

APPENDIX A

HISTORY OF PRESCOTT'S GRANT

IN ORDER to understand the history of Prescott's Grant and the reasons why this section of Middlefield ever belonged to the Prescott's we must go back to the year 1714 and study for the moment a bit of the history of the town of Groton, Massachusetts. Groton is situated in the northern part of Middlesex County near the line running between Massachusetts and New Hampshire. It happened that in the year 1714 the town of Littleton was incorporated and some of the land formerly belonging to Groton was included in the territory taken to make the new township. The proprietors of Groton, feeling despoiled of their property, petitioned the General Court, in April, 1734, for 10,800 acres of unappropriated land located in what was known as Groton Gore, lying between Dunstable and Townsend. This was granted to them in lieu of what they had lost, and though the exact territory chosen was found to conflict with the boundaries of Ipswich, an act of the General Court, on March 25, 1735, permitted the alterations of town lines to satisfy both parties.

Among the proprietors of Groton was the Honorable Benjamin Prescott, a prominent citizen, with three sons, James, William and Oliver. As time went on Prescott and his sons became the most influential of the proprietors, and James, who was appointed their clerk and was otherwise employed in laying out and dividing common lands, by the purchase of unsatisfied claims, gained control of much property.

But the proprietors of Groton were not to be left undisturbed in their new possessions for when the line between Massachusetts and New Hampshire was settled in 1739-40 it was found that 3,000 acres of Groton Gore were on the New Hampshire side of the line and so lost to the Prescotts. Sometime before the year 1765 Benjamin Prescott died. In response to a petition of Hon. James Otis, Esq., and Nathaniel Gorham and others, action was



MAP OF PRESCOTT'S GRANT

Limits of Grant and original townships -----

Middlefield township lines - - - - -

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taken by the General Court, on June 24, 1765, making grants to several individuals who had not had their claims satisfied previously. Among these were the Prescotts concerning whom the act reads as follows:

“ . . . The heirs of James Prescott Esq., and other heirs of Benjamin Prescott Esq., for what lands he lost in Groton Gore—3,000 acres. ditto for lands lost in Tyngs Town—1400.”

Though this act was passed by the General Court it was, for some reason, not signed by the governor, and the matter dragged unsettled for a time.

In 1770 the Prescotts petitioned again and the following order was passed by the General Court November 14, 1770:

“Grant of Lands to heirs of Benjamin Prescott, Esq. The following order passed on the petition of James Prescott, William Prescott and Oliver Prescott, Heirs of Benjamin Prescott, Esq., late of Groton, deceased, viz.—In the House of Representatives. The Committee on the petition of James Prescott, Esq., and others, have attended that service and duly examined the same and find the facts set forth in said petition true; that the petitioners in the year 1765 had a grant made to them as mentioned in said petition of a township of seven miles square as by the votes of both Houses of Assembly may appear, but not signed by the governor, since which some of the grantees interested in said grant have petitioned the General Court and have obtained separate grants in consideration of their interests or proportions of said grant, and it appears to the committee that the petitioners interested in said grant ought to have compensation or separate grants made to them as well as others in like circumstances:—Therefore resolved that in lieu thereof there be granted to the petitioners, their heirs and assigns four thousand four hundred acres of the unappropriated lands belonging to this province to be laid out in the westerly part thereof adjoining to some former grants, provided they can find the same, or five thousand eight hundred and eighty acres of the unappropriated lands lying on the easterly side of the Saco River, it being their portion in said grant, and return a plan thereof taken by a surveyor and chairman under oath into the secretary’s office within twelve months.”

From what followed it is clear that it was possible to find the designated area in the western part of Massachusetts and to determine the boundaries of the former grants, for the grant to be known as Prescott’s was located in Berkshire County. The description of that tract is given in the General Court records as follows:

“Wednesday, June 26, 1771. Plan of 4,400 acres of land laid out to James Prescott, Esq., and others. The plan of two pieces of land con-

taining both together, Four thousand four hundred acres lying in the county of Berkshire laid out by Jacob Brown Surveyor and chainman on oath to satisfy the grant made by this Court to James Prescott, Esq., and others the 14th day of November last, were presented for allowance: one piece contains 4,130 acres and is bounded as follows, viz.—Beginning at a hemlock pole and stones which is the southeast corner of Hartwood and stands in the north line of Becket, then running East 2 Dr north in said Becket line 640 rods to a stake and stones which is the southwest corner of Worthington, then running North 20 Dr East in said west line 570 rods to a hard maple tree and stones layed around it which is the southeast corner of Township No. 2, then running west 21 Dr North 2,032 Rods in the south line of said No. 2 to a beach tree and stones laid around it which is the southwest corner of said No. 2, then running north 21 Dr East in the west line of said No. 2 400 rods to a hard maple tree and stones laid around it, which is the southeast corner of Ashewillet Equivalent, then running west 6 Dr north in the south line of said Equivalent 318 rods to a Beach tree and stones laid around it which is the northeast corner of the grant of land called Col. Jones's Grant; then running South 6 Dr West 317 rods in the east line of said grant to a stake and stones standing in the north line of a grant called Asa Hill's Grant, then running East 21 Dr South in the north line of said Hill's Grant, 34 rods to a black spruce tree which is the northeast corner of said Hill's Grant, then running south 6 Dr West in the east line of said Hill's Grant 118 rods to a stake which is the Southeast corner of said Hill's Grant and stands in the north line of said Hartwood, then running East 20 Dr South in said Hartwood north line 1,660 Rods to the first bounds:¹ The other piece contains 270 acres lyes west of the first as will appear by the plan; the first bounds is a stake and stones the southwest corner of the above said Hill's Grant, and stands in the north line of the above said Hartwood, and from thence running North 20 Dr East 62 rods in the west line of said Hill's Grant to a beach tree and stones laid round it which is the northwest corner of the said Hill's grant, then running east 20 Dr South in the north line of said Hill's Grant 90 rods to a stake and stones standing in the west line of the abovesaid Jones's Grant, then running north 8 Dr east in the west line of said Jones's Grant 126 rods to a beach pole and stones laid round it, then running West 20 Dr North 251 Rods to a birch tree and stones laid round it bounding north on Province land, then running South 20 Dr West 182 rods to a stáke and stones standing in the north line of said Hartwood line to the first bounds.

“Upon which the following order passed. 4,400 acres of land confirmed to Jas. Prescott, Esq., and others; In the House of Representatives Resolved that both of the above Plans, one containing four thousand one hundred and thirty acres, the other containing two hundred and seventy acres deliniated and described as it is set forth by the surveyor in the description thereof hereunto annexed be accepted and hereby is confirmed to James

¹“To first bounds” incorrect. Last line not described.

Prescott, Esq., and others named in their petition, and to their heirs and assigns in lieu of and in full satisfaction for four thousand four hundred acres of land lost by the late running of the line between this Province and New Hampshire, as mentioned in a Grant made by both Houses of the Assembly A D 1765 but not consented to by the Governor, provided both of said plans together do not exceed the quantity of four thousand four hundred acres nor interfere with any former Grant. In Council read and concurred. Consented to by the Governor.”

It must have been no small task to survey and determine the boundaries of a grant of land in the year 1771. Most of these hills were covered with unbroken forest with but a few clearings here and there. To “carry the chain” around a plot of land, so long and irregular, up hill and down dale, over rocks and ledges, through forests, over swamps and around ponds, must have been a task attended with no small amount of arduous labor. We do not wonder that the measurements of the various lines bounding in Grant differ greatly in the three surveys of which we have record. For example in the original survey the north line passing through Muddy Pond in Washington as originally surveyed was:

“West 21 Dr North 2032 rods”; in the survey of September, 1781, it was “West 20 Dr North 1992 rods”; while in that of November, 1781, it was “West 20 Dr North 2050 rods.” The area also seems to have increased strangely. Whereas the original survey called for 4,400 acres, that of September, 1781, made the area 4,897 acres, and that of November, 1781, stretched it still more to a total of 4,993½ acres.

The territory of Prescott’s Grant was then entirely in Berkshire County. It consisted of two separate portions lying one on the east and one on the west of land then known as Jones’s Grant. The small piece of 270 acres lay in the northwest portion of what is now the township of Washington, west of Ashley Brook, three miles from the place where Washington meetinghouse once stood.

The eastern portion of the Grant contained 4,130 acres and was of peculiar shape, it being two irregular quadrilaterals connected by a narrow strip of land over four miles in length and scarcely 100 rods in width. The western quadrilateral forms the northeastern portion of the northern projection of Washington township and the narrow connecting strip lies along and just south of what is now the line between Washington and Hinsdale and Peru.

The portion of the Grant in Middlefield is the larger and easterly quadrilateral. Its southwest corner lies a short distance south of the "Ashdod" place so called on the Ryan or South Road to Becket, the easterly end of said road running on the south line of the Grant. The line continues east of the West Hill Road in the stone wall which forms the south fence of A. S. Crane's lot. Through "Blush Hollow" the line disappears until we come to the pasture on the hill east of the farm of Fred Boyer. It forms the north wall of the mowing formerly owned by John Dolman,¹ and crosses the road a short distance north of the house he lived in. The intersection of the stone walls east of the highway and northeast of the Dolman place was the southeast corner of Prescott's Grant and the southwest corner of Worthington. The land to the south was Becket.

The east line of the Grant ran from this point in a somewhat northeasterly direction forming the west wall of the pasture formerly owned by the late Mr. Oliver Church, continuing with some breaks in a direct line passing through the large barn of G. E. Cook. A stone wall marks the line just west of the road near Mr. Cook's. Northeast of the barn the line is lost until we come to a barbed wire fence at some distance. Following this over the hill we strike a portion of stone wall, then a section of brush fence which leads to another section of stone wall which forms the eastern boundary of Louis C. Smith's Pelton Hill lot. Beyond this the line is lost again until just before we strike the road passing the site of the Chamberlain house. Crossing the road and following the stone wall we cross the brook and at last come to a corner beyond which the line disappears. This is the northeast corner of the Grant and is not far from the Bissell Lot belonging to L. C. Smith.

The north line of the Grant crosses the road a short distance south of the fork in the road below the Robbins Place. With some breaks the line continues north of Robbins Hill and crosses the highway north of the house until lately occupied by Mr. Wanzer. The line continues west to the northwest corner which is on the West Hill across the brook. Some traces remain of the west line. This portion of the Grant just described contained 3,012 acres and formed the nucleus about which portions of land from five townships were grouped to form Middlefield.

¹ More recently occupied by Frank Johnson.

DIVISION OF THE GRANT

This land did not remain long in the hands of the Prescotts. The larger of the two portions was bought by William Spencer of Sheffield, Berkshire County, December 27, 1771. The 4,130 acres cost him 980 pounds or at the valuation of money in those days about seventy-nine cents per acre. Though living in Sheffield when he made the purchase, he is described in deeds dated 1773 as living on Prescott's Grant. He was living in Washington as late as 1778.

The smaller portion of the Grant was sold to Jabez Cornish, April 7, 1781. Soon after his purchase of the 4,130 acre piece, William Spencer began to divide it up and sell to various persons. To Josiah Arnold of East Haddam, Connecticut, he sold the large eastern quadrilateral now included in Middlefield 2,600 acres for 560 pounds, December 27, 1771. This territory like the rest of the Grant appears to have increased in area with each new survey. When the town was incorporated this tract was described in a plan on record at Boston as containing 3,012 acres, while in the petition for incorporation it was stated as having 3,412 acres. In 1774 Josiah Arnold bought another piece of the Grant, 150 acres of the connecting strip joining his 2,600 acre piece. This was incorporated into the territory used to make up the township of Washington in 1777 together with all the rest of the Grant lying to the west of it, and was later ceded to Middlefield with other land of Washington in 1783. This piece Arnold sold to Thomas Martin of Washington in 1784.

The next portion of the narrow connecting strip of the Grant, probably joining Arnold's piece on the west, containing fifty acres, Spencer sold to Jane Spencer, spinster, on November 8, 1773, for the sum of 25 pounds. Alpheus Spencer bought the section west of Jane Spencer's, 150 acres east of Muddy Pond. Eliphar Spencer of Sheffield, blacksmith, secured 100 acres lying west of Muddy Pond in July, 1772. The next 100 acre portion went to Ruluff White. The westerly quadrilateral was divided among three purchasers. Jesse Weldon of Salisbury, Connecticut, bought 220 acres in the northeast part. Daniel Hill bought 100 acres in the southwest corner next to Hill's Grant. The remainder, 900 acres, was purchased by Caleb Culver, of Lenox, November 20, 1773.

DIVISION OF THE GRANT BY JOSIAH ARNOLD

A little more than a year after his purchase of the 2,600 acre piece, Josiah Arnold began to divide and sell it to his neighbors in East Haddam, Connecticut. The territory he divided into four divisions of thirteen lots each. These divisions were strips of land, each about a half mile wide running from the north to the south line.² The "First Division in the East" so called, bounded east on the west line of Worthington, and at its south end extended west as far as "Blush Hollow." A stone wall just east of what was formerly the "Company Barn" in the Hollow, is the line between the First and the Second Divisions in the East. This line ran northeastwardly along the old reservoir bed, passed up the hill and crossed the road running north from the Center about fifty rods south of the dwelling of Mr. Gardner. The lots of the Second Division East lay partly on the meadows of Factory Brook and partly on the hillside. There are many breaks in the line between the Second Division East and the First Division West. A portion of this line runs along the western slope of Dickson Hill and is indicated by a piece of stone wall a short distance east of Mrs. Sternagle's house. The First Division West began near the house of Mr. Eden, on the West Hill, and extended to the Lyman Meacham farm recently owned by Mr. Wanzer. The Second Division West lay west of the First Division and bounded west on the territory formerly belonging to Washington.

The lots were thirteen in number in each division, Lot No. 1 being at the north end and Lot No. 13 at the south end. These lots were supposed to contain fifty acres of land each. No advanced mathematics is necessary to figure out the areas and find that some of the lots must have contained more and some less than fifty acres. The west line of the Grant was longer than the east line; all of the divisions had the same number of lots; consequently the width of the western division lots was greater than that of the eastern lots. The north and south lines of the Grant were far from parallel and of necessity the lines bounding the lots on the north and south sides diverged and radiated

² See map in Appendix C, facing page 370.

somewhat like the ribs of a fan. The early deeds describe the lots as follows:

“First Division East. $44\frac{1}{4}$ rods long at east end, 49 rods long on the west end; 160 rods from east to west; reserving 2 rods for highway at west end; containing 50 acres.

“Second Division East. 49 rods long at east end; 54 rods long at west end; 160 rods from east to west; reserving 2 rods for highway at east end; containing 50 acres.

“First Division West. 54 rods long at east end; $57\frac{1}{2}$ rods long at west end; 160 rods from east to west; reserving 2 rods for highway at west end; containing 50 acres.

“Second Division West. $57\frac{1}{2}$ rods long at east end; 61 rods long at west end; 160 rods from east to west; reserving 2 rods for highway at east end; containing 50 acres.”

The lines separating the divisions were parallel with the line on the east side but if the north and south lines were each 640 rods long the west line of the Grant could not be parallel with the east line. Calculations make the sizes of the lots to be approximately as follows:

“I Div. E.— $46\frac{5}{8}$ acres; II Div. E.— $51\frac{1}{2}$ acres;
I Div. W.— $55\frac{3}{4}$ acres; II Div. W.—ran from $58\frac{1}{2}$ ”

acres in the north to forty-two acres at the south. The lots in the whole Grant would thus average about fifty-one acres each, but the areas given in deeds where the land was actually surveyed seldom agree; we find groups of two lots described as containing from ninety to 120 acres.

But these details are of little moment. At the time Arnold was dividing up his land there was already in motion the movement to the western part of the state and toward New York, the people from the crowded Connecticut Valley pushing out into the wild lands after the last of the Indian Wars. In the highlands of western Massachusetts towns had been laid out and settlements begun shortly after 1760. Speculation extended the movement of taking up land. Hardy pioneers began clearing the territory and building homes, for settlers were attracted to this region because the price of lots was low and they were promised homes at little cost aside from their own labor.

In the midst of this movement Arnold threw his tract in Prescott's Grant open for settlement. Living as he did in East Hadam, Connecticut, it is natural that his offers should have been

taken up first by those of his neighbors who shared the spirit of enterprise of that time. The first deeds of sale of lots are dated January 15, 1773, and at least forty of the lots were taken up that year. Settlement was not immediate, however, and several of the purchasers sold their holdings within a few years. The Revolutionary War broke out soon after and as many of the purchasers and ultimate settlers were in the patriot army, they deferred settlement until their terms of service had expired. Let us now study the names of those who bought lots in the Grant.

PURCHASERS OF LOTS IN PRESCOTT'S GRANT

The first purchasers were largely residents of East Haddam.

WILLIAM CHURCH, carpenter, purchased in 1773 six lots numbered as follows: Lot 12 in I Div. E. Lots 2, 6, and 12 in II Div. E. Lots 11 in I and II Div. W. He afterward settled on Lot 12 I Div. E.

JOSEPH CHURCH, blacksmith, an uncle of William, the carpenter, bought lots 1, 4, 5, and 9 in II Div. E. but four years afterward sold them to David Bolton of Murrayfield, who settled on lot 11 I Div. E. about that time.

Three sons of John Church, who were cousins of William, the carpenter, were among the first purchasers. They were:

JOHN CHURCH, JR., blacksmith who bought lots 1 and 12 in the I and II Div. W.

IRA CHURCH, blacksmith, who bought lots 13 in the I and II Divs. E.

JABEZ CHURCH, carpenter, who took lots 9 in the I and II Divs. W. but sold them to his younger brother Elihu Church, who settled on these lots about 1783.

GEORGE GRIFFIN, yeoman, was another large buyer. He took lots 10 and 3 in I Div. E. lot 7 in II Div. E. lots 4 in I and II Divs. W. and lot 13 in II Div. W.

AMASA BRAINARD, yeoman bought lot 11 in I Div. E. which he sold to David Bolton, who settled there, and 13 in I Div. W. which he sold to Wm. Taylor who settled and built his house on it, about 1781.

JAMES DICKSON, weaver, bought lots 1, 2, 7, and 8 in I Div. E. He built his house on lot 7. He also acquired lots 5 and 6 in the

same division in 1792. At one time he owned lots 5 in I and II Divs. W.

EPHRAIM ARNOLD, shoemaker, took lots 7 in I and II Divs. W. but sold them to Jabez Bacon in 1779.

EBENEZER EMMONS, yeoman, acquired lots 6 in I and II Divs. W. Daniel Spencer Emmons settled here at least as early as 1783.

JOHN SPENCER, yeoman, bought lots 10 in I and II Divs. W. where he settled a decade later.

DAVID SPENCER, yeoman, brother of John Spencer, bought lots 10 and 11 in II Div. E. which he sold to John Smith of East Haddam, 5-12-1786.

ICHABOD OLMSTEAD, in 1777 purchased lots 4, 5, 6 and 9 in I Div. E. and lots 8 in I and II Divs. W. Ashbell Olmstead lived for a few years on lot 9 in I Div. E.

While all the above were East Haddam residents there was one purchaser from Colchester, Connecticut, who was

JOHN NEWTON, who in 1773 bought lots 3 in the I and II Divs. W. Here his son James settled as early as 1781, but sold the place to his older brother, John, who settled there in 1785, and moved to Peru.

Of the purchasers of the few remaining lots we know little. From deeds we learn that JOSHUA CHAPEL had lots 2 in the I and II Divs. W. in 1773 while DAVID MARTIN was in possession of lots 3 and 8 in II Div. E. The purchasers of the lots are thus seen to be, not men of wealth and position, but men in the artisan and farming classes, men who knew the value of money and obtained their means and living by the work of their own hands. Of the original sixteen purchasers, only three, William Church, James Dickson and John Spencer, moved from Connecticut and made their homes on their new possessions in the Grant.

SQUATTERS ON PRESCOTT'S GRANT

When the purchasers of lots on the Grant began to sell their holdings to actual settlers, the latter came into conflict with at least three families who had already made clearings in that territory, and who were naturally unwilling to give up their possessions though they held no title to them by right of purchase. The earliest of these squatters was the Taggart family.

THE TAGGARTS. The first settlers on the Grant were the Taggarts, James, John and James, Jr., from Murrayfield, who in 1769 sold their lands near the present Norwich Bridge and took up residence near the head of the former Reservoir through which tract the Hartwood trail led. They improved about two hundred acres of land lying on the meadows of Factory Brook which in the early days of the town came to be called Taggart's Brook. In fact, this region at one time bore the name of "Taggartstown." The Prescotts brought suit against James Taggart for trespass in 1774. The claim was that Taggart had dispossessed the Prescotts of 2,672 acres, but at the trial the fact was brought out that Taggart laid claim merely to two hundred acres which he had fenced and improved, whereupon the court gave Taggart the verdict and ordered that he recover costs from Prescott. The latter promptly appealed the case to the Supreme Court at Northampton. Since search has failed to locate records of this case we conclude that it was settled out of court in favor of the Taggarts for they remained on their preserves and their territory on the meadows, which included the best portions of several lots in the II Div. E. and I Div. W., came to be called by the name of "Taggart's Possessions." These "Possessions" were carefully excluded in the transfer of lots as the following quotation indicates: when Joseph Church sold his lots to David Bolton, the deed conveying the title to lots 1, 4, 5, and 9 of II Div. E. reads:

"Whereas James Taggart is now in possession of some part of the above lots, it is not designed by this deed to give conveyance of said Taggart's Possessions but to have them entirely excluded." Dec. 10, 1777.

The Taggarts all signed the Petition for Incorporation in 1781. James was a resident of Middlefield in 1790 but John had moved to Partridgefield. James disposed of his land in 1792 for the sum of forty-five pounds, conveying the title to George Griffin, Uriah Church, Jabez Bacon, Ebenezer Lealand, Philip Meacham, Ichabod Olmstead and James Dickson, the owners at that time of the original lots of which portions were within the boundaries of the "Possessions."

WILLIAM MANN. This man, who next to the Taggarts was the earliest settler on the Grant, was of Scotch-Irish descent. He had been a squatter in Murrayfield and had been allowed to draw

a lot when that township was divided. But probably being dissatisfied with the lot he drew he began improvements upon four hundred acres of land near the southeast corner of Prescott's Grant as early as 1769. As will be seen from the map facing page 358, Mann's holdings were mostly on the lots in the southern half of the First Division in the East, and extended from near the road leading from the Center to Blush Hollow northeasterly toward Pelton Hill, extending westwardly to the foot of the hill. The map shows the area to be 276 acres rather than the 400 originally claimed.

In 1779 Mann bought a little more than an acre in the southwest corner of Worthington, adjoining his territory, from Elnathan Taylor. He is described in the deed as resident in Berkshire County which indicated that he was living on the Grant. By 1781 his presence on the Grant had caused trouble, for the men who had purchased lots from Arnold had begun to sell their land to settlers or were occupying the land themselves. This brought about a lawsuit, the Prescott's claiming that Mann had dispossessed them of 437½ acres. Mann's plea was deemed insufficient and Prescott was empowered to recover the land and damages of one penny lawful silver money. This was in 1781. Mann apparently appealed his case and at any rate remained where he was and proved a veritable thorn in the flesh of his neighbors who owned the land now by right of purchase. The chief sufferers were James Dickson, William Church and David Bolton. Dickson brought suit against Mann, but Mann had petitioned the General Court in his own behalf, upon which the following resolve was passed:

“September 29, 1781. Resolve on the petition of William Man for surveying Prescott's Grant in the county of Berkshire and suspending lawsuits in the meantime. On the petition of William Man praying to be quieted in his possession of part of Prescott's Grant; Resolved that Elias Willard Jun. be surveyor to repair to Prescott's Grant, so called, in the county of Berkshire at the cost and expense of William Man to measure and take the contents of two plans of land granted to James Prescott, Esq., and his heirs in July A. D. 1771, the said Elias Willard Jun. together with the chain-men to be under oath, the said surveyor making a return of his doings to the general court at their next sitting, and be it further resolved that all law suits and proceedings in any court of law respecting the title or claim made by said William Man to any part of the above mentioned grants, which he is now in possession of, be suspended and stayed in the meantime.”

The survey of the grant was accordingly made by Elias Willard, Jr., and Prescott's Grant was found to contain 4,897 acres. The Resolve staid proceedings when the case came to trial at Great Barrington much to the disgust of Dickson who promptly made the following petition to the General Court;

“To the Honorable Senate and *Honble* House of Representatives of the Commonwealth of Massachusetts, in General Court Assembled at Boston, October 1781. The petition of James Dickson of Prescott's Grant (so called) Humbly showeth; That on the eleventh day of June A. D. 1771 a grant of Four Thousand four hundred acres of land in the County of Berkshire adjoining to Worthington, Washington, Partridgefield &c was confirmed by the General Court to James, Oliver and William Prescott, Esqs.

“That five hundred acres of same land your petitioner together with David Bolton and William Church have a just and clear title to by purchase; Notwithstanding which one William Mann has been disturbing them in their possessions; and thereupon your *petrs* in the name of said Prescotts, and as their attorney commenced an action of Trespass against the said Mann at the inferior court of Common Pleas held at Great Barrington the third Tuesday in August last, from which Inferior Court the said cause was carried up to the Superior Court of Judicature &c held at Great Barrington on the Second Tuesday of this present October for Tryal, at which Superior Court your petitioner attended expecting the cause would be Tryed, but to the surprise of your *petr* the said Mann there produced a Resolve of this *Honble* Court passed the twenty-ninth day of September last whereby it was Resolved “that all Law Suits and proceedings in any court of Law respecting the Title or Claim made by said William Mann to any part of said Grant should be Suspended and Stayed.” And in obedience to the said Resolve the Tryal was put off to the great cost and Damage of your petitioner—and as the said Mann has no manner of Right or Title to said Lands—

“Your petitioner humbly prays your Honours would be pleased to take his case into your wise and just consideration and revoke the Resolve aforesaid, and direct and empower the *Honble* Superior Court to be holden at North Hampton in the County of Hampshire in April next to hear and try the said action against the said Mann and give judgement thereon; or relieve your petitioner in such way and manner as your Honours in your known Wisdom & goodness may see meet.”

“The prayer of the petitioner was granted to the extent that the court to sit at Northampton in April was empowered to try the case, and that Mann should be notified fourteen days before the date appointed.”

About the same time that these matters were being considered by the General Court Mann presented a new petition asking for a grant on the “overplus” of land in Prescott's Grant, claiming that within the bounds of the Grant as laid out were actually

more than 4,400 acres which the General Court had given Prescott. That Mann was correct in his contention is shown by the two surveys of the Grant on record at the State House. The first dated September 5, 1781, shows a total area of 4,897 acres, a surplus of 497 acres over the amount granted. The second survey, dated November 16, 1781, made in response to Mann's petition in September of that year, shows a total of 4,993½ acres, an overplus of 593½ acres. Mann's petition reads as follows:

“To the Honorable Senate & House of Representatives of the Commonwealth of Massachusetts in General Court Assembled at Boston in the third Wednesday of January 1782,—

“The Petition of William Mann Humbly Sheweth to your Honours that in the year One Thousand Seven-Hundred and Sixty Nine he took up four Hundred Acres of Country Land now known by the Name of Prescott's Grant and Inclosed it in and began to make Improvements on the Same before said Land was granted to Prescott and your Petitioner had at the Same Time a Petition in the General Court in order to procure this Land not knowing that Mr. Prescott was about to petition for the Land. And as your petitioner has now a Petition lying in the General Court with an Order passed on the same as will be seen on the Journals of the General Court. Therefore your Petitioner Humbly Prays your Honours to grant him all the Overplus Land that is contained in said Prescott's Grant as will appear by the Survey of the Same upon his paying a Reasonable Reward for the Same to the Commonwealth; or if that cannot be granted, He prays your Honours that you would Suffer Him to Locate a Grant he has from a former General Court on this Overplus Land and your Petitioner cannot see how it will do any injury to those that purchased of said Prescott or in any ways Incommode Them in the Least as your Petitioner was one of the first Settlers, and on the Land before it was granted away by the General Court and the said Prescott has his full quantity of Land Still . . .”

We find no record of a trial of this case. Mann signed the petition for incorporation of Middlefield in 1781 but no mention is made of him in Middlefield Town Records. Hence it is evident that the Prescott's and those who bought their land had more influence with the General Court than did Mann and the case was settled out of court. At any rate Mann vacated the premises.

MILES WASHBURN was the third of the “squatters” on Prescott's Grant. He had been a resident of Murrayfield, his name first appearing on the valuation list for 1769. In 1773 he was

among the taxpayers in Norwich. He next appears to be located in the southwest portion of Prescott's Grant where he improved and laid claim to 227 acres. Just where his home stood we do not know but it is possible that it was located 300 yards southwest of the house of Mr. Drozd, where there is a cellar in the lot. Washburn was one of the signers of the petition for incorporation in 1781. He came into conflict with John Spencer who brought suit against him for trespass upon Lots 10 in the First and Second Divisions in the West, in 1781. Spencer lost his case, Washburn being given judgment and power to collect costs. Spencer immediately appealed his case to the Supreme Court at Great Barrington. The record of this case has not been found but since we find no deeds from Washburn conveying title to the land and since he disappears and Spencer remains we conclude that Spencer won his case or that the matter was settled out of court and that Washburn had to lose his land and improvements. He was probably the Miles Washburn who was enumerated in Saratoga Township, New York, in 1790 census.

SETTLERS ON PRESCOTT'S GRANT

Since detailed information concerning all the settlers in Middlefield has been given elsewhere in this work, we shall here merely enumerate the different families who located on the Grant, treating the subject geographically rather than chronologically.

As we travel across the northeast corner of the Grant, along Windsor Street beyond the Smith farm and the Chamberlain place we find on Lot No. 2, I Div. E. the cellar where stood the house of John Dickson, who settled here upon buying Lots 1 and 2 from his father in 1793.

Going north from the Center we pass, at the farm of G. E. Cook, Lot No. 9, I Div. E. on the left of the road where Ashbel Olmstead was living as early as 1787. Later Alpheus Russell owned the property. A short distance north of the house of Mr. Birnie, at the left of the road is the cellar of the house of James Dickson, on lot 8 I Div. E. where he settled about 1780. The house of Mr. Gardner further on was built by Uriah Church who bought lot 6 II Div. E. in 1794. Across the road once lived Gideon Russell, who bought in 1783 part of lots 4 and 5 II Div.

E. of one David Taylor who had lived there as early as 1781. From the Russell place a road once led up over Dickson Hill, across lot 3 II Div. E. where Nathan Mann was living as early as 1783, on to Lot 1 in the same division where Henry Lamberton built his house in 1779. Jonathan Woodward lived there later. Following the main highway beyond the Gardner place we pass the site of John Meacham's house on the right on the west end of lot 5 II Div. E. The Sternagle house was originally the dwelling of John Newton, who took up lot 3 II Div. W. about 1785. At the top of the hill the road passes the site of John Coats' house on the right, where he settled in lot 2 I Div. W. in 1785. At the Wanzer place lived Captain Alexander Dickson, son of James, who bought lots 1 I and II Divs. W. of Warren Church in 1802.

Going west from the Center to the road going to the farm of Harry Pease, we pass on the right, at the brow of the hill Lot 11 I Div. E. where David Bolton lived, who was the first of those who purchased lots on the Grant to actually settle there. He came in 1777 and sold out to Erastus Ingham in 1784. On the left was the farm of William Church on lot 12, where he was in 1783, and further south was the farm of Enoch Crowell on lot 13 I Div. E. where he was as early as 1788 and where John Williams later lived. Passing on down the hill toward Blush Hollow we come to the house of Jesse Pelkey where lived John Smith, who was on the west part of lot 11 as early as 1805. In the Hollow south of the dam somewhere on lot 13 II Div. E. lived Samuel Gray who bought the property in 1792. Amasa Blush moved to the Hollow about 1799 and lived on lot 13 II Div. E.

On the east side of the meadows once covered by the Reservoir is the cellar where stood the house of Joseph Dickson, son of James, on lot 8 II Div. E.; he was in town as early as 1781. Not far north of this spot the Taggart's lived. At the head of the meadows on what is called the Samuel Smith, Jr., farm lived first Daniel Spencer Emmons as early as 1783. He sold out to Ebenezer Lealand in 1790, who was followed by Aaron Whittemore about 1802. The farm was on lots 6 I and II Divs. W.

On the West Hill William Taylor built his house, now owned by Mr. Eden, on Lot 13 I Div. W. about 1781. Just north of



Settlers on Prescott's Grant
and
Washington and Partridgefield Sections.

the Drozd place John Spencer settled about 1783, on lot 10 I Div. W. where there is still trace of the cellar west of the highway. Farther on, on the east side of the road dwelt Elihu Church on lot 9, I Div. W. He came about 1783. Here Benjamin Eggleston built the brick house after he bought out Church about 1800. Phineas Perkins lived north on lot No. 8 in 1799, and Silas Bush at the Cross place on Lot No. 7 II Div W. about 1800.

How the dwellers on the Grant were isolated and without the advantages of town government before the incorporation of Middlefield is given in other chapters of the history of that town.