

THE EARLIEST RECORDS OF BROOKHAVEN (SETAUKET) ON LONG ISLAND¹

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WHILE the labor of transcribing and printing the ancient records of the Long Island towns has been in each instance a task of no ordinary magnitude, it may fairly be asserted that in the case of the extensive town of Brookhaven the task has been yet greater than in that of the others. The cause of this is not difficult to find, but to understand it fully requires some review of the circumstances attending the first settlement of the town.

The settlers of New England had always looked upon Long Island as a part of their peculiar domain, and it was a constant source of grievance to them that the Dutch of New Netherland got the start of them in planting settlements upon the western end of the island, so that eventually they had to accept somewhat grudgingly the present easterly line of Oyster Bay town as a limit between the Dutch sphere of influence and their own. The New Englanders were early in the field, preparing to enforce their own claims by actual occupation, and the result was the settlement of both Southampton and Southold in 1640 by New Englanders, in two parties, each of which though not numerous was tolerably compact and well organized, and each settlement began to grow slowly by the gradual advent of newcomers.

At this period the Long Island Indians, and more especially those of the North Shore of the island, had for a long time past fallen upon evil days. Harassed and plundered, and their corn fields laid waste for years in raids across the Sound by their

¹ This article, dated January 12, 1921, was written as an introduction to the publication of the early records of the town. Delays postponed such publication till 1924, and changes of plan caused the omission of this introduction, so illuminating in the interpretation of the early life of Brookhaven. It is now published in this journal with the approval of the author. See also in this issue the review of Brookhaven record publications. Mr. Innes is the author of *New Amsterdam and Its People* (New York, 1902).—Editors.

enemies, the Pequots, who hated and despised them because they would not join in hostilities against the whites, they were ready at almost any time and for a comparatively trifling consideration to sell their abandoned planting grounds to the English to secure the protection of the latter; and this being the case, it was natural enough that the settlers of Southampton and of Southold should grow to consider themselves the heirs-at-law as it were of the decadent Indian possessors of the territory as far west as the Dutch line—Southold of the northerly half of the island, and Southampton of the southerly half.

Under these circumstances it was doubtless with a strong feeling of indignation that the settlers of the two towns heard in 1653 that an entirely independent body of purchasers, claiming equal rights with themselves, had secured from the natives a tract of about 140 square miles at the western end of the territory under discussion, calling the name of their settlement Huntington. It became evident that it was high time to do something to prevent further intrusions of this kind, and the Southold people lost no time in acting.

Some thirty-five or forty miles westward from the Southold settlement at this time lay the abandoned or partly abandoned planting fields of the Setauket Indians, an irregularly bounded tract or tracts of some hundreds of acres in extent. It was probably in the latter part of the year 1654, the year succeeding the settlement of Huntington, that a number of Southold men formed an association, the exact nature of which we do not know, for the purpose of acquiring the Setauket lands. On April 14, 1655, we find the "Sachem of Setaucet, Warawakmy by name, with the joint consent of himself, and the next of his kindered," granting to John Scudder, John Swasie, Jonathan Porter, Thomas Mabbs, Roger Cheston and Thomas Charles a tract described as being "next adioyning to the bounds of Nesequagg, and from thence, being bounded with a river, or great *napock*, nerly *nemauskak*, eastward, and bounded next unto Nesaquakec bounds, as by trees being marked doth appear." The one or two Indian words inserted were evidently by way of explanation to the natives. It is quite certain that this grant covered the land stretching from the modern Stony Brook Harbor to Drowned Meadow or Port Jefferson

Harbor; in some manner not appearing upon the instrument the Little Neck (now generally known as Strongs Neck) seems to have been reserved for the use of the Indians. The Indian deed conveyed absolutely a tract of about thirty-two square miles or 20,000 acres, but in addition it goes on to provide that the "Sachem, with the Consent of his next kindred, hath given free liberty and granted unto the sayd purchasesrs, free liberty for their catell to run beeyond the bounds, if occasion bee, or to cutt timber as far east as they [see] fitt" &c. It was under these latter clauses that at a later period the extensive territory of the modern town of Brookhaven was acquired.

It requires but a cursory examination to convince us that the settlement of Setauket was of a materially different nature from that of Southampton or of Southold. In each of the two latter cases the settlers carried with them the germs of a distinct and independent municipality. In the case of the later Setauket settlement, however, the purchasers acquired their territory merely as agents or at least subordinates of the Southold partners. This appears in various ways: in the first place we find that of the six grantees in the Indian deed of 1655, Scudder, Swasie, Cheston and Mabbs (usually spelled Mapes) were residents and landowners in Southold. Scudder and Swasie never became residents of Setauket so far as is known. Thomas Mapes, who called himself one of the Setauket settlers in 1659, still maintained his interests in Southold, to which he seems soon to have retired. Cheston² was a resident of Setauket for a time but sold out his interests in October 1661. Jonathan Porter is understood to have emigrated from Salem in Massachusetts, but if he ever intended to join as an actual settler, there is no evidence that he actually did so, but on the contrary he joined the then recent Huntington establishment and died there a few years later. As to the other person named in the Indian deed, Thomas Charles, but little is known of him. Of the few others who seem to have joined in the first planting of the town, Capt. John Underhill, James Cock, Arthur Smith, Robert Ackerly and John Budd came from Southold.

² "Roger Cheston of Southold" is mentioned in the New Haven Colonial Records, 2:93, under date of May 31, 1654.

In the second place, the manner in which the townsmen of Southold regarded the Setauket settlement is sufficiently well shown by an entry in the *New Haven Colonial Records*, 2:218, under the date of March 27, 1657, the second spring after the purchase of the Setauket lands. On that date Lieut. John Budd, deputy from Southold, informed the General Court at New Haven "that there are some poore people, aboute twelue in number, come into their plantation from ye Island, where they haue suffered much hardship, and they cary it orderly and well, but are in great want, their towne hath bine at some charge wth them, and doe desire the jurisdiction to be helpful to them in this time of their neede. The court considered of it and ordered that fiue pound be alowed to them in corne or otherwise, as may suit their neede, to be pd by Southold and set of in their rates."

If anything further were needed to show the weak condition of the Setauket settlement in its earlier years, it is afforded by the very first entry in point of time in the records under review (*Brookhaven Town Records*, cited hereafter as *Records*, 126), in which under date of August 1, 1657, it is resolved in a town meeting that when the town shall have thirty families, they will pay £60 per year to the maintenance of a minister. How far short the town was at this time of the specified number of families we do not know; but in the summer of 1659, two years later, we find the town granting home lots to John Ketcham and to Arthur Smith, bringing the total number up to twenty-five, conditionally on land being found for that purpose in the town plat. (*Records*, 126.)

That the settlers of Setauket were desirous of emancipating themselves at the earliest possible moment from the influence of Southold and from the control of the bigoted and despotic theocratical government of the New Haven Colony, to which the latter town was subject, appears plainly enough from the proceedings taken in May, 1659, against the Quaker Arthur Smith, then a resident of Southold. This man for asserting a belief "that if men would attend to that light which is within them it would lead or bring them to Heaven," also "that he had no governor or teacher but God," was sentenced May 27, 1659, by the New Haven Court

to be publicly whipped, and to be bound in a bond of £50 for his good behavior for the time to come, "which if he did not, he is to appear here at the Court of Magistrates in October next, if he be not removed out of the jurisdiction in the meantime. (*New Haven Colonial Records*, 2:292.) Arthur Smith must have applied immediately after this affair for admission to the Setauket colony, for the conditional grant to him of land at the Setauket settlement as mentioned above was made June 8, 1659. (*Records*, 127).

It can hardly be thought possible that Smith would have taken up his residence at Setauket if he had not known that measures were already on foot which culminated on August 6 in an application by the Setauket settlers to the General Court at Hartford to be taken under the jurisdiction of the Connecticut Colony by the name of the Town of Cromwell Bay. It was their prompt reception by that colony and the powerful protection secured thereby that afterwards enabled the people of Setauket to defeat the crooked schemes of the adventurer John Scott and of his influential friends in the back-door cabinet of the depraved court of Charles II, schemes which aimed at nothing less than the entire destruction of the Setauket settlement.

There is another consideration which we must not lose sight of in discussing the beginnings of the Brookhaven or Setauket settlement. Most of the younger men were born or had grown up

...in the blood-red dawn
Of England's civil strife.

It was a period when most men had weightier and more urgent matters to think of than the acquisition of scholarship; and many of the earlier settlers of Setauket were very illiterate. To say this is not to disparage in the least the importance of the work they

³ In a series of articles by the present writer published in the *Port Jefferson Times* in 1914, under the title of "Old Setauket," the affair of the Quaker Smith as therein treated needs revision. From the historical evidences accessible at the time of writing it seemed probable that Smith was at the period of his prosecution a resident of Setauket, and was taken from that place to New Haven for trial. The Brookhaven records now published show conclusively, however, that he was then a resident of Southold.

did, but rather to enhance it. A few of them signed the simple documents of their daily business with their marks, but almost all performed well and cheerfully the duties of their humble stations. When they did find a man of more than ordinary experience in business transactions, such as the born leader Richard Woodhull, it is almost pathetic to see how for more than thirty years they looked to him for aid and advice in the commonest affairs of life.

The business records of a community developed in the manner above set forth are not likely to be models of style or method. Even the simple record books of the period were comparatively expensive and difficult to get. One book sufficed for a long period, but as the affairs of the townsmen gradually increased, their transactions formed various groups of different character. These were usually recorded in different places in the same book. For example, the resolutions of town meetings would be written down at one place; then a few pages farther on town grants of lands would be recorded; at another place legal documents from man to man would be found; and perhaps at still another place the records of the town courts appeared. These methods would be carried on until at last the records of the different groups of transactions began to encroach upon one another; then they would simply be taken over to the first available space, or would even be carried backwards. At last the book would become so full that many transactions would be written out in a minute hand on the vacant portions of pages or on their margins without any regard to the nature of the business. In this way a perfect chaos of dates and records came to be developed; and it was such that the transcribers of the present records had before them to work upon.

But the question will no doubt naturally present itself in this connection: Could not these scattered entries have been extracted and arranged in chronological sequence? The answer is that this could not be safely done because many of the entries are without date, and about the only clew to their period is their juxtaposition to various other entries in the original records.

Furthermore, to add to the confusion in these records, they are at present bound in two thin volumes, covered with an antique

leather binding and numbered I and II respectively; but at some former period these numbers have been transposed.⁴

The period covered by these records extends from 1657 to May 24, 1679. There are only a few indications of missing or mutilated pages, and it therefore seems probable that with these exceptions the records are practically complete for the above period. To the historical student, as it is hardly necessary to say, these scattered records are replete with interest because it is in them that one must seek for the circumstances of the daily life of the first settlers. As in the case of most of the other towns these settlers sought to establish themselves in a compact village where they could render aid to one another in case of trouble with hostile Indians. The original town plat of Setauket is well known to have occupied the run or shallow ravine of which the lower portion is now filled by the old mill pond. Here their home lots of from six to ten acres each extended along both sides of the town street, along or near which ran the little brook which afforded a water supply to the settlers and to their cattle. That there was originally a methodical plan for the distribution of these home lots cannot be doubted, but it has not yet been discovered, so far as is known, nor is it at all easy to trace it from the records, on account of the ambiguous use of the term "home lots," which soon grew up. At first this was intended to designate exclusively the lots of ground in the town plat on which the settlers were actually to reside while they cultivated their various planting fields at a greater or less distance from the town. In the course of a few years, however, when the danger from Indians had passed away and when the purchasers had received various dividends by allotment of lands in different parts of the town, many of them chose to leave their original home lots and to take up their residence upon their later acquired parcels; they retained, however, the use of the term home lot as applied to the land upon which they had settled down, and in this manner one man often had in his possession several "home lots," for in their

⁴ At the time this article was written and also when the 1924 volume was printed, the number labels of the manuscript volumes had become "inadvertently interchanged" and the error was not corrected in the published volume. Since 1931 both manuscript volumes have been numbered correctly and rebound.—P. N.

records they seem to have adopted the principle, once a home lot always a home lot.

Traces of the fear and suspicion with which the settlers regarded the Indians at first are shown in the town records. The original partners of the Setauket settlement were relieved of much of the toil and trouble which fell to the lot of the ordinary colonists in the clearing of the woodlands around their town plat. In this case the "old field," so often spoken of in the records, refers to abandoned tracts of cleared land which had been long cultivated by the Indians themselves for their maize and vegetables before the advent of the whites. Of these, one extensive tract occupied nearly the entire northern part of Crane Neck, from the modern light house to the so-called "Flax Pond." Another of these cleared tracts extended from the town brook of Setauket on the west to the later Floyds Swamp and the small brook forming its outlet on the east, and stretching north to the isthmus connecting the tract with the present Strongs Neck. The bulk of this cleared land appears to have been cultivated by the first settlers as "common fields" for the production of wheat, oats, Indian corn and peas from about 1658 to 1661. For this purpose the settlers were divided in June, 1659, into "squadrons" to work together on appointed days in the more or less distant fields, while the village itself by this arrangement was always assured of the presence of one of these squadrons as an armed guard. (*Records*, 126, 127.) In 1661 the plan of working on the main crops in common seems to have been abandoned. Large portions of the "Old Field" were then distributed by lot in parcels of 3, 4 and 6 acres to the individual settlers. Each man received his individual ground to cultivate, but the system of working in squadrons seems to have continued. (*Records*, 145.) Finally, the purchase of most of the Little Neck (now Strongs Neck), and the removal of the Indians therefrom in 1662 to their planting grounds at the modern Mount Sinai, together with the increase of new settlers led to the laying out of the "New Town" (along the modern South Street) in 1667; the allotments of land radiating out from the town in all directions into the forests were made in large and larger parcels, and the system of cultivation by squadrons disappeared.

That many matters of great historical interest should be brought out in these early town records of Setauket was to be expected. Among these we find much that throws light on the history of the church at Setauket, and utterly disproves the charge that has been needlessly made that the early settlers at that place were indifferent to the establishment of religious worship among them. The resolution of August 1, 1657, has been already alluded to that when the town should have thirty families they would pay £60 per year to the maintenance of a minister. (*Records*, 126.) In preparation for this it is evident that lands for the use of the minister had been laid out among the earliest allotments, and it seems probable that their value had been taken into account when upon May 12, 1662, the town voted to give Mr. William Fletcher £40 a year for preaching to them. (*Records*, 137.) At any rate the lands had been laid out before April 2, 1663. (*Records*, 116.)

Very little information has come to light about the Rev. Mr. Fletcher, but there is no indication that he ever preached at Setauket, or indeed would have had any place there to preach in, other than the small houses of the first settlers; and the call was doubtless only a tentative one. In the meantime the notorious "Col." John Scott had come to Setauket, and in the latter part of 1663 and in the beginning of 1664 was working up his schemes to get possession of the Setauket lands. A volume might be written on this subject⁵ but it may suffice to say here that Scott's plans were rudely interrupted by his arrest and imprisonment in March or April, 1664, by the Connecticut authorities, and by the subsequent sequestration of his property. Scott had a man in his employ by the name of Thomas Fezy, and whether this individual was thrown out of employment by Scott's arrest, and prepared to look out for other support, or whether he was making ready to look after his employer's interests, we do not know, but on July

⁵ See the papers on "Old Setauket" mentioned above. Scott had established himself at Setauket, the name of which he had somewhat prematurely contrived to get changed to "Ashford," in commemoration of the market town of that name in Kent, England, a few miles from the ancient manor of Scotts Hall, seat of the family of Scott, with which the adventurer claimed to be in some manner, legitimately or illegitimately, connected.

3, 1664, he secured a lease of the minister's lands from the town for the term of two years. (*Records*, 100.)

It is a fair inference perhaps that the lease to Fezy did not include the home lot proper reserved for a minister. Within a very short time after this lease, arrangements must have been on foot for the call of the Rev. Nathaniel Brewster, the first minister of the town and for his reception at Setauket. Minister's rates were collected from the inhabitants as early as November, 1664 (*Records*, 99), and by January 1, 1665, we find that work was actively going on, thatches being prepared, hearth stones brought for the house, and a well dug for Mr. Brewster. (*Records*, 83.)

How long Mr. Brewster occupied his first parsonage we do not know, but it could not have been very long, for by the summer of 1665 the people of the town had changed their plans. In addition to one or two other houses built by John Scott upon lands which he did not own, he had built one which was called, either by the bombastic builder himself or in derision by others, Scott's Hall. This appears to have been nothing more than a somewhat long, one-story building with perhaps a wing or two. Its site is uncertain, but as the northeastern extremity of Setauket Harbor was anciently called "Scott's Cove," the writer is inclined to believe it stood somewhere in this vicinity, and likely enough upon Dyer's Neck. Upon the sale of Scott's confiscated buildings by order of the court of sessions on June 7, 1665, they were bought in for the inhabitants of Brookhaven (*Records*, 154), and they seem to have designed Scott's Hall or a portion of it to be added to the minister's house so as to give him greater accommodations, and to provide space for public purposes both religious and secular.

About this time, for some reason or other, the building started at the beginning of 1665 for the minister's use was considered unsatisfactory. Matthew Prior, formerly superintendent at Eger-ton House, in Kent, England, of the estates of Major Gotherson,⁶

⁶ Major Gotherson was an aged retired English army officer, from whom Scott obtained £10,000 for a promised grant of 800 acres lying east of the present Crystal Brook. Scott had started the building of a house there, which was confiscated to the use of the town of Brookhaven by the Connecticut court, was used for many years as an "ordinary" or tavern on the lonely forest track from Setauket to Southold, and is thought by some to still exist as a part of the present Crystal Brook Club House.

the famous "Old Man" of Old Mans Harbor, now Mount Sinai, had recently come over with his family to take charge of the visionary domain of his employer who had been so mercilessly swindled by John Scott. Prior, who had acquired a house in the settlement, was only too anxious to get away upon ascertaining the condition of Scott's affairs, and on October 24, 1665, we find him selling his home lot and house, young apple trees, etc., to the constable and overseers of the town for the minister's use; possession to be delivered March 16 next ensuing. (*Records*, 138.) Heretofore, as Mr. Brewster had been for some time officiating as the regularly appointed minister of the town, payment of his salary having been regulated as early as October 24, 1665 (*Records*, 123), it is a reasonable inference that religious services were conducted either at the residence of himself or of others in the settlement; but on May 29, 1666, it was voted in town meeting that "that which is comanly called scotts halle shall be taken downe and one of the townsmen, for £65. The structure was to be set up in sett vp againe in the towne for mr. Bruster, the T exsepted." This work was to be done by carpenters furnished by Daniel Lane, Mr. Brewster's lot, apparently as an addition to his house, with a "lean to" on one side; as it was to be the unusual height (for a one-story building) of 12 feet stud, it is practically certain that this was the first "meeting house" for church purposes and for town business erected at Setauket. (*Records*, 77.)

The building above described seems to have been used for religious services from 1666 to 1669. By the end of 1668 a considerable influx of new settlers had come into the "New Town" so called; a movement for a separate church building had evidently been started, and its site had been selected where the Presbyterian church now stands, about at an equal distance from the old town and the new; for on December 6, 1668, we find that "Obed Seward is to beat the drum twice a Sabbath day on the Meeting House hill." (*Records*, 156.) Accordingly, in the beginning of 1669 Nathaniel Norton, a carpenter of the town, agreed to build in that year a meeting house 26 by 30 feet (*Records*, 76), the first exclusively religious structure in the town of Brookhaven.

Although the term "meeting house" was used indiscriminately by the early New England colonists both for a church building

and what is now usually called a town hall, we know that the edifice built by Nathaniel Norton was of the former character, from the fact that upon the Rider map of 1670 the church building is shown in its present situation, with a spire which, though itself doubtless a fictitious and merely arbitrary addition by the draftsman, shows clearly enough that the building was of an exclusively religious use. Town business of a secular character still continued to be transacted at Mr. Brewster's house (*Records*, 143), but on February 2, 1671/2, the town voted to build a "meeting house," 28 feet square. (*Records*, 88.) The plan, however, was changed, and on January 10, 1672/3, a contract was made with Nathaniel Norton, builder of the meeting house, to erect a structure 26 by 22 feet. (*Records*, 131.) This either took the place of the Scott's Hall addition to Mr. Brewster's house or immediately adjoined it. From the fact of its being called a "meeting house" it has given endless trouble to some of the not very accurate historians of Setauket, who have confounded it with the church building, and have striven in vain to reconcile the apparently contradictory statements of the records; it was, however, used as a town hall for many years.

The collation of these confused town records, though somewhat laborious, affords us many interesting glimpses of the ancient settlement. We can see the town herdsman bringing their drove of cattle every evening to the head of the village street, in the fall and winter from the planting fields where they pick up their sustenance from the remains of the gathered crops, in the spring and summer from their pastures in the woods. (*Records*, 127). In the winter the "squadrons" are busy repairing the extensive fences around the common fields. (*Records*, 126, 127.) Down at the harbor in 1662 George Wood builds his "ordinary" apart from the village, and on a special grant of land from the town which doubtless gave rise to the term of "Georges Neck." (*Records*, 125.) Spasmodic and for a long time unsuccessful efforts are made to build a dam and mill from 1659 to 1669. (*Records*, 126, 11, 29.) Robert Rieder sets up his school in 1678, and arranges to receive his £30 per year in pork, wheat, Indian corn and wood from the parents of his pupils *pro rata*. (*Records*, 60.) At the foot of the wooded hill west of the mill dam, the townsmen

are building in 1673 "a shop . . . for the towne tooles to be cept in." (*Records*, 140.)

In these records of the doings of obscure men, "the rude forefathers of the hamlet" as the poet Gray has it, the writer has to confess that he finds much that is attractive, more especially in the perfect antithesis to the restless, pleasure-mad, short-sighted notions of these latter days. Even to their contemporaries of the corrupt social system of England after the Restoration the lives of these hard-working men in the colonies, if any attention at all was given to the matter, no doubt seemed singularly poor and monotonous, the subject of commiseration or of derision.

Nevertheless these farmers and mechanics who had drifted together from all parts of old England did their work in the new country and made little ado about it, and it has endured, while the doings of the high "society" in England which fill the pages of Pepys and Evelyn, have passed away in shame and misery into utter nothingness.