

LAND EVIDENCE

No. 4

1725 - 1733

TOWN OF
WESTERLY

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LAND EVIDENCE.

2 PD

BOOK NO. 4

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In Witness Whereof the said Thomas Littlebridge have hereunto set his Hand and Seal the 31 Day of August in the Year of our said 1722 in the 5th Year of our Sovereign Lord King George's Reign &c

Signed Sealed & Delivered in the Presence of
Wm Knowles
The Master of W. in the Fifth

Thomas Littlebridge

Sealed 1722

Attest February the 15th Day 1726
John Babcock Clerk

Recd Subscrier W^m Thomas Littlebridge Deputy
appeared the 14th Day of September & he acknowledged
the above Written to be his act and Deed in the
Year 1722 Before me

John Saunders Justice — of N. H.

The Deposition of Nathaniel Wells & Ebenezer Kingon Being of full
Age & of full Mind saith that on the 3rd Day of February 1722 they
Being Inspired by the Parties concerned to look on it, which Stake
where a Saxefax bush had stood which they both allowed to be a former
Bound Mark Between them & they both did use the Stake to be the Bound
Between them Viz John Marston Well Bound & James Cones East Bound
& that John Marston asked the Case if he owned that Stake to be his
Corner & Cones said no I own it to be my East Bound but my Corner Goes
for ther to your side — John Marston asked Case if he owned
that Bound to be his Corner and to Run a straight Line to the
White oak tree & James Cones said eye eye & John Marston desired as
to be as witness & what he intended when he saye Eye We Cant tell &
for ther more these Depositions saith that

The above Written was Taken upon Solemn Engagement
the seventeenth Day of February 1726 Before me

John Richmond Justice —
& the said Cones was Present

Attest February the 15th 1726
John Babcock
Clerk

To all Persons to Whome these Presents shall Come -
 Greeting & Knowe Youe that I John Maxson of the town
 of Westley and Colony of Rhode Island Yeoman Send Greeting
 Knowe Youe that I the said John Maxson for and in Consider
 ations of Love and Affection that I have Towards my Well
 Belov'd Son John Maxson of the said Westley have Given and
 Granted & by these Presents do freely & Ceerly & absolute
 by Give and Grant Convey and Confirm unto him & his Heirs
 Maxson his heirs and Assignes for ever three Tracts or Parcels
 of Land Lying and Being in the said Westley in Manner following
 that is to say Half of that Tract that I have Duell on that was
 Given to me by my Honored father that is to say the south Half
 of a farme to be Divided With a East & West Line & Half of that
 Tract that I bought of Mr John Saunders that is the West half
 of said Tract also to be Divided With a North & South Line
 & Also all that Part of my lands that lye on the Southward
 of the Rhode & that land that I bought of Mr John Wall bounds
 lying upon the River Rhode & upon Land of Joseph Maxsons
 Lands of James Conner Lands of Tobias B. and of John Davises
 & Lands of John Lewis To Have & to
 Hold the said Granted and Bargained Promises With all the sayd
 known Priviledges and Commodities to the same Belonging
 in any wise appertaining to him my said Son his heirs &
 Assignes for ever To his and Their only proper use Benefit
 & behoof for ever & I the said John Maxson do Covenant & Warrant
 my self to have in my self Good Right before the said
 my self here of to Convey and Confirm the above Bargained
 Premises & That the said John Maxson his heirs and Assignes
 shall and may from time to time lawfully Possesse & Enjoy
 & use the said Premises freely & Ceerly & Quietly & discharge
 and free from all other former Gifts Bargained sales or any other grant
 ment or Withheld Whereof I have hereunto sett my hand
 & Seale this 5th Day of September in the 13th Year
 of the Reign of our Sovereign Lord George of Great Brittain

Witness my hand & Seale
 Signed Sealed & Delivered
 in presence of
 John Maxson
 Entered in Westley
 September 20 1726
 John Babcock Town Clerk
 The Subscriber John Maxson
 appeared in Westley 7th Day
 of September 1726 & Acknowledged about
 the above Bargained Premises to be his voluntary
 gift & sold Hand & Seale before
 Me John Richardson Justice

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To all People to Whome These My Letters Shall Come greeting
 Know ye that I Nathl. Walling of the Town of Westbury in the County of Essex
 being House Carpenter for and in Consideration of y^e Sum of Forty Shillings
 to me in hand Before y^e Inscriving hereof by the said Nathl. Walling by James
 Coney of the Town and Colony afore said husbandman of Receipt thereof
 by the said Nathl. Walling Acknowledged & signed by the said Nathl. Walling & Content
 ed & thereupon by the said Nathl. Walling Do Donorate Bequest & De-
 charge the said James Coney his heirs & assigns for ever by these My Letters
 have fully granted Bargained sold Aliened Conveyed & confirmed
 & by these My Letters do hereby fully & absolutely give Grant Bargain
 sell Alien Convey and Confirm unto him y^e James Coney his heirs
 and assigns & certain Part of land & tenements lying & being in y^e Town
 Ship of Westbury afore said Containing by estimation Three quarters or
 an Acre be it more or less bounded as followeth Beginning
 at a Chestnut Stake with the house of the said Nathl. Walling
 thence extending North by the said Nathl. Walling's house by my own
 Land to a Stake thence extending North by 70 degrees East to a Stake
 bounding by my own & the said Black Oak tree with the house of mine
 about 11 thence to extend East Ten degrees South of the said
 Stake bounding by y^e Land of Daniel Lewis thence extending South
 30 degrees West 12 Rods to a Stake bounding by the said Coney's and James
 West 13 degrees South 13 Rods to a Stake as they first named. thence
 bounding by the said Coney's Land to the said Nathl. Walling's house
 & Bargained promises with all y^e appurtenances & privileges & con-
 modities to the same Belonging in any way & appertaining to the
 the said James Coney his heirs and assigns & assigns for ever & he the
 by Proper use Benefit & behoofe of the said Nathl. Walling
 for me my heirs & assigns & assigns Do Grant & Grant
 with the said James Coney his heirs and assigns that Before y^e Inscriving
 thereof I am the true & lawful owner of the said Land & tenements
 & premises & am lawfully seized & possessed of the same in mine own
 full Right as a Good proper & absolute Estate of Inheritance & y^e
 full & lawful & lawful use of the said Good Right full Power & authority
 Authority to Grant Bargain sell Convey & Confirm the said Bargained
 & promises in manner & substance as in that if the said James Coney his heirs
 and assigns shall at any time to come shall or may for ever
 hereafter by for or for use of these presents lawfully & lawfully
 by lawfully have hold or enjoy or possess or enjoy the said Land
 & Bargained promises with the appurtenances & privileges & con-

And freely & cheerly acquitted & acquitted & discharged of 149
 from all and all Manner of Summs or other Gifts Grants Rescues
 Sales Leases Mortgages Wills Jutails Joyntures Dowryes Judgments
 Executions Incumbrances & Exents Further more of the said
 Nath^l Wells for my self my heirs &c. Adm^r Do Cricant &
 Engage y^e above Demise & Demises to have the said James Cressy his
 heirs and Assigns the Kingfull Claim & Demand of any Person
 or Persons Claiming y^e same from by or under him in Witness
 whereof I have hereunto set my hand & Seale this 6th Day
 February in y^e Year of our Lord one Thousand seven hundred
 & Twenty seven

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Signed Sealed & Delivered Nath^l Wells
 in Office of us
 James P. Dutton
 Joseph Champlin

The Subscriber Nath^l Wells personally appeared
 in Wednesdy this 6th Day of February 1726/7 and
 Acknowledged y^e above written Instrument to be
 His act & Deed before Me Christ^l Champlin Justice

Witnessed February 4th 13th 1726/7
 J. John Babcock Town Clerk

176 This Indenture Made the 10th Day of October in the 10th Year of
 his Majesty's Reign George King of Great Britain &c. Amongst
 1726 Between George Sapher Taylor & Seth Sapher Geo
 both of Westerly in the County of Rhode Island &c. of the one party
 & Nathaniel Sheffield of Newport in the Colony aforesaid Merchant
 of the other party Witnesseth that we the said George Sapher
 Seth Sapher for and in Consideration

Memorandum that J. Nat^l Sheffield of Newport in the Colony of
 Rhode Island in New England hath in his Consideration of himself &c.
 paid of New full Current Money of New England in hand paid to
 the by Peter Candall & James Carey both of Westerly in the Colony
 of Rhode Island in New England Husbandmen here for my self
 my heirs &c. & Adam Grant assigned and let see and
 of Peter Candall & James Carey their heirs &c. & assignees
 do with this Mortgage Debt & all Messuages Tenements & Inheri-
 tances within mentioned or to be Demised as aforesaid with Right
 & Interest of & with the same either by force of Law or Means of
 this Mortgage Debt or other wise. Witness my hand &
 Seal the 10th Day of June in the 10th Year of his Majesty's Reign
 Anno Domini 1727

Signed & Sealed & Delivered
 In Presence of
 Sam^l Thunkley
 Sam^l Colwell
 Nath^l Sheffield
 The Subscriber personally appeared in Westerly
 10th Day of June 1727 & acknowledged the above
 Obligation to be his Act & Deed
 Before John Hill Justice of y^e Peace

Enter June 21 1727
 P^r John Hill

[Faint, mostly illegible handwritten text at the bottom of the page, possibly a continuation of the document or a separate note.]

To all People to Whome these Presents shall come greeting
 We Susanna Whose Widow & Mary her one of Other Side the River of the
 of the five thousand & three hundred two purchase which lies in the town of Westbury & part of
 of the Colony of Massachusetts as of Dead may more fully appears for and in the
 Love good Will and Affection which we have and Do Bearer to Matthew Mandale of the town
 of Southampton & County of New London & Colony of Connecticut & Joseph Maxson of the town
 of Westbury & County of Middlesex for Other Good Considerations we have to Warrant
 have given Granted & confirmed unto the said Mandale & Maxson to the said Mandale all of
 that land which he has by his Deed father Matthew Mandale which lies in the town of
 Westbury the whole of two hundred and one Acres in in the town of Westbury & bounded as follows
 all west Northward by the North Side of the said Purchase Westward by a dividing Line between
 Colony of Connecticut & of Colony of Massachusetts Southward by a dividing Line between
 Eastward by a Land that was sold to the said Mandale & Maxson by the said Mandale & Maxson
 of a Parcel of Ground which with all of Appurtenances Privileges and Commodities to it
 belongs or in any wise thereunto appertaining unto them the said Mandale & Maxson their heirs
 Executors & assigns forever & that the said Mandale and Maxson their heirs and assigns forever shall & may lawfully
 lawfully and quietly have hold of Occupy use and Enjoy the said Purchase without
 any hindrance or interruption or in anywise to be hindered or troubled in anywise
 Side for either of us or any other Person or Persons finally or forever in relation of us the
 which Whome of like have heretofore lett Our hands & seal this 14th Day of March 1677/8
 signed Sealed and Delivered in presence of us
 Joseph Maxson
 Benjamin Burdick
 Sam^r Burdick
 John Burdick
 The mag^r John Stiles
 Samuel Langworthy
 The mag^r of Westbury
 James Cook
 Christ^r Cook
 The mag^r of Westbury
 Matthew Maxson
 George Chapman
 John Lewis
 Thomas Wells

In presence of
 Thomas Burdick
 Ephraim Cook

- Joseph Maxson (C)
- Benjamin Burdick (C)
- Sam^r Burdick (C)
- John Burdick (C)
- The mag^r John Stiles (C)
- Samuel Langworthy (C)
- The mag^r of Westbury (C)
- James Cook (C)
- Christ^r Cook (C)
- The mag^r of Westbury (C)
- Matthew Maxson (C)
- George Chapman (C)
- John Lewis (C)
- Thomas Wells (C)

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These witnesses above subscribed appeared in witness
 14th Day of March 1677 & acknowledged the foregoing
 to be their true and lawful Deeds

In presence of
 John Richmond Justice
 Dated March 16th 1677/8
 J. W. Beckett

To all People to Whome these Presents shall come greeting We knowe that the
 the Suspectis Whose Names & Searse are on y^e Other Side here. Being part of the Proprietors
 of the five thousand & three hundred Acre Purchase which lies in the town of Westley & part
 of the Colony of Massachussetts as y^e Deed may more fully Appear for and in Consideration of the
 Love Good Will and Affections which we have and Do Bode to Matthew Mandall of the town
 of Southington & County of New London & Colony of Connecticut & Joseph Maxson of y^e town
 of Westley & Kings County & Colony of Massachussetts for Other Good Considerations we have to them
 have Given Granted & Releas'd unto the Mandall & Maxson to the Mandall all y^e Right
 which was Given to him by Will by his Deid father Matthew Mandall which lies in the town of
 Westley the Whole of two Acre our Colonie is in the town of Westley & Bounded as follows
 the west Northward by the North Side of y^e Purchase Westward by y^e Dividing Line between y^e
 Colony of Connecticut & y^e Colony of Massachussetts Southward by y^e River Backus and
 Eastward by Land that was sold to Samuell Deid his Old Grants To HAVE & to hold the
 y^e Dower & Livor Prerogatives with all y^e Appurtenances Priviledges and Commodities to y^e same
 to them forever & that the Mandall and Maxson their heirs and Assignes forever shall & may lawfully
 Time to Time & at all Times forever hereafter by force & Virtue of these Presents Lawfully
 Peaceably and Quietly have hold & Enjoy y^e said Prerogatives without y^e Lett
 of any Person or Persons in anywise or Interruption or in the Subscribers whose Names & Seals are on y^e Other
 Side Nor either of us or any other Person or Persons herein by or under us or Letter of us
 from the Eleventh year of his Majestys reign George the Second King of Great Brittain
 & Ireland Sealed and Delivered in the presence of

Joseph Maxson
 Benjamin Burdett

Ency

I know all Men by these presents that Whereas James Coney of
 the town of Westley & County of York Island in the Colony of New
 & Nathaniel Cottle of North Kingston sold to the State of
 the Grand all of Westley Late Deceased are Widow & Family
 Bound & Obliged to Theodorius Lauphear & Mary Bullon James
 paid tithon of Westley in five Hundred pound Current Money of
 New England to be paid to the said Theodorius Lauphear Mary Bullon
 James paid tithon or to any one of them or to their Heirs or
 any Exec^{rs} Adm^{rs} or Assignes to the Which payment Well & Truly
 to be Made Wee Bind our Selves & Each of us by himself
 our & Each of our heirs Exec^{rs} & Adm^{rs} for y^e Whole & with
 Whole jointly by these presents Sealed With our Seals the 2^d
 Day of November Anno Domini 1727 in the first Year of the reign
 of our Sovereign Lord George by the Grace of God of Great Britain King

The Condition of this obligation is such that if
 the above named James Coney & Nat^l Cottle them or theirs
 Heirs Exec^{rs} or Assignes enjoy the abovemented that was laid out
 to the said Coney with the above Eber Candall on y^e West End of m^{rs}
 George Lauphear Land in y^e Town of Westley as a good
 perfect Estate of Inheritance In fee Simple one Year after
 George Lauphear's decease then the above James Coney &
 Nath^l Cottle them or their heirs or Exec^{rs} Adm^{rs} shall pay
 one into the said James paid tithon & Theodorius Lauphear &
 Mary Bullon & their heirs the Whole of the said paid tithon
 & Bullon & Theodorius Lauphear's abovemented that with in
 that tract of Land that the said Coney & Eber Candall redeemed
 from a Mortgage due that Nat^l Sheffield of Newport in the Colony
 above received of George Lauphear & his son John Lauphear
 by his last Wiling Date the tenth Day of October 1727 may appear
 then the above obligation shall be void & of none effect or else
 to stand & remain in full force & virtue

Signed Sealed & Delivered
 in presents of
 Theodorius Lauphear
 Mary Bullon
 James Coney Seal

George Stillman
 The Subscribers James Coney & Nat^l Cottle
 appeared in Westley on 2^d Day of November 1727
 before John Badcock Justice & acknowledged it above written
 to be their Voluntary act & deed & sealed
 Before Me John Richmond Justice

To all People to Whome it May Concern, that I Richard
 Lupton of the Town of Westerly in the Colony of New England and
 sundry Plantations in New England send Greeting from mee
 that for in Consideration of the full & just Sum of Thirty one
 Pounds, Nine Shilling & Two pence in Current Money to me in Arrears
 Paid to full Satisfaction and Content by James Coney of the
 Town of Westerly & Nathl. Cottrell of the town of North Litchfield both
 in the Colony of New England above sd by these Presents Requested
 execute & discharge the sd James Coney & the sd Nathl. Cottrell their
 Heirs & Executors & Assigns for ever Maner Given Granted Quitted
 & Conveyed & do by these presents Give Grant Quitt Release
 & Confine from me my Heirs Executors & Assigns for ever unto the
 James Coney & Nathl. Cottrell their Heirs Executors & Assigns
 & assigns for ever all my whole Right title propriety Claim & Demand
 Whatsoever unto one Lot of Land lying & being in the town of the
 Westerly Called the Sixth Lot As it was layed out of the Deeds of my
 father George Lupton Bullied & bounded as followeth, bounded on the
 North on Land belonging to John Lupton & on the West on Land
 belonging to Theodorius Lupton & on the South on Land belonging
 to John Saunders & on the East on Land formerly belonging to
 Mary Button & Man in the Possession of William Horn To Have &
 To Hold all the above Granted Demised & Disclaimed premises
 from me my Heirs Executors & Assigns for ever that I their Heirs
 for ever hereafter might Have to the above Disclaimed & Demised
 premises unto them the sd James Coney & Nathl. Cottrell their
 Heirs and assigns for ever as fully & amply in all respects & in all
 & purposes as ever it was to me or ever could be hereafter if this
 Grant Hereunto set my Hand & Seal the 2nd Day of November 1727
 & in the first Year of his Majestys Reign George the Second King of
 Great Brittain

Signed & Sealed & Delivered
 in presence of

Richard Lupton

William Horn
 John Rickman

The subscriber Richard Lupton appeared in Westley
 the 2nd Day of November 1727 & acknowledged & abovesaid
 Entered April 9th 1728
 John Babo-chlorer Before Me John Rickman Justice

I All People to Whome these presents shall come I do hereby shew
 greeting Know ye that the sd Nathl Wells of the town of Westley in the
 Colony of New England House Carpenter for and in the Consideration of
 the True Good Will & Affection which I have & do have towards my law
 ing Daughter Nancy King a Wife of Peter King of the town & Colony
 aforesd Labourer Ware Gun & Gunner & by these presents do freely
 Partly & absolutely Give & Grant unto the sd Peter King & Nancy
 his Wife a Certain parcel or Tract of Land Situate Lying & Being
 in the Town of Westley aforesd Containing by Estimation Sixteen
 Acres be it More or Less Bounded As Followeth Beginning at
 a Walnut Bush Marked on its Side from thence Running Westward to
 a Red Bounded or **Dunies Cove** Land to an old Dead White Oak tree
 Marked on its Side & from thence Runing Northward 1/2 a Mile
 By Land of Joseph Marston to a Walnut Stake Marked on its Side
 and from thence Runing Eastward Bounded by my Land till it Come
 to James Conys Land to a Chestnut Stake Marked on its Side & from
 thence Bounded by Conys Land to the first Mentioned Walnut Bush
 To Have & to Hold the sd Granted Premises & therein the appurtenances
 Privileges & Commodities thereto or thereto Belonging to in any wise
 pertaining to them the sd Peter King & Nancy his Wife their
 Heirs & Assignes for ever to the only proper use Benefit & Proffit
 of them their Heirs & Assignes for ever & the sd Nathl Wells do declare
 that before the Enacting & Delivery hereof that I am the true sole & Lawfull owner
 of the above Granted premises & am Lawfully Seized & possessed of the same in my
 own proper Right as a Good proper & Lawfull Male of Full Age In Law Single
 & Unmarried in full Right full Power & without any Let Hindrance
 Obstacle or Impediment & that the sd Peter King & Nancy his Wife
 have & assignes shall & may at all times for ever hereafter by force
 & Virtue of these presents Lawfully Peaceably & Quietly Use Possess
 & Enjoy the above Granted premises with all its appurtenances free
 & freely & Quietly Untroubled & discharged of and from all
 manner of former or other Claims Demands Charges Suits & Debts
 with Joynture Dowries Judgments Executions & Debts all Manner
 of Confines of the premises shew herein last by my Hand & Seal this 25
 day of February in the year of our Lord one Thousand Seven Hundred &
 Seventy Six or Seven

Signed sealed & Delivered
 in presence of
 John Richmond
 Thomas Wells

Nathaniel Wells
 Seal 1725

Entered April 9th 1728
 P^r John Babcock Town Clerk

The Subscriber Nathl Wells appeared in Westley
 & acknowledged the above Written Instrument to be
 his voluntary Act Deed Hand & Seal the Day
 & Year at the Witten
 Before Mes^{rs} John Richmond Justices

1728