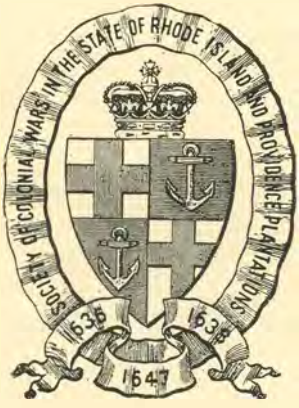
The Early Bounds and Divisions of the Township of East Greenwich


SOCIETY OF COLONIAL WARS IN THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
1636
1638
1647

NOTES AND QUERIES

CONCERNING

THE EARLY BOUNDS AND DIVISIONS

OF THE

TOWNSHIP OF EAST GREENWICH

AS SET FORTH IN

WILLIAM HALL'S PLAT, 1716

by

WILLIAM DAVIS MILLER, Esquire

ISSUED at the Annual Court of the SOCIETY OF COLONIAL WARS in the State of Rhode Island and Providence Plantations

by its

Governor, HARRY PARSONS CROSS, Esquire

and the

COUNCIL OF THE SOCIETY

DECEMBER 30, 1937

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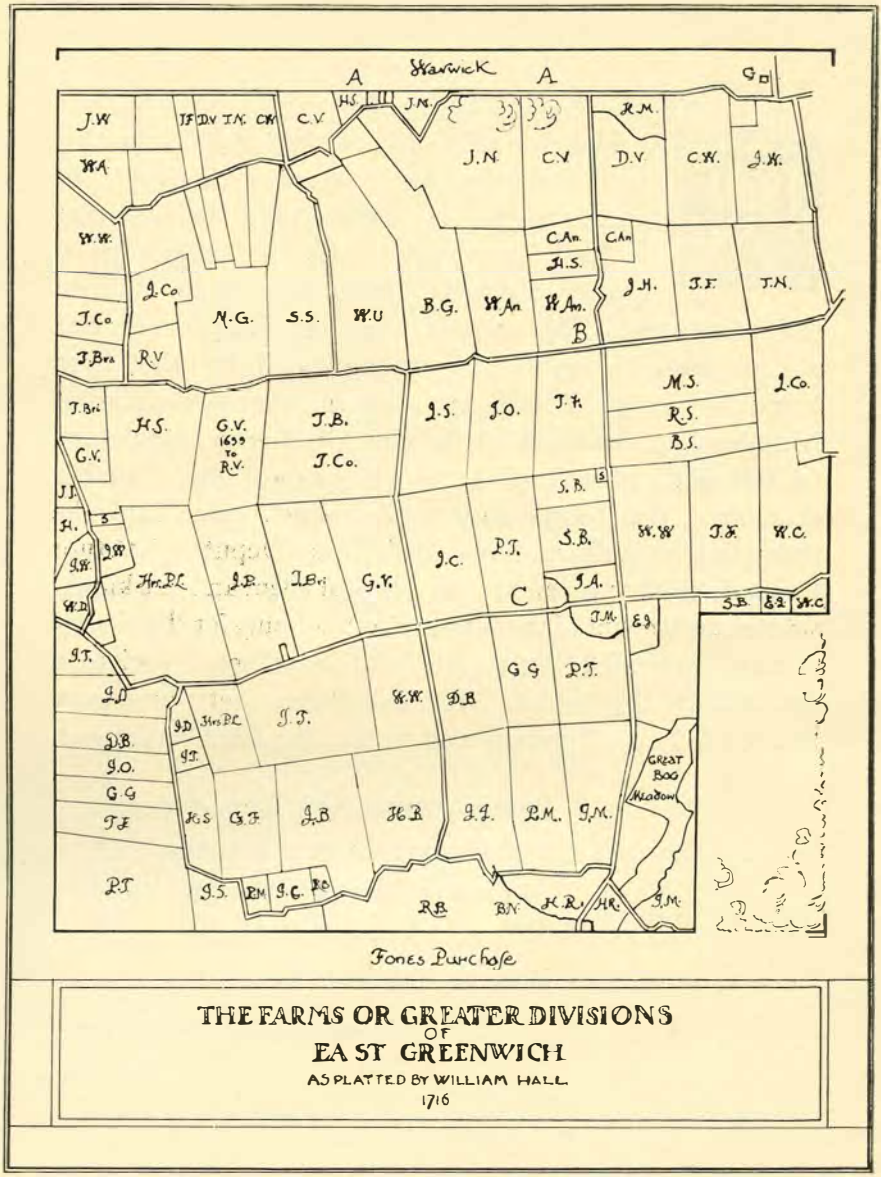
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FOR The Annual Court of 1937 the Committee on Publication has continued the series of ancient maps. It has selected the first plat of East Greenwich, the plat of "the farms or greater divisions," made in 1716 by William Hall, Surveyor. The original long ago disappeared, but a copy made in 1726 and authenticated by Hall, was found by Judge Potter in 1842 in the possession of Nicholas Fry, the Clerk of the East Greenwich proprietors. Of this plat, as well as of the two plats of the "smaller divisions", the Judge made copies which came into the possession of William Davis Miller, our Deputy Governor General, who has given us photostats of them and has kindly written an account of them, important not only for the history of East Greenwich, but for the relations of the Proprietors, not only to the Boston Neck and Quidnesset purchasers, but to the Fones Purchase and to the Huguenot settlement.

Gift

EDWIN AYLSWORTH BURLINGAME
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FREDERIC WILLARD EASTON
NORMAN MORRISON ISHAM
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Committee on Publication



Fones Purchase

THE FARMS OR GREATER DIVISIONS OF EAST GREENWICH

AS PLATTED BY WILLIAM HALL

1716

SHEET I.

THE NAMES OF PROPRIETORS

INDICATED BY INITIALS ON THE MAP

W. A.	W^m^ Allen	S. B.	Sam'l Bennet	T. C.	Thos. Coggeshall
C. A.	Charles Andrews	S. B.[2]	Sam'l Bennet, Jr.	J. C.	John Coggeshall
W. An.	W^m^ Andrews	H. B.	Hugh Bailey	J. Co.	Joseph Cory
J. A.	John Andrews	T. Bra.	Thos. Braton	W. Co.	William Cory
T. F.	Thos. Fry	T. Bri.	Thos. Briggs	H.	Hambleton
E. J.	Elisha Johnson	B. G.	Benj. Greene	J. H.	James Haselton
J. J.	Josiah Jones	M. G.	Matthew Grinnell	J. M.	John Manchester
J. N.	John Nichols	P. L.	Philip Long, Jr.	P. M.	Peter Mony
T. N.	Thos. Nichols	Hrs. P. L.	Heirs of Philip Long	T. M.	Thos. Matteson
S.	School Lot	J. O.	John Odlin	J. P.	Jeremiah Pearce
S. S.	Samuel Shippee	P. T.	Pardon Tillinghast	W. U.	W^m^ Underwood
B. S.	Benj. Spencer	C. V.	Christopher Vaughn	W. W.	W^m^ Wanton
J. S.	John Spencer	D. V.	David Vaughn	C. W.	Clement Weaver
M. S.	Michael Spencer	G. V.	George Vaughn	J. W.	Joseph Weaver
R. S.	Robert Spencer	R. V.	Robert Vaughn	W. W.	Wm. Weaver
H. S.	Henry Straight			J. Wo.	John Wood
H. Sw.	Henry Sweet				

A. marks Division Street; B. Fry's Corner, so-called; C. The Frenchtown Road; and G. the Gorton-Greene house.

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TO properly understand the William Hall plat of the Township of East Greenwich, published herewith for the first time, it becomes necessary to cast back over a period of nearly three-quarters of a century, in order to find the reason why a delay of thirty-nine years existed between the founding of the town in 1677 and the drafting of this plat in 1716, the earliest plat of the township known to exist. It would be easy to state that this was due to the confusion of property rights, the infringing grants and purchases, and above all, to the mooted question as to which colony held jurisdiction over Narragansett Country, Rhode Island, or Connecticut. This statement would be correct, but it is so general that many pertinent phases would be omitted. Therefore a short and more detailed consideration must be made, although it will be impossible to "expel all the foggs and mists" that John Fones found to exist in that country-side at that time.

In the year 1659 a group of men entered upon the Narragansett scene, a group destined to be actively alien to the desires of the Rhode Island Colony and its claim for jurisdiction, of whom the leading men were Governor John Winthrop, of Connecticut, Major Humphrey Atherton, of the Massachusetts Bay, and Richard Smith, of Cocumscussuc. First to be known as the Atherton Company, they made two purchases which were thinly veiled by the form of a gift to circumvent Rhode Island's law against alien purchases from the Indians, the Quidnesset or Northern Purchase and the Boston Neck or Southern Purchase, Smith already owning the land between these two tracts. Atherton and his associates had no intention of submitting to the jurisdiction of Rhode Island and were in fact a source of constant instigation in the bitter struggle that long ensued for the possession of the Narragansett Country.

In pursuance of their policy of domination, and hopeful of the success of Connecticut's claims, in 1662 this group foreclosed on a mortgage made by the Narragansett Indians, a mortgage resulting from the Indians having been placed in an equivocal position created by the Atherton Company, aided and abetted by the United Colonies, an alliance to which Rhode Island was refused admittance. By this extremely doubtful transaction the Atherton Company claimed ownership of all the lands remaining unsold in the Narragansett Country, "unsold" apparently meaning to them all lands save those which they themselves had claimed or had given title to. The Company even challenged the Pettaquamscutt Purchasers who had received their lands by bona fide purchase from the Sachems two years prior to the arrival of the Atherton group. Thereupon in possession of this great territory, the Atherton Company became the self-styled Proprietors of Narragansett.

Just what were the exact bounds of the so-called Mortgage Lands is unknown, but they would appear to have included practically the whole of the present counties of Washington and Kent. Therefore, when in the year 1677, the Assembly of Rhode Island granted to fifty men five thousand acres of land, to be laid out in house lots and farms as the Township of East Greenwich, debatable land was being encroached upon, and the settlers thereon were at the mercy of the King's decision regarding jurisdiction.

In the face of this uncertainty as to ultimate title in their lands, the men of East Greenwich laid out their ten acre house lots and ninety acre farms. From what evidences we have, it would appear that the North, West, and East bounds of the township were then much as they are today. This being the case, by rough calculation, five thousand acres within these three bounds would place the remaining

bound, the Southern, about one half mile North of the present Frenchtown Road. The present township, however, contains approximately twelve thousand acres. The question, therefore, arises when, and by what authority, if any, East Greenwich pushed its line to the Southward to the bounds shown on the Hall plat of 1716, a question important when considering the French settlement of 1686. It is also important to remember that in 1672, five years prior to the East Greenwich grant, the Rhode Island Assembly had confirmed the Atherton Company in its titles. It is true no mention was made of the Mortgage Lands in this act, the act simply stating "of lands purchased by them". This might, and probably did, lead to dual interpretation, for the Assembly belatedly, in 1708, stated that the act of 1672 only referred to the Quidnesset and Boston Neck Purchases. Therefore, for thirty-six years the Atherton Company, alias the Proprietors of Narragansett, might reasonably claim title to all the lands covered by the mortgage as well as their two purchases, Quidnesset and Boston Neck.

There was, however, another conflict of claims which East Greenwich was forced to face. In January, 1671–2, another tract of land had been purchased from the Indians by John Fones, John Greene, Thomas Waterman, John Andrew, Henry Tibbits, and John Briggs, to be later known as the Fones Purchase. This tract lay west of the present Post Road (the old Pequot Path) and extended westward from Devil's Foot (the Southeast bound) to approximately the present juncture of the present East Greenwich, Exeter, and North Kingstown town lines, from which it extended north to the Warwick line. This obviously contained the greater portion of the new township of East Greenwich as laid out in 1677, and it is also obvious why Fones had cause

to become vocal regarding these intrusions upon his purchase. However, in April, 1678, the Assembly, after considering Fones' remonstrance, decided that East Greenwich should be laid out first, and that Fones might have the remainder, thereby cutting off the Northern portion of Fones' lands. Later, with the expansion of East Greenwich Southward, all of the Fones Purchase lying in East Greenwich was taken over, but evidently recompense was given in the form of farms, as we find the names of Fones, Briggs, and Tibbits in the second division of the plat of 1716. Also the names of Greene and Andrew appear in the first division of this plat. This probably was the result of the "loveinge agreement" of 1678, for the act stated that "if there be not roome in East Greenwich for their accomodation, that then they shall be first accomodated in the next township . . ."[1], which is evidence that East Greenwich had even then ideas of future expansion, or at least the Assembly had. In the meantime the fight over the jurisdiction went merrily on.

Prior to this "loveinge agreement", and purposely to expedite it, it was ordered that a plat of the township be made. There are records of delays, but it is evident that John Smith draughted a plat at this period, a plat that no longer exists, the reason therefor to be discussed later. A copy of a plat after the agreement with Fones is in existence which shows that East Greenwich even claimd South to within half a mile of its present South bounds. This was, of course, in 1678, but the records do not show that this Southern portion below the Frenchtown Road was laid out,

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[1]In this year (1678) Samuel Bennet had applied for land in East Greenwich. The Assembly voted that as there was no more room he should be granted one "in the next township of five thousand acres to be laid out". It is to be concluded from this that East Greenwich was still its original five thousand acres.

or settled, until a considerable time afterwards (1682), and in fact there is no evidence of settlement until after the French settled on this land in 1686. It was not unusual in those early days to find claims broadly set forth on paper without occupation of the lands.

In the year 1686 two significant changes took place which had telling effect upon the question of the jurisdiction of the Narragansett Country. The Rhode Island Charter was suspended and a President and Council were appointed to govern Massachusetts, New Hampshire, Maine, and the King's Province (the Narragansett Country). Added to this Sir Edmund Andros was, on June 3, 1686, placed in supreme authority. All these events were definitely favorable to the Proprietors of Narragansett and definitely detrimental to the men of East Greenwich.

Returning to the question of the first plat of the township of East Greenwich, we find that one was made by Smith probably in or about 1678, but was *absconded.* This is set forth in the Colonial Records (February, 1699–1700) which relate that "by the change of government in Sir Edmund Andros his time said draft has been absconded which hath proved detrimental to several . . ." Whoever did away with this draft, the Proprietors of Narragansett and their agents possibly stand suspect. The period of the Andros administration was a time favorable to them and they would not have been the shrewd men they were had they not taken advantage of it. It was so favorable a period that in 1688, as has been mentioned, they applied to be confirmed in sixty thousand definite acres in the Narragansett Country in lieu of such seeming intangible claims which they might possess, and stated that the lands sold by them to the French be included. This was granted by the Royal Council and Andros was instructed to act accordingly. But

the term of Andros was nearing its end, the Revolution in England, the flight of the King and his son "over the water" to France and the arrival of William and his consort, cut short his power.

With Andros removed, the Rhode Island Assembly resumed its meetings (February, 1689–90) and immediately began to put its house in order, but it was not until 1700 that question of the East Greenwich plat was acted upon. For over ten years there had been no plat and in those ten years the township had extended its bounds South, driving out the majority of the French settlers. It was at the February session of the year 1700 that mention is made of the original plat being absconded. At this session a presumed copy of the lost plat was presented, sworn to be correct, and accepted. It would be very interesting, and very illuminating if the two plats could be compared! With this copy "as authentick as the original", the township managed to conduct its land affairs for sixteen years,[2] for it was not until June 27, 1715, that the Proprietors of East Greenwich ordered a survey made. The result is the plat presented here.

This plat of 1716 shows the bounds of East Greenwich practically as they exist today, except that Hunt's River is not, as at present, one of the limits of the township. Increased to over double its original size, as laid out in 1677, having swallowed the French settlement and the greater

[2]Ayrault declared that the ". . . Greenwich men at their pleasure extended their lines time after time without any authority as I understand from y^{e} Proprietors of s^{d} Country or y^{e} Gen^{ll} Court & took in at last all y^{e} French Town & upon y^{e} 14th of Feb^{r}. 1699/1700 Greenwich & sever^{ll} of y^{e} Town of Warwick (came) wth a Plat of such a parsell of land w^{ch} they called Greenwich Township presents it to y^{e} Gener^{ll} Assembly ye Assembly confirms y^{e} Lands comprehended in s^{d} Plat to be within Greenwich Township without Considering y^{t} Greenwich Intrenches upon ye other towns adjoyning . . ."

portion of the Fones Purchase, East Greenwich had at last become firmly established in its title. The prayer of Fones, in 1685, in a petition to the Assembly, that King James "will expel all the foggs and mists of enmity or malignant and disaffected persons . . ." had been answered, but not as he had hoped.

There are three separate sheets in this plat. The first, and the largest, contains the lands bounded by the North, West, and South lines of the township, and on the East in part by the road that is in fact the West bound of the built up portion of the present town, and in part by an arbitrary line. This sheet includes the first and second division of farms, various minor divisions, and a number of the house lots of ten acres each. These farms were numbered and the division in which each lay is stated in the records but not on the Plat, the names of the then owners and the acreage only being shown. Careful examination of the existing deeds in Book 1 of the Land Evidence of East Greenwich discloses that the first division terminated about one half mile North of the present Frenchtown road,[3] there being one range of farms between it and the Southerly bounds of the first division. It can, therefore, be concluded that this Southern bound of the first division is also the Southern bound of the original grant of five thousand acres. This statement is made for two reasons; the first, that the approximate number of acres included in the township, with its known North, West, and East bounds and the supposed South bound above mentioned is five thousand acres, and second, that the dates recorded with reference to this division of farms are earlier, with few exceptions, than in

[3]This road would appear to have been laid out on Pierre Ayrault's land in 1699. See his remonstrance in E. R. Potter's, "*Memoir Concerning the French Settlement, &c.,*" Providence, 1879.

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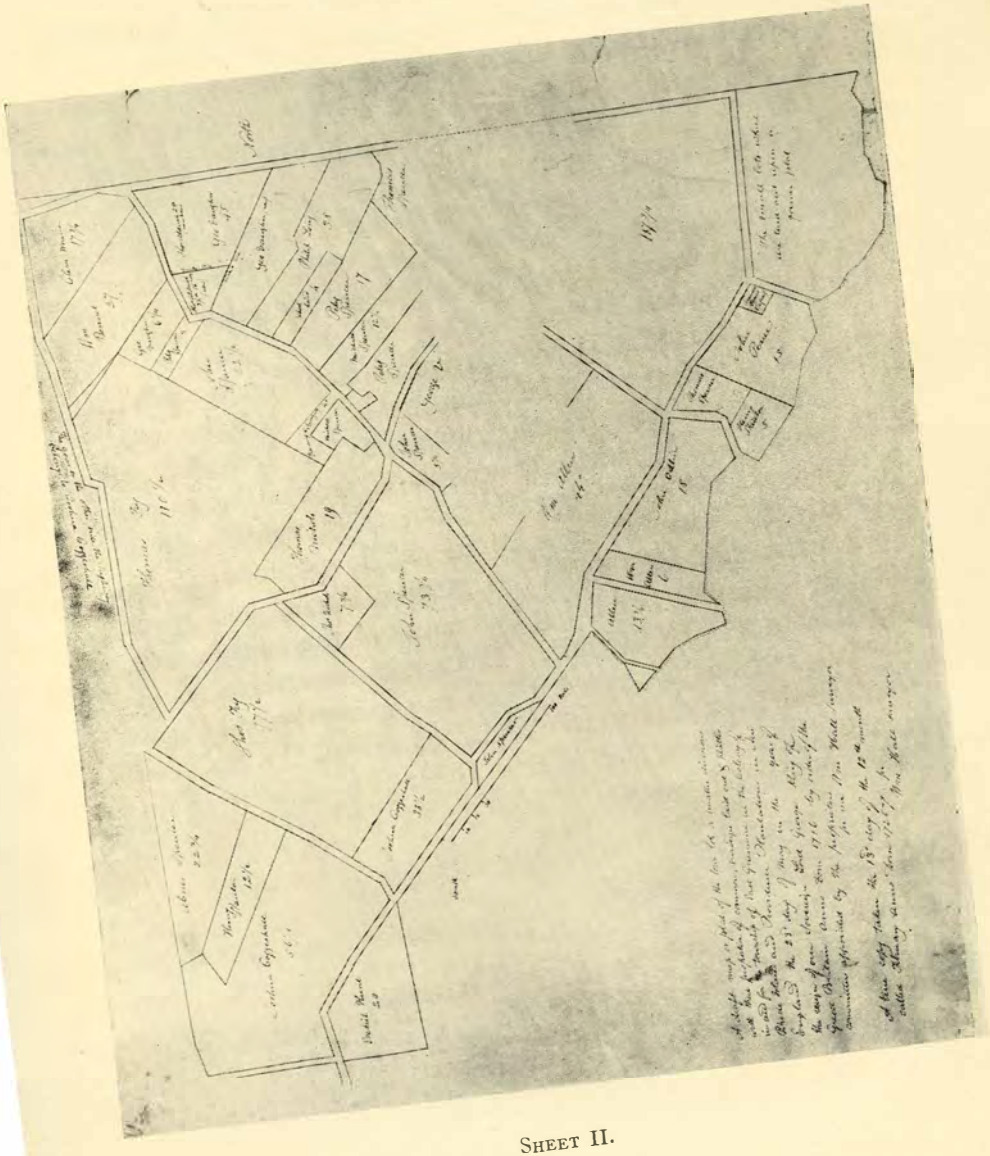
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the second division. The second division, according to the extract from the Proprietors Records published in Greene,[4] was laid out and allotted in 1700. The deeds in the land evidence, however, show farms in the second division were laid out as early as 1682 and there are other evidences of transfers made prior to 1700. On the other hand there is found a case where a farm in the first division was not laid out until 1699. Uncertainty can only be explained by supposition, but it seems certain that the second division was laid out prior to 1700 and as the list of names of those to whom farms were allotted and given by Greene does not, save in a few cases, agree with the persons to whom they were deeded, it is possible that the 1700 second division was elsewhere. As to the tardy action in the first division, it is possible that the man to whom it was first laid out did not qualify, as was required, and that the land was subsequently alloted to another. There is a further fact, however, to substantiate the South bounds of the first division. Arnold stated that by June 22, 1700, "Greenwich had extended its limits to embrace the whole of Frenchtown". If this is correct, East Greenwich's South bound was as it is today, as the French settlement touched on the South near to the present Ten Rod Road.[5]

The second sheet of the plat presents a puzzle when taken in conjunction with the third sheet or if taken alone. If taken by itself the query arises to what divisions do these farms belong, if any. The inscription on the sheet is not helpful: "the town lots or smaller divisions with their proportion of common". But the third sheet adds to the difficulty. This sheet really belongs in the lower right

[4]George Washington Greene, "*History of East Greenwich*, 1677-1877".

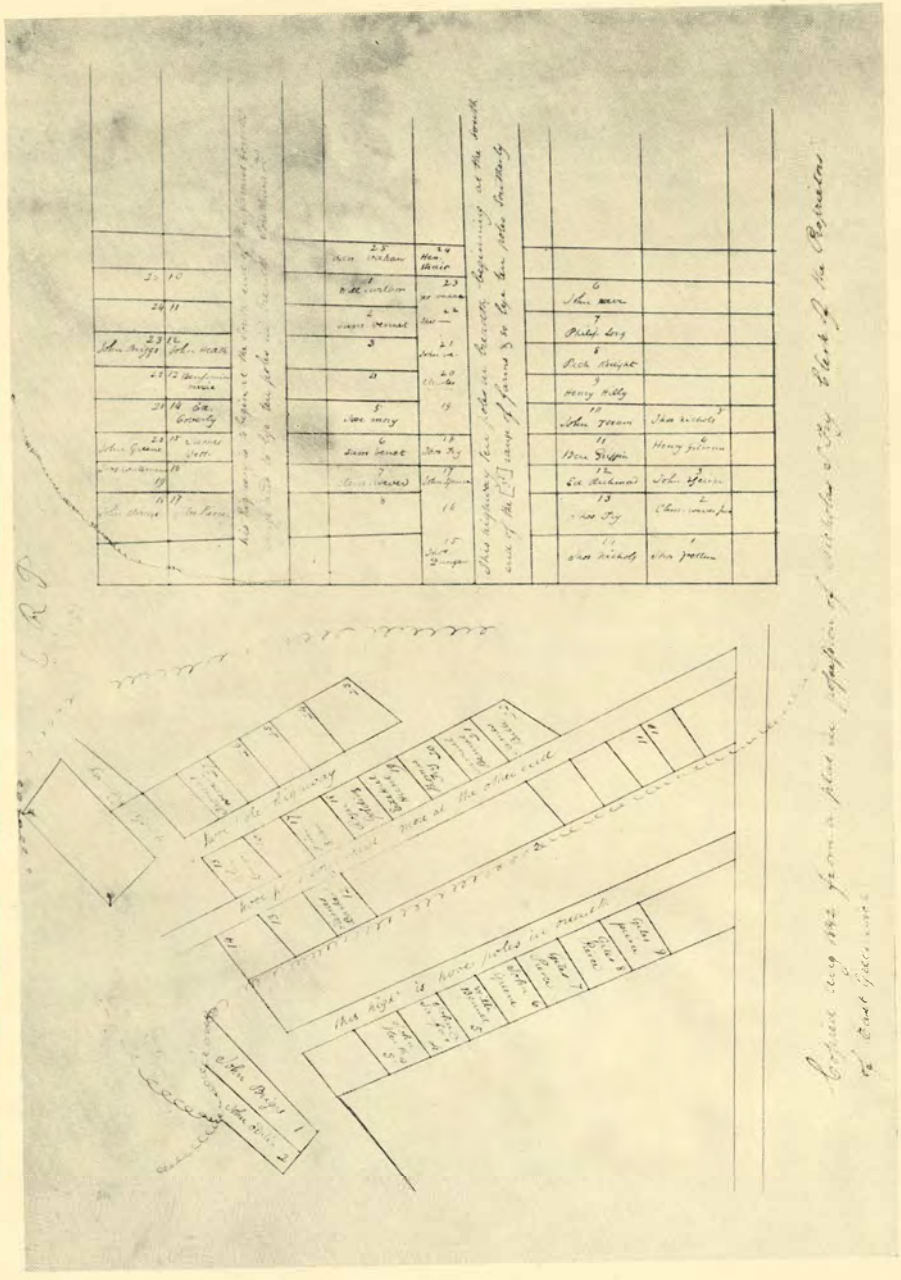
[5]Samuel Greene Arnold, "*History of the State of Rhode Island, &c.*" New York, 1859.



SHEET II.

hand corner of sheet two where is written "The small lots which are laid out upon a former plat". On the roads or streets laid out on this former plat is inscribed: "This highway is to begin at the South end of the farm fourth range" and "this highway ten poles in breadth beginning at the South end of the (3rd) range of farms . . ." What are and where are these ranges? It is a question that will eventually, no doubt, be solved, but for the present it can only be left in the "foggs and mists" of the period of Captain Fones.

In fact this plat is provocative of many queries which for lack of space can not be considered here. It is, however, both a clue and a key to the early lands of the township and is therefore of practical, as well as of antiquarian, value. As it was necessary to greatly reduce the original copy of the sheet of the "Greater Divisions" for reproduction in this pamphlet, Mr. Isham has made a tracing of a much reduced photostat, omitting the names of the land owners, as they would be illegible. These names he replaced by initials and has appended a key in explanation. It may be added that photostatic copies of the plat have been placed in the Town Hall in East Greenwich where they are available for reference.



Sheet III.

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