied territory per capita available for their habitation and for hunting and fishing as had their ancestors before them, and they had immeasurably superior means for securing their wild subsistence.

After the Indian war and the decimation of the Indian tribes, the exportation of the irreconcilables and after the resettlement of the friendly Indians, the unoccupied lands were available for general colonial use, and they were offered for sale by the colony to meet a portion of the immediate public needs. Some were ordered sold, the proceeds to be used for the support of the widows and orphans of the war, and others were offered for sale to reduce the colony debt. Of the latter class are the two sales then accomplished on Narragansett Bay, first in 1680 the sale of Pocasset to Edward Gray and his seven associates, and secondly the sale of Mt. Hope and Bristol to John Walley and his three associates from Boston. I have incorporated as an appendix an abstract of this last and very unusual deed, which — in effect — almost created a new Commonwealth.

### The Lesson

I have drawn certain conclusions from the facts outlined, because there is a tendency on the part of many modern writers to criticize our forefathers for the events which preceded the "inevitable conflict," in effect censuring their memory because the conflict of civilizations resulted in an Indian war.

This tendency is well evidenced by the unfair statements in "The Founding of New England", edited by James T. Adams, and published in 1926, which at page 344 refer to Philip as follows:

"No individual with the instinct of self respect and self

preservation could fail to see that his eventual choice would

lie between resistance and virtual slavery",

and at page 341:

"The parchments which the savage signed with his mark were as ethically invalid as a child's sale of his inheritance for a stick of candy. \* \* \* They could not foresee what was reasonably clear to the colonists — that the result of their having 'welcomed' the stranger would eventually be their own annihilation''.

Human nature is much the same today as it was three hundred years ago. Human emotions of greed, rancor, revenge, love and hatred have existed since the dawn of history.

Your and my Pilgrim and Puritan ancestors had certain traits, certain characteristics: a spirit of aggressiveness, an unconquerable persistence and stamina, which are basic qualities of good citizenship, they were courageous, fearless and godly, and were determined to live as patriotic subjects of a great power, and to fight injustice and bigotry without compromise. To carry out this determination they ostracized themselves and founded a great nation that we and they might truly live.

We as their descendants have, because of our heritage, the duty to keep our race from deteriorating, to hold our character up to the standard they have set. We should not be proud of our ancestry, rather should we be fearful lest it can be said that having a noble heritage, we have hidden the inherited talents and become debased.

Inasmuch as neither you nor I would reduce a nation to slavery, or purchase an inheritance for a pottage, we know that our ancestors never did and never could or would do any such thing; the building of churches, schools, colleges and homes for an ignorant people, and surrounding them with rules and laws which required chastity and morality do not constitute moral obliquity. If justice was not always tempered with mercy, can we say that it is otherwise today, or that they handled the conflict of races less properly than we would have handled it in their times and with their surroundings?

To claim so is mere braggadocia, — we are not more righteous, nor are we actuated by broader or more conscientious principles than were they. They had their communists, their unemployed, their loafers, their inane chieftains just as we have them now. Such lived then as they do now for no useful purpose except to indicate how worthless to the world some human lives can be. We know the causes and results of the Indian war, and we know how the socialists of today threaten our government, rob our homes, organize gang raids and make private reprisals, till we fear for the survival of our civilization.

When our standard of morality is compared with that of our ancestors, many writers forget that identical surrounding conditions must be assumed. When it was believed that the Bible must be interpreted literally — that the words "thou shalt not suffer a witch to live" meant that anyone convicted of witchery in a Court of Justice should be sentenced to death — the cruelties of the "Salem witchcraft" follow. When it was believed by Christians that the command to carry the Gospel into all lands meant that it should be forcibly injected into the lives of ignorant natives irrespective of their willingness or ability to understand and receive it, a natural resentment against Christianity followed.

We who interpret these commands in the light of the "historical" or liberal "situations", or from the viewpoint of the best scholarship of the modern school, must not minimize the standard of our ancestors who enforced their beliefs according to their own interpretations of the Holy Word. They probably did so more energetically and fearlessly than we now do, but such stamina as they exhibited, shows strength of character and does not indicate moral weakness.

The Indian war placed Plymouth colony in debt to an amount which equalled the total value of all the personal property in the colony but the Pilgrims met their obligation. Let us then praise our ancestors because they did not compromise with evil, and because, although endowed with all the passions of life, they ever kept before them "the ultimate good". Almost always their introspect was equal in all particulars to our retrospect.

In this generation, at this moment, there is need of men of their caliber, and if we shall equal their purposes and accomplishments, this world will be the better because we have lived.

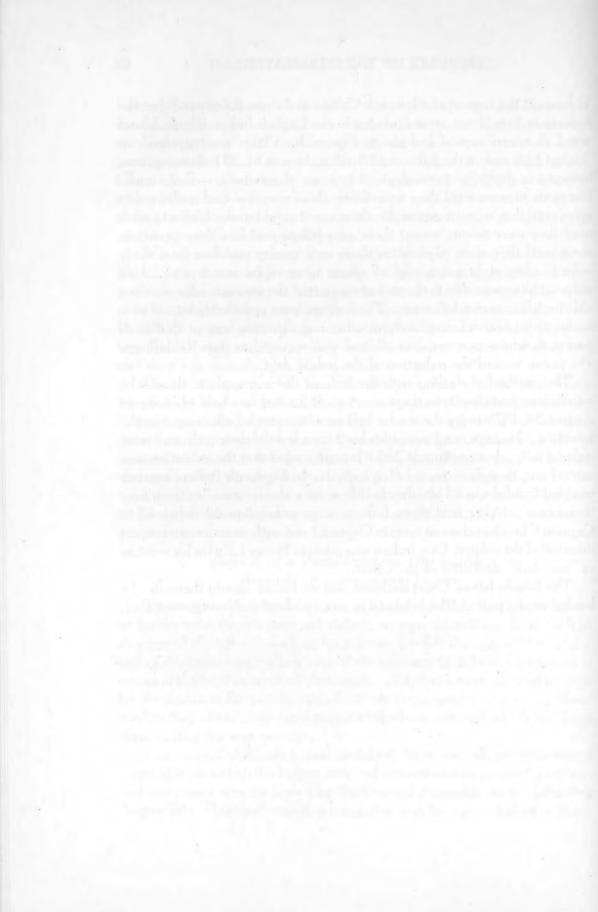
### Service, as a Punishment, as Distinguished from Apprenticeship and Slavery

Service is comparative to a "sentence to hard labor". In Colonial times an Indian tribe (that is each individual) was punishable for the default of any one of the tribe as well as for a general tribal default, so that at the end of the Indian war which placed the colonists in debt to an amount in excess of the total value of all their assets, all Indians were doomed to work for the colonists for certain periods, if not in perpetuity,— to bring about a rebuilding of the homes and to restore the farm damage which had been done during the war period.

The Council of Rhode Island on July 4, 1676, accordingly empowered a committee to sell all the Indian men and women who were able for service, and this power was confirmed by the General Assembly on the following August 6th. This condemnation for service was for a period of nine years. In June, at the request of Plymouth Colony and upon the ground that the Indians in Providence were hostages to the English forces, Rhode Island voted to return certain Indians to Plymouth. Philip was captured on August 12th and on the following Monday, August 14, all Indian captives, innocent or guilty, were condemned to terms of servitude, — those under five years to serve until they were thirty; those over five and under ten to serve until they were twenty-eight; those over ten and under fifteen to serve until they were twenty-six; those over the twenty and less than twenty to serve until they were twenty-six; those over twenty and less than thirty were to serve eight years, and all others to serve for seven years. This differentiation was due to the cost of support of the servants who were not old enough to earn a full wage. The Indians were apparently turned over to the individual colonists without other consideration, except that each person to whom any one was allotted was required to pay 16 shillings,  $4\frac{1}{2}$  pence toward the reduction of the public debt.

This method of dealing with the Indians did not apply to those who were active participants in the war. A court martial was held in Newport August 24, 1676 to try those who had been in open rebellion against the colonists. Quanopin and two of his brothers admitted their guilt, and were ordered to be shot on August 26th. It is presumed that the execution was carried out, though no record of it appears. In Plymouth Indian warriors were sold and disposed of either for life or for a shorter time "as there may be reasons". After trial three Indians were ordered to be delivered to Captain Church and seven more to Captain Low, with an order to transport them out of the colony. One Indian was given to Henry Lilly for his services as "marshall" and crier of the Court.

The Rhode Island Court declared that no Indian should thereafter be landed in any part of Rhode Island or on any island in Narragansett Bay.



# Chapter VIII

### FREEMAN'S PURCHASE METHOD OF DIVIDING AND SETTLING COLONIAL LANDS THE ORIGINAL GRANTEES FIRST LOT OWNERS TO 1710 FALL RIVER'S WEST END

## Freeman's Purchase

What is known as the Freeman's Purchase included the land which extends northerly from Bedford Street in Fall River, to the southerly line of Berkley at a brook (known as Stacey's creek) which empties into the Assonet River. A colonial law had allowed freemen to "seek out lands for the accommodation of them and their posterity", but in July 1655 it was decreed that this law should not be effective after June 1656. Prior to that date Freetown was "sought out" by Captain James Cudworth, Josiah Winslow, Sr., Constant Southworth and John Barnes, and on July 3, 1683 (Vol. 6 p 96) colonial authorities authorized the issuance of a deed to them which covered that territory. The deed bears date June 10, 1686, and in form it was a deed in "free and common soccage" to them for the use of themselves and their associates, e. g. the other freemen whose names are of record. As this deed has never been published I annex an abstract. It was supplementary, in accordance with the law, to a deed from the Indians, which bears date April 2, 1659, and names as grantors Osameguin, Wamsutta and Tattapanum. Wamsutta was Osameguin's oldest son, Tattapanum (also known as Weetamoe) was Wamsutta's wife, and as Squa Sachem of the granted territory she made strenuous objections to the sale until she was placated with a separate consideration. Wamsutta signed the deed as the agent of or as co-Sachem with his father. It is supposed that his father was absent at the time because his signature is not affixed to the document. Of this deed I also annex an abstract.

#### THE PHILLIPS HISTORY OF FALL RIVER

#### Annexed Abstracts

The method of dividing and settling the colonial lands, as adopted by Plymouth Colony, i. e. requiring, in addition to a colonial grant, deeds from the Indian owners for a consideration which was subject to approval by the colonial officers, varied much from the method followed in other colonies. The Plymouth method was the only proper one, as is evidenced by an opinion of the United States Supreme Court handed down by Chief Justice Marshall in the case of Johnson vs McIntosh, reported in 8 Wheaton at page 543. Among other material statements, the Court says —

"by discovery the rights of the Indians were not disregarded but were necessarily impaired, they were the rightful occupants of the soil with a legal and just claim to retain possession and use it according to their own discretion, but their rights of complete sovereignty were necessarily diminished, and their power to dispose of it at their own will was denied by the fundamental principle that discovery gave title".

Whether or not we like the reasoning and this conclusion, that, by decision of our highest Court, was the law.

I am therefore annexing, as material to this study, a rather complete abstract of both of the Freemen's deeds. After the close of the Indian war the native tribes were decimated, were moved onto Indian Reservations and their lands were sold by the colony to meet in part the expenses of the war. Hence there was no Indian deed covering the Pocasset Purchase.

#### Abstract of Indian Deed, dated April 2nd, 1639

Grantors: Ossamequin, Wamsitta, Tattapanum (Ossamequin did not sign) Grantees: Capt. James Cudworth, Josiah Winslow Sr., Constant Southworth, John Barnes and 22 others and their heirs:

"all the tract of upland and meadows lying on the east side of Taunton river, beginning or bounded toward the south with the river called the Falls or Quequechand, and so extending itself northerly until it comes to a little brook, called Stacey's Creek; which brook issues out of the woods, into the marsh or bay of Assonate close by the narrowing of Assonate Neck, and from a marked tree, near the said brook, at the head of the marsh, to extend itself into the woods on a northeasterly point four miles, and from the head of said four miles on a straight line southerly until it meet with the head of the four mile line at Quequechand, or the Falls aforesaid, including all meadows, necks or islands lying and being between Assonate Neck and the Falls aforesaid, (except the land that Tabatacason hath in present use) and the meadow upon Assonate Neck, on the south side of said neck, and all the meadow on the westerly side of Taunton river from Taunton bounds round until it come to the head of Weypoyset river, in all creeks, coves, rivers and inland meadow not lying above four miles from the flowing of the tide in. Consideration: twenty coats, two rugs, two iron pots, two kettles and one little kettle, eight pair of shoes, six pair of stockings, one dozen hoes, one dozen hatchets, two yards of broadcloth and a debt satisfied to John Barnes which was due from Wamsitta, before the 24th of December 1657, all being to us in hand paid.

Deed of full warranty, according to the tenure of East Greenwich, in free soccage, not "in capite" not by "knights service".

Witnesses: Thomas Cooke, Jonathan Brigd, John Sassamon.

Abstract of Colonial Deed, Dated June 10, 1686—Recorded June 19, 1696 Grantor: Thomas Hinckley, Governor

under power of his office and Order of Court made in 1636

Grantees: James Cudworth, Josiah Winslow, Constant Southworth and John Barnes

"in behalf of themselves and others, their heirs and assigns forever, according to their respective rights and "propriettyes" therein to be holden as his manner of East Greenwich in free and common soccage, and not "in capita", not by "Knights Service", yielding and paying to our Sovereign Lord one-fifth part of the "oare" of gold and silver, and one other fifth part to the president and Council, according to the tenure of our grant.

Grant, all the uplands and meadows lying and being on the East side of Taunton River from Assonate Neck to Quequechand, at a place commonly called the "ffalls",/ and so extending into the woods four miles, and bounded northerly by the bound line of the town of Taunton and southerly by the line at the "ffalls" which is the bounds between it and the lands of Pocasset, bounded easterly by a straight head line, which rangeth from the said bounds of Taunton at the four miles and aforesaid unto the head of a line at the "ffalls", and also all those meadow lands which lie between Sippican bounds and the Purchaser's grant, or easternmost bounds of Cushnea alias Dartmouth, excepting all former grant or grants".

(Colonial Seal)

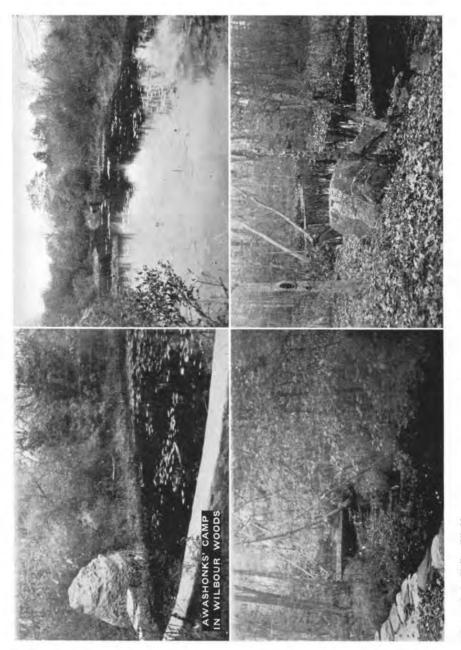
The purchased land was divided into twenty-six lots, running northerly, in numerical order from Bedford Street. Each lot had a frontage of about one-third of a mile on the Taunton River and extended back from the river a distance of four miles. These tracts were assigned by lot. A highway was laid out along the easterly end of the purchase.

The four principal grantees named in the colony deed to the Freemen were prominent Plymouth freemen. Captain James Cudworth, afterwards General Cudworth, was from a distinguished family of English church men, and came to Plymouth in 1632. He was prominent in the colony; was for nine years assistant to the governor; commissioner of the united colonies for five years and deputy from Scituate for many more. He was captain of the train-band, or militia, but as he was opposed to the restrictions placed upon and the punishment of the Quakers he was left out of

office in 1658 when the Prence government was in control, and was disfranchised as "an opposer of the law and friend to the Ouakers". In 1673 when Josiah Winslow was elected governor. Cudworth was recalled to public service but he at first declined, giving as reason that his wife, then 67 years old, had no maid and from weakness was forced to rise at daybreak when a pipe of tobacco must be lighted for her and be three or four times renewed before she could get breath enough to stir; for that his hav was stacked where it grew; his winter's wood was to be laid in, and he had to go to mill, all with no helper but an Indian boy of thirteen. Finally he consented to return to the command of the train-band and was still in office when King Philip's war broke out. He was elected the first general of the colony with the pay of six shillings a day. After this time he was not permitted to return to his farm, for he served again three years as commissioner of the colonies: seven years as governor's assistant and was made deputy governor upon Winslow's death. In 1681 he was sent to England as agent of the colony and there died. His untimely death had a grave effect upon the charter which Plymouth Colony was then seeking, as thereafter it had no such able representative at the English Court. Cudworth's lot was the second lot north of Assonet Village. He did not personally settle there but his grandson lived there until his death in 1729.

The second grantee named in this deed was Josiah Winslow Sr. He was the son of Governor Edward Winslow and of his second wife, Susannah White, who was the mother of Peregrine White. Theirs was the first marriage in the colony. He had then been a widower seven weeks and she a widow twelve weeks. Born in 1628, Winslow was educated at Harvard, was a general favorite of the people, and was in command of the federated forces in the Narragansett campaign of 1675. Winslow's home was in Marshfield. He never lived in Freetown. He sold his lot to William Makepeace of Boston.

The third grantee named in the deed was Constant Southworth. He and his brother Thomas were both lot-owners. The children of Constant settled upon the 19th lot. These brothers were the sons of the wife of Governor Bradford, Alice Carpenter, by her first marriage. When she came to America to marry Governor Bradford, she left these two sons in England to complete their education. Constant came over in 1628. He never settled in Freetown, but he was a distinguished warrior and at the beginning of King Philip's war he acted as commissary despite his age of sixty-one years. Soon however he yielded that arduous place to Captain



Awashonk's Camp - Wilbour Woods

Photographs by Phillips Whidden



Benjamin Church who had married his daughter Alice, the namesake of her grandmother.

Captain Thomas Southworth was no less renowned as a warrior. He was also prominent as a churchman and was the only person, other than Thomas Cushman, who was proposed as Elder Brewster's successor. He was prominent in Plymouth, both as an assistant to the governor and as deputy from Plymouth, and for nine years was a colonial commissioner. He never settled in Freetown.

The last of the grantees named in the colony deed was John Barnes. a far different type from the other grantees. He was the general storekeeper in Plymouth. I have examined the record of more than thirty cases in which he was a litigant before the general court. in most instances for the recovery of debt, but he was before the court for other reasons. On the 5th of October 1636 he was fined thirty shillings for sabbath-breaking; on December 1, 1641 he was presented for "exaction" in that he bought rye at four shillings a bushel and sold it for five "without adventure". He was acquitted. On March 2, 1641 he was presented for exaction in selling black and brown thread at five shillings four pence a parcel, but was also found not guilty. His store contained the standard measures of the colony for bushel, half bushel, peck and half peck and the various towns were ordered to establish standards in comparison with his. Barnes had an eighth ownership in the first ship built in the colony. On March 2, 1648 he was allowed to brew and sell beer "until the court sees reason to the contrary", and on March 1, 1659 he was licensed to keep an ordinary (tavern) at Plymouth during court times, but he evidently consumed too much of his own wares for there is record on October 3, 1665, that being lately detected of being twice drunk he was fined twenty shillings. On June 7, 1659 he was disfranchised for his "frequent and abominable drunkenness", and on June 10, 1661 the inn keepers of the town of Plymouth were prohibited by the Court from letting John Barnes have any liquor under penalty of fifty shillings. A coroner's inquest held over his body returned the verdict that he came to his death by a great wound caused by the horn of his bull while he was stroking the bull in front of his barn. Letters of administration upon his estate were issued October 29, 1671. The Indian squaw Weetamoe secured from Barnes' store the pots, kettles and the coats, shoes and broadcloth which furnished the consideration for which she finally and reluctantly signed the Freeman's deed, and probably also the consideration for which Barnes acquired his interest in the purchase.

He sold his lot on August 16, 1666. It included the major part (southerly portion) of Assonet village.

The first lot of the Freeman's purchase extended from the northerly line of Bedford street (east of Main street), and from the line of the fall river stream (west of Main street) to a line midway between Cherry and Locust streets. It included the southerly two-thirds of Ruggles park and crossed Ralph's Neck (east of the pond). It was drawn by Timothy Foster of Scituate.

Timothy was the only son of Edward Foster, a prominent lawyer, one of the "men of Kent" who settled on Kent street in Scituate in 1633, and became a freeman there in 1636.

Timothy sold his Scituate home in 1662 and then removed to Dorchester, though still retaining title to the Scituate farm. At various times he owned several of the proprietary lots in Freetown, Pocasset and Puncatest. His transfer of the first Freeman's lot to Mary, the wife of Capt. Cornelius Briggs, is not of record. She may have been his daughter and so have taken by descent, though no Mary is named in the recorded list of his children. When Mary married Capt. Briggs on March 20, 1677 she was the widow of Samuel Russell. They conveyed lot No. 1 for one hundred and forty pounds on September 22, 1679 to William Earle, John Borden and David Lake (see Plymouth Records book 2, page 149), all of Portsmouth, R. I.

On August 3, 1687 David Lake, then named as a resident of Little Compton, conveyed his third interest to his co-tenants for forty-five pounds (see book 2, page 152). This deed states that grantee William Earle is his brother-in-law and that John Borden is his cousin-in-law.

On June 20, 1688 (book 2, page 174) William Earle conveyed his half of this lot as follows: two-thirds of a half to his "well-beloved son" Ralph Earle and one-third to his daughter-in-law, Mary Earle.

Ralph Earle took the north half and on June 21, 1716 he sold it to Constant Church, a brother of Col. Benjamin Church. Benjamin Church then owned the adjoining second lot.

In June 1710 there was a partition between these owners, John Borden took the south half (from about Franklin street) and extending westerly from Purchase street to the shore. This included a mill privilege. Subsequent doings with reference to this part of lot one is sketched under the title "Fall River's West End".

#### Fall River's West End

In early times Bedford Street was known as Central Street. A partially completed way which was an extension of Bedford Street to the west, was called West Central Street. The junction of these streets was called the Four Corners. To the west of Main Street the first Freeman's lot extended southwesterly to the fall river stream (or Quequechan river, which was the outlet of the Watuppa Lakes). A mill privilege was apportioned to this lot. It belonged to John Borden. Another mill lot (south of the stream), a part of the Pocasset purchase, was acquired by Benjamin Church and his brother. Considerable litigation developed about the water rights between those owning lands on opposite sides of the stream. There were thirty shares in the Pocasset mill lot. The Church family owned 261/2 shares and John Borden owned the other 31/2. The Bordens owned all the land north of the stream, and they built the upper mill at the Main street site. When there was a shortage of water they shut the water off from Church's lower mills. The trouble ceased when John Borden bought the Church shares.

The "cleft rock" (a very high granite ledge) projected so far into West Central street that there was only a narrow path between the rock and the stream. Westerly from the rock West Central Street had been laid out as early as 1803. The land was then still owned by the Borden family but there were only two houses on it. One (on the north side) was owned by Nathan Borden. The other (on the south side) was owned by Daniel Borden. By 1812 several new houses had been built on the north side of the street and to the west of the Nathan Borden home. On the south side Marshall Warren's house had been erected at a substantial distance to the west of the Daniel Borden home. The cleft rock was a prominent part of the landscape and of very considerable height. Both the rock and the falls were mentioned in the Plymouth records at a very early date. The rock extended on both sides of Main street, and the cleft is supposed to have been within the limits of the street.

From Central street to Pocasset street, Main street was much narrower than it is today. After the great fire of 1843 it was materially widened and it now passes over the foundation of "Bridge" Mill. A sketch of the changes at this point is shown by the annexed plan loaned to me from the records of the Fall River Historical Society.

In 1826 the town of Troy (which was then the name of Fall River) re-surveyed, platted and extended Central street easterly from the Daniel Borden house to the Four Corners. This layout is shown by a plan which I also annex. It was taken from the files of the City Engineer's office.

This section of Fall River extending from Elm street on the north to the fall river stream, and from Main street westerly to the wharves came to be called the "West End". When the Fall River Iron Works Co. was about to be organized (1825), the lots along Central street which had not previously been sold for private houses, were acquired by that corporation and by corporations which were organized to build the Anawan and Pocasset Mills.

At the southwest corner of the Four Corners was the Pocasset company's store building, a two story building with barn roof. The northwesterly corner could not then be fully utilized. because West Central street was laid out closely around the edge of the cleft rock, but just westerly of that corner the house of Major Bradford Durfee had been built and there the rock had been somewhat guarried down. but the Major's house was elevated over the extreme westerly portion of the rock (See sketch of street layout) and long double steps or stairs led down over the rock from his front door. At that time there was no other house on the northerly side of West Central Street. On the southerly side, a little over twenty rods from the corner, was the house of Daniel Borden then still standing, and about twelve rods westerly of that a house occupied by Samuel H. Westgate. The only other house on the southerly side of Central Street was that of Joseph Warren which stood on a quarter acre lot, with a frontage of  $6\frac{1}{2}$  rods, and it commanded a fine harbor view from the high hill which overlooked the falls river stream. He sold it to Marshall Warren by two deeds on May 3, 1826. Joseph was a carpenter and Warren was a machinist. There was a very steep drift way leading from the easterly end of this lot to the fall river stream. The Warren house was located (which was on Pocasset Street) directly north of the "White Mill". At a later time this house was turned around and altered into a tenement house.

From the west end of the Proprietors' Way (Central Street) forked ways led northerly; the east fork extended up over the bank following the line of the present Elm Street, and the westerly fork ran down the bank over where are now the tracks of the railroad, until it reached the bottom of the bank at the wharf company store. At the store there was a hair-pin turn, and the way extended southerly again along the line of the present Davol Street. It was not possible to cross over the fall river stream either to the west or to the south, so the way followed the river bank along under the hill. At these early times Davol Street was known as Bowen street. (Mr. Bowen built the first coal yard and coal wharf).

About 1810 a stone pier, known as Long Wharf, was built at the northerly turn of the way off what is now Davol street. At first it was called "Long Wharf"; then "Slade's Wharf," and the hill was at first called "Slade's Hill," afterwards "Brayton's hill" and still later "Bowen's hill".

The falls river emptied into a basin which extended considerably easterly of the present viaduct. The river basin may be roughly described as in shape of an eye spectacle, with the nose piece to the north; the easterly and larger basin abutted the lower falls of the river at its extreme easterly side. Here, on the Central street side of the falls, was the grist mill of Holder Borden and on the Anawan Street side was the saw mill of Thomas Borden. A little northwesterly of each was a wharf, and there was a store near the home of Col. Richard Borden. At this point (which later became within our memory the location of the round or engine house of the railroad and also the Fall River railroad station), land was filled into the cove and in 1821 the first buildings of the Fall River Iron Works were there built, but there was no incorporation until 1825. The first building was at the westerly end of Metacomet Pond, which was at the second falls.

The spit of land extending between the two eyeglasses of our imaginary spectacles was unoccupied, but on the smaller or westerly cove were the "salt works". Salt was then made by evaporating salt water. The entrance to the entire basin was through a narrow opening which was a tide way, which was located at what is now the "arch" at the foot of Central Street. There was then a wood-slide through which cord wood was slid to a wharf from which it was loaded into small vessels and shipped for sale in Newport and Bristol where the local supply of wood was very limited. As the tide-way could not be entered at low tide, all vessels had to wait off what is now Bowen's Wharf for a favorable tide before they could enter the basin.

In 1803 (the year in which Fall River was set off from Freetown and separately incorporated) there were only eighteen dwelling houses in Fall River, six (6) on North Main Street — Charles Durfee, Daniel Buffinton, John Luther, Abner Davol, John Cook and Mary Borden; four (4) on East Central Street (Bedford street), Nathan Bowen, Perry Borden, Seth Borden and Elihu Cook; two (2) on West Central Street — Nathan Borden and Daniel Borden; five (5) on South Main street, three occupied by Bordens and two by Braytons; and one (1) at the shore belonged to Thomas Borden, who operated a saw mill there.

In 1804 Fall River had become Troy but I find no further record of the number of dwellings in the village until 1812 when it contained thirty dwellings. The total population was then three hundred, but there were three saw mills, four grist mills, one fulling mill, one blacksmith shop and several small stores. A small three-master schooner carried merchandise, and a few sloops carried cord wood from the wharf in the basin at the foot of the falls. Most of the shipping was done from one of the northern ferries. There was one at Brightman Street and others at Steep Brook.

The census of 1820 showed that Troy contained fifty dwelling houses and five hundred inhabitants.

As late as 1826 there were only four houses on Central Street, that of Bradford Durfee on the north side and those of Daniel Borden, Samuel H. Westgate and Joseph Warren on the south side.

The principal activities of Col. Richard Borden and Major Bradford Durfee were confined to the period between the close of the war of 1812 and the great fire of 1843 (thirty-two seasons). The Major died in that year.

We have another report of the residences and stores on Central street in Fall River, which I term the "west end", as of 1834, which was only eight years after the time when there were only four residences there. Between the house of Major Bradford Durfee and the Four Corners Dr. Nathan Durfee had erected a brick front drug store. On the corner was the store of B. W. Chace, and between that and the drug store was a building; the basement of which was used as a Congregational meeting house. There also was Nathan Borden's small burial ground. Next west of Major Durfee's substantial residence which he maintained as a boarding house (the best in town), was Stone Lane, on which several stone cottages had been erected a large part of the material of which came from the widening of Central Street and the cutting down of the cleft rock. These stone houses were chiefly used by mill workers or for boarding houses. On the easterly side of Stone Lane and in the rear of Major Durfee's residence, was the residence of his sister "Aunt Hannah Durfee". Westerly of Stone Lane were two small cottages, one of them occupied by S. K. Crarv, Esq., who was the town clerk. Beyond the Crary house was Town Avenue, which at that time extended only a short distance northerly from Central Street. Later it was widened and became an extension of Durfee Street. At the northwest corner of this avenue and Central Street was the "Town House". It had been built in 1825, moved to this location from Brightman Street in 1836 when a second story was added. In the lower story, at the corner, a fire hand-engine (the Mazeppa) was kept, while in an adjoining room was the "town lockup". The Town Hall and the town offices, as well as the Custom House were upstairs.

Westerly of Town Avenue was a blacksmith shop, and the dwelling house of the blacksmith, "Father Healy". Father Healy had a very large family and one of his descendants was Joseph Healy, who became a prominent citizen and manufacturer. Between the Healy house and the end of the street, was the residence and hotel of Captain Sanford. To the west of his house, overlooking the harbor, was his orchard, and an outside ten-pin alley and a recreation ground, which were used by his numerous guests and customers.

The southwest corner of Main and Central Streets was known as "Cotton's Corner"; it was "the store" of the town, owned by John S. Cotton but located on land of the Fall River Manufactory. It was a general and very elaborate dry goods and grocery store and drew patronage from surrounding towns. Market produce and vegetables were sold by the farmers of the district from the sidewalks in front of the store.

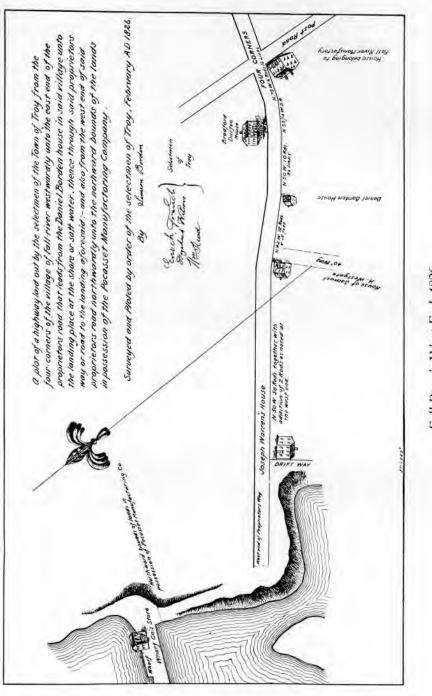
Cotton got into litigation with his landlord, the Pocasset Mfg. Co., because the mill had dug a drain from the pond which flowed into his cellar. Records of the Supreme Court in Boston show in the settlement of this suit Cotton conceded the right of the Company to flow the pond to its then level, and that he released his rights to burial in the Nathan Borden burial place. This burial place seems to have been on the northerly side of Central Street about one hundred and forty-five feet westerly from Main Street, where there was formerly a narrow way known as Clinton Street.

On the south side of West Central Street and to the west of the Cotton store was the residence of "Squire Ford", where his first wife, "Aunt Dorcas", kept a "ladies" shop. Near this place at a later time Samuel Shove built a large drugstore and adjoining that was the grocery store of Lovell and Durfee. Westerly from Squire Ford's home (in the order named) was the town's only paint shop which was owned by I. and D. Leonard. Then came a tin shop owned by Messrs. Wilcox and Wardwell; and after that came the Smith meat market and an adjoining fish market. Next beyond the markets was the Dunbar house and a "genteel boarding house" kept by one Burroughs. This was called "genteel" because only overseers and engravers could afford to pay the two dollars a week which was then asked for board, though ladies could get accommodations for as little as a dollar and a quarter. On Camden Street was the Methodist Meeting House, of which Father Taylor was pastor. It was only a few steps from Father Taylor's church to the river below where his baptismal

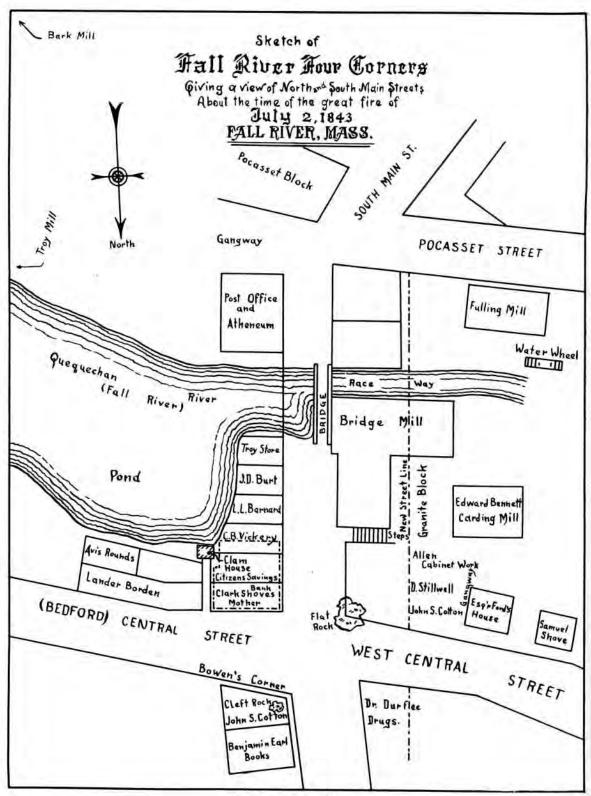
ceremonies were held. Near the meeting house was the house of Marshall Warren and then came the way which led from Central Street to the shore at the lower falls. This way was very steep and from the river it followed up east on the north bank past the several falls, re-entering Central street at Inch street. Along this way was the earlier residence of Col. Richard Borden, opposite the wharf, and also the residence of Mr. Holder Borden near his grist mill. These were at the lower fall of the river. Across the river to the west of the grist mill was the saw mill and adjacent wharf of Thomas Borden. Along the river, but nearer to Main Street, was a small water-wheel or wash wheel which raised sufficient water from the river bed to its southerly bank to allow housewives to get water for laundry purposes. After the fire of 1928, Philip D. Borden located the "post" of this "wash wheel".

The store at the northwest corner of Main and Central Streets, operated by Benjamin W. Chace, was edged into the big cleft rock without any cellar. Here hardware and pots and kettles and some groceries were sold. It was located on the dower land of Widow Mary Borden. She had sold the land surrounding this corner (which she bought from Enoch French) to Samuel Sanford in 1843. Sanford "failed", and his assignees sold it to William Morton in 1857; Morton sold it almost immediately to Solon Richardson, who built the Richardson house and the Central house upon it. Richardson sold both lots in 1886 to William Durfee and Robert Cook. At one time the Richardson house was known as the Exchange Hotel or the City Hotel and all stage coaches passing through Fall River made it their stopping place. William Durfee (first generation) bought the corner lot measuring thirty feet by forty-four feet in 1803 for the small sum of two hundred dollars, the low price being due to the fact that it was covered so completely with this granite boulder, or "cleft rock". His grandson tells me that the neighbors said this purchase was "crazy" - that it was fit only for the purpose for which the lovesick Indian maidens formerly used it, viz: to throw themselves from the cliff into the falls below.

The first street west of Main street, connecting with Central street and running northerly was Green street. It was soon well built upon. Along the rear of the Green street lots on the easterly side, was a stone wall between which and Main street was the large house lot of Major Durfee's later years. The location of the present west Bank street was to the south of Major Durfee's land, but Bank street was then a private way, extending no further than Stone's Stable. To the north of the Major Durfee lot was the Nathan Slade house extending to Elm street. Dexter Wheeler of Troy



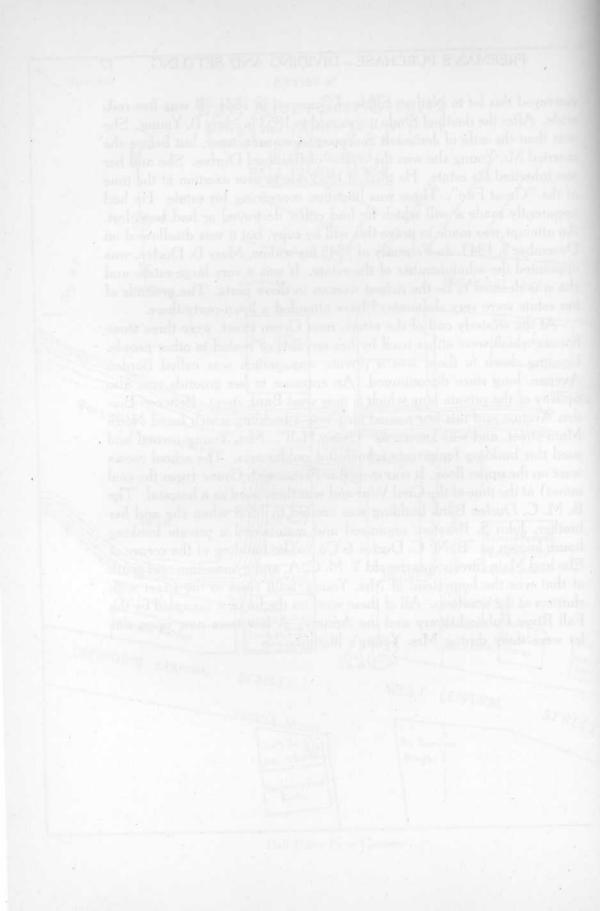
Fall River's West End, 1826



Fall River Four Corners

conveyed this lot to Nathan Slade of Somerset in 1831. It was five rods wide. After the death of Slade it was sold in 1853 to Mary B. Young. She was then the wife of Jeremiah S. Young, a manufacturer, but before she married Mr. Young she was the widow of Bradford Durfee. She and her son inherited his estate. He died in 1843 due to over exertion at the time of the "Great Fire". There was litigation concerning his estate. He had apparently made a will which he had either destroyed or had been lost. An attempt was made to prove this will by copy, but it was disallowed on December 5, 1843. In February of 1845 his widow, Mary B. Durfee, was appointed the administratrix of the estate. It was a very large estate and she was deemed to be the richest woman in these parts. The grounds of her estate were very elaborate; I have attended a lawn-party there.

At the westerly end of the estate, near Green street, were three stone houses which were either used by her servants or rented to other people. Leading down to those was a private way, which was called Borden Avenue, long since discontinued. An entrance to her grounds was also by way of the private lane which is now west Bank street. Between Borden Avenue and this last named lane was a building which faced North Main street, and was known as "Union Hall". Mrs. Young owned and used this building for private school and public uses. The school rooms were on the upper floor. It was moved to Portsmouth Grove (near the coal mines) at the time of the Civil War and was there used as a hospital. The B. M. C. Durfee Bank building was erected in 1888 when she and her brother, John S. Brayton, organized and maintained a private banking house known as ''B. M. C. Durfee & Co.'' The building at the corner of Elm and Main Streets was the old Y. M. C. A. and gymnasium and south of that was the homestead of Mrs. Young, built close to the street with shutters at the windows. All of these were on the lot now occupied by the Fall River Public Library and the Armory. A few trees now upon this lot were there during Mrs. Young's lifetime.



# Chapter IX

#### FREEMAN'S PURCHASE

#### LIMITS AND EARLY OWNERSHIPS OF LOTS NO. 1 TO NO. 16

### Lot No. 1

This first Freemen's lot extended northerly on the westerly side of Main Street beyond the limits of the "West End", as I have described it, to the depth of a house lot beyond Cherry Street, and after the partition of June 1710 it belonged to Ralph Earle. Earle sold it in June of 1716 to Captain Constant Church, who was a son of Col. Benjamin Church. Col. Church had owned lot No. 2 since 1694 and had built a house upon it about 1700. He conveyed the southerly three-quarters of it to Captain Church two months prior to the purchase by the latter of the lot from Earle, so that in 1716 Constant Church had become the owner of all of the land west of Main Street from Franklin Street to Walnut Street, and from him it passed to various lot owners who built homes upon it. At a later date Abner Davol, and his sons Stephen Davol and William C. Davol, Sr., resided in the house just north of the First Baptist Church.

To the east of Main Street, the land of lot No. 1 fronting on Bedford Street came to be owned by Abraham Bowen and afterwards by James G. Bowen and Nathan Bowen. Thirty acres of it were sold in 1825 to John C. Borden whose land extended northerly to the Samuel Rodman farm and easterly to or beyond the present police station (on Bedford Street). In 1828 Borden acquired some near-by land, in partnership with Major Bradford Durfee, at the northeast corner of Bedford and Court Square. In 1855 Court Square was accepted as a public street (32 feet wide) and Granite Street was also accepted and made 35 feet wide. Previous to that time they had been private ways. The southerly end of Purchase street was then at Franklin street. It was extended from Franklin street to Bank street, through the estate of Ellen M. Wrightington, on December 7, 1909 and carried through from Bank Street to Granite street on May 8, 1916. Rock Street had been laid out through John C. Borden's land in 1829 and was then called New Boston Road. It extended northerly from Bedford Street to Pine Street; then turned up Pine Street to the east and then northerly through the Winter Street section where it was called Highland Avenue until it joined New Boston Road. The name of Rock Street was given to part of it in 1835 but in the meantime it had been called "Exchange Street". John C. Borden erected an elaborate home on a site near the present Second District Court, faced it to the south and laid out a spacious lawn and garden which extended westerly to Purchase Street, and southerly to Bedford Street, where it overlooked the Quequechan River. This house was built in 1827, contained fifty-five rooms with floors, ceilings and doors of hard pine and with wainscoted walls and hand carved interior finish. The stable was the same which was later on Rock street, and used for many years by William Kirby as a livery stable. It was torn down in 1904. Borden died in 1833, but he had previously sold two-thirds of his real estate holdings to John and Jesse Eddy of Fall River, and Pardon G. Seabury of New Bedford. After Borden's death, in September 1835, his heirs joined the other owners in a deed of their real estate holdings to Horatio N. Gunn, Charles Trafton, Iram Smith and Joshua Remington. Trafford's share passed through several intermediate owners, as did the shares of Smith and Remington through other owners, until in March 1844 Gunn had purchased the whole property containing about 81 rods of land. The Borden heirs had converted his mansion into a hotel which was originally managed for them by James Valentine and later by John D. Thornton, and Gunn, and his associates continued that use and named it the "Exchange Hotel", a name which was afterwards transferred to the Richardson House on Main Street.

What was later known as the Kirby Stable became the headquarters for various stage lines and ultimately became the property of Rufus B. Kingsley who was interested in the various stage coach and express lines which operated from Newport to Boston. After Mr. Gunn had discontinued his hotel he used it as his residence until his death. It was still standing in an increasingly dilapidated condition until 1910, when it was torn down as the present Second District Court house was erected.

The land at the northwesterly corner of Rock and Bedford streets was sold in 1844 to the Central Congregational Society which erected a church there and older residents will remember the iron fence which surrounded the front yard with an attractive shaded walk leading from Bedford Street to the steps of the church.

To the west of the church property was a narrow way which separated the Bowen and Borden estates.

The land lying northerly of Granite Street, southerly of Bank Street and easterly from Main Street, constituted the homestead of Oliver Chace. His substantial residence was in the rear of his homestead lot, and opposite Court Square. In 1835 pipes were laid from his well to supply water to the Exchange Hotel and its stables. After his death his sons James H. Chace and Jonathan Chace owned this estate, but it was gradually put to business uses. The Borland Block was built at the northeast corner of Main and Granite Streets; it was substantially enlarged and became the Wilbur Hotel. Then at the southeast corner of Main and Bank Streets the Fall River Bank, subsequently the Fall River National Bank, was built, and between these were wooden buildings rented to several merchants, one of whom was the leading market firm of Davis and Fish.

On Bank Street extending through to Granite Street was built the substantial edifice of the St. Paul's Methodist Episcopal church. The Davis and Fish lot and the church lot, to an equal depth, were acquired by and added to the Fall River National Bank building, but the rear end of the church property was sold to the City of Fall River and used by the police department as quarters for the "Hurry-Up" or "Black Maria" and its equipment, with sleeping rooms upstairs. Previous to 1857 the street department hired most of its teaming, but it owned a few teams. They were usually kept at Sherman's Stable, which was then near the site of Stone's Stable on the Bank street extension. This stable was burned about 1856 and all of the horses and equipment were destroyed. In his inaugural address in the following year Mayor Davenport recommended the purchase of the large lot at the southwest corner of Court Square and Granite Streets and the building known for a long time thereafter as the Second District Court house was speedily built. Deed of this Second District Court House lot to the city was June 23rd, 1857 (see C. R. Book 49, Page 230). The first floor, at the street corner, was adapted for the use of two of the fire engines. with fire doors to the east, and immediately in the rear of that large room was the lockup and cell room, with a corridor leading out to Granite Street. The westerly part of the building was equipped as a city stable.

On the upper floor were the headquarters or offices and sleeping rooms of the police department. To the west of these was the court room with the clerk's, judges' and lawyers' rooms, and from the Court Room a public

#### THE PHILLIPS HISTORY OF FALL RIVER

entrance led down to Granite Street. The horse-drawn Metacomet and King Philip engines were housed there, and on top of the building was a tower from which the fire alarm bell was rung by means of a rope which extended to the street floor. Philander Curry and Clark Whipple drove two pair of horses in performance of the work done by the city on the streets, and whenever a fire bell rang these men would climb down from their high seats, unhook the whiffle trees and leaving the wagons wherever they stood would drive their horses, with the whiffle trees clanging along behind to the station house where they slipped them on to the engines and drove them to the fire. The office of the Superintendent of Streets was in a little wooden building across Granite street from the city stables.

On the east side of Court Square, midway between Bedford Street and Granite Street was the Fall River Opera House which was erected in 1876. On the west side of the square was a building owned by Rodney Barrett which had formerly been his liquor store, but which for a time was occupied by Samuel E. Fiske, from which several country newspapers, which had been printed on the upper floor, were distributed to the newsboys, of which the writer was one. There were ways on each side of the Barrett building, a driveway at the south and foot way at the north.

On September 4, 1914 Court Square was widened on the west side to form a more direct connection with Second street. The corner building (formerly owned by Charles A. Chace, but then owned by Mary A. Brady) was torn down. In it had been the real estate and insurance offices of Shepard and Buffinton on the lower floor, and over these the real estate and insurance offices of William S. Greene. Mr. Greene was our most prominent politician and his office was the headquarters for the political "runners". He had been mayor, congressman and postmaster for several terms and was an outstanding feature of our city life.

On the easterly side of the Watuppa Pond and within the limits of this lot No. 1, was located Adirondack Grove. A proprietors' way or Drift Road leads northerly along the shores of the pond from the old Bedford Road to this lot, at the dividing line between Westport and Fall River. Laneways formerly led easterly from this proprietors' way to the various farms which adjoined it, but when the westerly portion of these farms was condemned to preserve the purity of the water of the pond, all but one of these lanes, known as the "Blossom Way", were legally discontinued.

Adirondack Grove is situated on the north of two substantial hills which abut on the pond, and between these elevations there is a valuable pit from which gravel was formerly taken, and sometimes towed (in barges), to the public landing place in the rear of the Centennial Block of John D. Flint on Hartwell Street. This landing place adjoined the upper Troy or Watuppa dam. A flat-bottom stern-wheel steam boat of the style of a Mississippi river boat, named the "Enterprise" plied between this landing place and various wharves on both ponds. Often surplus freight was brought down from the ponds in a barge, and some freight was unloaded on the easterly side of the stream, near the foot of Eddy Street. Centennial Block was moved to this site when "Borden Block" was built. It previously occupied the lot on the southerly side of Pleasant Street, between Main to Second Streets. Henry H. Wordell, who is still living, was captain of the boat and he operated it according to the demand for its services. Sand and cord wood were among its usual cargoes, but passengers were always accommodated.

On holidays during the appropriate season excursions were run to Adirondack Grove where picnic parties, which were well-advertised and popular, were the usual rule. The northerly view from the grove is still seemingly near to nature and very attractive. Before condemnation for preservation of the water supply, the pond itself furnished the best fishing for larger fish and the whole region was in close contact with gameabounding territory. There were very attractive camping spots in Blossom's Grove and at other nearby places.

#### Lot No. 2

The second Freemen's lot extended northerly from the first lot to the line of the stone wall which marked the rear line of the Maple street (Westall) school house lot. In the division of lots it was drawn by Humphrey Turner of Scituate. Upon Humphrey's death, his son Joseph Turner became the owner, and he sold it in 1671 to Israel Hubbard. Hubbard sold it to Jonathan Dodson, who sold it in 1674 to Col. Benjamin Church.

In 1707 Col. Church conveyed the southerly three-fourths of this lot to his son Capt. Constant Church. In 1715 Capt. Constant Church sold ten acres on the shore to Thomas Turner of Tiverton. In 1731 Church sold the remainder of this southerly three-quarters to Benjamin Durfee and upon the death of the latter his son Thomas Durfee inherited it. At the location of the southwesterly corner of Main and Cherry streets Col. Benjamin Church once lived in a "wigwam". There was a spring in the rear of this lot (now connected with the sewer), formerly called Church's spring. To the east of the North Watuppa pond, the northerly quarter of this lot, and the southerly half of the third lot, formed the Indian Reservation. Originally the Indian reservation extended to the easterly shores of the pond, but when the city condemned land to protect its water supply, a legislative act on June 12, 1907 transferred a large part of the reservation to the control of the city. Included in the portion so condemned 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; WPA workers and crushed stone necessities account for the difference.

The last Indian to be buried in the new cemetery was Dr. Bill Perry; this was about forty-five years ago. Dr. Bill Perry had three wives, and by his last wife he had four children, all of these are now (1941) unmarried. They live in the only house now standing on the Indian Reservation. It was moved from another part of the Watuppa Reservation, about 1905, when all the older houses were destroyed by fire.

A few descendants from Indian families are now living on or near to Blossom's Road. They are known to be industrious and reliable. An Indian named Osomakun who was born within the limits of the Indian Reservation is the Indian minister at Mashpee and Chilmark and has oversight over the Indian churches at both of these places. Dr. Perry's last wife came from Mashpee and when she died her body was sent there for burial. There are now fifty-four burial stones in the new Indian burial lot on the Watuppa Reservation.

#### Lot No. 3

The third lot of the Freemen's Purchase extended from a point south of Prospect Street to the middle of Pearce Street, — it was drawn in the allotment by Christopher Wadsworth who was a resident of Duxbury and was a man of considerable note. Although this purchase was not made until 1656, Wadsworth had been the first constable in Duxbury as early as 1633; a selectman there for six years and a representative in the General Court for four years more. On September 1, 1636 he was joined to the Governor and Colonial Council of Plymouth to prepare a regular system of laws for the colony. When the Quaker troubles arose and thereafter until 1661 when Charles II of England ordered that Quaker cases be sent to England for trial, Wadsworth refused to act as a colonial officer. His will is dated January 13, 1687. He is an ancestor of the writer through his great-granddaughter Christina who was the mother of my great-grandmother Mercy Phillips who married Blaney Phillips.

#### Lot No. 4

Freemen's Lot No. 4, extending from the middle of Pearce Street to the middle of Weetamoe Street, was drawn in the allotment by Edmond Chandler and descended from him to his son Joseph Chandler. Edmond Chandler had been a constable in Duxbury as early as 1637 and a representative to the Colonial Court in 1639.

In July of 1673 Joseph sold it to Henry Brightman of Portsmouth, R. I. and for many years this tract of land has been known as the Brightman Farm. Brightman sold to Matthew Boomer who became a settler upon this lot in 1675. Boomer is recorded as "redding in the Government without order, not attending public worship of God, living lonely and in a heathenish manner". He was a Quaker.

In 1678 Boomer sold one-fourth share in this lot to John Read of Newport, "the meadow at Sepecan only excepted", and Read settled there. His house stood on the present site of St. Joseph's Church. In his will executed March 5, 1714, Read (who died in 1721) left his house and lands in Freetown to his wife, describing it as the northernmost quarter of the fourth lot. At one time Read operated a tannery on the 9th lot.

John Read was a prominent and wealthy resident of Freetown, served as selectman, assessor and treasurer. He owned a negro slave and had considerable land in Swansea where he also maintained a home.

On the easterly portion of lot No. 4, was the "Highland Brook" which flowed easterly into the pond and upon which had once been a small saw mill. The mill was in use as late as 1795. The "north park", and the "city hospitals" of Fall River, are on this lot.

On the westerly end of this lot, at a point which is now the northwesterly corner of Davol and Brownell streets was a grove known as "Boomer Cedars". Here in July 1777 the town of Freetown voted to set up a "salt works". In 1780 the town "sold" the salt works for one year at public auction. The rent paid was ten bushels of salt which was to be paid "in the fall".

During the past century there were along the Atlantic Seaboard many salt-works where common salt was prepared from sea water. Sea water averages 3-4 parts of salt per 100 parts of water. Until fifteen or twenty years ago there were the remains of such a salt-works in Dartmouth, Mass. near the western end of the bridge leading to Padanaram.

As salt is nearly as soluble in cold as in hot water, it was necessary to actually remove the water from the salt solution. To do so was too expensive unless solar heat was utilized. The usual procedure was to erect a large frame, 75-100 feet or more long and about 30 feet high. This frame was loosely stacked with fagots from top to bottom. The sea water was then pumped by windmills to the top of the frame and allowed to trickle slowly down over the fagots. Thus a greater surface for evaporation was obtained. The more concentrated salt solution was caught in shallow catch basins beneath the frame and then recirculated over the fagots until the salt began to crystallize out. It was then run off into wide, shallow settling basins where the rays of the sun removed the rest of the water. The crystallized salt was worked over with rakes to secure as complete drying as possible. Sometimes a purification process was attempted but it is doubtful if this was done very often. The settling basins were provided with wood covers for protection in case of rainy weather. Of course, the warmer the climate the shorter was the time required to produce a yield of salt.

### Lot No. 5

The fifth lot of the Freemen's Purchase extended northerly from Weetamoe Street to the junction of North Main and East North Main (Crescent) Streets. It crossed the North Watuppa pond north of Interlachen and included an island in the pond. Allotted at first to Samuel House of Scituate, who died there in 1661, his sons (Samuel and Joseph) conveyed it in 1678 to Henry Brightman and Thomas Cornell, Brightman taking the northerly half and Cornell the southerly half. Cornell sold his half during the next year to George Lawton, Jr., and Lawton sold it to Samuel Gardner, who built and occupied a house on it as early as 1687 at which time he sold it back to Lawton for two hundred and fifty pounds, and Lawton again sold it in 1694, this time to Ezekiel Hunt for two hundred pounds. All these men were from Portsmouth, and the deeds describe the half lot as being fifty-eight rods wide and four miles deep, stating also that Henry Brightman still owned the northerly half of the lot and that John Read occupied the adjoining land to the south (lot 4).

The North Burial Ground is upon this lot. Brightman Street takes its name from the Brightman owners, and while the land has gradually been sold off, one of their descendants lived upon Crescent street until her death in 1939 (Eva St. Clair Brightman). A part of Leemingville is on the tract.

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Natural Phenomena 1. Rolling Rock 2. Old Man of Joshua's Mountain 3. Bullock Marker (Freetown) 4. Creeping Rock



# Lot No. 6

The sixth lot of the Freemen's Purchase was drawn by Henry Howland of Duxbury. It extended northerly from lot No. 5 to a point slightly to the north of Dexter street and through the cove north of the Border City Mills and south of the Shell Oil Company plant.

John Howland and Samuel Howland, sons of Henry Howland, settled upon this lot. The father Henry died in 1670, John in 1687 and Samuel in 1716.

At a point on Blossom's Road east of the Pond, which I estimate to be within this lot, is the "Boomer" burial ground fenced by a substantial cut granite wall, and diagonally northwesterly from the cemetery, across the road in the edge of young pine grove and near to the road, was formerly a depression between two hillocks, where in the underbrush, was a camping place, which upon reliable tradition was used by King Philip and his Indians. There, a few hundred yards southerly from Philip's Swamp Brook, Philip spent the night upon his hurried retreat to Mount Hope from Rochester where his wife and son had been captured, when he was making his last trek at the close of the Indian war. The camp fire was built on a rock of substantial size, which had a side or back at right angles with its base, and it was a much respected landmark until the federal PWA workers saw fit to level the depression, dump the rock into it, clear up the underbrush and "beautify" the spot within the grove.

# Lot No. 7

George Watson, proprietor of the seventh lot, which extended northerly from the Border City cove to the center of Canedy Street, retained title to it as long as he lived and after him it was occupied by his children and grandchildren. A grandson, John Watson, sold it on July 20, 1706 to Henry Brightman, and it was added to his substantial holdings as has been explained under "lot five".

### Lot No. 8

<sup>~</sup> The eighth lot of the Freemen's Purchase was drawn by Ralph Partridge of Duxbury. He came to America in 1636 and died in 1658. This lot extended northerly from Canedy Street to a point midway between the St. Vincent's Home and Steep Brook. Partridge died before his deed was recorded and partition made among his heirs in 1660. The lot passed to his grandsons Ralph Thatcher and Peter Thatcher, and on October 29, 1694 they conveyed to John Read, reserving the meadow "at or near Sippican". They sent a written request to Samuel Howland and Matthew Boomer, asking them to give possession to John Read, and he took possession December 5, 1694. "Sippican" may likely have been an Indian word indicating a main camping place on the shore of an important river portage. It was also used with reference to a river in Rochester, which was contiguous to an important camping place where Col. Church attended Awashonks and her war dance.

By will of March 5, 1714 Read bequeathed to son Joseph Read one quarter part of this lot, and Joseph settled there. February 3, 1727 John Read (son of John above) conveyed to his son John "the northerly half of the lot", and the deed refers to his brother Joseph Read as occupant of the adjoining farm. John Read, Jr. died after 1750. He had been town clerk for thirty-five years and served for two years as representative, selectman, assessor and town clerk. On this lot (north of St. Vincent's Orphanage) lived Henry Elsbree, a stone-cutter. It is related of him that he walked to work in New Bedford every Monday morning and came back Saturday night. His pay was sixty cents a day. In the Elsbree house, then the home of Louisa Borden, the first Fall River town meeting was held in 1803.

## Lot No. 9 (Steep Brook)

Prior to the American Revolution (from about 1740) there was a substantial rivalry between the villages of Assonet and Steep Brook as to which would be recognized as the chief center of trade. At first Assonet had the greater prominence because of its shipping interests and its foreign trade, but Steep Brook was nearer to the river traffic and more directly in the line of land travel, especially of the travel between Cape Cod, New Bedford and Providence. At one time there were six grocery stores in each village. When a town church was established in Freetown the only possible solution as to its location was to build it in the wilderness equi-distant from these two trade centers.

There was then no way of reaching the falls river settlement except through Steep Brook because the narrows between the ponds were not bridged. When in 1773 Blossom Road (connecting with the Yellow Hill Road and New Bedford) was laid out, a dispute arose which was so keen that when the road reached the corner of Wilson Road there was a fistic encounter to decide whether the road builders under the leadership of David Wilson would continue north to Assonet or west to Steep Brook. David Wilson was the grandfather of Job Wilson, and the Steep Brook extension was named Wilson Road in his honor. His grandson James H. Wilson, (the younger who has borne that name) now upholds that same family business standing in the Steep Brook area. "Fighting Rock" (the site of the affray) was a prominent landmark at the road intersection until it, with many other cherished landmarks, was destroyed during the recent PWA administration when the rock was removed in order to give work to the unemployed.

Steep Brook village is located on the main road, about midway between the bound limits of lot nine, and Wilson road extends east and west from that village approximately through the middle of the same lot. The entire lot was at first owned by Timothy Hatherly, a prominent resident of Scituate, and a colonial official. He sold it to Capt. James Cudworth, and Cudworth sold it in 1681 to Simon Lynde of Boston, whose son deeded it in 1717 to his grandchildren Thomas Valentine and Elizabeth Valentine.

At the northeasterly corner at the Four Corners Isaac Winslow built the first "town house" in 1805. Its cost was \$415. When the town built a new town house on Brightman Street the old house was used as a school house, and afterwards as a store until it was burned.

Southwesterly of the Four Corners was the "Green Dragon Inn". It was at first operated by Orin Eddy, and was later owned and operated by Captain Hezekiah Wilson. Until a recent date the Wilson family retained for a relic the old pictured sign of the Inn. It bore the words "Beer, Oysters and Horsekeeping". There was a black-smith shop northwesterly of the Four Corners. As early as 1808 stage coaches began to run from Boston to Newport by way of Berkley, first on alternate days and then daily. A rest period was had at the Green Dragon Inn while the horses were changed and the equipment checked at the blacksmith shop. At a nearby wharf (also owned by Capt. Wilson) connection was made with many river boats. There was another Inn on Freemen's lot numbered ten (V. v.).

At the fourth corner was a shop owned by one Ashley. This shop bore the sign "Variety Store". It is still standing, nearby, at the corner of Ashley Lane.

A considerable tract of land at the shore was deeded to David Wilson and his son Captain Hezekiah Wilson constructed the Wilson Wharf there. From this wharf a boat, of which he was the owner, carried wooden barrel hoops to Newport and fire wood to other places. This wharf was subsequently acquired by Barnabas Clark, who enlarged it. At one time there was a small wharf a little south of the Wilson wharf. On an old road and a little northerly from Wilson Road, at the top of the hill, Aaron Elsbree built a house and a blacksmith shop. On this same road stood a farm house owned by one Durfee, the foundation of which can still be seen. There was once a search for buried treasure upon this lot. At his blacksmith shop Aaron Elsbree built a small vessel which he drew to the shore about half a mile distant.

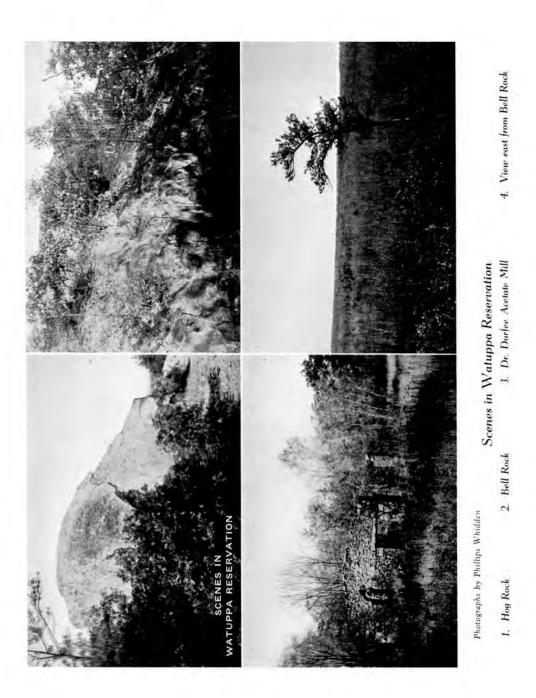
A little south of the Four Corners on the east side there is now an old blacksmith shop. On this spot was the postoffice which was moved there in 1813 by postmaster Charles Pitman from the present center of Fall River. He lived in a house just north of the postoffice. In three years this postoffice was moved back to Fall River, which had then become Troy.

At the top of the hill, south of Wilson Road and west of Highland Avenue, was a mill privilege. A saw mill, a grist mill and a fulling mill were built there and they were operated there by Barnabas Clark. Clark, a blacksmith by trade, came to Steep Brook from Lakeville. He first worked in the blacksmith shop at the Four Corners and when he lost that employment he bought all the land on the south side of Wilson Road as far east as Highland Avenue. On this land there was a pit where he uncovered a fifteen foot depth of the best quality of fire clay. He sold this clay to the Presbrey Stove Lining Company in Taunton and to other similar concerns, and made large profits from which he purchased and enlarged the Wilson Wharf, bought the Green Dragon Inn and other buildings, and made his mill investments.

There were other early business ventures in the Steep Brook section. There was a mixing plant for sidewalk and roofing material near the Four Corners and a stove foundry owned by Seth Eddy. Some distance northerly from the village beyond Gage's Hill and on the easterly side of the Main road, was Read's tan yard with the usual tan vats. It was operated for a considerable period. Scattered along the road were carpenter shops and boat building enterprises, and there was a gun factory at Assonet. There was a substantial Tory sentiment among the villagers.

The colonists had a minimum of amusement. I find record of only one dancing class, which was held in Assonet, and taught by a relative of the writer, who attended once a week, walking twenty-five miles each way to give his instructions. (His photograph is shown on page 227 of Pierce's History of Freetown).

There was a muster ground where all the military companies had annual drills (sometimes oftener), — infrequent baseball games were played. The inhabitants of each District met frequently in the District School Houses,





where there were debates, forensic displays and a few lectures. The church sermons were rather dull, but the church yard gossip was an incentive to church attendance. Fast Days and Thanksgiving Days were also "field days" when companies of youths visited historical spots, most frequently to "Joshua's Mountain". Even the girls at the Peet school planned "berrying parties", of which the boys of the village seemed to have acquired advance notice.

# Creeping Rock

Near to the westerly line of Highland Avenue, somewhat south of Wilson Road is a massive conglomerate rock of considerable height which I have photographed.

Supposed to have originally been a single rock, it became divided into two parts a great many years ago, but even lately these parts were so near together that one could step over the fissure. These parts are now eight or nine feet apart. Lately the northerly rock has again divided. The division seems to have been due to the weight of the rock on a varying density of the subsoil and by pressure on the crevice due to freezing, and the name Creeping Rock applies on account of the tendency of the divided parts to separate from each other.

### Lot No. 10

The tenth lot of the Freemen's Purchase, which included at the shore part of the present grounds of the Fall River Golf Club, was assigned to Love Brewster, son of Elder William Brewster. The lot was inherited by Love's son, Wrestling Brewster, who sold the north half to John Rogers (who was a carpenter). Edward Thurston Sr. of Portsmouth, R. I. purchased from Rogers on October 3, 1702 and there settled his son Thomas Thurston who held various Freetown offices, including that of selectman. He died in 1730. Brewster sold the south half to Thomas Durfee in 1676, and it was settled by his son, Robert Durfee, whose wharf in the cove was the earliest landing place for vessels in the Steep Brook section.

At the shore line of this lot was a landing place called Thurston's wharf, where there were two houses by the river, also a cooper's shop in which barrels were made and sent in Thurston's vessels to the West Indies. Chace's Ferry was also at this place. There was a tavern maintained on the southerly portion of the lot until 1776, when it was destroyed by fire. The first Robert Miller was the proprietor of this tavern and a part of its foundation can still be seen. A subsequent structure, on the earlier foundation, was burned in 1865, at which time many valuable family records and relics were lost. Miller was a shipwright by trade. He bought this lot in 1738 and added to his purchase in 1752. Chace's ferry was used by people from Dighton, Somerset and other places west of the river to connect on this side of the river with the stage coach for passage to Newport or Boston. In the winter ice made the passage hazardous and sometimes upset the ferry.

Next to Thurston's Wharf was Miller's Wharf (on the cove which bears that name). Robert Miller, shipwright, bought his land in 1738, and built a shipyard adjacent to his wharf. His son Robert was also a shipwright. Captain Benjamin Miller, son of Robert, Jr., bought additional land and enlarged the shipyard. Among the vessels built there in 1825 were the Sloop "Eliza" and the "Rising State". The "George Washington", built in 1838, made trips to Charleston, Savannah and Cuba trading in rice and cotton. In 1849 Capt. Miller sent her around Cape Horn to the California gold-fields. That ended her career. Upon his return home she was beached and abandoned by the crew, who were men from Steep Brook. Capt. Luther Winslow also built boats in this shipyard, in some of which he had an ownership. These included the "Lucy", "Rowena", "Mediator", and "Defiance".

### Lot No. 11

The eleventh lot, next north, was allotted to Richard Moore of Duxbury, who had owned "Eagle's Nest" in that town, but the first settler was Thomas Gage, a clothier or cloth dresser. The high bluffs near the river on his property received the name of Gage's Hill. Robert Durfee's house was on lot ten at the foot of this hill.

A mile or more easterly from Blossom's Road and in the direction of the Copicut Fire tower, is a large rock called "Hog Rock" because of its really remarkable appearance. Formerly it was reached with great difficulty through the underbrush but now a "fire lane" passes near by. This rock is shown in a group photograph.

### Lot No. 12

Lot No. 12 was owned by Walter Hatch of Scituate, who was a son of William Hatch, ruling Elder of the Second Church of Scituate. It passed to his son Joseph Hatch, who sold to Jonathan Dodson June 8, 1705 and Dodson settled there about 1708. He died in 1741. He was an important man in Freetown, serving as selectman, moderator, town clerk. assessor and constable. In 1723 he declined election as representative to the General Court. At a town meeting held June 2, 1713 it was voted "Jonathan Dodson to be minister of the gospel for this town until there is a supply from England". Richard Collins, Dodson's son-in-law, also lived on the 12th lot.

Near to and westerly from the Bell Rock road, within the confines of Freemen's lot twelve (12) were situated Dr. Nathan Durfee's mills, known for a century as the "Doctor's Mill". The mill pond, containing approximately forty (40) acres extended southerly well into lot numbered eleven (11) and was fed by two brooks, the "bubbling spring" brook and the mill brook which latter was also the pond outlet. Both brooks were north of the watershed of the North Watuppa Ponds and the surplus water was carried through the quarry ledges and emptied into the Assonet Bleachery Pond. At the dam the mill pond was approximately ten (10) feet deep, and in addition to the spillway at the westerly end of the dam there were two flumes, one quite narrow, which supplied the water wheels of the wooden grist and saw mills. These mills have long since decayed. Nearly a century ago an "Acid Mill" was erected a little northwesterly of the other buildings. It was of stone construction and its remains can now be seen. A photograph is exhibited which shows the location of one of the retorts which were used. An aged nearby resident recalls a family tradition that approximately ninety years ago his father hauled maple wood to the acid mill, selecting it carefully, from the hard-wood cuttings taken from his farm, most of which he carted (one load a day) to the "slide", whence wood was taken from the wharf at the outlet of the Fall River stream for delivery by the harbor boats to the settlements along the bay.

Acetic (pyroligenous) acid results from a destructive distillation of wood as it is burned with a limited supply of air. At the same time wood (methyl) alcohol is produced. Acetic acid is thus produced much more cheaply than sulphuric acid (also known as "brown oil of vitriol"), which serves the same purpose in the composition of dyes. It was also used to form an "acetate of aluminum" in mordanting cotton.

Dr. Durfee was a large owner in local manufacturing plants, which used all of these acids, and he was the leading druggist and chemist of the town.

#### Lot No. 13

Lot No. 13 was drawn by Thomas Southworth of Plymouth. He was a brother of Constant Southworth who owned lot No. 19. By the middle of the eighteenth century Samuel Valentine, son of Thomas and Elizabeth Valentine, had become the owner of this lot and lived there. In 1756 Samuel conveyed a part of this farm to his son Joseph, but family disputes arising, Joseph reconveyed to his father three years later. By 1768 William, another son of Samuel, had built a new dwelling house on a part of the lot and Samuel then conveyed to son William two acres of the land and the new dwelling. It is interesting to note that William Valentine had ordered a clock from England for his new house and that the bill of lading bears date 1767.

The William Valentine house, standing on the east side of North Main Street, (1941), and now numbered 5105 on said street, is occupied by Roy C. Athearn, one of his descendants. It is a typical colonial mansion of the better class and well worth visiting. It is in good condition with corner posts and plank construction, and its wooden inside-shutters slide instead of swing across the windows. The large chimney has several fire places. The old (hand-made) latches and hinges are still in use.

This same William Valentine owned 400 acres of the 14th lot which adjoined his farm. On the west side of the street the home of David Valentine, son of Samuel, still stands. It is a little north of the William Valentine place. David sold it in 1787.

East of the Athearn house is the "wigwam lot" so-called, a wooded tract upon which, until a late date, an Indian chief dwelled. Mr. Athearn made some excavations upon this lot, found old clam shells and Indian relics which are indicative of an early settlement and the circular stones such as were generally used to hold down wigwam supports. A notable collection of Indian relics has been collected by Mr. Athearn, in fact this collection is the most notable I have ever seen. It contains several hundred items which have been carefully classified with notation as to where each was found.

In a group picture entitled "Scenes in Watuppa Reservation" I am showing a view of a large, conical-shaped out-crop which is called Bell Rock. It is located in the easterly section of lot No. 13, approximately 1500 feet south of the line between Fall River and Freetown, and in the underbrush several hundred feet easterly of Blossom's Road, which is also called Bell Rock Road. It is reached from the road through a narrow path. In this same group picture is shown a view of the Reservation lands, taken, looking southeasterly from the top of the rock.

Bell Rock is the most noted of the land-marks in this district and there are several traditions as to the origin of this name. Some relate to bell-like

### FREEMAN'S PURCHASE - EARLY OWNERSHIPS

sounds heard by the Indians from the interior of the rock, or in the surrounding area which were regarded auspiciously, — others relate to the conical shape of the boulder, though access to it is abrupt on the easterly side. There are many so-called "bell-rocks" in other areas.

# Lot No. 14

William Pabodie of Little Compton was the first owner of the fourteenth lot which comprised land on each side of the Fall River and Freetown line at Mother's Brook. Pabodie had been town clerk of Duxbury from 1666 to 1684. He was a representative to the General Court for twenty-three years. He died in 1707. He never settled upon the lot. By an order of the Plymouth Court it passed to Captain Benjamin Church, who in turn sold it to Samuel Lynde in 1681. Lynde's great-grandson Samuel Valentine lived on the lot. He is the Samuel who married Abigail Durfee, daughter of William Durfee of Stone Bridge in Tiverton. Samuel Lynde deeded to the town two and one-half acres of the lot for the first town meeting house lot, burial ground and training field.

In 1756 Valentine sold a portion of the northern part of his homestead to his son Samuel, describing in his deed that the land conveyed was bounded on the north by the Ambrose Barnaby land.

# Lots 15 and 16

Lots 15 and 16 of the Freemen's Purchase extend from a point slightly north of "Mother's brook" up over the hill to a point slightly beyond the ruins of the old Thurston house. They are entirely without the limits of the city of Fall River, but they must be referred to because at one time they were owned by Nicholas Morey. A woods-road extends southeasterly from the main highway through these and other lots for a distance upwards of two miles to the Bell Rock Road, and a branch trail circles along the westerly shores of the pond "Swamp" to Wilson Road, near to the terminus of New Boston Road. Within the limits of this road, which can still be traversed, was an old Indian trail now referred to as "the Morey trail" (sometimes called the "Mowry Path"). It led between the Watuppa Pond water shed and Barnaby's Cove. It is the trail over which, at the inception of the Indian war, King Philip's warriors, accompanied by those of Weetamoe, escaped from the great Pocasset swamp and crossed over the Indian ferry on their way to join the Narragansetts and to attack the colonists. The trail follows in part a ridge and in part a modest elevation which separates the water shed of the North Watuppa Pond from the water shed of the Ledge Brook, which runs from the pond of Dr. Nathan Durfee's Mill to the pond of the Crystal Springs Bleachery. Between that trail and the Ledge Brook, as well as between the trail and the Watuppa Pond area, there were substantial swamps. Ledge Brook runs through a large quarry from which, in the olden time, much stone was cut for construction work in Fall River. It was owned and operated by Lloyd S. Earle and its special value was due to the comparative ease with which the ledge was worked. Geologically this stone was called "arkose granite" and the territory surrounding the quarry was much traversed by the youth of earlier Fall River, but it was deemed hazardous and claimed several lives.

# Chapter X

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# NANAQUAKET, PUNCATEST AND SAKONET

We have seen that, at the close of the Indian war, in 1676, the southerly boundary of the Freemen's land was at the present location of Bedford street in Fall River.

Southerly from this boundary was a vast Indian domain and huntingground which extended to the ocean at Sakonet, and westerly from Sippican (Rochester) river and its mouth at Buzzard's Bay, to the Narragansett shores.

Sakonet (Little Compton) with the same northern boundary as at present, had been sold, partially divided, a few (three) frontier buildings had been built, and permanent occupation was about to begin when the war started. There were also a few other scattered localities in this section where colonization had begun.

At the foot of Anthony's hill, near the present settlement of Stone Bridge in Tiverton, was a crude wharf with the structures necessary for the operation of a ferry by which the Rhode Island settlements were reached. The first (Howland) ferry was about forty rods northerly of the Stone Bridge, and considerably west of the present shore line, where stood a fine row of poplar trees. Due to tidal encroachment the landing and the trees have been carried away, and there is approximately fifteen feet of water at this spot. When the old ferry landing was discontinued access to the "Island" was over ferries which operated further north from wharves near the foot of Anthony's hill.

At Nanaquaket was a settlement which had been made by men from Pocasset in Rhode Island, when they sought pasturage for their cattle and a fertile soil for their gardens. "Puncatesett Necke" (See Plymouth town record of March 22, 1663) had been "laid out" to and "entered upon" by the seventy-five freemen of Plymouth, but no substantial structures had been built there.

At Puncatest main-land, fertile lands had been purchased from local Indians. These lands (including a presently-existing mill site) were adjacent to the old path from Dartmouth, whence Dartmouth men (including some of the purchasers) were wont to come and cross the ferry to Newport where the Baptists among them attended church. This place was known as Nomquid or Nonquit (now Tiverton Four Corners).

All of these settlements must be referred to before we give detailed study to the Pocasset Purchase and its territory, which included the whole of Tiverton, a larger part of Fall River and some other adjacent lands.

# The Pocasset Ferry

(Colonial ferries bore the nomenclature of their destination, rather than the name of the principal base from which they were operated).

### From Portsmouth Records

When the lots on the Portsmouth neck were laid out in 1639, it was a condition of the deed which was given to Thomas Gorton that he should "keep a ferry". In March 1640 Gorton's rates were fixed at six pence for each man ferried, but only threepence if above three were taken over at the same time. He was ordered to build a boat, and others were forbidden to ferry passengers by canoe after the boat was finished. In 1647 Gorton and the town council were not in accord about the ferry rates and the council was authorized to get another ferryman if he refused to capitulate.

In 1654 Robert Bulgar was licensed to sell beer, food and liquors to strangers who pass the ferry and to those employed in the transportation of cattle to or from the island. In 1658 Ralph Earle, Jr. went to Plymouth in behalf of the colony and his ferrying charges of two shillings were paid by the town.

On July 5, 1669 Ralph Allen of Dartmouth was given liberty to keep a ferry at or near Pocasset and to purchase one hundred acres of land.

In June 1674 John Simmons of Duxbury who had married Betty Peabody's daughter, was granted authority to erect a house at Pocasset (V-149) with consent of the proprietors there, and on condition that he "keep a sufficient ferry and an ordinary" (tavern) for the entertainment of travelers and strangers, maintain order "and prevent abuses".

After King Philip's war, viz: on November 1, 1676, the Court again



Pabodie Gray House, Little Compton, R. I. (East View)



Pabodie Gray House, Little Compton, R. I. (West View)



ordered a ferry at Pocasset (prohibiting any other on that coast), allowed 20 acres of land appurtenant to the ferry for pasture and planting, and again appointed John Simmons to be the ferryman for five years, "at the end of which time he was to be reimbursed for any housing he might erect, if he quits the ferry".

At the same time it was decreed that no cattle or horses be driven for pasturage from Rhode Island to Pocasset "unless first viewed and marked". A penalty was fixed at twice their value and, if pastured without leave of lessees, they were to be impounded until satisfaction of their trespass be made. Also ordered that the owners of such cattle be taxed (rated) and that no timber be cut and removed from the colony.

In June 1677 ferry rates were again fixed and it was ordered that if any other than Simmons ferried over persons or cattle they were to be fined five shillings for each offence, half to Simmons and half to the colony. Captain Church was then (with others) lessee of the herbage and grass on the Pocasset lands, but in October 1677 it was let to Nathaniel Thomas, Edward Gray and John Rogers for one year at the rent of ten pounds.

At the first meeting of the proprietors of the Pocasset Purchase, April 11, 1681 they voted that "none keep a public ferry, but only such as the ferry lots shall be hired to".

# Nanaquaket

Prior to 1659 the colony had trouble with one Capt. Richard Morris. of Rhode Island, who had purchased from the Indians several parcels of Tiverton land, and claimed title to the same. He had come from Roxbury. and as a follower of Ann Hutchinson had come with her to Portsmouth. On June 7, 1659 he reached an agreement with the colony whereby he was recognized as the owner of Nanaguaket Neck (or "Pochasset"), which contained about 457 acres of land, and also of a parcel of meadow on the east side of the pond, on condition that he should submit himself to the Plymouth colony, and "do such duty as might be required of him, should not engage in controversies with the Indians, and should resign up to the Court all such other lands as he had made purchase of or laid claim to." Following this agreement he took the oath of fidelity on March 7, 1660, but he did not obtain his Colonial deed till 1680. Morris had been admitted as a freeman in Portsmouth in 1640; was a member of the General Court in 1651 and in 1653/4 was captain and in charge with others of the colonial offence and defence.

### Puncatest Neck

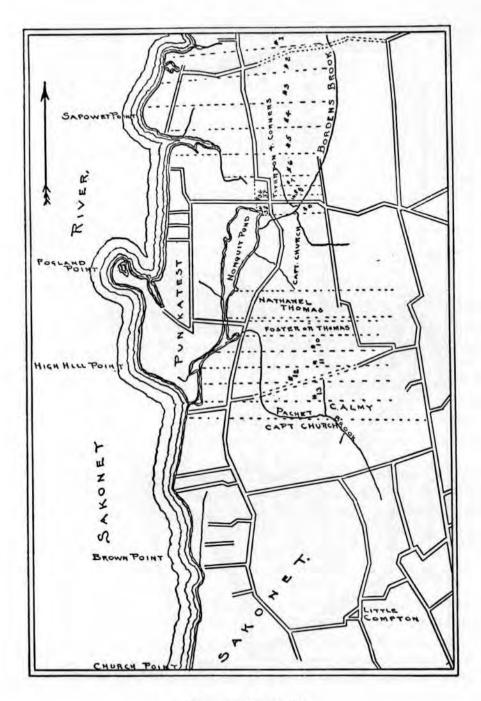
At the March term in 1660, when Morris was given rights in Nanaquaket the Court ordered that Whereas the lands granted to Morris had previously been assigned to the "Inhabitants of the Town of Plymouth", that the Plymouth men be allowed to select other lands "in its stead" and they selected Puncatest Neck. The Court then ordered that no town could make sale of its Puncatest land except to its own townsmen. In 1663 the Puncatest Neck lands were divided among the freemen of Plymouth. There were seventy-five freemen, but only thirty-six lots were laid out, two of the seventy-two freemen to each lot, and other land to satisfy the three who did not draw lots there. A full description of each lot and of the persons to whom they were assigned is set forth at pages 36 and 62 of Vol. 1 of the Plymouth Town Records.

I will not reproduce these but I have abstracted the title to these lots for a considerable period of years, have drafted a sketch of them taken from the records, and my friend Henry J. Harvey, the surveyor for the town of Somerset, has assisted in preparing from my notes two drawings from which plates have been made and presented herewith. They show the relative location of each of these lots.

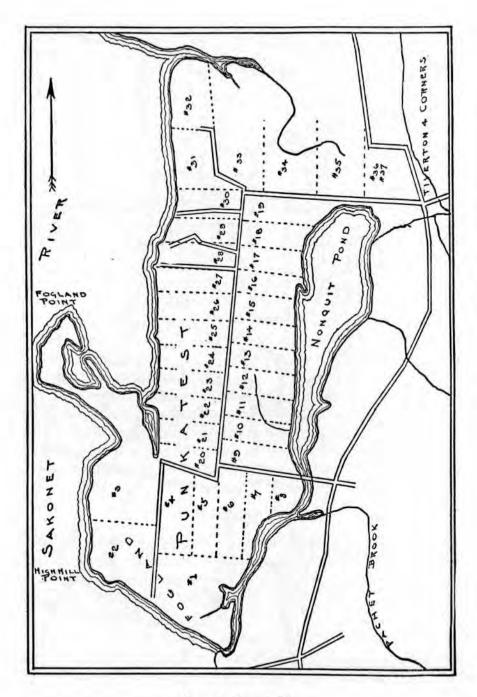
Puncatest Neck owners continued to have trouble over the encroachment of Rhode Island men upon their territory, and in May 1662 a committee from the town addressed the Court concerning it. It appeared that Sachem Philip made some claim there, so that in May 1665 he was given "as a reward and for his encouragement" a gratuity for confirming the colonial title.

### Puncatest

These lands extended easterly from the Sakonet river to Acoaxet and they were partially settled at an early date (some say in 1673) from Dartmouth and other nearby towns. Prominent among the settlers were Benjamin Church, Daniel Wilcox and William Manchester who are named as residents of Puncatest in the "Grand Deed" which conveyed the Pocasset Purchase lands to them and others in 1680. These three had acquired their Puncatest lands at a much earlier date, so that when their lands were included in the descriptive clause of the Pocasset grant which was made to include many other grantees, there was a duplicate purchase which had to be adjusted. This difficulty arose because their Indian deeds had not had the colonial sanction which was required by law.



Puncatest Lands (1)



Puncatest Lands (2)

The Pocasset men were termed "purchasers" while the Puncatest men were termed "proprietors", and they agreed among themselves that the boundary between their lands should correspond with the southerly line of thirtieth Pocasset great lot which fixed it approximately a third of a mile south of Seapowet Avenue. The space between this line and the lots owned by the Puncatest individuals was assigned to the latter and these lots were called Puncatest "Out-Lots". Each proprietorship then owned a separate estate, each kept separate records and each had separate officers, but they conducted their affairs harmoniously, and if an outsider acquired an interest in the Puncatest lands, he was required to pay Puncatest proprietors four pounds for each and every share awarded to him.

During the Indian war Puncatest lands were the scene of important events. Then and at a later time Almy's "pease field" and "Almy's wharf" assumed historical importance, and at the close of the war substantial tracts of land were awarded to warriors. At the colonial Court of November 1, 1676 Capt. Roger Goulding, who rescued Col. Church from an Indian ambush at the "pease field", was awarded one hundred acres of land, as a "constant, real, very officious and helpful friend", and a similar award was made to David Lake and Thomas Lake inasmuch as they had been "very useful and servicable in the late war". These two tracts were bounded on Puncatest Pond and were to extend one mile into the woods eastward and adjacent to the Sakonet line. At this same meeting twenty acres were "appointed to appertain to the ferry" but this ferry was probably the John Simmons ferry at Pocasset.

In the division of Puncatest lands Edward Gray had five shares, Capt. Christopher Almy and Job Almy had two shares each, and Col. Benjamin Church, William Manchester, Thomas Waite and Daniel Wilcox had one share each, a total of 13 shares to which others were added by purchase. While all of these had also an interest in the Pocasset purchase, it will be noted that the number of shares was very differently apportioned, and that many other grantees were named in that deed.

On February 24, 1683 the Proprietors laid out a four-rod highway to run northerly from the Tiverton Four Corners and connect with the way which ran across the Pocasset great lots to Fall River. This is the present Main Road. At this same time they also laid out (from the head of Puncatest Pond) a highway running easterly "into the woods", and they ordered that the land lying between this way and the mill site "*lie in common*", so that cattle might have room to go to the brook and pond in time of drought. I have located a detailed layout of this road in a deed recorded in Book B at page 212 of the Copied Fall River Records, from which it appears that a second mill called "Edwards Mill" was located at "Stony Brook" (a short distance easterly from the Four Corners); that the distance from this mill dam to Sisson's Corner was thirty-two hundred feet, and that at Sisson's Corner this road met the "Dartmouth and Westport Road". This road connected at its easterly end with the way to Dartmouth, and was one of the main "east and west" arteries of travel. Over it Acoaxet and "Cushnea" residents reached the ferry and connected with Pocasset and Newport. On the northerly side of this same road was located the first tavern which was constructed in this area. It was entertaining guests as early as 1749, for on a "parade ground" (opposite the tavern) the Tiverton militia met for training in that year. It was a "very old structure" in 1776 when it was used as a place of rendezvous by a militia company, so that probably the tavern was built much prior to 1749. In June of 1776 Tiverton had voted a bounty of thirty shillings for each enlisted soldier.

The water power at the Puncatest mill was important to the inhabitants of both towns (Sakonet and Puncatest). In 1710 each town appointed a committee to improve it. The mill lot and its primitive mill then belonged to Joseph Taber (he and Stephen Taber were partners). It was called "Taber's Saw and Grist Mill", but important as it was it would not grind more than two bushel of corn an hour. This mill was at the site of the present grist mill, on the easterly side of the Main Road, and a short distance south of Tiverton Four Corners. I find record that attached to this mill site was an eighty acre lot which I presume was the mill pond. Benjamin Church, representing the joint committees, arranged with Mr. Taber to enlarge the mill. One hundred and sixty acres had been set apart to Mr. Church, as a subsidy, to establish the mill. He bargained to give Mr. Taber one-half of this land for building the mill. This mill lot of eighty acres included the home of the widow of Daniel Wilcox and the residence of Pardon Corv. After the mill had been built, fifteen lots of land were laid out adjoining the mill lot on the east, twelve of which had a frontage of six rods and extended east for a depth of fifty-five rods to a new road. Other lots were laid out on the road which ran to Puncatest Neck. These had a frontage of four rods each and were forty rods deep. They were bounded west by the pond and south by the mill lot. These thirty building sites constituted the nucleus of the village of Tiverton Four Corners.

The pond which separates the main land from the neck then had the name "Nomscot" and that name was also applied to the village. The new mill was called the "Nomscot Mill". At a later time Ebenezer Davenport

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Plat of Proprietors of Seconet



acquired a part ownership in the mill. About 1813 a factory for the manufacture of hats was located between the grist mill and the Wilcox corner lot. In 1847 "William Pitt Brightman" bought the mill from the Wilcox heirs, who had abandoned the mill. He built a grist mill and a store, and then the locality came to be called "Pittsville". In 1876 it was sold to Charles H. White and now under the name of "White Mill" it is owned by J. Edward Newton.

The original Daniel Wilcox house was at the northwest section of the Four Corners, where is now the general store, and at the rear of this location the foundations of his grist windmill could be seen until a comparatively recent date.

Daniel Wilcox was a troublesome citizen and became involved in many controversies. His lot had been assigned in the original layout to John Cook and Francis Cook, both Mayflower passengers. John Cook came to own two shares in the Puncatest lands and by his will he left them to his daughter Elizabeth and her husband, who was this same Daniel Wilcox. Jacob Cook inherited the share of his father Francis and by his will he also left his Puncatest lands to Daniel Wilcox. Wilcox acquired other adjacent lands including "Alderman's Pond" from a Puncatest Indian named Alderman, but he failed to get a colonial deed approving of his purchase, and for this he was heavily penalized as elsewhere appears.

In 1692, after equity proceedings instituted in the English court of Chancery, the original charter of Massachusetts Bay was declared forfeited and after it was found that Plymouth had no legally sufficient charter, the Province of Massachusetts Bay was established by Royal Decree and Charter. Plymouth Colony thus became merged with Massachusetts. When this change was promulgated in 1692 many citizens of Plymouth Colony made strenuous objections to the merger, and the declared insufficiency of their charter, and Wilcox led a diminutive insurrection and riot designed to prevent the merger. He and many friends barricaded themselves in the Wilcox home and there they were besieged by the Royal forces and were ultimately forced to capitulate, whereupon they were arrested and tried before the Supreme Court of Judicature in Bristol in August 1693. They were all found guilty of "mutinous and riotous acts" and were each fined one hundred and fifty pounds, but Wilcox was at large on bail and it seems that he did not pay the fine for his "bloodless sedition". As late as 1699 complaint was made of his failure to pay the fine, and after inquiry made by the Governor of Massachusetts it appeared that he had fled to Rhode Island.

At the northeast of the Tiverton Four corners there was an early store operated by William H. Davol. At this corner the first post office was established in February 1820.

At the southwest corner there was an old store and bakery. The foundation of the old oven could be traced until a recent date.

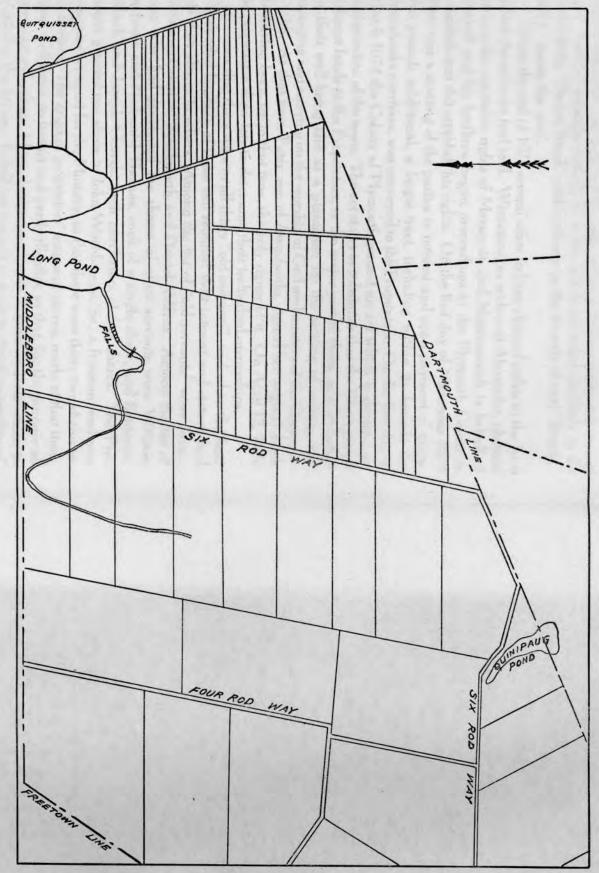
In 1694 Puncatest and Pocasset were incorporated under the name of Tiverton.

# Sakonet

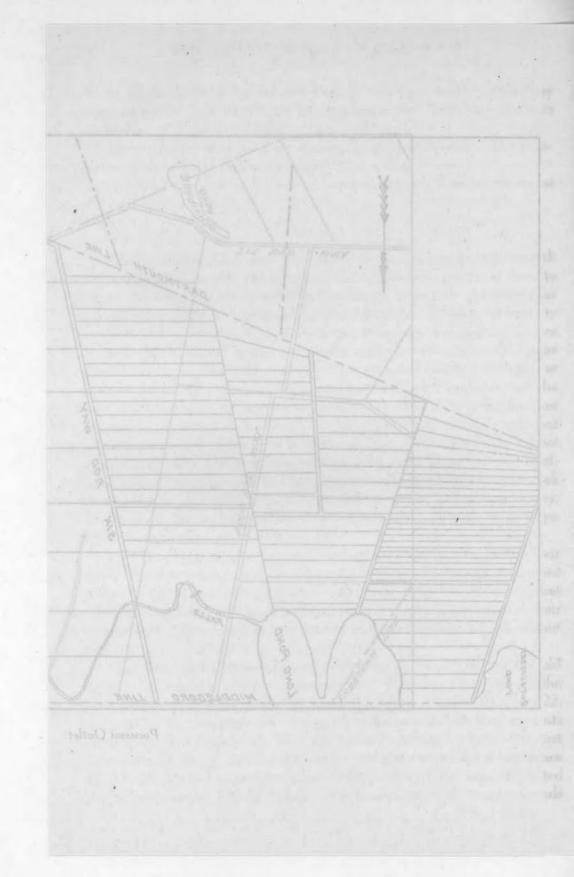
Sakonet settlers ("Sakonet" meaning in the Indian language the 'mouth of the stream') were the "old servants" of the Plymouth gentry, or those to whom servant rights were sold. It was a custom till a very recent time for parents to apprentice their wards and children, and for older persons to apprentice themselves to a trade under the schooling of skilled artisans or more wealthy citizens. It was a part of a system of education which was then in vogue. A covenant of service often provided for an emolument at the end of the term, which in the case of land workers sometimes took the form of a gift of land. An apprentice agreement was binding on both parties as is shown by Court decree on a complaint filed by Jonathan Briggs that he, being a servant of William Hailstone of Taunton, - the latter did not "learn him" the trade of tailor, as covenanted. The Court ordered Hailstone to pay fifteen pounds damage with all convenient speed, but it took Briggs two years and three court proceedings before he got his money, which illustrates well the speed of Court procedure even in those days. (See Plv. Col. Records Vol. III, p. 51).

In 1636 a colonial law provided that servants "who come out of their terms and are to have lands, shall have only five acres apiece at present if they be found fit to occupy it". In 1646 an amended law required "that such as covenant to give lands to their servants shall make good from their own estates". Servants were required to serve, even after they bought out their time.

The General Court voted in June 1661 to purchase land for the old servants at Sakonet, and those servants who desired to participate in the settlement were required to present themselves before the Court on July 22, 1673 and prove their right. At that time the claims of twenty-nine servants were allowed. On July 31, 1673 the Sakonet proprietors held their first meeting in Duxbury. All the Proprietors' meetings were held at that place until 1687, so that comparatively few of the "old servants" actually visited the Sakonet lands. On July 31, 1673 in consideration of seventy pounds



Pocasset Outlet



sterling, Awashonks, in behalf of her tribe, made conveyance of the lands which are bounded on the west by the sea or sound; on the south by a line which extended one mile easterly and westerly from a white oak tree in the "Tompe" swamp; easterly by a line which extended northerly to the head of the "Packet Brook" and northerly by the bounds of said "Brooke" till it "meets the sea".

Before the end of 1673 several other Indians claimed rights in the land which Awashonks had sold. Weetamoe, as widow of Alexander, claimed to own the equitable rights of Massasoit, and Mammanuah in behalf of himself and his brethren began proceedings in the Plymouth Courts to establish and did establish his rights. On the first day of November 1673 there was a meeting of the parties in interest and upon payment of thirtyfive pounds additional, a larger tract, including within its bounds the Awashonks purchase, was conveyed to the Proprietors. On the first day of March 1674 the Colony of Plymouth passed an act which is deemed an incorporation of the town. The act states in substance that the Court grants Sakonet lands to the Proprietors, or the major part of them, as a township for their well-being and as a plantation for the settling of society, and managing and carrying on the worship of God and matters of the Commonwealth. At that time, Peter, son of Awashonks, signed her original deed, she having been, up to that time, the only signer of it. On April 12, 1674 the proprietors drew lots to determine their individual ownerships.

It seems that there were in all thirty "old servants", and when the land was divided fourteen of these still retained their interest and sixteen had sold their shares to others. Among the list of "old servants" were Josiah Winslow, Constant Southworth and Daniel Wilcox. Among the list of those who had purchased the shares of other servants were William Paybodie and Nathaniel Thomas, each of a single share, and Benjamin Church and Joseph Church, each purchasers of two shares. The Proprietors granted one share to John Washbourne, Sr., a freeman, and one share was set apart for the Ministry, so that there were thirty-two shares in the division. The original proprietors' map and survey, made at that time, is now well worn, indistinct and partly illegible so that, for the purpose of preserving its contour, I have had a copy made in reduced scale which is included in this history. I shall not attempt to study in detail ownership of the various lots. They are named in Bayles' History of Newport County. William Paybodie was the clerk of the proprietors.

Attention is called to two important historical objects in Sakonet which are worthy of special observation and study. *First* is what is known as the William Paybodie residence. This house, known as the Paybodie-Gray house, built in 1681 to 1683, is located on the west side of the Sakonet Point road and is on the lot which is next northerly of that upon which Capt. Benjamin Church built his original home. It descended from the Paybodies to the Gray family, and is now owned in direct line of descent by Miss Lizzie A. Gray. In the original kitchen is a big colonial fire place with fittings such as were used in Colonial homes. The house is substantially in its original form, except for a bay window which is more modern but in perfect harmony with the main structure; the oak timbers and original staircases are still intact although there has been some necessary replacement. It is a private home not open to public inspection. A picture of this old house is shown.

Another important historical object is the "Wilbour Woods" and this I have discussed in the story of Awashonks, and have exhibited a few views of its forest.

# 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 Freemen'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 Freemen'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.

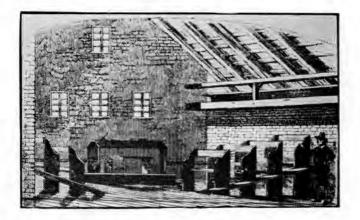
The first exception was at the northernmost ferry lot which, at its northerly line abutted the 23d Great Lot. In March 1700 the County jury laid out a new way through this ferry lot, and the proprietors voted to confirm title of the "old way by the bank" to the owners of the ferry lot. This way led from 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".

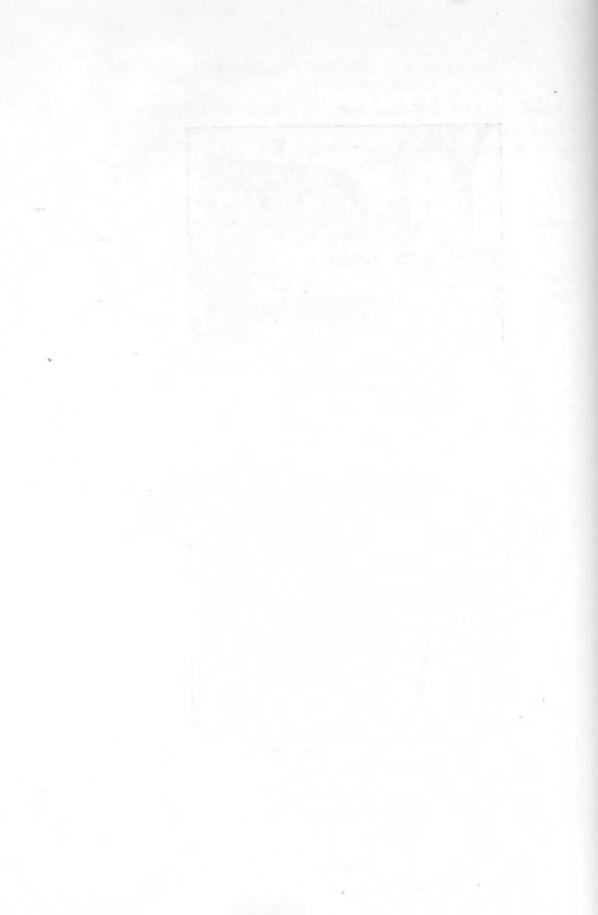
The third exception arose when in 1773 Benjamin Sheldon, who was the owner of a share and a half of the "commonage", was allowed to surrender his interest in the remaining shore land, and was granted in lieu



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.

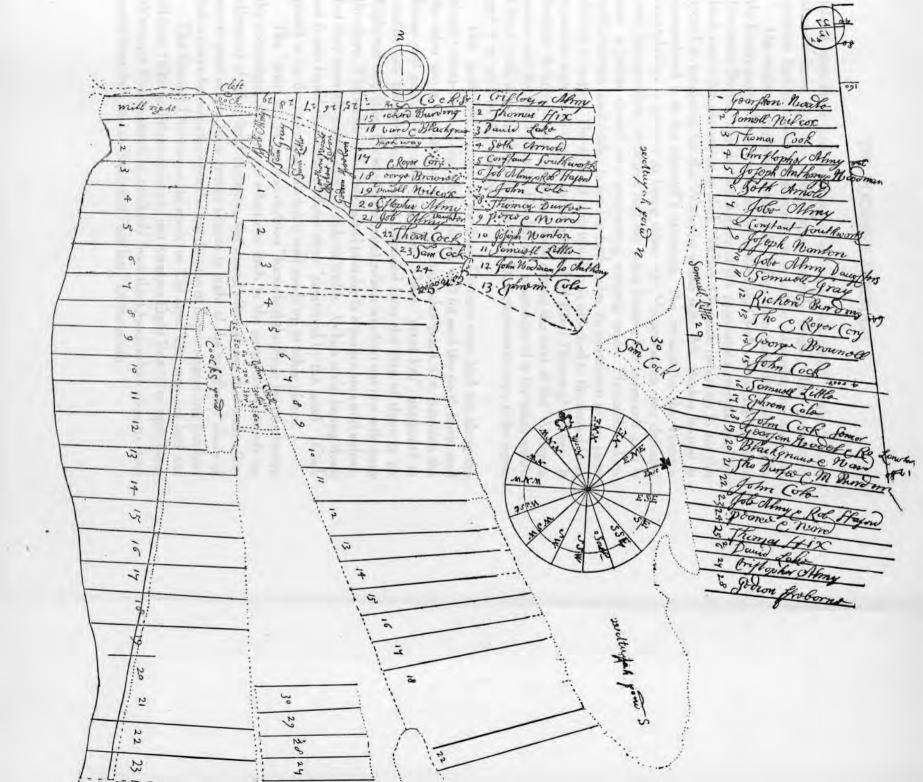
The earlier ferry was operated by Isaac Howland's brother, a bachelor, who, at his death, gave it to John Howland. The Tiverton landing was about forty rods north of the present stone bridge and west of Major Hambly's shop, at a point, as old measurements show, some distance west of the present shore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

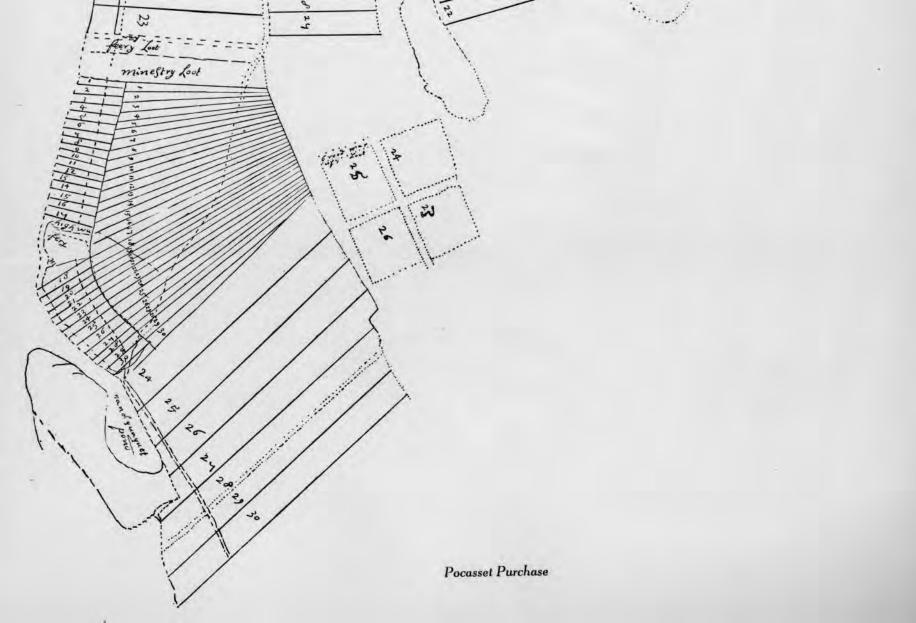
Other Meeting House Records have been located as follows:

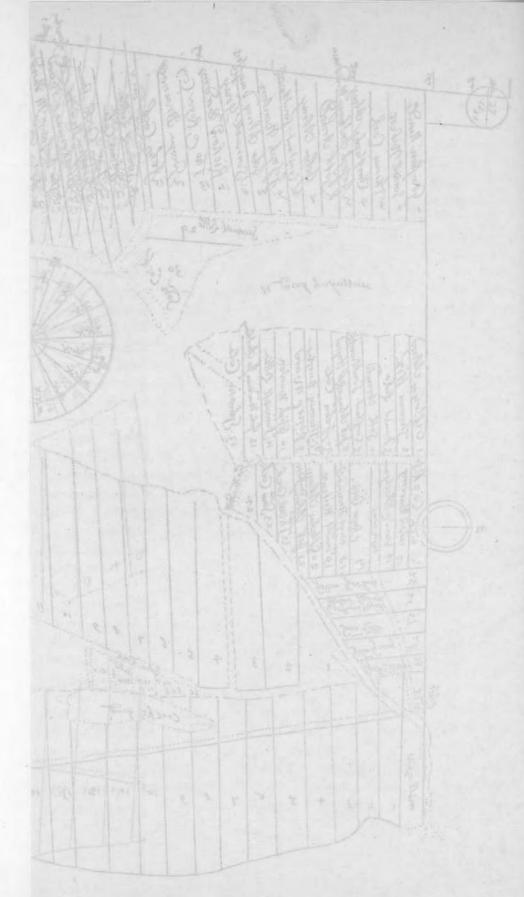
On February 16, 1711 (book 2, page 265) Samuel Snell, in consideration of the good will and affection borne toward the public worship of God, conveyed to Col. Benjamin Church, Lt. Job Almy, Edward Gray and himself, as a committee, ("to erect and build a new meeting house on") the piece of land where 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







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.

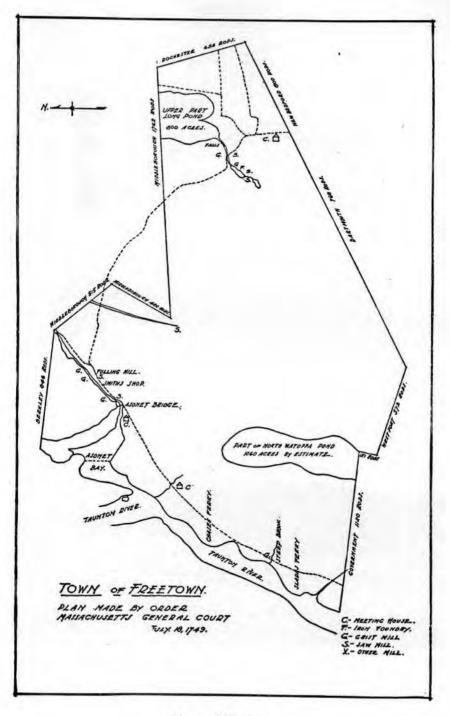
I have abstracted the titles for a considerable number of years, to all of these 3d division lots. This work was started by the late Charles E. Mills. Register of Deeds, and I have re-checked his valuable work and added considerable data from my own notes. I shall file these records with the Fall River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

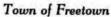
The Fourth Division, the 40 acre lots (also laid out in 1697) ran from the Freetown line, on the Easterly side of North Watuppa Pond (opposite the pumping station) southerly to Cranberry neck, which laid on the easterly side of the South Watuppa pond near the outlet of the Christopher Borden brook. Cranberry 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.

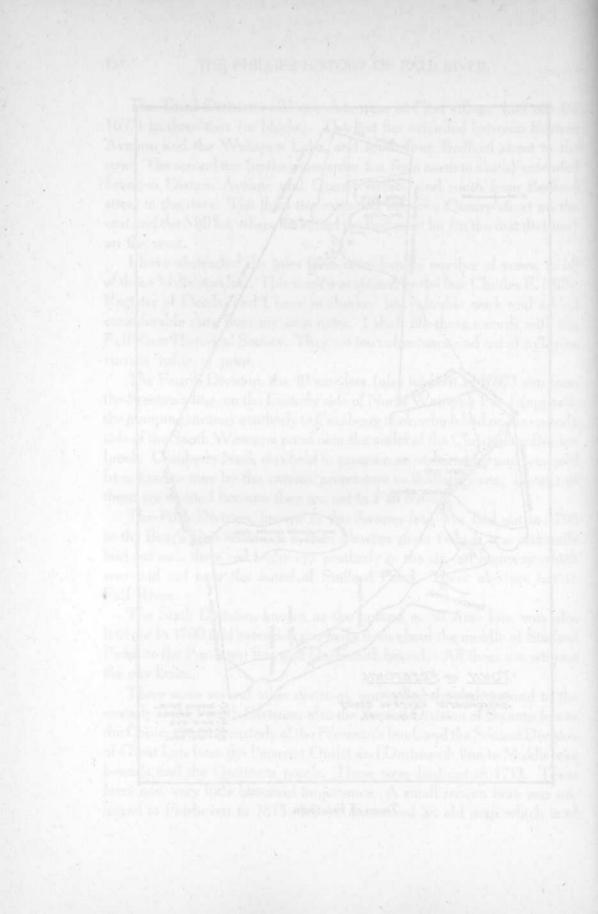
The Fifth Division, known as the Swamp lots, was laid out in 1700 in the Bear's Den section, i. e. from Newton street (which was originally laid out as a three rod highway) southerly to the six rod highway which was laid out near the outlet of Stafford Pond. These also are not in Fall River.

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





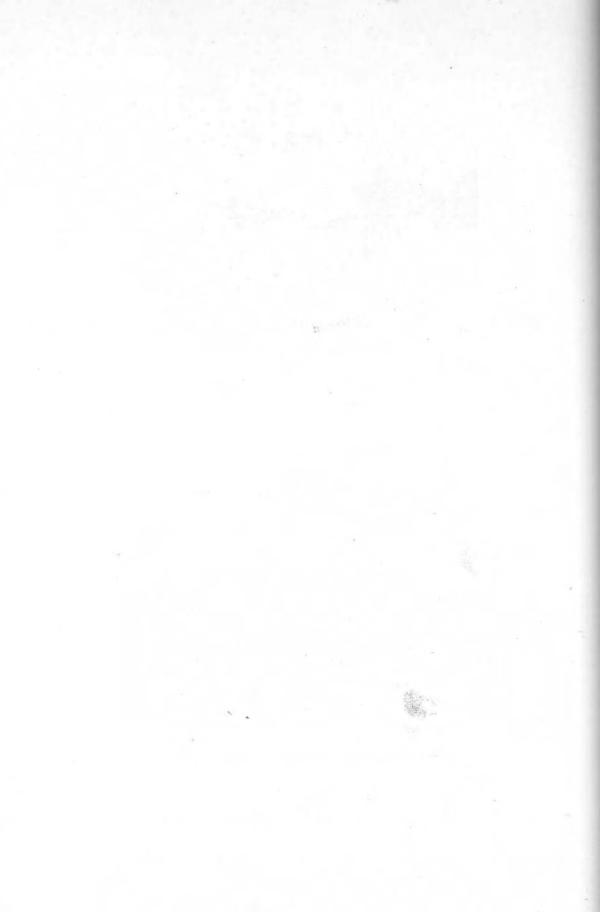




Pocasset Gut



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, representing the Colony, attempted to thus deliver possession to the Pocasset proprietors, he was forcibly opposed by David Lake.<sup>1</sup> Lake's home was at Nanaguaket 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.

<sup>&</sup>lt;sup>1</sup> 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.

# Chapter XII

## THE PROPRIETORS OF POCASSET EDWARD GRAY, NATHANIEL THOMAS, BENJAMIN CHURCH, CAPT. CHRISTOPHER ALMY, JOB ALMY, THOMAS WAITE, JR., DANIEL WILCOX, WILLIAM MANCHESTER

### Edward Gray

The first named of the Pocasset proprietors owned three tenths of the entire tract. He has many descendants of the same name now living in our midst who are prominent in professional and social life. He came to Plymouth with a brother Thomas in 1643, at the age of fourteen years. Thomas died in 1654. It is reputed that these two boys were smuggled out of England by relatives who desired to retain possession of their inheritance. In Plymouth Edward became a merchant doing business in a very central location on Main street between Leyden and Middle streets. In 1651 he married Mary, a daughter of John Winslow and Mary Chilton Winslow. The writer is descended from Mary's sister Susanna who married Robert Lathan. John Chilton and Mary Chilton, and daughter Mary who married John Winslow, were Mayflower passengers and John Winslow was a brother of Gov. Edward Winslow. Gray's children by this marriage did not settle in this section.

In 1665 Edward Gray married Dorothy, a daughter of Thomas and Ann Lettis. Thomas Lettis had deceased leaving to Ann the mother valuable lands, also on Main street in Plymouth, and the mother conveyed these to the daughter, so that Edward Gray would have controlled most central estates on both sides of Main street, was very prominent and was also considered to be a wealthy citizen, — he was deputy to the general court from Plymouth in 1679 and 1680; he died in June 1681, so that he probably never visited the Pocasset lands; his grave on Burial Hill bears the oldest legible date, yet in spite of his wealth he signed his name by mark, which does not, according to the times, necessarily indicate that he could not read. He was a peaceful man but outspoken, as is evidenced by the fact that he was in June 1668 fined ten shillings for using reviling speeches to one Bryant on the Lord's Day, "as soon as they came out of church". He left a large family. Mistress Dorothy Gray was appointed Administrator of his estate on July 7, 1681,<sup>1</sup> and on July 1, 1684 she was allowed a fee of thirty pounds.

Edward Gray and Hannah (Susanna) Gray, her son and daughter, chose Captain Nathaniel Thomas as their Guardian, and Thomas, Rebecca, Lydia (Elizabeth) and Samuel chose Capt. Thomas and their mother as their guardians. The Court approved these nominations on July 1, 1684.<sup>2</sup> The widow waived her dower in the Pocasset and Puncatest lands, and the Court appointed one Samuel Sprague to represent her at the proprietors' meetings.<sup>8</sup> Sprague lived in Marshfield and was the colonial Registrar or Recorder and Secretary of the General Court.

After Grav's death widow Anna married Nathaniel Clark, with whom she was much dissatisfied, and she complained to the Court in 1686 and asked divorcement. After repeated hearings and some expert testimony the Court "did not see cause to grant a divorce as desired" but the Court confirmed a property division.

I will here note that during the entire history of Plymouth Colony I find record of only six divorces. William Paybody, after the patriarchal style, gave William Tubbs a "writing of divorcement", but the Court treated the document as a nullity and fined Paybody and the witnesses. Yet divorces by declaration were common in Rhode Island till 1654 when it was ordered that in respect of several inconveniences that have happened no man sign any writing as a bill of divorce unless the separation be allowed by the colony. In Portsmouth a law provided that no man shall detain or harbor another's wife "after warning forbidding", under penalty of five pounds for every night of offendage. Rhode Island laws have ever continued to be quite liberal by comparison with those of the Massachusetts colonies.

From Davis' History of Plymouth we learn that the following were Edward Gray's children

By wife Mary (nee Winslow)

Desire, born 1651 (Married Nathaniel Southworth) Mary, born 1653 Elizabeth, born 1658 (Married Seth Arnold)

<sup>&</sup>lt;sup>2</sup> See VI-66 <sup>2</sup> See VI-141 <sup>3</sup> See VI-97 Ply. Col. Records

Sarah, born 1659, (Married Samuel Little) John, born 1661

By Dorothy Lettis

Edward, born 1667 Susanna, born 1668 (Married John Cole) Rebecca (Married Ephriam Cole) Lydia (Married Caleb Loring) He also had a son Samuel.

#### Nathaniel Thomas

The second-named proprietor in the grand deed and who owned a one-sixth interest in the whole was probably the junior of that name as is evidenced by the fact that when he was sworn in before James Cudworth, as clerk of the proprietors on July 7, 1681 (6-72) his age is given as about 37 years. This corresponds exactly with the birth date of Nathaniel Thomas Jr. who was born in 1643 and was the second son of Nathaniel Thomas Sr. who was born in 1606. Nathaniel Sr. came to Plymouth in 1637 from Yarmouth, England, with his father William, who was one of the original Merchant Adventurers of London, and they settled in Marshfield.

The elder Nathaniel was prominent politically, having been a member of the General Court for eight years, and having acted as Governor's Assistant for seven years. Goodwin says (p. 439) "he was scholarly and public spirited but illiberal in religious matters". He served as lieutenant during the Indian War and was stationed at the Mount Hope garrison with twenty men when Philip escaped from the Pocasset swamp; he was considered well to do and probably was financially interested in and perhaps personally owned the five shares which his son represented.

#### Benjamin Church

The third grantee named in the grand deed although holding the smallest proportion, was by far the most noted personage who resided in Bristol County in that age. Goodwin calls him the "Myles Standish of the second generation" and marvels that his descendants have not erected in his memory a worthy public monument. He was a fearless man, he understood the savages better than any other colonist, and his accomplishments during the Indian war, ofttimes either alone or accompanied only by a single companion, amount almost to the heroic. His ancestry and his home surroundings all combined to perfect a character which was in its inception fearless and commanding. "The Entertaining History of King Philip's War", printed in 1716. was written by Thomas Church, son of Col. Benjamin Church, largely from the father's dictation. It is the most noted of the publications relating to this period.

In 1630 when Gov. Edward Winslow was on his way to England, hoping to grasp that ever-elusive charter, — he was entertained by Boston gentry while waiting to take his ship, and he seems to have given assurance that Plymouth colony would be in harmony with the Bay Colony in excluding from its territory artisans whose departure from either colony had not been previously sanctioned. Skilled artisans were everywhere in great demand, and laws were in existence that they should not use their "science" for foreigners till home necessities had been served.

About this time Richard Church, the father of Benjamin, a carpenter and John Phillips, an ancestor of the writer, — a millwright — had arrived in Plymouth, where Church was assisting in the planning and erection of the first regular church edifice, and as these men had come from Boston without permission, Governor Bradford was in effect rebuked by Governor Winthrop for harboring them. There was some unsatisfactory correspondence, and it soon became apparent that Church had other attractions in Plymouth than his trade, for he wooed and wed Elizabeth Warren, a daughter of Richard Warren, the pilgrim. Richard Warren was a military leader, and his two sons and five daughters were prominent and fearless men and women. They all married into prominent families and for generations their descendants were numbered among the brave men of the colony.

Benjamin was born in 1639, grew up in his father's trade as a carpenter, and allied himself in marriage to the martial family of Southworth, his wife being Alice, daughter of Constant Southworth and granddaughter of Alice Bradford. His first home was in Plymouth, but in 1870 he was listed as a freeman in Duxbury and in the following year was elected a constable there. From 1668 to 1673 he served five terms as a juryman. In the autumn of 1674 Church moved to his new home at Sakonet. He had purchased this estate at the suggestion of Capt. John Almy and erected two buildings on it before the war. The site is still owned by his descendants. Seventeen days before the beginning of the Indian war, viz: on June 7, 1675, Church was in Rhode Island and was there told by Weetamoe and some of her men that Philip intended a war speedily and some of them said they would help him (Vol. X, p. 363).

#### THE PROPRIETORS OF POCASSET

At the beginning of the war Church was an inferior officer and when reinforcements had arrived and the troops under command of his superior officers had driven the Indians into the Mt. Hope peninsula, whence they had escaped across the bay to Pocasset, Church managed to have two brisk skirmishes and to drive them into the Pocasset swamp. The main body then coming up an attack was made, but it was not followed up, and while they were striving to starve out the Indians it was found that the fighting men had escaped up the Taunton River on rude rafts, leaving the squaws and children to the philanthropy of the whites. Church was so disgusted that he withdrew from the war, only to return seven months later as a volunteer aide to Gov. Josiah Winslow who had been placed in command of the confederated forces. In an engagement which followed. Church received three wounds, one of which was severe. Later Church was sent for, but his request for entire freedom of action was deemed unreasonable, and he returned in bad humor to Rhode Island, but again feeling rebuked by inaction while his friends were in peril he returned to Plymouth and was given a captain's commission with some discretionary powers.

Without waiting for the sixty English and 140 Indian followers which he was to raise, Church then went entirely alone into the hostile Sakonet camp and called upon the warriors to renounce Philip and to take the war path against him. A violent scene followed in which Church's personal magnetism alone saved his life, but finally his call was accepted and he was soon on the enemies' trail, and it was a hunting trip rather than a war with many prisoners taken, some of whom guickly became devoted to Church and enlisted against their own, often on the very day they were taken. Within three months Philip was surrounded at Mount Hope, and shot by a Sakonet Indian. Leading white men who were then in Church's little company included Lt. Jabez Howland, son of the first John of the Mayflower; Nathaniel Southworth, husband of a daughter of Edward Gray, was a cousin of Church's wife; Jacob Cook was grandson of the 1st Francis of the Mayflower and his uncle was married to Church's aunt; Jonathan Delano also was married to Mary Warren, Church's first cousin. It seems almost like a family party. A little later the war ended in the capture of Anawan, Philip's captain who had probably been the real leader of the war. This was accomplished at the Anawan rock in Rehoboth by Church and Cook and six friendly Indians, who by their audacity overcame a body of sixty Indian warriors. On November 4, 1676 (XI, 242) the

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Court confirmed Church's engagement not to deport certain Indians who had "carried well", but one who had committed murder was excepted.

Church's home in Sakonet was destroyed during the war and at its close he settled temporarily in Bristol. He was a selectman there in 1682 and 1686, and was Deputy from Bristol to the General Court in 1682, 3 and 4. In July and October 1683 (VII, 263 and 270) Church was defendant in the suit of one Saffin for damage caused by his damming a tideway between Bristol and Popasquash Neck, and was, after one verdict of "not proven", finally obligated to pay three pounds damage. In July 1681 (VI, 69), he was authorized to cut a road from Bristol through colony lands to make a more direct road to Plymouth. In 1682 having sold three Indians into slavery, the Court approved a composition for their freedom. (At this period a sale "to slavery" within the colony meant little more than an enforced apprenticeship).

In 1689 Church was named commander in chief of the expedition against the eastern Indians and in 1690 (VI, 256) the Court agreed that he might divide his plunder equally between his English and his Indian soldiers. In 1682 Church as Commissioner took the testimony for the Court in the depositions relating to Hog Island ("Chessawanucke"). (VII, 257).

About 1700 Church built a house on the second lot of the freeman's purchase, i. e. north of Pine street in Fall River. He died on January 17th A. D. 1718, aged seventy-eight years; his family consisted of five sons and one daughter, and their descendants are a legion in our midst.

Church's death was due to a hemorrhage, caused by a fall from his horse; he had grown to be very corpulent, and when he was returning from his sister's home (Mrs. Irish) his horse stumbled and he was thrown forward with great violence. His children were

- 1. Thomas Church (father of Thomas Church, Esq.).
- 2. Capt. Constant Church.
- 3. Benjamin Church ("he died unmarried").
- 4. Edward Church ("father of Deacon Benjamin Church").
- 5. Charles Church.

The daughter was Mrs. Tothbotham.

In memory of Benjamin Church I quote Fowler "of all the English who bore commands during the great Indian war, none was so much feared, so much respected, and finally so much beloved by them, as this terrible and triumphant enemy. In conducting such wars, he was unrivalled; though many have acquired much reputation for their skill in managing







Tiverton Town Hall



John T. Cook House, Tiverton, R. I.

and fighting Indians, none have exhibited a genius or aptitude equal to Church".

#### Capt. Christopher Almy

Captain Christopher Almy, the fourth named grantee in the Pocasset deed and Job Almy the fifth, were both residents of Portsmouth but Christopher later removed to Newport. The Society of Colonial Wars recognizes both as patriotic ancestors, entitling their descendants to membership. Christopher was born in 1632 and died in 1713. He became a freeman in 1658 and was Deputy from Portsmouth in 1689, 1690 and 1691 and Assistant to Gov. Andros in 1690 while also serving at home as member of the town council and assessor. He was elected Governor in 1693 but refused to serve: was made captain and messenger to England from Rhode Island in 1692. He had a son of the same name who was admitted a freeman in 1697, and he also had a son Job, called in the records. Job the son of Christopher, or Job of Newport. Christopher's land in Portsmouth ran from the main road to the seaside next south of land of Richard Borden. He owned three and three guarter lots in the Pocasset purchase, and before the division of lots acquired a guarter from Job Almy. He drew in the allotment the 7th, 9th, 17th and 28th lots. Christopher Almy sold the 9th lot to John Cook of Portsmouth, R. I. whence comes the name of Cook Pond. It is now called Laurel Lake. Its southerly end is at the State line.

Christopher Almy was one of the eight persons, John Borden being another, who were nominated on March 2, 1688 to go to Boston to put forth the claims and rights of the town of Portsmouth as opposing the petition of Capt. Thomas Townsend for certain lands at Hog Island. Christopher was given four pounds of the money "gathered for the use" and John Borden had twenty shillings.

#### Job Almy

Job Almy, the fifth grantee, was proposed as a freeman in Portsmouth in June 1683. He was not the Captain Job Almy who was a member of the Governor's Council in 1709 and Deputy from 1709 to 1726. He also owned three and three quarter shares, but having sold a quarter to Christopher, his allotment covered the 11th, 18th and one-half of the 24th lot. Job Almy deceased prior to 1692 and willed his lots to his son Job Almy. (See deed of April 4, 1692, book 2, page 36). In the records this second Job of the second generation was usually called Job the son of Job. The eleventh lot covers the present location of the Shove Mill and runs to a point fifty-two rods southerly of the State Line; the intervening land being lot twelve which was allotted to Edward Gray.

Job Almy died very shortly after the first Pocasset Division was made, and his widow, Mary, the executrix of his will, married Thomas Townsend. The will gave her half of his Pocasset lands. The Townsends lived on the tenth lot. From deeds which are recorded we learn that Job Almy left two sons John and Job Jr. and three daughters, Mary, wife of Samuel Snell, Deborah Hix and Katherine Townsend. One of the proprietors of the former "Fall River News" claims descent through the two Job Almys.

## Thomas Waite, Jr.

Thomas Waite, the senior of that name, was one of the original settlers in Portsmouth and was assigned a house lot there in 1639. In 1646 he was granted thirty acres of land between the head of wading river and the Newport path (i. e. north of Island Park). In 1651 he brought in five fox heads and was paid the usual bounty. He was constable in 1658.

Thomas Waite, Jr. is doubtless the sixth Pocasset purchaser. He was admitted a freeman in Portsmouth in 1671, was on the jury in 1674. The year of the Pocasset sale he was elected constable in Portsmouth but declined to serve and he apparently moved to Pocasset, his great lot was located approximately at Manchester's switch. He had only one share.

#### Daniel Wilcox

The junior of that name was the Pocasset purchaser. He owned two shares, — he disposed of one share prior to the first division so that only one lot (viz; lot 10) was then drawn for him, but he bought another share, viz: the 25th share of Edward Gray, which was deeded to him by Thomas Gray (Edward's son) under date of April 4, 1699, (book 2, page 423). His father Daniel Wilcox had been one of the early residents of Portsmouth. He was a member of the inquest there in 1642, and bought and sold lands there from 1657 to 1686. He also owned land in Dartmouth as early as 1685 (See V, 293). His grandfather, Edward Wilcox, was in Portsmouth as early as February 13, 1660.

The son was also at one time a resident of Dartmouth for he was town constable there in 1665 (IV, 91). He married Elizabeth, a daughter of John and Sarah Cook. John Cook and his father Francis Cook were both Mayflower passengers, as also was Sarah's father Richard Warren. Sarah Cook's sister married Richard Church in 1636. Wilcox was therefore a cousin by marriage to Capt. Benjamin Church. He had acquired great proficiency in speaking the Indian language (Dexter's "Church", p. 22).

In 1668 (IV, 175) it was deemed advisable to establish a ferry on the Pocasset side to transport passengers to Rhode Island. John Cook and other neighbors of Dartmouth were authorized by legislative act to engage a ferryman and to allow such to build a small structure there and improve some land "with the consent of the Indians."

Cook lived to a ripe old age (till 1694). Mary Allerton Cushman alone of all the Mayflower passengers survived him. He was for many years (Goodwin, p. 475) deacon of the church, and was ten times a deputy to the general Court at Plymouth, but in the Quaker troubles he opposed the Prence regime and was excommunicated. He then became a pioneer settler both at Lakeville and Dartmouth, and the number of his descendants in this vicinity is very large. After his excommunication he attended the Holmes' Baptist Church in Newport, and his interest in a ferry was personal, as it was used in his weekly pilgrimage from Dartmouth to Newport.

Jacob Cook, John's nephew, also a cousin both to Wilcox and to Capt. Benjamin Church, was the sole companion of the latter when they captured Philip's chief warrior-captain (Anawan) with his entire Indian band, as they were in flight from Mount Hope after the death of Philip. This was the final event of the Indian war.

In 1668 Wilcox took the oath of fidelity to Plymouth Colony (IV, 175) and later in the same year Cook and Wilcox were authorized to let the ferry, as a result of which on July 5, 1669 Ralph Allen was granted liberty to keep the ferry and to transport passengers to and from "Rhode Island and the maine" and also to purchase a hundred acres of land from the Indians on condition that he pay ten pounds to the colony.

The Plymouth laws were very strict with reference to the purchase of lands from the Indians,—express authority from the Court being required, and a Colonial deed alone confirmed the purchase. This differed from the Rhode Island laws, for there the Indians were regarded as sole owners of the land, with full authority to convey the same at their pleasure. Wilcox doubtless knew the law but he disregarded it, and on June 23, 1683 by deed recorded in book 1 at page 346, he took a deed from Mamanuwot, Chief Sachem of "Seconet" which conveyed a hundred acres of land bounded easterly by the Dartmouth (now the Westport) line, and partly with the river, southerly by the spring called "Semsuet", and easterly from that spring to "salt river", and to "Alderman's land". The consideration named is "many and great courtesies of several years continuance in the time of my distress and wants, which did amount to the value of near two hundred pounds or thereabouts and myself not knowing how to satisfy him but in land".

For procuring this deed Wilcox was in 1686 (VI, 202) indicted in Plymouth and bound over in five hundred pounds to appear before the Court of Assistants to answer a presentment for purchasing the lands of an indian contrary to law.

Wilcox was again before the Court in June 1690 for making tumultuous opposition to the laying out of two hundred acres of land at Sakonet to one Thomas Hinckley "for his war services and expense", and in October of the same year was again before the Court to answer for "contumelious speeches and carriages concerning the present authority".

Then came the union of the colonies and in 1693 at the August term of the Superior Court of Judicative in Bristol, Wilcox was tried, convicted of high misdemeanors and fined one hundred and fifty pounds. He escaped from the sheriff and took refuge with his friends in Portsmouth beyond the jurisdiction of the Court. This presented an international episode (Dexter's Church, p. 21) but Rhode Island refused to deliver him up for punishment.

Wilcox's family had lived in Little Compton but by March 1701 they had removed to Tiverton, and Capt. Church presented a petition to the General Court of Massachusetts (See the State Archives, Vol. 40, p. 669) praying that an act be passed, allowing the conveyance to the state by Wilcox of his interest in certain Pocasset lands in satisfaction of his fine (Dubuque's Indian Reservation, page 24) and that he be allowed to go home to his distressed family. The act was passed and Wilcox conveyed to the Commonwealth on November 27, 1701 lot numbered 14 of the six score acre lots, being the lot lying between Stafford Road (with a frontage of 840 feet on that road) and the South Watuppa Pond, and which is next southerly of the present Rhode Island state line, also lot numbered 2 of the forty acre lots, being a lot easterly of North Watuppa pond, almost opposite the pumping station, and the second lot southerly from the then Freetown line, and also a whole share, being the 25th in number, of the undivided Pocasset lands.

Ebenezer Brenton, Benjamin Church and Wm. Paybodie were the Committee of the General Court to receive the conveyance, and, when taken, title was held by them in trust for the Indians (see book 1, page 243). The friendly Indians of the Pocasset tribe, i. e. those who had served under the English in the Indian War, were settled upon these two lots, and

#### THE PROPRIETORS OF POCASSET

Captain Church was their guardian or trustee, receiving from the proprietors the later distributions of Pocasset funds for their benefit.

The Indians however were dissatisfied with their reservations, and later petitioned the Court that their holdings be consolidated (Mass. Archives, Vol. 31, p. 15) in order that they might have a common school and a common place for public worship. Their prayer was granted, and Capt. Church took over this share of Pocasset lands and in exchange granted them lands which he owned in the Freetown purchase,<sup>4</sup> and this is the story of the origin and establishment of the Indian Reservation in Copicut.

## William Manchester

William Manchester, the eighth and last of the Pocasset purchasers. came from Portsmouth. A William Manchester was admitted there as a freeman in 1675, but our William Manchester is described in the Pocasset deed as a resident of Puncatest so that he probably moved there when the war had ended. He owned five Pocasset shares, but sold three of them prior to the first division of lands, as only two (the third and fifth) of the great lots were assigned to him. Manchester also owned one share (a fifteenth) in the Puncatest lands, and he resided in Puncatest as late as July 1710.

In 1709 he was on the committee created by the Puncatest and Seconet proprietors to build a "water mill", probably a predecessor of the "Awashunk's" Mill now owned by J. Edward Newton.

Between May 20th, 1680 (the date of the grand deed) and April 11, 1681 (the date of the first division of lands) certain changes in ownership interests occurred, viz:

1. Job Almy sold a quarter share to Christopher Almy and a half share to Robert Hazard.<sup>5</sup> This left Christopher Almy as owner of four shares, Job Almy as owner of two, and Almy (Job) and Hazard as partners in a single share. Hazard was a Portsmouth man.

2. Nathaniel Thomas sold two shares to John Cook of Portsmouth. so that he remained the owner of three shares.

3. Daniel Wilcox sold one of his two shares to Jacob Mott. and

4. William Manchester sold three of his five shares, one to Edward

See deed Den). Church of Thereton to Jos. Dudley, Fresent Gov. of Province of Mass. Bay. "Lot No. 14 – (6 score acre lot) being part of his 2d and 3d great lots" "in Easterly part of Freetown – 1<sup>1</sup>/4 miles long and 64 rods wide," "bounded westerly on Great Watuppa Pond" Date Apr 4/1709 book 2 page 140. also deed Apr 4/1709 – book 2 p. 143. Joseph Dudley – to Benjamin Church.
<sup>5</sup> See deed Feb 17/1681 – book 2 p 437 – Fall River Copied Records.

<sup>&</sup>lt;sup>4</sup> See deed Benj. Church of Tiverton to Jos. Dudley, Present Gov. of Province of Mass. Bay.

Wanton, one to Gideon Freeborn and one to William Corey. These three men also were from Portsmouth.

In the first division —					J				•				,	
Edward Gray drew lots 1, 2, 4,	8,	12	, 15	5, 2	25,	26	an	nd (	30	•	•	•	•	9
William Manchester drew lots	3 а	nd	5	•	÷	•		•	•				•	2
Benjamin Church drew lot $6$ .														
Christopher Almy drew lots 7, 9,	, 17	an	d 2	8	. •	•	••	•	•		•		•	4
Daniel Wilcox drew lot 10 .	•		•	•	•		, • .		× •	•				1
Job Almy drew lots 11 and 18		•	•	÷.		•	•	۰.	•	•	•	· •	•.	2
Jacob Mott drew lot 13	•	•	•	•	•		. •	•	. •		•	<b>`</b> •	•.	1
Nathaniel Thomas drew lots 14,														
Gideon Freeborn drew lot 20	•	•	•	•		•	•	•	•	•		•	۰.	1
John Cook drew lots 16 and 19	•		•	•	•	•	•	. •	•	•	•		•	2
Edward Wanton drew lot 21	•	•	•	•			•	•				•	•	1
William Cory drew lot 22 .		e •	•	•	•	•	. •		•	•			•	1
Thomas Waite drew lot 23 .	•	•	•	•	•	•	•	•	•	•	•	•	•	1
Job Almy and Robert Hazard o	lre	w I	ot 2	4	•	•	•	•	•	•	•	•	•	1
				·									-	30

Each of the lots in this Division was bounded easterly by the Eight Rod Way (or Plymouth Avenue); westerly by the Bay, and northerly by the lot which bore the next lower number.

# Chapter XIII

## EARLY CONVEYANCES SKETCHES OF SOME OF THE FIRST SETTLERS LOT BOUNDARIES LOCAL BOUNDARY DISPUTES

### The Mill Lot

The Mill Lot was approximately thirty rods wide, and, bounded northerly by Bedford street, it extended one mile from the shore or nearly to the site of the Merchants Mill. It crossed Twelfth street from the easterly side and end of Eight Rod Way or Plymouth Avenue. Plymouth Avenue was laid out no further north than Pleasant Street. On the east the Mill lot abutted on the 29th lot of the Third Division which included the Flint village section.

The mill lot was never assigned to any particular proprietor, but was deemed to be held in common, in partnership, with thirty transferable shares or interests. In May 1688 the owners of about half of the shares (headed by Christopher Almy) signed a declaration that they "stood seized thereof in partnership with others" (book 1, page 275). The previous year nine shares (mostly Gray interests) were conveyed to Caleb Church of Watertown (book 1, page 275) and in August 1691 he conveved these (with others meanwhile acquired [see book 1, page 27]. 13<sup>1</sup>/<sub>2</sub> shares in all) to his brother Col. Benjamin Church. As illustrating the use to which the stream was then being put this deed recites conveyance of "the mill lot, 30 rods wide, with the river and the benefit of the stream, designed for the use of a mill or mills of what kind so ever, with the saw mill, ways, water-dams and flood gates." Col. Church owned one share in the beginning and he had bought Sam Gray's share from Constant Southworth in 1702 (see book 1, pages 391 and 399); another from Gershom Wordell (book 2, page 2): 1<sup>1</sup>/<sub>2</sub> from Job Almy (book 1, page 397) and 2½ more from Wilcox, Woodman and Cory (book 1, page 398).

and probably others by unrecorded deeds (see contra), and in 1707 (book 2. page 67) he conveyed all his mill shares to his son Constant Church "as part of his portion of my estate". (Constant also bought ½ a mill right from Sam and Mary Snell March 25, 1714, book 2, p. 541). The price at which these purchases were made was approximately three pounds for each share or thirtieth part. The Massachusetts colonial coins by act of June 10th, 1652 were to contain three quarters as much silver as the English sterling coins of the same denomination, — so that the entire mill lot was then valued at about three hundred dollars.

So far as the records show the water power was first improved by Col. Church in 1703 when he erected west of the main road a saw mill, a grist and fulling mill. These seem to have been operated by him and his son, with other partnership interests, till 1714, when the Church interests were sold to Richard Borden of Tiverton and to Joseph Borden of Freetown. These were the sons of John Borden. The 1714 purchase price was a thousand pounds, so that in seven years its value had more than trebled. In 1717 Joseph Borden died, and his estate conveyed its half part of the Church interests (viz:  $26\frac{1}{2}/30$ ths) to Richard Borden. (See book 3, p. 453). This sale was for five hundred pounds and the lot was said to contain 66 acres. Richard then acquired the other interests, (1) from Joseph and Stephen Brownell Feb. 12, 1720, book 3, p. 495. (2) the Hazard share, Aug. 11, 1718, book 3, p. 455, and (3) the share of Rebecca Cole, wife of Eph Cole, she as daughter of Edward Gray owning by inheritance the 15th great lot, Oct. 8, 172w, book 4, p. 97.

Richard Borden and John Borden were two brothers who came from England to Boston in 1635. John, the younger brother, finally settled in New London, Conn., but he was made freeman in Portsmouth in 1642, and was there till 1650: Richard, the elder brother, who was born in 1601 and died May 25th, 1671, settled in Portsmouth. He was Governor's Assistant (R. I.) in 1653; state treasurer 1653 to 1655, deputy from 1667 to 1670 and Colonial Commissioner for three years. In 1640 he sat as one of the jury in an action at law brought by one Holman against my ancestor John Phillips, upon claim that a mill built by Phillips for Holman did not "grind sufficient". The record is obliterated and does not show the result of the litigation.

Richard Borden had two sons, both born in Portsmouth, Matthew in 1638 and John in 1640. Both sons owned Pocasset lands, but John was the one who acquired the mill site, and in order to distinguish him from the other John Bordens he was known as John Borden of Quaker Hill. The mill lot at Fall River was owned by him and his two sons. Richard (born Oct. 24, 1671) and Joseph (born Dec. 3, 1680). Their mother was Mary Earl, and as they already owned lot No. 1 of the Freetown lands. this purchase completed their ownership to all the lands lying between Anawan and Cherry Streets, and westerly from Purchase street to the bay. John Borden (who died June 4. 1716) also owned between Bedford and Pleasant streets as far as lot 29 of the lots laid out as the Third Division (the 25 acre lots). Portions of the upper mill lot were sold at public auction in 1702 for the munificent sum of nine pounds eight shillings (about thirtysix dollars), when the mill partners contributed this land for sale in order to raise money for public purposes, including a burving ground and a training field. This 29th lot in the Third Division was combined in ownership with the Mill lot upland when Hannah the widow of James Tallman conveyed it to Richard Borden in May 1729 (See C. R. book 5 page 129). It had been originally assigned to Job Almy (in 1697, See book V. page 34), and his two sons (Anthony and Job) had sold it to James Tallman in 1709 and 1710 (See C. R. book 2, pages 178 and 251).

John Borden of Quaker Hill was in 1679 licensed as an innholder to sell victuals and drink in Portsmouth, under the usual bond and fee of ten shillings. He owned a wharf there, constructed under authority granted in 1682; he was deputy to the general assembly for four terms, and held the office of assessor, overseer of the poor, surveyor of cattle, selectman, and also served many times on coroner's and other juries. In 1687 he was arrested in connection with the international dispute over "Chessawanuck" or Hog Island, and was in that year appointed "to go to Boston to rightly inform his Excellency as to the affairs with Hog Island". In 1688 his Excellency, having commanded the town to appear in Boston to make their rights appear, Borden and seven others were appointed to formulate the town's answer, and in 1697 Borden's account of expense was duly audited and seven pounds sixteen shillings six pence, found to be his due, was ordered paid.

John Borden's historical prominence arises on account of the conference he had with Metacomet (Philip) at Bristol Ferry, just prior to the inception of the Indian war in 1676 (see 1st R. I. Soc. Col. Wars, p. 84). Borden and others met Philip in order to dissuade him from the hostilities which were threatening, and Philip's reported resumé of the indignities which his tribe was suffering, form the basis of the argument made by those who incline to recognize justice in his action. The story of this conference is supposed to be by Borden who was very anxious to avert the catastrophe. In religious belief he was a Quaker.

The first Great lot of the Pocasset Purchase was bounded westerly by the bay; easterly by Plymouth Avenue; northerly by the southerly line of Pleasant street, as far westerly as Troy street, and thence continuing westerly in a straight line to Anawan street, and instead of following the angle in that street to Pocasset street, continuing, in the same straight line, to the bay, crossing over the southerly end of Crab Pond; the southerly line of this lot was parallel to the northerly side and crossed South Main street at its junction with Rodman street. It then followed a line about 100 feet south of Columbia street and parallel with Columbia street to the bay. This lot was originally drawn by Edward Gray. After his death it passed to his daughter Susanna, who was born in 1668 and had married John Cole.

John and Susanna Cole joined in a deed (February 24, 1708, book 1, page 357) conveying this lot, for 245 pounds in New England money (about \$900.00) to Francis Brayton who was then described as a resident of Tiverton. In addition to conveying this great lot it conveyed all the other divided and undivided lands which appertained to the first share in the various divisions of the Pocasset purchase, but the mill lot and the ferry lot shares were excepted from the deed.

The Francis Brayton above referred to had been a resident of Portsmouth, R. I. where he held minor town offices in 1673, 1676, 1688 and 1695. He was the second Francis Brayton. He died in 1718. His heirs apparently failed to find the deed above referred to, and so secured from John and Susanna Cole a confirmatory deed to their ancestor, which bears date March 24, 1720/21 (book 1, page 371). This deed recites the fact that the grantee Francis Brayton was then deceased.

The larger part of the present generation of the local Brayton family is descended from Stephen Brayton,<sup>1</sup> Francis Jr.'s younger and only brother. Stephen and Francis had four sisters, the eldest (Mary) having married Joseph Davol of Newport. An interesting document relating to her separate property is recorded in the records of the town of Portsmouth, R. I. for 1671 (1st book, page 348).

The first Brayton ancestor was Lt. Francis Brayton. He was born in England in 1612, and died in Portsmouth, R. I. in 1692. His wife Mary died there during the same year. In patriotic service he was a member of

<sup>&</sup>lt;sup>1</sup> It seems that Stephen Brayton's wife's name was Ann Talman. After Brayton's death she married William Potter. See Portsmouth R. I. records Dec. 23/1693.

#### EARLY CONVEYANCES

the first troop of horse in the Colony of R. I. (August 10, 1667) and was mentioned as Lieutenant of the company on Oct. 25, 1671; he was accepted as an inhabitant of Portsmouth in 1643, and became a freeman there on Julv 10. 1648: he served in 1654 on a committee to meet a Newport commission to adjust land boundaries, and in 1656 he represented the town in requesting the indian sachems "on the mayne" not to allow their subjects to come onto the island "except as per order given"; he was a deputy to the Gen. Assembly of R. I. in 1671-'76-'79 and '84, but only one descendant, Hon. Charles R. Brayton, has qualified on account of his colonial service for membership in the Society of Colonial Wars. In 1674 he was on the committee to investigate the gualifications of applicants for Portsmouth citizenship. He performed many other public duties-, juryman (8 terms) : cattle viewer (4 years) : constable. and member of town council. In 1658. 1659 and 1661 he was ordered to conduct a search for illicit liquors landed in the town. From 1675 to 1679 he kept an "ordinary", (i. e. an Inn) for which he was duly licensed and put under bond. I have been able to find only five of his signatures, all of which were by mark or by a single or double initial. firmly written. - he may likely have been able to read. but his unfamiliarity with accounting was the occasion of a vote of town in 1670 requiring him to reimburse the town for half of the sum of two pounds - seventeen shillings - six pence (town money) which he had received and which was not proved by an ancient town audit to have been expended, - even though he affirmed that he had paid it but was not certain as to whom. He was one of those who was supplied in 1657 (by a seven year lease) with planting land on Hog Island, but did not participate in the intercolonial disputes with reference to the ownership of that island.

The second Pocasset great lot, bounded southerly by Division street and by a line which (running from Plymouth Avenue to the Bay) cut across Second, Third and Fourth streets at the angle in those streets a little south of Morgan street, was drawn by Edward Gray. Upon his death it passed to his youngest daughter Lydia who, with her husband Caleb Loring, conveyed it to Edward Gray, Jr. and Thomas Gray her brothers, by deed dated October 7, 1696 (book 1, page 144). The deed also conveyed the ninth house lot, a ferry share and all her undivided Puncatest lands.

Edward Gray, Jr. sold it to George Brownell of Portsmouth January 4, 1697 (book 1, page 199).

George Brownell was a prominent citizen of Portsmouth — he was admitted a citizen there in 1670 and held many town offices including town treasurer in 1697. He also was on several important committees including the committee to lease Hog island — 1680 — to build a water mill in 1682, to divide the common in 1686, auditor of the accounts of John Borden in 1693. He was still living in Portsmouth in 1715 but in 1722 the lot had passed to his two sons Joseph Brownell and Stephen Brownell, who sold it to John Borden and the latter sold to Benjamin Durfee.

The third Pocasset great lot, bounded northerly by Division Street to South Main, and easterly from South Main Street to Plymouth Avenue by a line which crossed Second Street at the angle in that street, was bounded southerly from Plymouth Avenue to the Bay by a line which passed through the South Park (including about two thirds of that in its area). It was drawn by William Manchester. He sold it in 1680 to Thomas Durfee and Matthew Borden, both of Portsmouth. There is no recorded deed but the new ownership was recognized in the Pocasset records. (There was no established registry of deeds in Bristol county till 1686, though some deeds were recorded in Bristol when it was a part of Massachusetts).

Thomas Durfee sold his half (the northerly half) to his son Benjamin Durfee Nov. 5, 1709 (book 2, page 183). Seven ninths of the other half passed from the heirs of Matthew Borden, viz: from Joseph Borden, a merchant; Abraham Borden, John Borden and Benjamin Borden, mariners; Ann Stoddard, a spinster, Ann Slocum and Sarah Lawton (the last two with Giles Slocum and William Lawton their husbands) to Benjamin Durfee in 1709. Another ninth went to said Benjamin Durfee from Sarah Hodgson, per John Borden her brother as attorney, her husband Robert Hodgson of Newport joining in the deed to Benjamin Durfee in 1720 (See book 3, page 562) at the price of one hundred pounds, and this half remained in the ownership of the Durfees for many years.

After some small conveyances the major portion of the northerly half of this third Pocasset great lot passed to Richard Durfee who died September 22, 1896. According to the probate records he left as children Frederick B. Durfee, Mary J. Winslow, John R. Durfee (who died unmarried in 1928), Harriet N. Durfee (who died unmarried in February of 1933); John R. Durfee left a will giving his share to Harriet N. Durfee which she will bequeath to Mary J. Winslow or her issue.

The fourth Pocasset great lot, bounded southerly from Plymouth Avenue to the Bay by a line which ran a little north of Sprague street, was drawn by Edward Gray, and after his death was conveyed by those who took in the division of his estate, viz: by Thomas Gray of Little Compton, Edward Gray of Tiverton and Samuel Bradbury of Duxbury, to John Pearce of Tiverton and Matthew Borden of Portsmouth (see deed of December 5, 1706, book 2, page 45). Borden was to have the north half and Pearce the south half, each with all the divided and undivided lands pertaining to his part of the fourth share. Matthew Borden's half passed to Benjamin Durfee in 1709 by the same deed which conveyed the third lot and he then became the owner of all the land in Fall River, lying between Rodman street and Oliver street, and extending from Plymouth Avenue to the Bay.

The first Durfee (Thomas Durfee) came from England in 1660 and settled in Portsmouth where he was admitted an inhabitant May 12, 1662: he was licensed to sell victuals and drink in 1679 and gave the usual bond. he was constable. held several town offices and was elected, December 22, 1694, a deputy to the General Assembly. He still lived in Portsmouth in 1709 for the above deed to "his son Benjamin, given in consideration of love and affection," bears that date. (He is said to have died in 1712 at the age of 70 years). (Benjamin had married Prudence Earle in 1699). The other children of Thomas Durfee were Robert. Thomas and William. Robert settled in 1686 on lot 10 of the Freeman's purchase. He had a son Thomas (wife Mary). Thomas Jr. was a farmer and cattle raiser in Portsmouth, was constable in 1696 and deputy to the general assembly in 1697. He had a son Job Durfee (born 1710) who married Elizabeth Chase, was made a freeman in 1731; he purchased from Joseph Cook lot No. 19 in the six score acre lots (2nd division) and he and his descendants lived there (on Stafford Road) for many years. William Durfee was a farmer and cattle raiser in Portsmouth. He had a son named Samuel, and they both owned Pocasset lands.

The fifth Pocasset great lot bounded southerly by a line running from Plymouth Avenue to the Bay and slightly north of Peckham Street, was drawn by William Manchester. I find deed of a quarter of this lot direct from William Manchester to John Pearce of Portsmouth (October 7, 1681, book 1, page 287) and also deed of a second quarter to the same John Pearce (December 30, 1681, book 1, page 286), this latter from Thomas Manchester who refers to an unrecorded deed from William Manchester. The other half apparently passed from Richard Ward and Mary Arnold (wife of Sion Arnold) to James Tallman, also of Portsmouth, October 29, 1714 (see book 2, pages 554 and 555).

The sixth Pocasset great lot, bounded southerly by a line midway between Globe and Slade streets, was drawn by Benjamin Church; he sold an undivided half to Richard Ward and Sion Allen (November 11, 1714, book 2, p. 552) and after the death of Church it was partitioned. The southerly half went to Thomas Church of Little Compton, and the northerly half to Richard Ward and Mary Allen, wife of Sion Allen of Newport. Thomas Church continued as owner for some years, but Ward and Allen sold (August 13, 1715, book 3, page 93) to William Tew of Tiverton. Tew owned until his death when his estate (Abigail Tew, widow, and Richard Tew, George Sisson and William Sanford, Executors and brothers) sold to Samuel Sherman of Swansea (April 2, 1720, book 3, pages 499 and 500).

The seventh Pocasset great lot bounded southerly by Dwelly street, and extending (as all other great lots) from Plymouth Avenue to the Bay, was drawn by Christopher Almy and was held by him as long as he lived. It was sold by his son Job Almy of Newport to Benjamin Durfee of Tiverton (October 11, 1713).

The eighth great lot lying between Dwelly street and Charles street, was allotted to Edward Gray, and upon his death fell to the share of his daughter Sarah, who was a daughter by his first marriage. Sarah married Samuel Little and they joined in conveying this lot, on June 9, 1698 to John Cook of Tiverton, mentioned as a son of Captain Thomas Cook of Portsmouth. (see Portsmouth records, Printed Vol. 1, p. 194). Other recorded deeds making conveyance of this lot in early times are as follows: John Cook to his son Thomas Cook January 12, 1707; George Cook to his brother John Cook April 6, 1717; George Cook to his brother Thomas Cook, April 6, 1717.

This and the ninth lot, also owned by the Cooks, butted on Cook Pond whence the pond derives its name.

The Cooks were prominent in Portsmouth. Both Thomas and John were Deputies to the general assembly, the former in 1664 and the latter in 1670. Thomas died in 1674 and John in 1691. John Jr. was admitted a freeman in Portsmouth in 1677.

The ninth great lot extended southerly from Charles street nearly to Howe street and originally fell by lot to Christopher Almy. He sold threefourths of it January 3, 1690 to John Cook. (book 1, page 459).

The other quarter passed from Job Almy to Caleb Arnold, from Arnold to William Coggeshall and was deeded by Coggeshall to John Cook, there described as John Cook, Jr., son (Jr. here meaning 2d, his uncle being also John), of the late Thomas Cook of Portsmouth (see deed of June 2, 1680, book 1, page 457). The north half was sold by John Cook

#### EARLY CONVEYANCES

to his son John, January 7, 1707 (book 2, page 87). It is difficult to distinguish the various John Cooks. The Pocasset Cooks apparently were not descended from the Plymouth family of the same name. The pilgrim family of John Cook was of Dartmouth.

The tenth great lot includes the location of the Charlton Mill and extended nearly to the junction of South Main street and Mt. Hope Avenue. It was originally drawn by Daniel Wilcox and was sold by him on April 4, 1692 (book 2, page 36) to Thomas Townsend. Upon the death of Job Almy, Townsend married his widow Mary. She was the Executrix of his will. Lot 10 was conveyed April 7, 1707, by John Cook to Thomas Cory.

They are said to have lived at this locality, and from them Townsend's Hill derives its name. In June 1713 (book 3, page 106) they conveyed half of this great lot to Samuel Snell and his wife Mary, — the latter was Mrs. Townsend's daughter.

The eleventh great lot, running well up Townsend's Hill, to a point just beyond Howland street, originally drawn by Job Almy, passed to his son John by will (see book 2, p. 36) and upon the death of John Almy to his two sons Anthony and Job. Anthony took the north half, which he conveyed October 4, 1709 (book 2, page 178) to James Talman of Portsmouth, and Job took the south half which he also conveyed to Talman on March 5, 1710 (see book 2, page 251).

This lot being shortened by the pond was made up on the east side of the pond, and this part was conveyed by Talman to John Cook (son of Captain Cook) April 24, 1717 (book 3, p. 263).

Talman was evidently a physician and the first we hear of in these parts (see Portsmouth records of March 31, 1690, where he was hired by the town to cure one Ellen Broomer at a charge of ten pounds).

The twelfth Pocasset great lot completes the list of the great lots which are within the present limits of Fall River. State Avenue (laid out from the Bay to Fish road) was the south boundary of this lot and was also the north bound of lot thirteen.

Lot 12 was originally (1681) drawn by Edward Gray and lot 13 fell to Sergt. Jacob Mott. Mott was a Portsmouth man and had been Deputy to the General Assembly in 1674. (His father Adam Mott had also been a Deputy). As Jacob Mott Jr. did not become a freeman till 1683, the Senior of that name must have been the first owner of this lot.

There are no conveyances of record from Jacob Mott or to Lawton covering either of these two lots, — but the change of ownership is recognized in the Pocasset records. In 1707 Gershom Wordell conveyed (Book 2, page 84) to "his cousin" George Lawton of Portsmouth the whole of lot 13 and the south half of lot 12. Apparently George Lawton already owned the north half of lot 12 for he sold it February 24, 1735 (book 5, page 400) to Benjamin Durfee, and all the other deeds refer to this north half as belonging to Lawton.

Lawton sold 13 and the south half of 12 in 1709 (book 3, page 209) to "Uncle" Gershom Wordell. Wordell sold the same lot and a half to Thomas Cory (also of Portsmouth) on April 17, 1820 (book 3, page 513) and Thomas Cory conveyed to "his son" William a quarter part of lot 13 (book 3, page 517). These deeds "except" a "burying place" located in lot 13, calling it three rods square, and locating it "in the orchard".

The Lawton family was prominent in the early history of Portsmouth. We have seen that both George Lawton and his brother Thomas were original signers of the Portsmouth declaration in 1639. George Lawton was granted 50 acres of land in January 1648 "near the land of his brother Thomas", but the grant was not to be effective till he had built a sufficient mill at Mr. Boston's farm. This lot extended to the hunting swamp but when he had built his house there in 1671 it was found to encroach upon the common, and upon his petition for relief the town exchanged lands with him. In 1672 the town was indicted in the General Court of Trials for deficiency of the bridge on the common near George Lawton's house. and the town "conceived" that the difficulty arose because Lawton maintained a dam there (the location of this was at what is now called Lawton's valley on the West Main road in the southerly part of the town). The town voted that Lawton ought to maintain the bridge, but the committee sent to notify him returned with an unsatisfactory reply, and was sent again "with insistence".

Gossip was then, as now, ripe in Portsmouth, and in 1657 the town appointed a committee to speak to the wives of three prominent citizens (Mrs. Lawton being one) "to give them the best advice and warning for their own peace and the peace of the place".

Lawton was receiver of taxes, deputy to the general Court for nine terms and assistant governor in 1681. He was also an assessor, moderator and much more. He was Auditor of the Town treasurer's accounts, appointed July 4, 1697. His descendants have acted as public and private auditors since that time.

In June 1748 an unusual record appears (Portsmouth Vol. 1, p. 322) when a certain earmark for cattle was given to Robert Lawton, viz: that the same earmark had been in 1667 assigned to his great grandfather

George Lawton, having then been in use by him for 26 years; that the same mark was afterwards assigned to Robert Lawton, his son, and after that to George Lawton the son of Robert, and again on the date of entry to Robert the great grandson. The mark was a "fork" on the right ear and a "half penny" under the same, and had then been assigned to the family for 108 years.

In 1693 a George Lawton of Portsmouth bought the house on the fifth lot of the freemen's purchase. (See book 1, p. 122.)

# In Memoriam

# Philip D. Borden

Investigations of the division of the Pocasset and Freetown lands in Fall River, cannot be complete, or even just, unless credit and acknowledgment is given to the study, records and plans made by and under the direction of Philip D. Borden. His indefatigable energy, and his conscientious work while acting as City Engineer of our city has not only rendered the work of the succeeding student easier, but has preserved, from bounds and monuments then existing and which have since been mutilated or destroyed, valuable data which would otherwise have been lost and this delicate work was not done merely in the fulfillment of his duty, but far and beyond that because of his interest in the work.



# Chapter XIV

## BOUNDARY DISPUTES

# Local Disputes

Disputes with reference to the boundary line between Pocasset and Freetown still persisted and on September 8, 1697 it again reached the General Court (this time of Massachusetts Bay) on petition of sundry Freetown men, and the Court appointed Thomas Leonard, an attorney, to act with two men selected by Freetown and two by Tiverton to run and state the town boundaries and to report at the next session, and they accordingly reported that they "had run the line, found the ancient bounds and saw no reason to alter the same but rather to ratify and confirm the same". The line was again established as "running from the cleft rock on the easterly side of the country road, near fall river, and ranging southwest by west to the river at the westerly side of the country road, and from thence the river to be the bounds to Taunton river, and from the rock ranging East southeast four miles into the woods unto a heap of stones with several trees marked about it, and from said heap of stones northeast by north one degree northerly unto a stone set in the ground, with other stones about it, being the head of the four mile line from Stacy's creek, said range to extend until it meet with Middlebury town bounds".

We find still another record under date of January 18, 1710 in the Pocasset book, viz: that "whereas some claim land north of Fall River below the county road, this is to inform whom it may concern that we never understood, neither by ourselves or otherwise by our predecessors, that we had any right or title to any land there, inasmuch as Freemen's grant and deed bounds on the falls and we on their bounds".

There were many and continuous disputes over other boundary lines. When the 50 acre lots were laid out Gershom Wordell, who drew the first lot in North Westport next to the Freetown line, secured an extra allotment from the proprietors under claim that the surveyors had erred in their lines, and that the Freetown land encroached upon the lot as assigned to him, this denying him a full share. After the satisfaction of this claim Wordell convinced the Freetown men that their line was even further north than the Pocasset survey showed, so that Wordell in the end secured a double share.

Earlier in that same year (1700) it was found necessary to settle a disputed boundary line with Middleboro and with Dartmouth, and in 1704 a similar dispute arose over the boundary line with Rochester, and this dispute after pending for several years, finally reached the Courts and resulted in the "cutting off" of some of the 36 Acre lots. This made a resurvey necessary, because in March 1721 the proprietors had ordered a sale by public auction of the land lying between the 36 Acre lots and the Middleboro line. This appears to have been the only sale at auction of Pocasset lands.

In 1709 two controversies were pending before the Massachusetts General Assembly, the Proprietors of Pocasset having petitioned the Court that all their lands be made a part of the town of Tiverton, and the proprietors of the Laythrop and Thompson purchase praying that a portion be annexed to Rochester.

On June 6, 1710 the Council of Massachusetts Bay, in concurrence with the House of Representatives, ordered that the remaining part of the lands called Pocasset Purchase, and not included in the town of Tiverton, be placed under the constablewick of Tiverton and within the County of Bristol, until the Court shall otherwise order.

There was considerable difficulty over the use of the highways for private purposes, and it was quite usual to rent them for a yearly compensation. In 1702 this same Gershom Wordell leased State Avenue from Cook Pond to the sea for 7 years at 13 shillings a year, he to "keep gates or bars for passengers, droves and carriages to pass". This lease was hotly contested at the proprietor's meeting, but Wordell "had the votes". He was a Portsmouth man, a member of the town council there in 1669. His daughter Mary married Robert Lawton of Portsmouth February 16, 1681.

## The Massachusetts-Rhode Island Boundary

The Colony of Plymouth was founded without a Royal Charter. It was governed under the "compact" which the male passengers signed before landing, until the Warwick sub-patent of 1630 purported to extend its territory to correspond with the boundaries of the Pokonoket Indian nation, i. e. to the Sakonet River, to Narragansett Bay and by the Providence River as far as Blackstone. Although Plymouth men were assiduous in seeking a Royal Charter, the fates seemed to be ever against them. They had little political influence and no financial backing. They were not of the Established Church nor were they clever in diplomacy. They were not in favor with the Governors established by the Crown on Massachusetts Bay.

Roger Williams had a charter from the Earl of Warwick in 1643, and Rhode Island was able to secure a Royal Charter from Charles II in 1663. This latter charter covered a region easterly and northerly of Narragansett Bay, and there it overlapped the sub-patent land under which Plymouth was maintaining jurisdiction. Plymouth Colony from time to time purchased from the Indians all the territory included within the limits of lands which it claimed, except Warren, Mount Hope and the Pocasset country, the latter including Fall River. These unpurchased lands continued to be occupied by the Indians and were not in the possession of the colonists until after the Indian war. These lands were then taken by conquest and not by purchase. Many of them were sold to cover the cost of the war.

When news of the granting of the Rhode Island Royal Charter reached Plymouth, that colony took prompt action. The General Court, on June 8, 1664 (see Colonial records book IV, page 62) passed a resolution "to maintain their just rights, which for many years they have been possessed of, in all those lands from Cape Cod to Sakonet Point, with Pocasset (Tiverton) Causumset (Bristol) and the lands about Rehoboth (East Providence) to Pawtucket river, and so far up the said river till we meet the Massachusetts line." Plymouth Colony continued to hold possession of these disputed lands until it was merged with Massachusetts in 1691. After that Massachusetts continued in possession till 1746.

Neither patents or charters were of much value as against Kings and potentates, and while the Indian war was reducing the colonists to poverty, the Privy Council in England was attacking the authority exercised by Massachusetts, especially as to the activities concerning the Georges and Mason lands in New Hampshire and Maine. In April 1678, the Privy Council directed the Solicitor General to report whether the people of Massachusetts "had any legal charter at all". In May the crown lawyers suggested that the Lord Chief Justice should be asked for an opinion as to the validity of the charter, whereupon their lordships recommended that a "quo warranto" be brought against the charter (Palfreys N. E. Vol. II, p. 220). After much intervening and wrangling between factional parties, the Colony was (in June 1683) summoned before the Court of King's Bench In London, at the instance of King Charles II on a writ of quo warranto, to defend its political existence. The Proceeding was thereafter transferred to the Court of Chancery (apparently without the knowledge of the Colony) and that Court on June 21, 1684 entered a decree vacating the charter, with reservation that the judgment might be set aside on motion. When in October of that year, counsel for the colony moved "in arrest of judgment" for that they had had no notice of the pendency of the action in that court, and so had not been represented, their motion was denied for that "corporations ought always to have their attorney in Court".

Before the Crown had arranged for a change in the form of government for Massachusetts, (the "subjugated" colony), King Charles died, and in February of 1685 James II ascended the throne. In July 1685 this King ordered a similar writ to be prepared against Rhode Island, and this last writ was served in 1686. Instead of contesting the matter as did Massachusetts, Rhode Island resorted to "humble addresses", by which I mean evasive platitudes, and three such were written urging the King to continue their charter. I find no record that a judicial decree was ever entered to nullify the Rhode Island Charter; yet Rhode Island actually surrendered the charter to Governor Andros upon his demand and its submission had the effect of including Rhode Island in his Commission, (Palfrey, 334), yet even during the balance of the reign of King James II, when the colonies were under a single governor, viz. on July 24, 1687, John Borden was arrested in connection with the Hog Island controversy, (i. e. as to whether that island was a part of Bristol or Portsmouth), and Rhode Island appointed Major John Albro to go to Boston with him and "rightly inform" the Governor. Upon public notice of his Excellency's command that the inhabitants of Portsmouth make their rights appear in Boston on March 14, 1688, eight persons were chosen to draw an answer and Christopher Almy and John Borden were nominated to go to Boston and make the Portsmouth "claims and rights appear". (Almy and Borden were the ancestors of the families of the same names, now living in Fall River).

Their Majesties William and Mary, on October 7, 1691, executed a Royal Charter uniting Plymouth with Massachusetts Bay, and the south limits of the new colony were set as extending "to the south sea or westward as far as our colony of Rhode Island". Inasmuch as the Rhode Island charter had never been legally abrogated, and its limits had been set as overlapping the Plymouth line, the old boundary line question was renewed upon a petition by Rhode Island to the king.

In 1740, George II, King of Great Britain, appointed Commissioners to hear and determine the existing dispute. They met in Providence, and made an award under which the Rhode Island claim was allowed and in 1746, the award was approved by the King. The jurisdiction of Massachusetts was then cut off from Narragansett Bay. Tiverton, Little Compton, Bristol, Cumberland, Barrington and Warren were added to Rhode Island. The Colony of Rhode Island immediately ran the lines, but as the Massachusetts legislature was not in session, it could not then join in the survey. Later it was found that the Rhode Island commissioners had encroached on Massachusetts from one quarter to three quarters of a mile, due to the fact that instead of measuring from headland to headland on the bay, they had followed the curving shoreline.

The boundary question remained a vital issue (but dormant) from 1746 to 1844, at which time six commissioners were appointed (three from each state) and they filed varying reports to the legislatures on January 13, 1848. Thereupon, this agitated question of nearly two hundred years came before the Massachusetts Legislature on a petition of the City of Fall River which was presented by Orin Fowler, Foster Hooper and Phineas W. Leland (its committee) and the details of these proceedings, I shall state in Mr. Fowler's own words.

"In their award of 1741, the King's commissioners gave special directions in regard to the points from which measurements were to be made in finding and marking the true boundary. These directions all subsequent commissioners professed to follow; but the petitioners of Fall River claimed that they had not done so in respect (among other points) to one mentioned in the King's award as a certain point four hundred and forty rods to the southward of the mouth of Fall River, from which a line was to be **run** three miles toward the east, forming the northerly boundary of that part of Rhode Island.

"In measuring this 440 rods, the ex parte commissioners of 1746 measured round a cove or inlet, and followed the sinuosities of the shore until they reached a point from a quarter to a half mile farther north than if the same distance had been measured in a straight line. From this point they extended a three mile line running it through the village of Fall River, and the boundary thus established has since remained unchanged.

"The Fall River petitioners claimed, and gave reason for such claim, that George II, in his decision of 1746, designed that the point from which to run the three mile line should be 440 rods in a direct line from the mouth of the Fall River. They showed that in making these measurements as they had, the Rhode Island commissioners added to their State a thickly settled territory, with about fifteen hundred inhabitants, and a taxable property valued at nearly half a million of dollars; when if the measurements had been in straight lines, not only would the designs of George II and his commissioners have been carried out, but Fall River would have been brought within the bounds of one State, with no danger of its thickly settled territory being again placed under a divided jurisdiction.

"In consequence of facts and arguments presented by the Fall River petitioners, The Massachusetts legislature refused to ratify the decision of their commissioners. Soon after, in 1852, the two States filed bills of equity, thus transferring the question under dispute to the Supreme Court, agreeing to conform to whatever decision it made.

"In 1860 the Supreme Court appointed engineers, with instructions to measure and mark a described line. This line in 1861 was established by the decree of that Court, as a true boundary between the two States, this decree to take effect in March, 1862. In its decision, the Court granted the full claim of neither State. Not professing to run the line in accordance with the decision of the King's commissioners of 1741, it placed it so as to give, as far as possible, an undivided jurisdiction to densely populated districts — as Fall River and Pawtucket, — without infringing upon the rights of either party."

[The line of 1746, as run by the Rhode Island surveyors, was at the "old button-wood tree", on the east side of South Main Street a little south of Columbia Street. When the line was moved in 1862 it was (where it now is), at State Avenue atop "Townsend's Hill". The legislatures of both Massachusetts and Rhode Island passed acts relating to the new jurisdictions.]

#### A QUAKER LOVE STORY

# Appendix

While the writer has endeavored to record facts impartially, he was primarily induced to study the early history of Plymouth colony because of his descent from many of the Pilgrim forefathers.

The Quaker love-story, included in this appendix, is rather exclusively a family affair, and *no person* is there mentioned by *name* who is not an ancestor of the writer. The facts there stated are historically accurate and are matters of public record.

One should know and study the quality, works and deeds of his forebears, in order that, having before him the picture of their deeds, he may realize his own inferiority, when in easier living conditions, improved surroundings and enlarged educational advantages he may fail to equal their achievements and worth.

# A QUAKER LOVE STORY

Perhaps I am not justified in using this story in connection with a history of Fall River. The facts contained in it, however, show the extent of Quaker persecutions in Plymouth Colony. Quakers were encouraged in Rhode Island, discouraged in Plymouth and persecuted in Massachusetts Bay. In Plymouth Colony Quakers often made themselves nuisances and acts with reference to them were in abatement of the nuisance. The facts named in this chapter indicate about what might usually be expected if their activities were displeasing.

My real object, however, in publishing this story is because of its personal interest to me; I want to preserve it; it is a part of my family history. (References are to Plymouth Colony printed records.) There is no one who is mentioned in it by name, whether government official, church official or Quaker, who is not an ancestor of mine. Persons whom I have felt compelled to refer to and who are not my direct ancestors I have referred to inferentially only.

In 1657, the year when Quakers first appeared in New England, Thomas Prence was Governor of Plymouth colony and he continued to hold that office, which then combined the duties of Chief Justice, Minister of Foreign Affairs, Speaker of the General Court and Auditor of the Treasury till 1673, the year of his death. Prence came to Plymouth in 1621, married first a daughter of the elder of the Pilgrim church, and secondly Mary, the daughter of William Collier. In the division of colony lands Prence (as an Adventurer) became the owner of a large part of Warren, R. I. where he had a trading post. His father-in-law (Collier) was a Governor's Assistant, had been a merchant in London where he became one of the Adventurers to finance the colony, and was deemed the richest man in the colony (Goodwin, p. 456). Collier and Prence both lived in Duxbury.

Goodwin says (p. 434) that Prence was just the man, as to dignity, wealth and orthodox zeal, to represent the colony in its foreign relations and to be acceptable to the dominant bigotry of the leaders in Boston. His recorded obituary (Vol. VIII, p. 34) reads "he was a worthy gentleman, very pious and very able for his office and faithful in the discharge thereof, studious of peace, a welwiller to all that feared God and a terror to the wicked."

My story relates particularly to the Governor's daughter Elizabeth, his third daughter by the Collier marriage.

The Pilgrim church was for many years under the guidance of Elder Thomas Cushman and his wife Mary. Thomas Cushman came to Plymouth with his father Robert in the same ship as Thomas Prence (The Fortune). He married Mary Allerton, the daughter of Isaac Allerton and Mary Allerton. All three Allertons came in the Mayflower, and Mrs. Cushman lived to be the last survivor of the Mayflower passengers. For over forty years, and until his death in office in 1691, she assisted the elder in supervising the activities of the Pilgrim church.

Every able person in the colony attended church. We haven't a very accurate description of the church service, but it is said that a question was "propounded", and that the pastor then briefly "expounded", after which the elder and others gave their views. The Geneva Bible was read, with a running comment, and psalms were sung. Then someone reminded the people of the duty of giving, whereupon the leaders went to the deacons' seat and deposited their gift, the others following in order. It was a long service, with youths and maidens on separate sides of the church, and it was on the walks to and from the church that the young people met and waited for one another, and many eyes also met others as romantic as theirs during the weary and tiresome preachings (pro and ex). You would expect the unusual daughter of an unusual man who was strict and stern, to do many things which elder wise sober eyes failed to see, — and such a daughter in such a church was Elizabeth Prence.

In far away Marshfield, at its extremist limit, lived Arthur Howland. He had five daughters and a single son, his name-sake. He had a farm of 50 acres near the north river and Scituate line, and while he was from a leading family (his brother came in the Mayflower) he was one of the poorest men in the colony. He had a cow, which was then rather a rarity, but I imagine that five girls were then quite a liability, with only one boy to help, and besides that he was a so-called liberal, i. e. he pondered more on religious matters than most men of his time and was rather moderate in his activities; in short he and his brothers were all supposed to lean toward Quakerism.

In December 1657, almost as soon as Quakers were heard of, but after they had become obnoxious to Prence and the leading churchmen, Arthur Howland was complained of (Vol. III, p. 125) for entertaining a foreign Quaker and suffering and inviting others to hear him. John Phillips, the then constable of Marshfield, went to the Howland home to serve a warrant upon Howland, and finding the preacher there, attempted to arrest him, which Howland would not allow, and (others refusing to assist the constable) the Quaker escaped. When brought to court several fines were imposed on Howland and he was required to furnish a bond, but this he refused to do and was committed. Then he wrote an indignant protest to the Court concerning its attitude towards the Quakers on account of which he was further fined for contempt of Court, yet later, upon acknowledgment of error, his fine was remitted "on account of his age and infirmities".

In 1659 he and his wife were fined for being unduly absent from public service, and in 1669 he neglected to pay his ministry tax, but this was also excused "in respect to his age and his low estate".

Now in spite of all this family divergence Elizabeth Prence and young Arthur had met: we don't know how or when, but we do know that mutual sympathy existed and that the Governor didn't know of it, yet that stern man who was a terror to evil doers found it out at a rather advanced period and invoked the aid of the law, for there was a law of many vears standing that persons unfit for marriage on account of their young years and weak estates must not inveigle men's daughters into marriage without their consent. The Governor was quick to act and Arthur was surely young and of very weak estate, and so he was arrested and brought before the court for inveigling and making motion of marriage to Mistress Elizabeth Prence without the consent of her parents and contrary to their liking, and he was before the Court not once but on three different occasions and was fined. and was placed under bond of one hundred pounds, and finally in July 1667 was compelled to solemnly engage before the Court that he "would wholly desist and never thereafter apply himself in the future to Mistress Elizabeth Prence with reference to marriage".

I suppose there must have been a previous understanding, and that it was easier thereafter to promise no future "application", for although there is no record that the bond was forfeited, it does appear that Elizabeth and Arthur were married before another year had passed, and in due course there was a son named for the Governor and another Arthur Howland [the 3d]. The second Arthur prospered and held many important offices in the colony and seems to have concluded that Quakerism and an early weak estate, as well as paternal opposition, can be overcome and furnish no bar to later success and happiness. We do not learn that Elizabeth ever regretted her persistence.

Note: An interesting letter written by Arthur Howland and Elizabeth Howland, dated April 6, 1684 detailing their sufferings, is deemed of sufficient importance to become a part of the current Tercentenary History of Marshfield. It is lithographed at pages 39 to 41 incl.

#### FREEMEN'S DEED

## FREEMEN'S DEED

Be it Known unto all men by these presents that whereas his Mai.<sup>tis</sup> Generall Court held at New plimouth the third Day of July Anno Dom 1656 Did Grant unto Sundry of the Antient ffreemen of this Jurisdictio viz: to Capt. James Cudworth Josiah winslow Sen<sup>e</sup> Constant Southworth & John Barns in behalfe of themselves and other of the ffreemen of that standing in the Townes of plimouth Duxberry Scittuate & marshfeild whose Names are upon Record, Certain Tracts of land hereafter in these presents Mentioned viz: all the uplands and meadows Lyeing & being on the East Side of Taunton River, from assonate Neck to Quuquechan allias the place Commonly Called by the Name of the ffalls and so extending into the woods four miles and Bounded Northerly by ve Bound line of the Town of Taunton and Southerly by the line at the s<sup>d</sup> ffalls which is the Bounds between it and the lands of Pocasset & Bounded Easterly by a strait Head line, which Rangesth from the said Bounds of Taunton at the four miles and affores<sup>d</sup>, unto the Head of s<sup>d</sup> line at ye ffalls And allso all those Meadow lands which lye between Sippican Bounds and the Purchasers Grant, or Eastermost Bounds of Cushena alias Dartmouth: Excepting all former grant or grants within the abovesaid premises Know yee therefore that I Thomas Hinckley Govern<sup>e</sup> of his Majesties Collony afores<sup>d</sup> for o<sup>e</sup> Sovereigne Lord the King by Vertue of the power Comitted to me as well by an Act & order made by william Bradford & his assotiats Assembled in Court Anno Dom: one thousand Six hundred thirty & Six, as by after Acts & orders of Court Since Made, ffor the more ffull assurance and absolute Confirmation of all the said lands with all & Singular the appurces belonging or any wise apperteining as to other Grants of Court hath been accostomed, according to the known approved and accostomed Boundares of ye said lands both uplands & Meadows, unto the said James Cudworth Josiah winslow Constant Southworth & all others the above mentioned ffreemen their & every of their heires & assignes forever, According to their Respective Rights and propriettyes therein To be holden of His Majestie his heires & Successors, as of his Manne: of East Greenwicth in ye County of Kent in the Realme of England in free & Common Soccage & not in Capitie Nor by Knights Service, Yeilding & paying to our said Sovereign Lord the King his heires & Successors, one fifth part of the Oare of gold & Silver and one other fifth part to the president and Council according to the form & Tenure of our grant, Granted in our Charter or pattents Have hereunto affixed the Common Seale of the Government

Given the tenth Day of June Anno Dom one thousand Six hundred Eightty & Six Annoque-RR<sup>s</sup>.

Jacobi Secundi Secondo x <sup>te</sup>.

# Tho: Hinckley Govern<sup>e</sup>

The seale of Plimouth Colloney in N. E.

# Recorded June 19th 1696 by Jno. Cary Recorder

## THE POCASSET GRAND DEED

To all, to whom these presents shall come, Josiah Winslow, Esq. Governor of the colony of New Plymouth, Major William Bradford, treasurer of the said colony, Mr. Thomas Hinkley and James Cudworth, assistants to the said Governor, send Greeting.

Whereas we the said Governor, Treasurer, Thomas Hinkley and James Cudworth or any two of us by virtue of an order of the General Court of the Colony aforesaid bearing date November 1678 are empowered in the said colony's behalf to make saile of certain lands belonging to the colony aforesaid and to make and seale deeds for the confirmation of the same, as by the said order remaining on record in the said Court roles more at large appeareth,

Now Know Ye that wee the said Governor, Treasurer, Thomas Hinkley and James Cudworth, as agents and in the behalf of the said Collony have and in consideration of one thousand one hundred pounds in lawful money of New England to us in hand before the ensealing and delivery of these presents well and truly paid by Edward Gray of Plymouth in the collony aforesaid. Nathaniel Thomas of Marshfield in the collony aforesaid. Benjamin Church of Puncatest in the collony aforesaid, Christopher Almy, Job Almy and Thomas Waite of Portsmouth in the Collony of Rhode Island and Providence Plantations, Daniel Wilcox of Puncatest and William Manchester of Puncatest in the colony of New Plymouth aforesaid, with which said sum we the said agents do acknowledge to be fully satisfied and contented and paid, and thereof doe acquit and discharge said Edward Gray, Nathaniel Thomas, Benjamin Church, Christopher Almy, Job Almy, Thomas Waite, Daniel Wilcox and William Manchester. their. either and every of their heires, executors, administrators and assigns forever. by these presents have given, granted, bargained, sould. aliened. enfoefed and confirmed and by these presents, we as and

for the said collony of New Plymouth doe fully, freely and absolutely give, grant, bargain, sell, alien, enfoef and confirm unto the said Edward Gray, Nathaniel Thomas, Benjamin Church, Christopher Almy, Job Almy, Thomas Waite, Daniel Wilcox and William Manchester, all those lands sittuate, lyinge and being at Pocassett and places adjacent in the Collony of New Plimouth aforesaid, and is bounded as followeth, viz:

Northwards and eastwards by the freemans lotts near the Fall River, westward by the bay or sound that runnetth between the said lands and Rhode Island, southward partly by Succonet bounds and partly by Dartmouth bounds, and northward and eastward up into the woods till it meets with the lands formerly granted by the Court to other men and legally obtained by them from the Natives, not extending farther than Middlebury Town bounds and Quitquiessett Ponds (only excepting and reserving out of this bargain and saile, one hundred Acres of land granted and laid out to Capt. Roger Goulding and one hundred acres of land granted and laid out to David and Thomas Lake and the lands of Right appertaining to Puncatest Purchase and the lands formerly granted by the Court of Plymouth to Capt. Richard Morris.)

To have and to hold all the above mentioned and bounded lands with all and singular the woods, waters, coves, creeks, ponds, brooks, benefits, profits, privileges and heraditaments whatsoever in before arising, accrueing belonging or thereunto anyways appertaining or to any part or parcell thereof, to them, the said Edward Grev, Nathaniel Thomas, Benjamin Church, Christopher Almy, Job Almy, Thomas Waite, Daniel Wilcox, William Manchester, them and every of them, their and every of their heires and assigns forever (that is to say) to the said Edward Grev nine shares or thirtieth parts of the said lands, to him, his heirs and assigns forever; to the said Nathaniel Thomas five shares or thirtieth parts of the said lands, to him and his heirs and assigns forever; to the said Christopher Almy three and three quarters of one shares or thirtieth parts of the said lands to him and his heirs and assigns forever; to the said Job Almy three and one quarter shares or thirtieth parts of said lands to him and his heirs and assigns forever; to Thomas Waite one share or thirtieth part of said lands to him and his heirs and assigns forever: to the said Daniel Wilcox two shares or thirtieth parts of said lands, to him and his heirs and assigns forever: and to the said William Manchester five shares or thirtieth parts of said lands. to him and his heirs and assigns forever.

And Wee the said Governor, Treasurer, Thomas Hinkley and James Cudworth, for us as agents of the said Collony of New Plimouth, for the successive Governor and treasurer thereof, to And with the said Edward Gray, Nathaniel Thomas, Benjamin Church, Christopher Almy, Job Almy, Thomas Waite, Daniel Wilcox, William Manchester, and Every of them, their and every of their heirs, executors, Administrators and Assigns, Doe promise, covenant and grant in manner and form following:

That is to say That wee the said Agents have full power and lawful Authority to bargain, sell and confirm all and singular the above granted and bargained premises and thereof to make a pure and perfect estate of Inheritance in fee simple in manner and form above expressed and that the said lands, every part and parcel thereof at the time of the ensealing and delivery of these presents is free and cleare and freely and clearly acquitted of and from all other and former gifts, grants, bargains, sales, titles, troubles, charges and incumbrances whatsoever and that Wee the said Governor. Treasurer, Thomas Hinkley and James Cudworth and the successive governor, governments, and Treasurer of the Collony of New Plimouth aforesaid to the said Edward Gray, Nathaniel Thomas, Benjamin Church, Christopher Almy, Job Almy, Thomas Waite, Daniel Wilcox, William Manchester, their and every of them, their and every of their heires and Assigns shall and will Warrant all and singular the above granted and bargained Premises and every Part and Parcell thereof from all lawful claims and forever confirm the same by these presents.

In Witness Whereof we the said Governor, Thomas Hinkley and James Cudworth have hereunto set our hands and the publique seel of the said Colony of New Plimouth the fifth day of March in the year of our Lord one thousand six hundred and seventy-80 and in the thirty-second year of the reigne of our Sovraine Lord Charles the Second, by the grace of God of England, Scotland, France and Ireland King Defender of the Faith. & c.

Signed, Sealed and Delivered	
in the presence of us	Josiah Winslow, Governor L. S.
John Freeman	Will Bradford, Treasurer
Daniel Smith	Thomas J. Hinckley Assistant

I. Treasurer incklev Assistant James Cudworth Assistant

The Instrument we owned and acknowledged by Josiah Winslow, Esg. Governor, William Bradford, Thomas Hinkley, James Cudworth March 6, 1679/90, before me

John Alden. Assistant.

On the twentieth day of May 1680 I Joseph Church of Succonit in the Collony of New Plimouth by Virtue of a letter of Attorney from the within named Josiah Winslow, William Bradford Thomas Hinkley and James Cudworth, sealed with the Publique Seale of the said Collony, Did enter into the within mentioned Land by this within written Deed, sold to the within named feofees, and thereof quiet and Peaceable Possession did take and after quite and peaceable possession had and taken together with this Deed, Did deliver quiet and Peaceable Possession of the land contained and mentioned to be sold by the within Instrument, unto the within-named Edward Gray, Nathaniel Thomas, Benjamin Church, Christopher Almy, Job Almy, Thomas Waite, Daniel Wilcox, William Manchester,

To have and hold according to the form and effect of this within written Instrument.

In Witness Whereof I the said Joseph Church have hereunto sett my hand.

#### Joseph Church

The within-mentioned and bounded land was delivered to the written endorsement. Signed in the presence of us

> John X Briggs his mark Thomas X Purdane "" Ephem Allen Samuel X Brigs his mark

This Deed is recorded according to order by

Nathaniel Whorton

the court for the jurisdiction of New Plimouth, the third Book of Evidence of Land Records Folio 24 Bristol SC Received Dec. 4th, 19th, 1723 and this Instrument is recorded in the 15th book of Records for Bristol County folio 149, 150, 151

> By Samuel Howland Register



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