

RECORDS OF SMITHTOWN, L. I.

Indian Deed.

Articles of agreement between Nasseconseke, Sachem of Nesequake, of the one part, and Edmond Wood, Jonas Wood, Jeremy Wood, Timothy Wood and Daniel Whitehead of the other, and Stephen Hudson.

This writing witnesseth That I Nasseconsack, Sachem of Long Island, do sell and make over to the above said partyes, Edmond Wood, Jonas Wood, Jeremy Wood, Timothy Wood Stephen Hudson and Daniel Whitehead, a certaine quantity of land, beginning at a River called and commonly knowne by the name of Nesaquake river, and from that River Eastward to a River called Memanusack, lying on the North side of Long Island, and on the South side from Conecticott four Necks westward: promising and by vertue of this writing do promise that the aforesaid partyes shall quietly possess and enjoy the said quantities of land without any trouble or disturbance from any other Indyans whatsoever. In consideration of which land we the aforesaid Partyes do promise to pay unto the afore said Naseconsahe, Six Coats, Six fathom of Wampome Six Howes, Six Hatchetts, Six knives, Six kettles, one hundred Muxes, to be paid on or before the 29th of September 1650.

I Jonas Wood do hereby testifye that I and Jeremy Wood and Daniel Whitehead went to view the foure

Necks of Meadow lying westward from Conecticut River, mentioned in the bill of Nessaquake purchase, and there lived an old Homes and his sonne, whose name was Wanquaheag, who owned these Necks, and we told them that Nasconsake had undertaken to sell us those four necks, and they seemed very willing.

May 28th 1663.

JONAS WOOD.

Copie of ye Indian deed of Nesequage lands, entered in ye Records for Richard Smith 2nd March 1666.

(Recorded in office of Sec of State Albany)

[The above is copied from a copy of the original deed certified by Secretary Nicolls in 1663, and there are endorsed on it the following curious memoranda.]

Note that Quaker Smith's deed from Coll. Nicolls bears date, March the 7th, 1665.

The grant of $\frac{2}{3}$ parts of ye land by ye Woods & Comp. is dated the 1st September 1650.

The date of the Indian Deed is 29th Sept. 1650.

[NOTE.—It should be stated here, that the Indian deeds in themselves, conveyed no title. The ownership of the lands was claimed by the British Crown, and the patents granted by the Royal Governors are the true sources of title. The Indian deeds were obtained simply as a matter of equity, and to satisfy the Indian claimants, and the boundaries mentioned in them were generally copied in the patents. The purchasers mentioned, afterwards conveyed part of their interest to certain Plymouth men, but they did not follow up their purchase by obtaining a patent from the government. At that time Wyandanch, Sachem of Montauk, claimed and exercised jurisdiction over the greater part of Long Island. The Narragansett Indians, in one of their incursions, seized and carried off the daughter of Wyandanch. She was rescued and restored to her father through the interposition of Lyon Gardiner, the proprietor of Gardiner's Island. In return for this favor, Wyandanch gave the following deed.—W. S. P.]

Deed from Wyandance to Lyon Gardiner.

EAST HAMPTON July 14th 1659.

Be it known unto all men both English and Indians, especially the inhabitants of Long Island, that I, Wyandance sachem of Paumanack, with my wife and son Wyandabone, my only son and heir, having deliberately considered, how this twenty-four years we have been not only acquainted with Lyon Gardiner, but from time to time and from much kindness of him by counsell and advice in our prosperity, but in our great extremity, when we were almost swallowed up of our enemies, then we say he offeared to us not only as a friend, but as a father in giving us his money and goods, whereby we defended ourselves and ransomed my daughter, and we say and know that by this means we had great comfort and relief from the most honorable of the English nation here about us, so that, seeing we yet live, and both of us being now old, and not that we at any time have given him anything to gratify his love and care and charge, we having nothing left that is worth his acceptance but a small tract of land left us, we desire him to accept for himself, his heirs, executors and assigns for ever. Now that it may be known how and where this land lyeth on Long Island, we say it lyeth between Hunttington and Setauket, the western bound being Cow Harbor, easterly Acatamunk, and southerly crosse the island to the end of the great hollow or valley, or more than half way through the island southerly, and that this is our free gift and deed, doth appear by our hand marks under written. Signed sealed and delivered in the presence of

RICHARD SMYTHE	WYANDANCE	His marke
THOMAS CHATFIELD	WYANDBONE	His mark
THOMAS TALMADGE	The Sachem's wife	Her mark

[The original deed is now in possession of the Long Island Historical Society, and the following is endorsed upon it :]

Memorandum, That I David Gardiner of Gardiner's Island do acknowledge to have received satisfaction of Richard Smythe of Nissaquake for what concerns me in the within written deed. In Witness Whereof I have hereunto set my hand this 15th day of October 1664.

DAVID GARDINER.

Recorded in the office of Secretary of State, Albany, in Long Island book of entries from 1659 to 1667.

[David Gardiner was the heir at law of his father, Lyon Gardiner, who died in 1653. The above was evidently given to confirm a sale said to have been made by Lyon Gardiner to Richard Smythe.—W. S. P.]*

*The following extract from the records of the town of East Hampton throws much light upon the purchase from Lyon Gardiner :

“Jeremyah Conklinge, Deposed Testifieth, that Mr. Richard Smith of Nessaquauk came to my mother Gardiner's house and fell into Discourse with her about a psell of land which he had bought of Mr. Lyon Gardiner lying beyond Neesaquauk. Mr. Smith said he thought he should meete with a great Dele of trouble about the land. Mrs. Gardiner made answer of this, rather than shee would have any trouble about it shee would let the bargaine bee voide, or to that purpose. Whereupon Mr. Smith said that he would have the bargaine stand, and he would paie accordinge to the agreement with her husband, and hee would take all the trouble on himselfe. Which agreement was that Mr. Gardiner sould to Mr. Smith all his right in that parsell of land. This Testimony was taken at Easthampton this 21 day of March 1670-1 before me

JOHN MULFORD
Justice of the Peace.”

(*East Hampton printed Records, Vol. I, p. 336.*)

[The date of the above conversation is not given, but doubtless it was before the release given by David Gardiner, and shows that no formal deed had been given by Lyon Gardiner.—W. S. P.]

Deed from Nassekege, Indian Sachem.

This writing witnesseth that when Nasseconset sould that part of land on the est side of Nessequage river unto Jonas, Jerime, Timothy Wood and Daniel Whitehead and others, that then my sayd unkle did Resarve half the sayd neck, called and knowne by the name of Nesequage neck to himselve and Nesequage Indians to live and to plant on. I Nassekege being soele haire to all Nassesconsetts land on the Est siede of Nesequage River doe by these pesents for me and my haire make over all our interest in the sayd halve neck unto Richard Smith of Nessequage senyer, the same to have and to hould, to him and his haire forever ; and Nassekege doth further witness of my knowledge that Nineponishare was formerly apoynted. Nessaconnopp and my selve was apoynted by young Nasseconsett my unkle as joynt haire to them both, to mark the bounds of Nessequag land for Richard Smith, and we did doe it according to the saels which they had formerly made unto Raconkumake a fresh pond about the middle of Long Island, acording to the order that they both did give to us, beeing acompanied with John Catchem and Samuel Adams and Mawhew to mark the trees—April 6th 1664. I Nassekeag doe owne that the above saied was witnessed by Richard Odell, and Richard Harnet doth promise to own the above saied before the Governor or any else.

NASSEKEAG × mark having Received full satisfaction for the premises to his content.

Witness

MASSETUSE × his mark

The writing above was owned by Nasekeage and Mossetuse to be true in my presence.

RICHARD WOODHULL
DOROTHY WOODHULL

Patent from Governor Richard Nicolls.

A Confirmation of a tract of land called Nesequauke granted unto Richard Smith of Long Island.

Richard Nicolls E^{sq}r Governor under his Royall highness James, Duke of Yorke &c. of all his Territories in America, To all to whome these presents shall come sendith greeting. Whereas there is a certain parcel or tract of land situate lying and being in the East Riding of York shire upon Long Island, Commonly called or known by the name of Nesaquauke Land. Bounded Eastward with the line lately runne by the Inhabitants of Seatalcott as the bounds of their town, bearing Southward to a certaine fresh Pond called Raconkamuck, from thence southward to the Head of Nesaquauke River, and on the west side of the said River so farr as is at this present in ye possession of Richard Smith as his proper right and not any wayes claymed or in controversy betweene any other persons; which said parcell or tract of land (amongst others) was heretofore given and granted by the Sachems or Indyan proprietors to Lyon Gardiner of Gardiner's Island deceased, and his heirs: whose interest and estate therein hath been sold and conveyed unto Richard Smith and his Heires, by virtue of which hee claymes his propriety; and whereas the Commissioners authorised by a Genrall Court held at Hartford in His Majestyes Colony of Conecticott did heretofore, That is to say in ye Month of June 1664, make an agreement with the said Richard Smith, That upon the conditions therin expressed hee the said Richard Smith should place Twenty families upon the said land, Now know yee that by vertue of the Commission and authority given unto mee by his Royall Highness the Duke of Yorke, I do ratify and confirme the said agreement. and do likewise hereby give confirme and grant unto the said Richard Smith his heirs and assigns

the said Parcell or Tract of land, called or knowne by the name of Nesaquauke Lands bounded as afore said together with all the lands, woods, meadows, Pastures, Marshes, Waters, Lakes, fishings, Huntting and fowling, and all other profitts comodityes and Emoluments to the said parcell or tract of Land and Premises belonging, with their and every of their appurtenances, and of every part and parcell thereof. To have and to hold the said Parcell or Tract of Land with all and singular the appurtenances, unto the said Richard Smith his Heirs and Assigns, to the proper use and behoofe of the said Richard Smith his Heires and assigns for ever. Upon the conditions & Termes hereafter exprest, That is to say, That in Regard there hath arisen some dispute and controversy between the Inhabitants of the town of Hunttington and Captaine Robt Ceely of the same place, concerning that Parcell of land lying to ye westward of Nesequauke River which for the consideracons therein mentioned, the said Richard Smith by vertue of the aforementioned Agreemt was to enjoy, but now is molested and hindered in the quiet Possession thereof, The said Richard Smith shall be obliged to Settle onely ten families on the lands before mentioned within the space of three years after the date hereof. But if it shall hereafter happen that the said Richard Smith shall cleere his Title and be lawfully possessest of the premises as aforesaid that then hee the said Richard Smith shall settle the full number of Twenty families within Five yeares after such Clearing of his Title, and being lawfully Possessed as aforesaid, and shall fulfill whatsoever in the said Agreemt is required. And for an encouragment to the said Richard Smith in his settling the families aforementioned, the Plantations upon the said Nesequauke Lands shall from the first settlement until the expiration of the Terme or Termes of years bee free from all Rates or Taxes, and shall have no dependence upon any other

place, but in all respects have like and equall priviledges with any Town within this Government, Provided always, That the said Richard Smith his Heirs and assigns shall render and pay such other acknowledgements and duties as are or shall be Constituted and Ordained, by his Royall Highness the Duke of York and his Heires or such Governor or Governors as shall from time to time be appointed and sett over them.

Given under my hand and seale at Fort James, in New York this 3d day of march in the Eighteenth year of the Rayne of our Soverign Lord Charles the Second by the Grace of God, King of England, Scotland France and Ireland, Defender of the Faith &c And in the year of our Lord God, 1665.

RICHARD NICOLLS.

(Recorded in office of Secretary of State, Albany.)

Deed from Nesatesconsett, Indian Sachem.

Whereas Richard Smith of Smithfield hath bought all the land between Hunttington Harbour and Nesaquouke River of Lyon Gardiner, as may appear by a deed bearing date, 1663, Nassetconsett, Sagamore of Nesaquauke Complaint to ye Commissioners of Hartford at a Court held at Setalcot in 1664, that Richard Smith had taken away his land. And then did owne that he had given Catawaunuck to Wyandance for the said Lyon Gardiner's use which was by Mr. Odell and others bounded as may by marked trees appear. But Nassetconsett said that the land between those marked trees and Nesaquauke River was his. The Court advised me to buy the land of him in case he had not sold it before. Whereupon I Richard Smith went to speake with the Sunk Squaw. She did before many of East Hampton owne that Nesaquauke Sagamore did give Catawamuck to her father long ago, and that hee Nassetconsett did give the other part unto Nesa-

quauke River to her brother Wogancombone, But finding nothing under his hand to show, and shee owning him to be the true Proprietor at first, I thought good to buy the said land of Nessateconsett, and have agreed with him for one Gunn, one kettle, tenn coats, one Blankett three hands of powder and three handfulls of Lead.

These are to certify that I Nassetconsett, Sagamore of Nesaquauk have for me and my heires sold all of my land on the West side of Nesaquauk River with all the Benefitts and Priviledges of Land and water unto Richard Smith of Smithfield and his Heirs or assigns for ever, and have received pay for the same to my content. Whereas Catawump doth lay clayme to half the aforesaid Land it is agreed that he is to have two Coates more, and so doth joyne with Nassetconsett in the sale, And do both agree for us and our Heires to maintain the right of Richard Smith and his heires for ever in all the land aforesaid, reserving the liberty of Matts, Canoos, and Eagles and Deare Skins catcht in the water.* By canoos is meant Indyan Built that is to say, rack, this to my selfe and heires. Witness our hands and Seales, May 4th, 1665.

The mark of NESATESCONSETT

Witnesses	CATAWUMPS his mark
RICHARD WOODHULL	TANARINGO his mark
DANIEL LANE	
his	
QUARTER C Sachem	
marke	

[*That is, the right to gather flags to make mats with which the Indians used to cover their wigwams, and to cut trees to make canoes.

In the Records of Southampton is an account of a law suit between that town and Southold. The evidence shows that young eagles taken in the nest and the skins of deer and bears killed while swimming in the water were given to the Sachem that owned the land as his rightful property.—W. S. P.]

Memorandum. That ye Land afore mentioned was bought and part of the Pay delivered neare a yeare before the Signing hereof.

(Recorded in office of Secretary of State, Liber 2, p. 121.)

[Richard Smith had purchased several tracts of land from the Indians in Brookhaven, but the people of Setauket insisted that as he was about to set up a township of his own, he should surrender all his Indian titles in Brookhaven. This he did for a suitable consideration and the following agreement was made to settle disputed boundaries.—W. S. P.]

Brookhaven and Smithfield bounds. March 8, 1666.
Recorded for Brookhaven.

The bounds betweene Brookhaven and Smithfield are to be as followeth. From a brooke called Stony Brooke overthwart the Island, and half the meadows at the fresh pond and within a mile thereof to be equally divided between the two plantations of Brookhaven, and Smithfield Bounds, is to go from the sayd brook unto Hunttington bounds, and Smith ingaging to settle 20 families within the above limits of Smithfield within five years. This was agreed upon between the plantations of Brookhaven, and Mr. Smith of Smithfield before the Committee and magistrates in open Courte, and that what soever ground Mr Smith of Smithfield hath purchased within Brookhaven bounds now stated, of the Indians, the sayde plantation of Brookhaven is to repay Mr. Smith, in case Mr Smith does not bie up the plantation within five years, or else the Courte have libertie to make up the 20 families. And Mr Smith in behalf of himselfe and his associates doth agree to accomodate Nas a conseate the Indian properly belonging to that place them and their heyres with sufficient land for their own securitie.

**Papers in relation to Controversy between
Huntington and Smithtown.**

[In 1656, "on or about the last day of July," Asharoken the Matinecock sachem, sold to Jonas Wood, Wm. Rogers and Thomas Wickes, "for themselves and the rest of their associates," "All the meadows fresh and salt lying and being upon the north side of Long Island, from our former bounds, Cow Harbour, to Nesaquake river."

The patent given by Governor Richard Nicolls to the township of Huntington November 30, 1666, describes that their boundaries "were to stretch east to Nesaquake river."

Richard Smith, relying upon his title obtained from Lyon Gardiner, brought suits for trespass against persons who, under the claim of Huntington, were occupying lands at Fresh Pond. Some of these suits were tried at Southampton, and finally about 1670, came to the Court of Assizes. The claim of Huntington was sustained as far eastward as Nesequake river, upon condition that Huntington settle families there within three years, and a systematic effort was made to comply with these conditions.

In 1674 the Dutch recaptured New York, and Long Island, for a brief period, also came under their control. Richard Smith, with his usual energy, had made application for a new trial, and the Huntington people had been cited to appear before the Governor and Council. The motion for a new trial was argued and a new trial was granted, but before it could take place the whole affair was suspended by the restoration of the Dutch Government. Smith promptly presented his claims to the new Government, with the following declaration.—
W. S. P.]

Richard Smith Plaintiff	}	The heads of ye declaration
Huntington men Defendants		

Imprimis. the defendant did at both tryalls in both

Courts produce a false bill of sale in Assepokin's name, as may appear.

2nd The defendants produced several false witnesses whereby the Jury and Court were misled, but ye plaintiff submits to ye Courts judgment.

3d the land in question did never pertain to Asepokin ye Matinecock sachem, but Nasetconset the sachem of Nesaquake was the true proprietor thereof, and that Nasetconset sold ye plaintiff ye said land by order of Mr Winthrop and Hartford Commissioners. under this sale ye plaintiff possessed the same peaceably, 7 or 8 years, to all purposes till ye defendant disturbed him.

5th ye defendants have taken a vyolent possession contrary to law, & after forewarning, and have committed many riotous abuses to the plaintiffs great prejudice.

6th The plaintiff presented many petitions to the late Duke's Government, who in pursuance of the precedent orders did appoint two several arbitrations at ye plaintiffs charge, which were (by ye defendants) protested against, whose judgments declare ye plaintiffs right to ye land in question.

8th Governor Calbert (Colve) upon ye plaintiffs petition granted a hearing in equity, and did give sentence, and order ye fiscall to give ye plaintiff possession of ye land in question, with all the advantages to them pertaining, which execution was by Mr Kuyf committed personally, requiring Mr Odell to serve it as may appear.

9th The land in question is bounded east by Nesaquaek river, & west by Whitman's Hollow, & ye Fresh pond. The defendant charged ye plaintiff to have produced a false order of Court, which was ye cause ye Dutch Court did defer ye case so long.

The Defendant hath not settled ye land according to Governor Lovelace, directions.

[It appears that a summons was served upon the people of Huntington, and was probably written in the Dutch language, which elicited the following reply.—W. S. P.]

NEIGHBOUR SMITH OF NESAQUAG. By this ye may understand that you left a paper, for, as you say, the towne, in the hands of Joseph Whitman, written in an unknown tongue to us. from whence it came or what it is we know not, neither what you intend by it we know not, but this we know, yt we shall take no notice of it, neither can do, and if you would have us to know your mind, you must speak and write in a known tongue to us. Likewise take notice yt we have and intend to know more fully shortly yt you or yours have acted the part of the currish nabour by usurping with impudence and shameless bouldness, to come upon our ground and to seize upon our grass for your own use, an unheard of practice, and never practiced by honest men: therefore we doe by these protest against your course, and we are resolved, first to defend ourselves and our estates from the hands of violent aggressors, which is no more than the law of nature and nations allows. Secondly when the season comes you may expect to have and reap the due defeat of such demerits.

From Hunttington July 17, 1674.

Decision of the Dutch Government.

February 1st 1674. Present at the meeting his noble Honor the Governer Genral and their Honors Counciller Cornelius Steenwyck, Mr. Cornelius Van Ruynen, and the Fiscal, William Kuyff.

Received and read the petition of Richard Smith showing that he the petitioner had for reasons and motives stated in detail in the petition, been allowed and granted by the preceding English government a revision and re-

hearing of a certain judgment between the petitioner, and the inhabitants of the village of Huntington, concerning some lands in dispute, as shown in detail by a certain document of the Court of Assizes dated ———, and produced by petitioner to this board, further requesting that in pursuance of said document he might be allowed and granted a revision. This request having been taken into consideration it is granted in favor of the petitioner in accordance with the tenor of the said document: but before any further proceedings are taken, their honors the Governor General and Council of New Netherland decide and order that some persons conversant with the case be appointed to settle the dispute between the two parties if possible by arbitration. For this purpose Mr. Jan Lawrence merchant of this city, Mr. Richard Cornwell living near the village of vliissingen (Flushing) Mr. Richard Odell and Mr. Thomas Townsend, magistrates of the village of Oyster Bay, and Setalcot, are commissioners, and appointed, to whom it is recommended that at the expense of the petitioner they meet as soon as possible at a certain time and place to be determined by themselves, and examine the case between the said two parties, listen to arguments, make if necessary ocular inspection of the land in dispute and use all possible means to decide the case and make the parties agree, but if they cannot accomplish it, report in writing to this board.

(Translated from the Dutch N. Y. Col. MSS., XXIII, p. 206.)

[In 1675 New York was once more restored to the English Government, and Richard Smith pressed his suit before the new administration, and a final judgment was rendered as follows.—W. S. P.]

At the Term of Court held in New York October 1675.
In the Case between the Plaintiff and Defendant This

Court after mature deliberation, doth find in equity for the Plaintiff, and the proceedings of the Dutch Court in this case to be legal and judicial, and therefore give judgment for the Plaintiff, That the lands in question between Nessequake river westward unto Whitman's Hollow and so to the fresh Pond doth of right belong unto him, (Richard Smith) and he is to be put in possession of the same if not otherwise delivered up. The pesent Inhabitants thereof by the Plaintiff's consent to have leave to stay there until the first day of May, next, and also to have liberty to take off all the produce of any corne that at or before this trial was in the ground. However the said land to bee within the jurisdiction of Huntington as within their Patent, though the property adjudged to the Plaintiff. The Defendant to pay the costs of this court, but for what hath been formerly each party to bear their own charge.

The bounds of the land recovred from Huntington by Richard Smith Sr. was layd out by Thomas Wickes in obedience to the order of the Court of Assizes, he being imployed by the Court of Huntington to give possession of the same is described to be as followeth, viz. From the west most part of Joseph Whitmans Hollow, and the west side of the Leading Hollow to the Fresh Pond, Unthemamuck, and the west side of the pond at high water mark to the river east ward as it is supposed. This is attested by Thomas Wickes under his hand Sept. 24 1675.

Possession given by Turf and Twig.

[At the time when Richard Smith made application before the Court of Assizes for a new trial, Oct., 1672, the following order was made.—W. S. P.]

Some time in ye month of May next his. Hon. the Governour intends to have a General Trayning and a meeting of the two troops of horse, at the east end of Hempstead

plains, where some indiferent persons from the east end of the Island who will be there, and some others from the west, shall be appointed to go and view ye said land called Nessequake land, on the west side of the river, and so make inquiry thereunto in the best manner they can, and if possible to make a conclusion between ye Plaintiff and Defendant, which if it cannot be attained unto, that then the Plaintiff have liberty to pésent his bill in equity against the Defendant at ye next General Court of Assize, as to that land called Nessequake land, whereon a definite conclusion can be obtained according to law and conscience.

Statements of Indian Sachems.

The declaration of Pauquaitoun, formerly Chiefe Counsellor to the Old Sachem Wyandance who doth relate as followeth.

That to his knowledge Cattawamnuck land did belong to the forefathers of the old Sachem Wyandance, & that the granmother of the fore [named] Sachem lived on that land formerly, & those Indians that lived on ye sd land owned the said Sachem as chiefe owner of all that tract of land. & that he & his Indians and such Indians as lived on the sd land did give him the tribute skin of all drowned deere when he demanded it. And that he heard Assawkin the Sagamore of Oyster bay, & Nasaskonsuk sagamore of Neesaquauk both of them say, to the old Sachem Wyandance, he might dispose of all that tract of land as pleased him, for it was his & he might give the Indians wht pleased him. So the Old Sachem of Montauket disposed of all that land to Lieutenant Lion Gardiner, before his death.

The Sunk squaw of Montauket sends word by her husband & Obadiah, that the fore said land was her father's own land, and that those Indians if he were living durst not deny it.

Since then the Sunk squaw, being inquired of, shee said those Sachems above mentioned were kindred to Tapousha and to her father and mother, and they had an interest in the land above said but passed it over to her father for him to dispose of & to give them above said part of the pay he received of ye English, This spoken in pesence of me, Thomas James.

These particulars above declared to ye best of my vnderstandig before me

THOMAS JAMES.

And deposed before me

JOHN MULFORD

June 22, 1666.

Pauquatoun since testifieth that the old Sachem Wyandance appointed Sakkatakka & Chekanno to marke out the said Rattaconeck lands, & after that ye sd Pauquatoun saw the trees marked all along the bounds, & the Sachem being with him he heard him the sd Sachem say it was marked right. And that there is a fresh pond called Ashamaumuk which is at the parting of the bounds of the foresaid lands from where the trees were marked to ye pathway.

In pesence of

JOHN MULFORD.

Octobr 18, 1667.

[The original, very difficult to decipher, was found among the papers of Robert E. Smith, Esq.—W. S. P.]

SOUTHAMPTON, March ye 4th 167⁰/₁₁

The testimony of Leiftenant Tho. Talmage, and Mr Thomas Chatfield as followeth. These deponents say that the Deede of Guift made over to Mr. Lyon Gardiner was

freely made over to him without any reservation of either meadow or grasse or what e^ver else specified in the said deede. And further deponents testifie that to the best of their remembrance they never heard Mr. Gardiner nor the Indians say at that time nor at any other time, that Huntington men had any right to either hearbidge or meadow, but that they owned it freely to bee his. And further say that they the deponents were present at the signing sealing and delivering of the said deede from the Indians to Lyon Gardiner.

Taken upon oath before two of the Justices of the East Riding, named Mr. William Wells & Mr. John Mulford and by their order &c Per HENRY PIERSON, Clarke of the Court of Sessions of ye said Riding.

[The original of above is among papers of Robert E. Smith.—W. S. P.]

Agreement between Richard Smith and Capt. John Scott.

This writing Witnesseth an Agreement Between Capt. John Scott of Ashford, and Richard Smith Sen. *ejusdem*.* That all that [tract] of land once in the pssession of Lion Gardiner, and lying Between Cow Harbour and Neesaquauk River, shall be equally divided between Captain Scott and ye said Richard Smith, ye said Captain John Scott being to pay to Richard Smith ye sume of twenty five pounds, sterling upon Demand, next after this date Nov. 22, 1663. further ye said Captain Scott is to enjoy ye said tract of land to him and his heires forever. and wee doe bind ourselves to doe anything that may tend to

*Of the same place.

ye Strengthening of our right in ye pemises. Witness our
 hands ye date afore said RICHARD SMITH
 Witness . JOHN SCOTT

THOMAS JAMES
 HENRY PIERSON

A true copy per me Henry Pierson
 Register ye said November.

Know all men by these pesents that Whareas I Richard
 Smith of Ashford *alias* Setauket on Long Island, have by
 writing bearing date November 22 1663, made a full and
 firme Covenant with Captain John Scott of ye said Town,
 Esquire, Concerning ye lands I bought of Lieutenant Lion
 Gardiner, which said lands are a certain tract lying and
 being Bounded between ye river Neesequauk and ye
 head of ye Cow Harbour, ye next river south or south
 east from Hunttington, and distant about three miles from
 ye said Hunttington, and he ye said Captin John Scott
 being by ye said agreement to have halfe ye said land up-
 on a just Division for which he is to pay me Twenty five
 pounds, and whereas hee ye said Captn: Scott did lay
 Claime to all ye said tract of land I purchased aforesaid,
 by vertue of Bargaine with ye said Lieutenant Gardiner
 formerly. By meanes whereof hee ye said Captin John
 Scott became debtor unto him ye said Lyon Gardiner. I
 say I ye forenamed Richard Smith doe hereby bind my
 selfe, my heirs &c. that neither ye said Lyon Gardiner nor
 any in his right or name shall molest him ye said Captain
 Scott or his heirs &c. in Respecte of ye said Bargain or
 Covenant between them concerning ye said lands, and I
 further bind my selfe my heirs &c. never to make any
 claim of interest in ye said proportion of lands made over

as afore said, by ye said Covenants. Witness my hand
this 22d November anno Domini, 1663.*

Witness	RICHARD SMITH
HENRY PIERSON, RICHARD HOWELL,	
JOHN YUNGS.	A true copy ye sd Novembr 1663 per me Henry Pierson Register.

This is a true copy taken out of ye Records of South-
ampton from page 40 and 41 as test my hand
Christopher Foster Town Clerk [of Southampton]

Patent from Governor Andross.

(Commonly known as the "Second Patent.")

Edmund Andros Esquire, Seigneur of Sausmares, Lieu-
tenant and Governor Genral undr his Royall Highness,
James Duke of York and Albany, of all his territories
in America, To all to whom these presents shall come
sendeth greeting Whereas there is a certain parcell of

[*Capt. John Scott was a notorious adventurer, whose scan-
dalous escapades kept the western towns in an uproar for
many years. His principal scheme was to pretend to be the
owner of large tracts of land on Long Island, and then to sell
them to some credulous purchaser who found out too late that
his title was baseless. There can be no doubt but that the
pretended agreement with Lyon Gardiner was entirely imag-
inary, but it is equally plain that Richard Smith thought it
advisable to conciliate his good will. The original papers
from which these copies are made are now in the possession
of Robert E. Smith, Esq. The exposure and flight of Capt.
John Scott seem to have rendered the whole agreement void.—
W. S. P.]

land situate lying and being in the East riding of Yorkshire upon Long Island, commonly called or known by the name of Nesaquake lands, bounded east ward by a certain runn of water called Stony Brook, stretching north to the Sound, and southward bearing to a certaine fresh water pond called Raconkumuck, being Setalcott west bounds, from thence south west ward to the head of Nesaquake River, and so along the said river as it runs unto the Sound. Also another parcell or tract of land on the West side of the said river, extending to the wester-

most part of Joseph Whitman's Hollow, as also to the west side of Leading Hollow to the fresh pond Unshemamuck, and the west of that pond att highwater mark, and so to the Sound, being Huntington east bounds: which said parcell or tract of land, on the East side of Nesaquake River was heretofore granted by Patent unto Richard Smith, the pesent possessor; by Col. Richard Nicolls, and to his heyres and assigns forever, as also that on the west side of said river, with some provisoes and restrictions, the which has since by due course of law, att the General Court of Assizes held in the year 1675, been recovered by the said Richard Smith from the town of Huntington. Know ye that by virtue of his Majesties letters Patent, and the Commission and authority unto me given by his Royall Highness, have ratifyed confirmed and granted, and by these presents do ratify confirm and grant unto the said Richard Smith his heyres and assigns, the aforesaid parcels or tracts of land on both side of the Nesaquake River. Together with all the lands, soyles, woods, meadows, pastures, marshes, lakes, waters, fishing, hawking,



hunting and fowling, and all other profits commodities and emoluments to the said parcells of land and premises belonging; with their and every of their appurtenances, and every part and parcell thereof. To Have and To Hold, the sayd parcels or tracts of land and premises, with all and singular the appurtenances, unto the said Richard Smith his heyres and assigns, to the proper use and behoof of him the said Richard Smith his heyres and assigns forever. The tenure of the said land and premises to bee according to the custom of the manor of East Greenwich, in the County of Kent in England in free and common socage and by fealty only. As also that the said place bee established as a township and bee called and known by the name of Smithfield or Smithtown, by which name to be distinguished in all bargains and sales, deeds records and writings. The said Richard Smith his heyres and assigns making due improvement on the afore mentioned, and continuing in obedience, and conforming himself according to the laws of ther government, and yielding and paying therefor yearly and every year unto his Royall Highness's use as an acknowledgement or quit rent one good fatt lamb, unto such officer or officers as shall be empowered to receive the same. Given under my hand and sealed with the seal of the Province in New York, this 25th day of march in the twenty ninth year of his Majesties reign, Anno Dom. 1677.

E. ANDROSS.

[NOTE.—The seal attached to this Patent bears the Arms of the Duke of York, afterwards King James II. The shield bears “quarterly” the arms of England, Scotland, France and Ireland, surrounded by the well known motto of the Order of the Garter, *Honi soit qui mal y pense*: (Evil be to him who evil thinks.) The whole bears the legend, “Sigill. Provinc. Nov. Eborac,” (Seal of the Province of New York.)—W. S. PELLETREAU.]

Papers in relation to the Purchase by Edmund Wood and Others.

Deeds, Sec. of State. Office. Vol. I, p. 115
 Recorded for Mr John Saffine these
 following writings, viz: August 15, 1676.

Wee whose Names are here under written, having Purchased a Plantacon from the Indyans, commonly called Nesaquake, wee do freely give and graunt unto Mr. Thomas Willett and Mr. Padie, merchants of Plymouth, to have equall share, both in the Purchase and Priviledge of the place: witness our hands, this 4th Day of September, 1650.

EDMOND WOOD
 JONAS WOOD
 JEREMY WOOD
 TIMOTHY WOOD
 DANIEL WHITEHEAD
 STEPHEN HUDSON.

I do hereby Testify, That as I am one of the principall subscribers to this graunt, was present at all the subscriptions, and did then order my brother Jonas Wood to subscribe my name for mee, and also was then present when Timothy and Stephen Hudson desired Daniel Whitehead to subscribe their names in their behalfe, when he wrote his owne, wch accordingly was done in this Instrument: Witnesse my hand this 10th day Augst 1676.

Signum G JEREMY WOOD.

August 21th 1650.

This witnesseth, That wee under written, have received from Mr. Willett these goods, Twelve Dutch ells of Trading Cloath, Six Hatchetts, Six Hoes, Six Knives, one hundred Aull Blades.

EDMOND WOOD
 DANIEL WHITEHEAD.

I do hereby Testify, That according to my best knowledge & apprehencon the Subscripcion to this Receipt are the very hands of my father Edmond Wood and Daniel Whitehead, Purchasers of the Land called Nessaquaek, wittesse my hand, this tenth day of August, 1676.

JONAS WOOD.

The Testimony of Jonas Wood, Senior of Huntington, Aged about Sixty one yeares, do affirme, That about the yeare 1650 I (together with severall others) Purchased of the Sachem of Nessaquage, named Nassaconsit, and the rest of the owning Indyans of Nessaquage, their Land from the east side of Nessaquage River, to the east side of their Bounds, which was then shewne to us, and now commonly knowne: And Mr. Thomas Willett, Merchant of Plymouth; being then at Manhatans, hearing of the Purchase wee had made, sent to us requesting us, that wee would admitt of him, the said Mr. Tho. Willett and Mr. Padie, then his partner, as part Purchasers with us, equally in all wee had Purchased, with ourselves, the which Request I know, and do affirme was graunted, and Mr. Willett did accept, and did Pay to the full, what was their Shares of the Purchase: And further, I affirme, That neither Mr. Willett, neither Mr. Padie, nor any by or from, that ever I knew or heard of, did Alienate, Sell or dispose of these their Shares of Land, to any other Person or Persons, to this day.

Sworne this 10th day of August 1656 at Hempstead
before mee John Pell.

IN HEMPSTEAD the 10th August, 1676.

Jeremiah Wood, did this day before mee, declare, That hee could also make Oath to the truth of the above written deposicon, hee being one of the Purchasers and grantees of the Land above written, but notwithstanding hee

was Subpœnæd there unto, refused, because (as he said) hee had been much abused by Richd Smith, about a testimony hee had given in, between the case of Huntington men and him: to the truth whereof hee the said Jeremy Wood hath here unto Subscribed his name.

RICHARD CORNELL *Signum* G JEREMY WOOD.

John Saffin, as Administrator to the Estate of Capt. Thomas Willett, deceased, did this day appeare in the Secretaries Office, and did there againe enter his Clayme (by right of Purchase) of two eighth parts of all the Land called Nessaquague, on the East side of a River, mentioned in a deed or Conveyance, from certaine Indyan Sachems, unto Edmund Wood, Jonas Wood Jeremy Wood, Timothy Wood, Daniel White Head and Stephen Hudson bearing date the 29th September 1650 & is upon record. The said Capt Willett and his Partner Mr. William Padie, being then invested with an equall Share, Right, Privalege and proporcon, of all the said Land: and payed the Purchase thereof, As by the above written Instrument and evidences may appeare. Dated in New Yorke the 16th day of August, 1676.

[As no further mention is made of the claim of Mr. Saffin or Mr. Padie, it is presumed that Richard Smith obtained their interests. Thomas Willitts released his claim to the heirs of the patentee. The releases of Whitehead and Wood are here given.—W. S. P.]

Know all men by thes x presents that Daniell Whitehead of Jamaica doe by thes presents renounce all right that I may have in ye purchase of Neesequauke mentioned in a bill of sale ye 29 of Sept. 1650 with all benefitts of land or meadow which bill was made to my father deceased & others. And doe for me & my heires assigne ye said Right

thereof to Richard Smyth Senr. of Smythtowne. To have & to hold to him & his heires or assignes for ever
Witness my hand & seale this 3 of March 168 $\frac{4}{5}$ as also all benefits & priveledges of land & meadow conteined in ye bill above mentioned. March ye 3 168 $\frac{4}{5}$

Witness DANIELL WHITHEAD

WILLIAM CREED × [Seale]

JOHN WOOD

March ye 8th 169 $\frac{4}{5}$ Entered p me

Tho Helme Cler

Liber A of Deeds, page 60. Suffolk Co. Clerk's office

Whereas my ffather Timothy Wood was one of ye purchasers of ye land & meadow conteined in ye bill of sale above mentioned. I John Wood son & heir to my ffather Deceased doe by thes presents make over all my right thereunto from me & my heirs unto Richard Smyth of Smythtown to have & to hold to him his heirs or assignes for ever

JOHN WOOD [Seal]

March ye 3 168 $\frac{4}{5}$ witnes

WILLIAM CREED SAMUEL RUSCOE

March ye 8 169 $\frac{4}{5}$ Entered by me Tho Helme Cler

×

Liber A. of Deeds, page 61 Suff. Co. Clerk's office.

Deed from Wyandance to Heirs of Richard Smith.

Know all men by these presents that I Wiandance grandson to Wiandans of montacut belonging to Easthampton In ye County of Suffolk, province of new yorke, Sachem, for diverse good causes and considerations me hear unto

moveing, but more espetially for ye sum of twelve shillings current money of New Yorke, by me in hand received of and from Sarah Smith of Nisauak & her sons Jonathan Richard, Samel, Adam and Daniel Smith of Smithtown, where with all I doe acknowledge myself to be satisfied contented, and paid, doe alienate Bargain make over & sell, and by these pesents have alienated Bargained, made over and from mee my heirs executors administrators and assignes for ever hear after firmly sould unto the above said Sarah Smith, Job, Daniel, Addam, Samuel, Richard [word gone] Smith and to their heires executors administrators and assigns forever hereafter all of that tract or seat of land in Setauket and known by ye name of ye old field and Cranes neck, which my grand father Wyandance grand Sachem sould to Richard Smith deceased, with the privileges of the same, which tract and part of earth I Wiandance doe alienate together with all ye privileges and apurtenances whatsoever, unto the Ould field and Cranes neck, or is unto the same in any manner of wayes appertaining, for them ye said Sarah Smith and Jonathan, Richard, Samel Addam, Job and Daniel Smith of Smithtowne, and their heires and assigns forever hear after, to Have and to Hold, possess and freely enjoy, as his, her their own free land in fee simple without the least lett troble, hindrance molestation or disturbance (from me) or my heirs and assignes, or any other person or persons whatsoever, from or under me ye said Wyandance claiming or Laying any manner of title or Claims to the said ould field and Cranes neck which my grand father Wian-dance Sachem of montacut and Lord of Long Island alias Nasaa (Nasaw) sould Richard Smith of Smithtown, now deceased and received satisfaction in a sartain percell of craft Gones (guns) and other goods, and for confirmation of the pemises I have hear unto set to my hand in Easthampton this 18th of September. In the second year of

our sovereign Lady Ann &c and in ye year of our Lord
1703.

In pesence of us

his
ROBERT × REDE
marke

JEKAMIAH SCOTT

his

WYANDANCE × Sachem (.)
marke & seal.

This day Wyandance Sachem
of Montakett appeared before
mee and acknowledged this In-
strument to be his act and deed

JOHN MULFORD
Justice of the peace

[Copied from the original deed in posession of Robert E.
Smith, Esq.—W. S. P.]

[The present limits of the town were established in the Gen-
eral Act of Legislature for dividing the various counties into
towns, in the following words:—W. S. P.]

“And all that part of the said county of Suffolk, bounded
southerly by Islip, northerly by the Sound, westerly by
Huntington and easterly by the Patent of Brookhaven, in-
cluding Winne Comick shall be and hereby is, erected into
a town by the name of Smithtown.” Act passed March
7, 1788.

Analysis and Meaning of Indian Geographical Names in Smithtown.

BY DR. WM. WALLACE TOOKER, SAG HARBOR, L. I.

Nissequogue—The late Hon. J. Lawrence Smith, in his
notes on Smithtown, Munsill's History of Suffolk County,
says: “The tribe and river derived their name from *Nes-*
aquake, an Indian Sagamore, the father of *Nasseconset*.”
This derivation of the name is certainly wrong, for it is a

place name beyond question, and not a personal one. The first mention of the name that has come under my observation is in the Dutch archives, under date of 1645, as follows: "*Nisinckqueghacky*, being a place where the *Matinnecoeks* now reside," thus proving its identity as a place name, and indicating that the *Nesaquogues* of 1645 were a branch of the *Matinnecoeks*. Some of the variations from the English records are *Nesequake*, 1650; *Nesequagg*, 1655; *Nesaquock*, 1656; *Nesoquauk*, 1663; *Nesquauk*, 1665; *Nasaquack*, 1666; *Nassaquake*, 1675; modernly, *Nissequogue*. In determining the origin of this name, several matters must be taken into consideration, which would take up more time and room than is desirable at the present moment. In the first place it was known as *Nisinckqueghacky* long before any settlement was begun, and was evidently neutral ground, from the fact that the tribe whose home was located further west, were then residing there, part of whom became known as the "*Nesaquage*" of after years.

On comparison of the various forms of the main theme of the word, it seems to be a derivative from the Massachusetts *pissagua*, "mire," "clay," "mud," etc.; Delaware *assisquo*, "clay," "mud," etc. Its terminal in *hacky*, *ack*, *ake*, etc., denotes "land" or "country." When the word was sounded by the Indians there was evidently a nasal sound preceding the vowel, hence we have *n'assaqu-ack*, "the clay or mud country" in the English notation, or *n'isinckqueghacky* in the Dutch notation, which may have referred to its clay deposits, frequented by the Indians for obtaining a desirable quality of clay for making their pottery vessels, or *perhaps more likely to the meadows hereabouts*.

In an order issued by Gov. Nicolls in 1670, concerning the Smithtown boundary, we find [Huntington Records, Vol. I, p. 170]: "Declaring and offering to prove that ye Nesaquake lands lay on both sydes of ye Ryver, & that parte lyeing on ye west syde comonly called *Nesaquaque*

Accompsett, did extend as farre as ye fresh pond westward." *Nesaqu-auke accomp-es-et*, signifies "the neighborhood on the other side of Nesaquague," which evidently shows that the east side of the river, or at least the neck on the east side, was indicated in the name.

Cutscunsuck, or *Cussgunsuck*—Brook or creek on the bounds between Smithtown and Brookhaven.

A record of Aug. 6th, 1702 [Brookhaven Records, Vol. I, p. 94], says: "Att a place comonly called *Cutsgunsuck*." Another entry of the same has it, *Cutsgunsuck*; award by the Arbitrators in 1736 has it *Cussquontuck*; copy of the same in the Town Clerk's office, *Cutscwontock*; Andros patent, 1675: "Bounded eastward by a runne of water called Stoney brook"; Brookhaven and Smithtown Boundary Award, 1725, says: "Do Judge and award that the head of the middle branch of Stoney Brook * * * * shall be one of ye bounds between ye said towns," [Brookhaven Records, Vol. I, p. 115].

This name is derived from *qussukque*, "a stone"; *qussuk-quanash*, "stones"; related to the Narragansett *qussucqun*; Delaware *K'sucqun*, "it is heavy." Hence we have with its terminal in *suck*, denoting "a brook, or outlet of a pond," *qussucqun-suck*, "the stone brook"; or when its terminal is in *tuck*, "a creek," the stone creek." The latter, however, may be an error of some recorder. This is a very rare Indian place name—in fact it may be regarded as unique, as it is the only one I have ever found derived from this root. Trumbull says: "*Qussuk* is not often, perhaps never, found in local names." In regard to its application I am inclined to believe that it originally indicated a "boundary stone," placed at or near this brook.*

[*With all due respect to the learning of Dr. Tooker, who is a well recognized authority on this subject, we are inclined to doubt the application of the name to Stony Brook. The name *Cuttscunsuck* in all the places where it occurs seems to denote

Arhataamunt, (1659), *Catawamac*, (1685), *Acatamunk*, *Catawamuck*, are all varying forms of one and the same name, denoting "a fishing place for crabs," of which its English name of "Crab Meadow" is a free translation. The terminal in *amuck*, signifies "a fishing place," while its prefix *Arhata*, means "a crab," literally. "They run to and fro," from one side to the other, (See *Brooklyn Eagle Almanac*, 1895, p. 54.)

Unshemamuck, (1675), *Uncheman*, (1677), *Unsheamuk*, (1685) *Unshemamuke*, (1688), *Oshamamucks*, (1694), denotes "an eel fishing place." The prefix indicates something "smooth" or "slippery," hence "an eel." At certain seasons of the year eels enter these fresh water ponds for breeding, and are detained therein by closing of the inlets. As soon as they are reopened, they leave the pond and are taken by the wagon load.

Sherawog.—The name of a place on the east side of Stony Brook harbor. This name occurs in a great variety of forms throughout New England, and designates "a place between," or "in the middle," "the midway place." Massachusetts *nashane-ohke*, of which *Sherawog* is a mutilated form. See *Nashaway*, in Massachusetts; *Ashawog* or *Asawog*, in Connecticut.

Memanusack, also *Memanusuck*.—The stream now known as Stoney Brook, the eastern boundary of Smithtown, according to the deed of Sept. 29th, 1650. The prefix of this name means "to bring together," and as a whole, "where two streams meet." As it is a boundary mark, it may have designated where the lines met, at this brook; hence the "meeting brook," of the two towns.

the two small swamps or ponds, one of which is now called Mills Pond, and the other being near it. See index for places where the name occurs.—W. S. P.]

Pessapunk or *Peacepunck*.—A “sweating place.” A branch of the Nissequogue river. This is identical with the Narragansett *Pesuponck*, “an hot-house.” Roger Williams says: “This Hot-house is a kind of little cell or cave, six or eight foot over, round, made on the side of a hill (commonly by some Rivulet or Brooke), into this frequently the men enter after they have exceedingly heated it with store of wood, laid upon an heape of stones in the middle, when they have taken out the fire the stones keepe still a great heat; Ten, twelve, twenty, more or less, enter at once starke naked, leaving their coats small breeches (or apron) at the doore, with one to keepe all; here doe they sit round these hot stones an houre or more taking Tobacco, discoursing and sweating together * * * when they come forth (which is a matter of admiration). I have seene them runne (summer and Winter) into the Brooks to coole them, without the least hurt.”

[Rassapeague, or Rasapege, is the name applied to localities on the west side of Stony Brook harbor. It denotes a marsh or meadow, from *Rassa*, “miry,” “muddy,” and *pe auke*, “a water place.” The various localities bearing the name, are Rassapeage, Old Rassapeage and North Rassapeage, the latter being at the place called “Pig creek.” A small island in the harbor, called “Rassapeage island,” derives its name from its proximity to the above places.—W. S. P.]

List of Documents in the office of the Secretary of State Relating to Smithtown.

Return of Survey of lands recovered from Hunttington by Richard Smith, as laid out by Thomas Weeks March 10th 1677 Vol. XVI p. 32

Commission of Lieutenant Richard Smith Jr in Compa-

ny of which Richard Woodhull Jr is Captain. March 13
1685 Vol. XXXIII

p. 96.

Commission of Richard Smith Jr as Justice of Peace
Dec. 14 1689 Vol. XXXVI p. 142.

Petition of Sarah Smith widow, Complaining of one
Richard Smith, and praying to have a Decree of the Court
of equity in relation to her husbands estate executed. She
having now living 50 children and grand children whom
she is desirous of providing for. Nov. 24 1702. Vol.
XLVI p 143

Same to oblige her son Richard to surrender a deed in
his pssession Sept. 3, 1703 XLVIII p. 55

Petition of Andew Gibb of Brookhaven for a Patent for
2 small islands of Creek Thatch meadow in the Rasapeage
bay, the first being the 2nd island from the harbours mouth,
to the north west of Stoney Brook, the other adjacent to it
north west. both containing about 20 acres. 1687 Land
Paper 11, 207

Petition of Robert Arthur and David Scudder for a
grant of several islands in the Drowned Meadows and
creek, thatch in Nisaquake river. Jan. 13, 1687 11. 207

Claim of Nathaniel Platt and James S. Adams in behalf
of the devisees of Richard Smith and Joshua Smith for
land in possession of Timothy Wheeler, bounded west by
Mowbrays Patent and Winnecomack Patent, north by
Smithtown patent. east by Nicoll's Patent April 11 1789.
XLVII. 2 (map)

Petition of Charles Congreve and others for 3500 acres
called Wynecomack Dec 24 1702 Land Papers 3, 105

Petition of David Scudder and Robert Arthur in rela-
tion to purchase of a home lot which was Mr. Brother-
tons with 20 acres adjoining, and 7 1-2 acres of Sunken
meadow and 5 acres of creek thatch in Nissequake river.
Land Papers 2 151

Muster Roll of Smithtown 1715 LX, 65

Samuel Smith Captain.

Platt Smiths Commission as Ensign in Company of which Edmund Smith is Captain LXX 67

Richard Smith Commission as Lieutenant in same p. 68.
Edmund Smiths Commission as Captain in Regiment whereof Henry Smith is Colonel p. 70

List of Slaves and owners 1755 LXXX, 135

Petition of Richard Smith in relation to certain lands taken by the town of Hunttington, between Cow Harbor and Nessequake river. XXII 119

Declaration of Jonas Wood as to a conversation he had with Gov. Lovelace last June, respecting an error in a suit brought by Richard Smith. XXIII 337

Minute of the proceedings at Jamaica in the case of Ri. Smith agaist Jeremy Wood.

Petition of Ri. Smith against Joseph Smith XXIII 356

Petition of Poor farmers seated on the land late in controversy between Ri. Smith and Hunttington XXIV 165

Letter from Gov. Nicoll to Ri: Smith stating the Governors views XXV 43

Wills of Early Residents of Smithtown.

WILL OF RICHARD SMITH AND WIFE.

March ye 5th 1691-2.* In ye name of God, Amen
I Richard Smith Sen'r of Smithtown in ye County of Suf-

[*Prior to 1753 the year began on the 25th day of March. At the time when the calendar was corrected by Pope Gregory, the new year was changed to January 1st, and this was adopted by most of the countries of Europe, and was called the "New Style." England still retained the "Old Style," but to conform in some degree to the new order of things, all the dates between Jan. 1st and March 25th were written in this manner, "Feb. 10, 166 $\frac{1}{2}$," meaning 1661 in Old Style, and 1662 according to New Style. By Act of Parliament the New Style was adopted in September, 1753.—W. S. P.]

folk on Long Island, in ye Province of New York, being sicke & weake in body but of sound and perfect memory, thanks be to God, calling to mind ye uncertain state of this life and that we must submit to God's will when it shall please him to call us out of this life, doe make constitute and ordain this our last will & testament, hereby revoking & annulling any former or other Will or Testament made by us eithr by word or writing

Imprimis. We give our soules to God who gave them & our bodyes being dead to be decently buried in such place and manner as to our Executors hereafter named shall seem convenient, and as for ye lands, goods & Chattels wherewith it has pleased God to endue us withal, our just debts & Legacyes being first paid, we order and dispose in manner and forme following.

Item. To Jonathan Smith our oldest son we give & bequeath our house, barn and orchard joyning to his home lot, and ye homestead as far as ye old fence Northward and halfe way from ye said house to Samuel's house; and thence to ye West ende of ye barne, and ye wood close on ye East side of ye little brook over against ye house and forty acres of land more than his equall share in division with ye rest of our children, and that lot of meadow over against the hill on ye West side of ye River.

Item. To our son Richard we give and bequeath our negro Harry and an equall share of land in division with ye rest of our children.

Item. To our son Job we give & bequeath our negro Robin for ye terme of twelve years and an equall share of land in division with ye rest of our children, and at ye end of sd twelve yeares the said Robin shall be free.

Item. To our son Adam we give an equall share of Land in division with ye rest of our children.

Item. To our son Samuel Smith we give and bequeath ye orchard Southward of the house, & half ye pasture

bounded by ye little Creek, ye Eastward parte thereof, & ye lower or northward most fresh Island on ye east side of ye river, with an equall share of land in division with ye rest of our children, and the swamp called ye North swamp, with ye land on ye East side which is fenced.

Item. To our son Daniel we give and bequeath ye other halfe of ye pasture Southward of his house, ye westward part of it, and an equall share of land in division with ye rest of our children. & our will is that James Necke shall be and remaine for ye use and improvement of my six sons above said and their heires forever.

Item. To our daughter Elizabeth Townley we give & confirme that land and meadow at a place called Sunk Meadow as it is mentioned in a deed made by us, & also ye one halfe of my cloathing.

Item. To our daughter Laurence we give & bequeath an equall parte & share of land in division with ye rest of our children where it shall be most suitable & convenient, also ye other halfe of my clothing.

Lastly we doe hereby nominate and appoint our beloved sons Jonathan & Richard Smith, Executors of this our last Will, & Testament, to pay all our just debts and to make an equall partition amongst all our children, of all ye goods & chattels & what moveable estate shall be left.

In Witness whereof we have hereunto set our hands & seales the day and yeare above named.

	RICHARD SMYTH	[Seal]
Sealed & delivered in	SARAH SMYTH	[Seal]
presence of		

JOHN ROE

JONATHAN LEWIS

THOMAS HELME.

Proved May 2, 1693.

(Recorded in Lester Book of Wills, Suffolk Co. Clerk's office.)

WILL OF SARAH SMITH.

In the name of God Amen. I Sarah Smith relict of Richard Smith Sen. deceased of Smithtown in ye County of Suffolk & in ye Province of New Yorke, Doe make my last will and Testament in manner following. First I commit my soul into ye hands of God which gave it, and my body to a decent burial at ye discretion of my Executor hereafter named, in comfortable hopes of a happy and glorious resurection thro, the power and merits of my Lord and Saviour Jesus Christ. And as for my outward estate, after debts and my funrall charges are paid, I give and bequeath as followeth. Imp. I give and bequeath to my son Richard Smith his eldest son Richard, all the houses, orchards, and all my lands that my husband left me in ye possession of, & that I am at this pesent in possession of, he yielding and paying me ten pounds a year and yearly as long as I shall live, & at my death to have ye above mentioned premises, & his heirs for ever, with all the privileges and accomodations thereunto belonging. I also give to my daughter Elizabeth one trunk with all my linen & wearing clothes. I give to my son Richard's two daughters my silk whod, and scarfe. I give a Necke called James Neck to be equally divided amongst my six sons Jonathan, Richard, Job, Adam, Samuel and Daniel. I give my son Richard's eldest sonne my blunderbuss.* I give my son Richard's wife my cloake. I give all ye household stuff not here bequeathed to be equally divided amongst my six sons above mentioned. I give Mr. George Phillips a Cow, & all ye rest of my stock to be equally divided amongst my six sons above mentioned, it must be under-

[*This famous gun, known as "Old Crib," has been handed down from generation to generation, and is now in possession of the heirs of Hon. J. Lawrence Smith, and is supposed to have been used by the father of the Patentee in Cromwell's wars.—W. S. P.]

stood that what I have given my son Richard is to oblige him to quit and null all debts ye he pretends is owing to him by my husband or my self, so it may prevent future difference among my children, and also all ye rest of my children to null and void all debts from husband or myself, and to accept of what I have given them in full satisfaction. I desire also what I gave Mary Petreche she may have it & to be maintained equally amongst my children. I hereby null and revoke, all former wills & instruments whatsoever, & Constitute & appoint my well beloved son Richard Smith to be my executor & to take care and see that this will be to the true intent of it performed. In testimony hereof that this is my last will & testament I have hereunto affixed my hand and seale this twentieth day of January 1707.

her

SARAH × SMITH

mark

Signed, sealed and declared to be her
last will & Testament in presence of us
Witnesses.

GEORGE PHILLIPS

ELIAS NODINE.

Recorded in Liber B, Page 25 Suff. Co. Clerks office.

[Among papers on file in office of Secretary of State, Albany, is a "Petition of Sarah Smith, widow, complaining of one Richard Smith, and praying to have a decree of the Court of Equity in relation to her husband's estate, executed. She now having 50 children and grandchildren whom she is desirous of providing for." Nov. 24, 1702. Also a petition of Sarah Smith "to oblige her son Richard to surrender a deed in his possession." Sept. 3, 1703. In Historical Documents, Vol. XLVI, p. 103; XLVIII, p. 55.—W. S. P.]

WILL OF RICHARD SMITH 2ND.

(Known as Justice Richard Smith.)

In the name of God Amen. I Richard Smith of Smithtown, in the County of Suffolk, on the Island of Nassau, in the Collony of New York, I leave to my wife Hannah one third of all moveables except silver plate, and the best room in my dwelling house and two slaves Harvey and Dick. I leave to my son Richard, all that neck at the South commonly called and known by the name of Moriches, whereon the said Richard now lives, with one half of my right upon the island, that lyes at the bottom of Ezekiel Howells neck, and all the improved land that my father died possessed of in Smithtown excepting that farm that formerly belonged to Robert Arthur, together with one third of my undivided land thatch beds and meadow lying in Smithtown, and a mulatto boy named Stephen, and a negro man Dick, at my wifes decease. Also my biggest silver tankard and my silver handled cane. I leave to my son Nathaniel all my part and right on the neck called Watchogue* lying at South, and one half of the

[*On October 15, 1694, Richard Smith, 2nd, purchased from John Townsend, Thomas Willetts and Dr. Henry Taylor a tract of land embracing three necks, Moriches, Mattuck and Watchogue, bounded west by Terrill's river, south by the bay, east by Seatuck river, which separates it from the town of Southampton. Gov. Fletcher granted a Patent for this tract Nov. 12, 1697, and it was known as the "Patentship of Moriches." Richard Smith sold the middle half of the Patent to Col. Mathew Howell of Southampton, who left it to his sons Israel and Ezekiel. Richard Smith, 3d, sold his share, as left in the above will, to his brother Nathaniel, and a large part is yet owned by his descendants. Watchogue neck is now owned in part by Ezra A. Tuttle, Esq. The island mentioned in the will is now known as Moriches island, and principally owned by Hon. John S. Havens.—W. S. P.]

neck called Mattuck, and the remainder of my right on the island afore said, lying at the bottom of Howells neck, and my outlands at the South to be equally divided between my sons Richard and Nathaniel.

Also a certain tract of land lying upon Nisaquage, with my mill house, mill, mill dam, meadow, ponds and commonage, and whatever is to the same belonging, and he is to have all my improved land in Smithtown, not heretofore bequeathed, until my son Ebenezer comes to the age of 21, and then it is to be equally divided between them, except my dwelling house and home lot which I have given to my son Nathaniel. Together with that farm on the west side of the river which formerly belonged to Robert Arthur, and one third of my undivided lands, thatch beds and meadow in Smithtown, and two negroes John and Harry, and my little silver Tankard, and my silver hilted sword.

I leave to my son Ebenezer when he arrives at the age of 21 one half of my improved lands not heretofore bequeathed, in Smithtown, and a negro named Jack, and 50 acres of land on the road to Brookhaven; and 100 acres over and above his equal share of my undivided lands, thatch beds and meadows, and a silver server and one silver salt and 20 pounds. I leave to my daughter Sarah 130 acres of land at the two swamps called Cuttscunsuck, and my biggest silver mugg, and six spoons, and six head of cattle, and three silver forks. I leave to my daughter Hannah 130 acres of land out of my undivided rights in Smithtown, and my best silver mugg, six spoons three forks and six head of cattle, and my sons Richard and Nathaniel are to purchase for her household goods as much and as good as I have purchased for my daughter Sarah.

* * I make my sons Richard and Nathaniel and my well

beloved friend John Davis of Easthampton my executors.

Dated June 23, 1718.

RICHARD SMITH (.)

Witnesses.

DANIEL TOURNEUR

JAMES FANNING

JAMES SMITH.

Proved March 28, 1720.

Recorded in New York Surrogate's office.

[The daughter Hannah married James Fanning. Sarah married Nathaniel Woodhull, and was the mother of Gen. Nathaniel Woodhull of Revolutionary fame.]

[Richard Smith, the oldest son of the testator, sold his share of the land at Moriches to his brother Nathaniel and Nathaniel appears to have given him in exchange the greater part of the lands left him at Smithtown. By this means Richard came in possession of his father's homestead, which is at Nissequogue, on the north side of the road and now belongs to the Misses Harries. The 130 acres of land at Cuttscunsuck left to the daughter Sarah was sold by her to her brother Nathaniel and was laid out to him in the General Division in 1736.—W. S. P.]

Estate of Obadiah Smith.

Obadiah Smith, the youngest son of Richard Smith the patentee, was drowned, and Letters of administration were granted to his father, April 24 1682.

"Inventory of the estate of Obadiah, son of Richard Smith of Smithfield who dyed Intestate August the 20, 1680, appeareth to be as followeth.

	£	s	d
Imprimis a ffarm on the west side of Nessa-			
quage river, containing 100 acres of Land.	30	00	0
Item 5 cows and 2 oxen	22	10	0
Item 4 steers & 6 young steers	31	00	0
Item 4 Heiffers	4	00	0
Item 3 Horses	9	00	0
Item 16 swine	16	00	0

Item 6 swine more	3	00	0
Item 4 acres of meadow	4	00	0
Item by debts due from Mr Kingsland 2 pieces of penistone at 7 a piece			
½ a case of knives at 10 s			
in Cloth serge 3 s 10 d	18	00	0
Item his chest and wearing clothes	3	00	0
Item one saddle	1	00	0
The particulars thereof are valued according to the rate of money.			
	143	10	

JONATHAN SMITH
DANIEL SMITH

[The above is recorded in New York Surrogate's office, Vol. I, p. 423. The above estate went to his father as heir at law.—W. S. P.]

ABSTRACT OF WILL OF RICHARD SMITH (SON OF SAMUEL SMITH AND COMMONLY KNOWN AS "QUAKER RICHARD.")

I Richard Smith late of Smithtown but now resident of Newport, Rhode Island." I direct my executors to sell all of my lands, tenements, mills and buildings in Smithtown, and all my rights in certain thatch beds so called. I leave to my wife Elizabeth certain slaves and £50. I leave to my sons Gilbert, John, Talman, Richard and Samuel, each £200 when they arive at the age of 21. I leave to my daughter Mary £100 when she arives at the age of 18. He leaves £100 to an expected child. I make my brother in law Peter Tallman, and Daniel Waters, both of Flushing, my executors.

Witnesses

JOHN LAWRENCE

MATHEW BORDEN and JOSEPH FOX

Dated February 12, 1735.

Proved Nov. 9, 1736, N. Y. Surrogate's office.

ABSTRACT OF WILL OF CAPT. RICHARD SMITH
(SON OF RICHARD 2ND).

I leave to my son Isaac all my lands lying in Nessequage neck, with the house I now dwell in which I suppose to be thereon, with all tenements etc thereto belonging, and part of my lands at a place called the Old Mill, that is to say the north most lot as it is now fenced, with the meadow adjoining, together with all that tract above or east of the road, except 10 acres. Also all my lot on the Beach thatch bed, in Stony Brook harbor. Also all my thatch bed in Nissequage harbor, except the lot on Wards thatch bed. Also a negro slave Peter, whom he is to have till my two daughters Phebe and Gloriana are married, also a negro slave named Bess, and all my plate and farming utensils, and horses and 2 pair of working cattle, and $\frac{1}{2}$ of my cattle and sheep I leave to my daughter Anna, the north half— of that tract on which she now liveth, and a negro slave Nell and her two children, and the cows she now hath. I leave to my daughter Sarah my negro slave Pogg, and the plate she now has, and in case Mr Daggett payeth the bond to Dr Muirson in which I am bound for him then my daughter Sarah shall be equal with the rest of my daughters. I leave to my daughters Charity and Martha certain slaves, and the plate they now have. I leave to my daughter Gloriana a slave, and the plate she now has and £30 more in division than her married sisters. I leave to my daughter Phebe a slave and £70 more in division than her married sisters. My daughter Anna shall be charged for the land I gave her £100. I direct all my lands on the west side of Nissequage river to be sold by my executors, and I direct them to sell all the land at the Old Mill which I have not given to my son. Also my 50 acre lot near Cutsquonsock No. 4. and also that tract of land called Hawkins field, and also that land on the Hill before my door,

which formerly was a Parsonage, and they are to sell all my personal estate not mentioned, and divide the money among my daughters.

I appoint Wm. Nicoll Jr and my beloved friends Isack Smith and Daniel Smith and my son Isaac, executors.

Dated Sept. 20, 1764.

Proved Oct. 1, 1766.

A Codicil dated July 11, 1765, directs his executors to sell "the upper mill close as now fenced," and the meadow adjoining to the land of Obadiah Smith and leaves to his son Isaac "my desk now standing in my great room."*
(N. Y. Surrogate's office.)

ABSTRACT OF WILL OF SAMUEL SMITH (SON OF "QUAKER"
RICHARD) "LIVING AT THE MORNING STAR ON THE
NORTH SHORE OF STATEN ISLAND."

Mentions "my brothers Gilbert and Talman," Wife Elizabeth and children Samel, Isaac and Gilbert.

Dated Jan. 22, 1781.

Proved March 30, 1781.

ABSTRACT OF WILL OF AARON SMITH (SON OF JOB SMITH).

I leave to my oldest son Othniel Smith 100 acres of land adjoining to his dwelling house, and to come down to the

[*The homestead left to son Isaac was the homestead of the father of the testator, Richard Smith, 2d, now belonging to the Misses Harries. The "Old mill," the first built in the town, was on a small stream on the east side of Nissequage river, and the first one south of Nissequage. The land here was sold by Isaac Smith to Wm. Arthur, and is still owned by his descendants. The "land that was formerly a Parsonage" was in later years owned by Richard Smith, 5th, and a map of it is now in possession of Richard B. Smith, Esq. The homestead descended to Richard Smith, son of Isaac, and familiarly known as "Shell Dick."—W. S. P.]

Channel of the river. Bounded north by the land of Job Smith, south by a line running due east from a small walnut tree standing on the brow of the hill near my dwelling house, into the river, and a path leading from the said walnut tree by the barn to the lane, so as to make the said tract to contain 100 acres. And 4 acres of thatch bed on the east side of the river, with a small thatch yard thereunto belonging, with the privilege of cutting two loads of hay annually in my share of fresh meadow adjoining to Justice Daniel Smith's. Also the privilege for six years of making out of my orchard that joineth to my lots what cider and apples he needeth to have. I leave to my son Sands Smith, when he comes to the age of 21, fourteen acres of land bounded south by Platt Smith deceased, east by Justice Daniel Smith, also a 14 acre lot with a share of salt meadow adjoining, bounded by the channell and land of Platt Smith. Also a lot on Raconcomey plains, on the south side of the road.

I leave to my son Abijah a certain lot known by the name of Hay Hollow, bounded north by Joseph Smith, south by Edmund Smith. And a share of thatch near the beach at the head of Stony Brook harbor, when he comes to be 21.

I leave to my son Jesse when he is 21, a lot lately purchased of Ezekiel Smith adjoining the land of Israel Smith, and two shares of thatch in Stony Brook harbor, with privilege of cutting 2 loads of hay yearly on my share of fresh meadow adjoining Daniel Smith on the west side of Nessequage river.

I leave to my sons Abner and Aaron all my lands and meadows lying between the land I have left to my son Othniel and the lands of Ebenezer Smith, to be equally divided by a line running from the highway leading to the meadows into the river. And six acres lying between the two roads leading to the river head. My son Aaron is to

have that part adjoining my son Othniel, with the dwelling house barn and orchard. And I leave to them the rest of my fresh meadow adjoining Justice Daniel Smith.

Mentions daughters Sarah and Serviah, and wife Serviah.

Dated August 3, 1745. Proved Feb. 19, 1747.

(N. Y. Surrogate's office.)

ABSTRACT OF WILL OF EBENEZER SMITH
(SON OF RICHARD 2ND).

I leave to my son Richard all lands and tenements in Smithtown, except as hereinafter disposed of.

I leave to my son Phineas when 21, all that lot on the west side of Nessequage river, between the land of Obadiah Smith and Job Smith, being about 35 acres. I leave to my daughters Temperance Anna and Hannah, each £100 when 21.

I appoint my brother Capt. Richard Smith and Job Smith and my wife Anna, executors.*

Dated July 25, 1747. Proved Jan. 7, 1747 O. S.

(N. Y. Surrogate's office.)

WILL OF ADAM SMITH (SON OF RICHARD THE PATENTEE).

A will of Adam Smith dated June 12 1704, duly executed, and witnessed by Wm. Jayne Jr. and Wm. Helme, is among the papers of late Nathaniel Smith of Sherewog. He leaves all estate to his only son Edmund Smith. This will was not probated.

[*The homestead of Ebenezer Smith, left to his son Richard, was left by him in turn to his son Ebenezer, who left it to his son Richard, and is now in possession of his descendants. It is well known by the popular name of the "Dick 'Nezer Place." A view of this ancient homestead is given in this work.—W. S. P.]

ABSTRACT OF WILL OF EDMUND SMITH (SON OF ADAM).

I leave to my son Edmund my house barn and grist mill, and the house that Benjamin Ackerly now dwells in, and some small pieces of land and meadow adjoining the mill creek, one small lot of land formerly belonging to Timothy Biggs in Brookhaven. Likewise a certain tract bounded from a certain well called Jacob's well, so running from thence southward by the water side to Timothy Mills two acre lot, then east to my small lot adjoining to Timothy Mills, then by the fence down to the road, and from the said Jacob's well up a certain Hollow till it comes to the head of it, thence to the northwest corner of the fence, then as the fence goes to the hollow where Richard Smith lives, and so extending as the fence goes till it comes to the lot adjoining Timothy Mills. Also 70 acres lying between the 50 acres lots and Timothy Mills' homestead and lot. Also a lot lying at Rascepage, and a piece of salt meadow adjoining to my said son's land. And a piece of salt meadow and creek thatch adjoining to the Long Beach. I also leave him 7 negro slaves. I likewise order my son to have a tender regard for his grand mother, and to provide for her maintenance as long as she lives, and likewise to have a tender regard for his brother Floyd till he comes of age.

I leave to my son Floyd Smith a certain tract running from Jacob's well as the shore goes, to a white oak tree standing by Richard Smith's orchard, thence by Richard Smith's land up a certain hollow till it comes to the land of Edmund Smith, thence as the fence goes to the north west corner of Edmund Smith's 10 acre lot, and so to the said Jacob's well. Likewise my eastermost 50 acre lot No. 1, extending south to the country road. Also a piece of meadow lying by Richard Smith's orchard and a piece of meadow in the cove near Jacob's well.

I leave to my son Thomas Smith a tract of land bounded on the east end of Timothy Mills' two acre lot, and so along as the road goes to Timothy Mills' bound rock, and so extending along Smithtown road to Joseph Smith's fence and so by his fence down to to the harbor, and northward by the water side to Timothy Mills' 2 acre lot. I also leave him two 50 acre lots No. 3 and 4, one bought of Richard Smith, the other of Obadiah Smith. Also a piece of salt meadow lying near Joseph Smith's door.

The land which we laid out at my westernmost lot of land at the south end of it and from there to the country road, and all the rest of my undivided lands I leave to my 3 sons Edmund, Floyd and Thomas.

I leave to my son Edmund 15 acres of creek thatch and all the rest to my 3 sons.

Mentions wife Mary and daughters Anne and Margaret.

Dated July 2, 1734.

Proved Jan. 5, 1735.

(N. Y. Surrogate's office.)

ABSTRACT OF WILL OF EDMUND SMITH, (SON OF EDMUND AND GRANDSON OF ADAM SMITH).

I leave to my son Nathaniel all my lands in Brookhaven, and also my grist mills and saw mills and stream and all that appertaineth thereto, in Stony Brook, and all my lands in Stony Brook neck and also all my lands at Rassa-peage. Also a certain tract of land lying southward of the mills containing about 70 acres. Also a tract called the Long field, and all my meadow ground and creek thatch in Stony Brook harbor; and also all my meadow in Smithtown harbor and thatch beds or meadow ground. I also leave him my silver tankard and silver headed cane. I direct my executors to sell all my lands west of Smithtown river and my meadow at Sunken meadow; and a tract of land near Raconkamy pond being about 100 acres and all my land on Raconkamy plains.

I leave to my two grandsons Micah and Edmund all that lot adjoining to Micah Smiths. I leave to the Presbyterian church in Smithtown £50 to be put at interest and the interest to be applied to the support of a Presbyterian minister among them forever.

I leave to the Presbyterian church in Brookhaven whereof Benjamin Talmadge is at present minister £25.

I also bequeath to the town of Setauket a burying cloth [pall] to be purchased for them by my executors.

Mentions daughters Charity and Sarah and granddaughters Tabitha, Charity and Susannah Smith.*

Dated June 5, 1777.

Proved April 5, 1779.

ABSTRACT OF WILL OF JACOB SMITH, OF SMITHTOWN.

I direct my executors to sell the land bought of Caleb Smith and Adam Babcock, lying on the south side of my other lands, containing about 150 acres, and likewise a piece of thatch bed lying near to the point which I bought of Aaron Smith containing 16 acres. I leave to my son Othniel all lands not ordered to be sold.

Mentions wife Puah and children Violette and William Clark Smith.

Makes his uncle Aaron Smith and brother Abner Smith executors.

Dated June 1, 1783.

Proved July 3, 1783.

[Jacob Smith was son of Othniel, who was son of Adam 2nd, who was son of Job 1st.—W. S. P.]

[*The lands left by Edmund Smith are mostly included in the farm given to his father Adam Smith by Richard Smith, the Patentee. The house of Adam Smith, which is the homestead left to son Edmund, is the present residence of Mrs. Devereux Emmett at Sherewog. "Jacob's well" is on a road north of the homestead of late Nathaniel Smith. A map of the Adam Smith farm will be found in this work.—W. S. P.]

ABSTRACT OF WILL OF JOB SMITH (SON OF JOB 2ND).

I leave to my two sons George and Woodhull my homestead and buildings, and all my land in the neck, together with James Neck, also the meadows or thatch bed westward of James Neck, also the thatch and upland at the Point, and all the Beach thatch beds within my right on the Beach excepting a lot of thatch bed, separate from the others, lying by the side of Porpoise Channell, also a lot of wood land lying south of the widow Floyd's Blue grass lot, joining to the same. My son George is to pay my son Job £700, one half immediately after my death, the other half to be paid to Epenetus Smith and Jesse Smith for his use. I leave to my sons Charles and Josiah all my lands lying at the head of the harbor, with the buildings thereon, which I bought of Daniel Smith, with the land that came by my wife Ruth Smith, also a 50 acre lot of land which was laid out on my grandfather's right, except 10 acres at the south end joining to the Country road, which I give to my son in law Nathaniel Taylor. He allowing two rods in width for them to come to the Country road. Also I leave to my sons Charles and Josiah all my thatch beds lying at Rasapeague islands, also 3 acres on the Beach thatch beds by the side of Porpoise Channell. I leave to Charles my silver tankard. I leave to my son Nicoll Smith a tract of land lying on the west side of Raconcamy plains, on the south side of the Country road, containing 357 acres, also my two Spring lots, and one acre of meadow on Edmund Smith's thatch bed; also two acres of thatch bed lying in Stony Brook harbor opposite to Edmund Smiths house, and one acre of thatch bed lying near the harbor's mouth, also a lot of thatch bed joining the beach adjoining to Porpoise Channel on Lawrence's right. I leave to Nathaniel Taylor my right of thatch on the great thatch bed opposite to Dan'l Smiths. I leave my lot on Racon-