

F 137
.S53
Copy 2

AN OLD DEED

MAY 31 1875

Richard Gay John Fenwick Thomas Pyle

EDWARD S. SHARPE, M. D.
PRESIDENT

READ BEFORE THE SALEM COUNTY HISTORICAL
SOCIETY ON DECEMBER 8, 1908

AN OLD DEED

MAY 31 1675

Richard Guy John Fenwick Thomas Pyle

EDWARD S. SHARPE, M. D.
PRESIDENT

READ BEFORE THE SALEM COUNTY HISTORICAL
SOCIETY ON DECEMBER 8, 1908.

PRESS OF STANDARD AND JERSEYMAN, SALEM, N. J.

Copy 2

F137
S53
Copy

AN OLD DEED.

In compiling the following paper relating to the very first sales of lands in Fenwick's Colony, I take the opportunity of calling the attention of this Society to an "Old Deed," the oldest of several very rare and valuable parchment manuscripts in my possession, bearing date nearly one year anterior to that of one already exhibited—belonging to a series known as the William Penn Deeds with autographic signatures of Wm. Penn, Gawan Laurie, Nicholas Lucas and Edward Byllinge.

It was executed the thirty-first day of May 1675, and conveyed to Richard Guy tenthousand acres of land in this county of Salem, in what is now the Township of Pilegrve, and "located in the upper part of Salem tenth where the township of Pilesgrove is now." (Shourds.)

The price paid by Guy for this large tract of land, was fifty pounds stirling, about two hundred and fifty dollars in our currency. The deed is signed by Fenwick and endorsed:—

"Inroled in the Register Liber A belonging to Fenwick's Colony in the Province of New Cesarea or New Jersey in America, the XVIII th day of June MDCLXXV.

per J. Garfield."

There is also a separate piece of parchment attached to this remarkable scriptory antique, upon which is written in exquisite calligraphy a receipt for the above fifty pounds sterling, signed by Fenwick also by ten witnesses, whose names are again written on the back of the deed, viz:—

"John Smith, Samuel Nicholson, Rich-

ard Mergan, Peter Hoff, Edward Champneys, Edward Wade Thomas Anderson, Edmund Warner, Richard Noble and James. Garfieldser."

The property conveyed was one of a numerous category, sold by Fenwick before he sailed for America, to be located after his arrival there.

Although the name of the purchaser is ostensibly Richard Guy, it was actually Thomas Pyle, a citizen of London, for whom he bought it, on the same day he acquired for himself and wife, Bridgett Guy, a deed for one thousand acres of land afterward located in Elsinboro, Salem county.

Most of the above signers of the deed and receipt for the money given by Fenwick afterward emigrated to America. The last on the list, James Garfieldser, did not, the final letters of the surname, s. e. r. are supposed to represent, not family seniority, but to be an abbreviation of his professional title, that of a scrivener, and he probably wrote this very deed, the chirography being that of an old man. Indeed he did not long survive the period we refer to, as Mary Fenwick in a letter to her husband 1678, Aug. 27th, announces his death in terms of affectionate regard; in the interval, however, he signed his name to documents connected with the litigation at that time pending between Fenwick and Eldridge and Warner in the City of London.

The Township of Pilesgrove did not derive its name from the ten thousand acre tract, deeded to Richard Guy in its entirety, but only from a part of it, where Thomas Pyle, (whose surname is

N.K. Wv. 28-11
 perpetuated by it) built his home. This is shown by the following deed made by William Hall to John Hopman, in which he reserves half an acre that was used as a private cemetery and from this circumstance we assume that it was the original homstead of Pyle, viz:—

"1695, Oct. 5, Deed. William Hall, of Salem Town, W. J., yeoman, and wife, Elizabeth, to John Hopman, of Rattcoon Creek, Glossester Co., husbandman, for the Plantation called Pile Grove, 380 acres, between the branches of Salem Creek adjoining Joseph White, excepting half a, used as a burying place." (Salem Deeds, No. 6.)

This deed was for a part of the demense—manor house with land—comprising two thousand acres, part of which had been previously deeded to William Hall, viz:—

"1695, June 15th, Deed. Thomas Pyle, of Pile Grove, Salem Co., gentleman, to William Hall, of Salem Town, yeoman, for 1000 acres, the upper half of the 2000 acre tract called Pile Grove." (Salem Deeds, No. 6.)

This is probably the final conveyance executed by Thomas Pyle, as his last will and testament only two months, less two days later indicates; and we know he certainly died before October 11th, 1695.

It has been stated that Pyle became a very considerable land owner in Fenwick's Colony by sundry purchases of real estate besides the large tract already referred to. I have failed to confirm this; finding in my researches nothing bought, but numerous sales as well as gifts of tracts originally parts of the purchase made by Richard Guy. The gifts were mostly of his daughter and her husband, William Hall, one of which, the largest, I quote, viz:

"1692, Aug. 17, Deed. Thomas Pile (as before) to William Hall and wife, Elizabeth, daughter of said Thomas, for 4,000 acres of the preceding 10,000 and after

his death 2,000 more." (Salem Deeds, No. 5.)

Richard Guy doubtless came over to America in the ship "Griffith" with John Fenwick in 1675 and the following year we find this Warrant of Survey, viz:

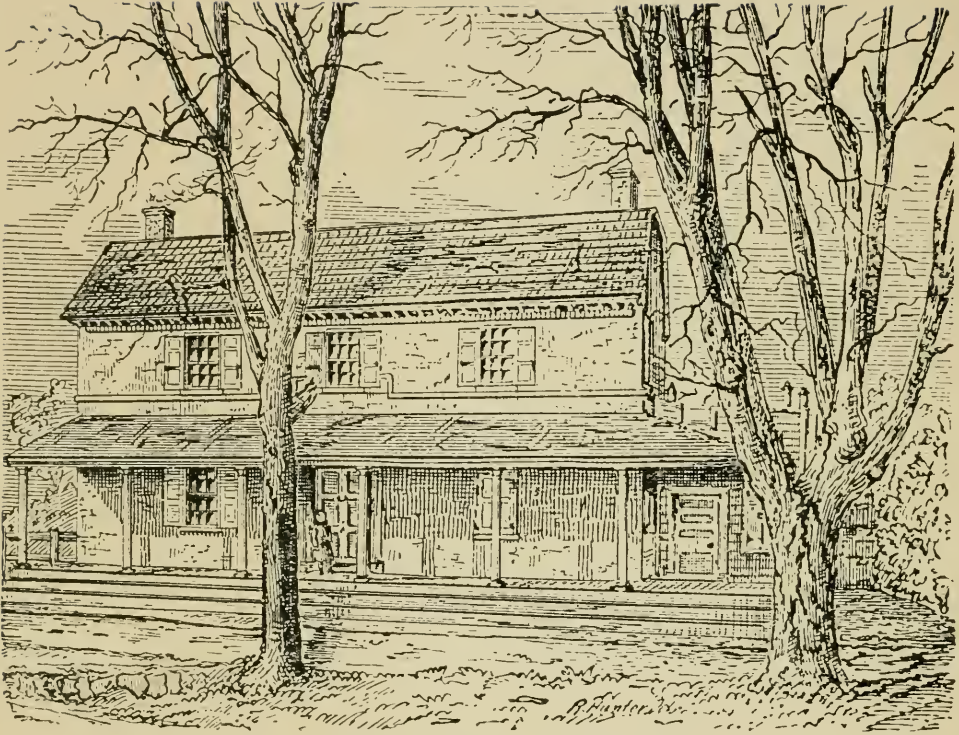
"1676, 12d, 9m (Nov.) Warrant of Survey to Richard Guy of 1,000 acres at or near the point formerly called Elsinburge Fort and Now Guy's Point, formerly granted to John Townsend, said name having been sused fictitiously." (Salem Surveys 1676.)

He was early an active participant in the affairs of the Colony and when "John Fenwick took the oath of office as Governor of Fenwick's Colony, 1676, June 21," the same day "Richard Guy of Guy's Point, Township of New Salem, Fenwick's Colony, planter, (likewise) took the oath as member of the Governor's Council." (Salem Surveys 1676.)

Thomas Pyle's wife, nee Sarah Cannon, was a daughter and namesake of Sarah Cannon, who owned land in the Town of New Salem, which she bequeathed to said Sarah Pyle, as appears from the following Power of Attorney, which is interesting from the light it throws on the residence of Samuel Carpenter in 1683, viz:—

"1686, April 23d, Sarah Pile, of Pile Grove, by her Attorney, William Hall, of the same place, Salem Tenth, W. J., yeoman, to Samuel Carpenter, of Elsinborough, said tenth, merchant, for 22 acres in the Town of Salem, on Fenwick's River, and the highway from Salem Landing, bequeathed to said Sarah by her mother, Sarah Cannon, who bought the lot of John Smith, June 4, 1683." (Salem Deeds, No. 4.)

From the dates of the preceding commission we know that Sarah Cannon died before the year 1686. About one year previously, Samuel Carpenter, then residing in Philadelphia, bought the Guy's Point Estate and had removed to Elsinboro as shown by the following deed, viz:—



“ THE CAPITALL HOUSE ”

William Hall, 1691.

Joshua Bradway, 1791.

"1685, May 13th, deed, Richard Guy, late of Elsinburgh, Salem Tenth, W. J., yeoman and wife, Bridgett, to Samuel Carpenter, of Philadelphia, merchant, for 812 acres at Elsinburgh." (Salem Deeds, No. 6.)

The words "late of Elsinburgh" imply the removal of Richard Guy, after a residence of ten years—his old friend, the Proprietor, having been dead about two years—from Salem to Burlington, where he made his will, 1689, September 22, leaving "wife, Bridgett, sole heiress and executrix of real and personal estate," "proved December 2, 1693." Included in the inventory of his estate is "a mortgage of £ 300, on a plantation at Elsinborow due by Samuel Carpenter." Bridgett Guy survived her husband about five years, dying in 1698. Samuel Carpenter was named one of her executors. In the deed to the latter from Sarah Pyle of the 22 acres "on the highway from Salem Landing" it is said her mother, Sarah Cannon, "bought the lot of John Smith, June 4th, 1683," and on the same day Samuel Carpenter came into possession of the said twenty and two acres. April 12, 1686, he assigned it to "William Kyle," of Salem, W. J., and five years later lacking eleven days, this same lot became the property of Wm. Hall, who previously sold it to Samuel Carpenter as Attorney for Sarah Pyle, viz—

"1691, April 2d, William Kelly, of Salem Town, weaver, to William Hall, late of Pile Grove, now of Manneton Creek, W. J., yeoman, and wife, Elizabeth, for 22 acres in the Town of Salem, sold by said Hall to Samuel Carpenter, April 13, 1686, and assigned by said Carpenter on the same day to present grantor." (Salem Deeds, No. 5.)

The exact location of the Smith, Cannon, Carpenter, Kelly, Hall Town Lot is definitely settled, by its being named in the following memorandum of sale, as the place where a certain payment of money was to be made, viz:—

"1685-16, 22d, 12th m. (February), Mem. of Sale, Wm. Groome to Richard Marshall of 200 acres in Alloways Creek, bought of Marcus Elger, of Middle Neck, Salem Tenth, who is to give deed, the land adjoins Dennis fishers 500 a.—"purchase consideration to be delivered at Wm. Kelly's house at Salem Town landing." (Salem Surveys, No. 8.)

In the year 1701 Samuel Carpenter, then a merchant of Philadelphia, sold to "Rothro" Morris, of Salem Co., W. J., yeoman, the plantation of twelve hundred acres in Elsinboro, viz:—

"1701, Nov. 20, Do, Samuel Carpenter, of Philadelphia, merchant, and wife, Hannah, to "Rothro" Morris, of Salem Co., W. J., yeoman, for the plantation of 1200 acres in said county called Elsinburg." (Salem Deeds.)

Thus we find that Carpenter owned property in Fenwick's Colony from 1685 to 1701, sixteen years and resided there part of that time.

John Smythe, the original owner of the lot he sold to Sarah Cannon, was deeded sixteen acres of the two and twenty by John Fenwick, that being the size of the Town Lots, inclusive, awarded to each purchaser of one thousand acres; the additional six acres having been acquired by a separate deed, also from the Proprietor "In verba magistris" jurare." (To swear by the words of a master).—Edson Saulsbury Jones, Esq., of Port Chester, N. Y., who in his valuable paper read before this Society December 10, 1907, has ably discussed the present subject, says it "was deeded to him by Fenwick in 1679." (Town Grants P. 5.)

He conveyed both lots to Sarah Cannon, viz:—

"1683, June 4, John Smith, of Monmouth R. alias Alloways Creek, W. J., gentleman, and wife Martha, to widow Sarah Cannon, of New Salem, W. J., for 22 acres in New Salem Township, 16 thereof along the highway and Fenwick's River, the other 6 on the road

from Salem Landing." (Salem Deeds, No. 2.)

We observe from the above deed that only six acres of the two and twenty conveyed to Sarah Cannon were "on the road from Salem Landing."

The Warrant for the Survey of the sixteen acre lot for John Smythe reads as follows, viz:—

"1676, Sept. 19th. Do Do. to John Smythe for a home lot of 16 acres in New Salem." (Salem Surveys, 1676.)

"——— Note: The like warrant for Roger Huckings, Samuel Nicholson, Edward Champneys, Edward Warner, Wm. Hancock, Edward Bourne of the same date." (New Jersey Colonial Documents.)

We have mentioned that John Fenwick took the oath of office as Governor of his Colony 1676, June 21; and after his decease, in 1685-6 we find in a deed to William Wilkensen a reference to the "Governor's lot." (Town Grants Liber A, Page 343.)

The inference from the following abstract, naturally is, that Governor Fenwick had an official residence in the Town, which may explain in a measure, the designation "Governor's House," which has been associated with the so called "Bradway House," at the foot of West Broadway in this city, viz:—

"1685-6, Jan. 20, do same to William Wilkinson, of New Salem, planter, for 10 a. there on the street to the Governor's Lot." (Town Grants, liber A, Page 343.)

In the Archives of the State we meet with the names "Broadways street" also "Bradaways street" also "Brod street," earlier "Main street" and "The Highway." in 1791 it was called "Salem street," viz:—

"1679, May 15, do same to Christopher Sanders, of New Salem, yeoman, and wife, Mary, for Sanders Lot 14 acres on "Bradaways street N. E. Robinson's Plantation" and "Inrolled May 30, 1679, Patent. Same to Richard Robinson, of

New Salem, yeoman, and wife, Elinor, for a lot on Broadway's St., 10 a." (Archives P. 34.)

Again 1692, August 17, do Jonathan Beere, of Salem Town, yeoman, and wife, Mary, to Henry Hurley, of the same place, weaver, for a house and lot of 14 acres there, at the corner of Broadway's street along said street to the S. W. side of Robinson's plantation, granted by John Fenwick to Christopher Sanders and wife, Mary, May 22, 1679' and by them conveyed to grantors, October 9th, 1686." (Salem Deeds, No. 5.)

The preceding compilation from the published Archives of New Jersey are included in this paper on account of their possible relation to one of the original or very early names of what is now known as West Broadway, one of the principal streets of the City of Salem and of late years long known as Bradway street. In fact Shourds in his valuable "History of Fenwick's Colony" says that in "1693 the Town of Salem was incorporated into a borough and the authorities of the town changed the name of Wharf street to Bradway street in honor of Edward Bradway," who, although the owner of valuable property in the Town of New Salem, clearly pointed out by Mr. Jones in his paper already referred to, never, as far as I have been able to learn resided there, except as Mr. Jones says "though undoubtedly he first lived there, as in the Meeting Records a minute is found showing that a committee of four was appointed on 12 mo. 1679. (February 2, 1679-80) to view his house and see if it was suitable for a meeting house. As early as June 6, 1680 he was of Alloways Creek (Salem Deeds 5,341) and such was the specified abode at all later times." And there he died 1693, his will being dated Dec. 6, 1693, in which his residence is given as follows, viz:—

"1693, Dec. 6th, Bradway Edward, of Monmouth River, Salem Co., yeoman."

There was however a street in New Salem



PENNY HILL, SALEM, N. J.

named "Edward Bradway's street," but it was apparently situated in another part of the Town now or recently known as "Penny Hill" and is mentioned in the following deed:—

"1689, May 27, Do. John Ireson, of Salem Town, tanner, to Richard Marshall of Salem Co., planter, for 10 acres in the Town, on Edward Bradways street, lately in the tenure of Charles Bagley." (Salem Deeds, No. 5.)

As the incorporation of the Town of Salem into a borough did not take place until 1693, the date of the above deed conflicts with the statement of Thomas Shourds, informing us that four years previous to that event, i e—in 1689 "Edward Bradways street" was one of the thoroughfares of the village, and therefore the conferring of the honor, of the naming of the street, on Edward Bradway, by the "Authorities of the Town," is apparently incorrect, nor is it probable that such an obvious impropriety under the circumstances, as the changing of the name to Salem street, doubtless years before 1791, could have been permitted by "the rude forefathers of the Hamlet."

We may be able to form conclusions as to the general bearing of the street named after him and other property of Edward Bradway by another and the last deed pertaining to his subject to which I invite your attention, viz:—

"1685, 25th d. 6th m. (August) Do Richard Wilkinson, of New Salem, laborer, to Richard Johnson, of the same place, carpenter, for that part of the 16 a. lot, bought of Edward Bradway (Supra P. 22.) lying on the N. W. side of a line drawn from the outermost bounds of grantee's 10 a. lot by the highway leading from Salem Town to the Mill Creek." (Archives P. 582.)

Finally in the conveyances, divers and sundry, from John Smythe through Sarah Cannon, Samuel Carpenter, William Kelly to William Hall we are unable to trace any ownerships to this

property, except those already included in this paper, the evidence being conclusively in favor of the statement of Mr. Jones that "There is every reason to believe that the house which bears upon its East gable the date 1691, was built by William Hall and that he had established it as his inn by 1692. His will dated April 10th, 1713, devised to his son, William, the "Capitall house," where the testator dwelt, with all the lots bought of William Kelly."

I am of the opinion that we have found no valid reason for rejecting his conclusions, together with his information, that—"Salem records do not show that Edward Bradway ever owned a home or lot on the North side of Broadway between the wharf and Market street."

Still, there is no doubt that the descendants of Edward Bradway did afterward become seized of the very property now (after the lapse of so many years) in controversy, which finally came into the possession of John S. Wood, Esq., of Jericho, Cumberland county, by his marriage with Sarah Ann Bradway, daughter of Thomas and Isabella Dunlap Bradway, the husband being a son of Thomas Bradway, only son of Aaron Bradway by his second wife, Sarah Smith, widow of John Smith, grandson of John Smith, of Smithland. Aaron Bradway was a grandson of Edward Bradway, the emigrant. By his first wife he had a son, Joshua, who bought the Hall property, at the foot of West Broadway from Joseph Hall, a grandson of William Hall, the emigrant, March 2d, 1791. So just one hundred years after the "Capitall House" was built it thus passed from the Hall to the Bradway family.

The late Thomas Wood, of this City, son of John S. and Sarah Ann Wood, built the frame dwelling house on the corner of Front street and West Broadway, and resided there several years.

The unusual circumstances surrounding the purchase by Richard Guy from John

Fenwick, in 1675, of the ten thousand acre tract afterward called "Pile Grove," with money furnished by Thomas Pyle, involved the necessity of a subsequent legal transfer to which we will presently refer. We do not know even approximately when the latter immigrated to America, but may be guided by the following "Return of Survey," June 20, 1682, not having any information of his movements, during the intervening seven years, from the late of purchase by proxy, and the following transaction, viz:—

"1682, June 20. Return of Survey to Thomas Pyle, of London, citizen and upholsterer, of 10,000 acres, bought by him in the name of Richard Guy, of the Parish of Stepney Co., of Middlesex, Cheesemonger, who, by a deed of trust, conveyed the same to John Eldridge, Joseph Henseley, Richard Noble, Edward Champneys and Edmund Warner, of said tract 7.95 a. are bounded by Fenwick's River, Cannon's Creek, which goes through part of it; Pyle's Mount, Masacksy, alias Oldman's, alias Berkely Creek, Pyle's Bounder Creek, the balance in Necomusses Neck, between Necomusses' run now called Fenwick's Grove Run and Fenwick's River" (Fenwick's Surveys 1676-1705); also by a "Deed of Gift from Sarah, wife of Thomas Pyle, of Shadwell, England, upholsterer, to her daughter, Elizabeth Pile, and William Hall, both of Pilesgrove, jurisdiction of New Salem, for all her personal estate, and her title to 10,000 acres of land, on condition of making certain payments to Sarah Cannon, the mother, son, Ephraim Pile, daughter, Sarah Gibson and son-in-law, Simon Gibson" (dated January 10th, 1683-4) also, viz:—

"1685, 15th d. 9th m. (Nov.) Deed of Gift from Sarah Cannon, of New Salem, widow, to her daughter, Sarah Pile, of Shadwell Co., of Middlesex, (England) for all her personal property." (Salem Wills, A. P. P. 2-7.)

"The preceding two deeds of gifts, so called in the record, are evidently intended to be last wills and testaments."

If the above surmise, of the compiler of the Archives, together with the associated dates are correct, Thos. Pyle's wife, Sarah, did not emigrate from London to West Jersey, unless several years elapsed between the making of her last will and testament and her demise, or if she did, must have returned to England before her death, which we infer from the date of the inventory of her estate occurred in March 1683-4, although the "Deed of Gift" from her mother, Sarah Cannon, dated November 15, 1685, implies that she was living at that time. She left for those times, quite a considerable personal estate, viz:— "£290.11 incl., a boy servant, Richard Wheat, £7, a maid servant, Mary Barrington, £7, a negro woman £14. 43 oz. of plate, £10.05, an old watch 12s. and debts (all desparate)" said to be due from some of the most respectable and perfectly responsible citizens of Fenwick's Colony such as— "Samuel Hedge," "Richard Tindall," "Major Fenwick," "Samuel Carpenter," and many others, indicating another instance of gross inaccuracy in the published chronicles we possess.

In her "Deed of Gift" to her daughter, Elizabeth, and William Hall, she speaks of "her personal estate and her title to 10,000 acres of land." Are we to infer, from this in connection with the indirect purchase by Richard Guy, that she was the original and actual owner of part if not all of the Pilesgrove estate? If she died in 1683-4, which she evidently did not, but which the inventory of her property, made by Com. Braithwaite and Samuel Hedge, both residents of the Colony would imply, her husband survived her more than twelve years, he left a small personal estate, viz:—

"£49.16.11 incl books £1, a gold ring 18. s. made by Jona Beere and Samuel Hedge" all of which together with his real property he left to his daughter,



FAMOUS OLD OAK
West Broadway, Salem, New Jersey

Elizabeth Hall." Son-in-law, William Hall, executor." (Salem Wills A, P. 173.)

Ephraim Pyle, the son, died August 25, 1685, about one year and seven months after what we suppose to have been the date of the demise of his mother. "Administration on the estate granted to his brother-in-law, William Hall," who about one year previously, i. e.—May 21st, 1684, had married his sister, Elizabeth Pyle.

There was beside the latter, another daughter, Sarah Gibson, wife of Simon Gibson, who also had a claim by the "Indenture Tripartite" of 1675, June 16th, in which was awarded "one-half to the use and behoof of Simon Gibson, of the Parish of St. Paul, Shadwell Co., of Middlesex, carpenter, during the life of his wife, Sarah; the other half in trust for said Thomas Pyle and wife during their lives, the whole to go finally to Ephraim, son and Elizabeth, daughter, of said Thomas and Sarah Pyle." As we find no further reference to Sarah Gibson, we conclude that her husband, Simon, survived her and therefore her share of the property according to the provisions of the "Indenture Tripartite," quoted above, Ephraim being dead, reverted to her sister, Elizabeth Hall. (New Jersey Colonial Documents, Salem No.1.)

The only example of the hand writing of Ephraim Pyle, whose premature death we have noted, is his autograph, spelled "Ephraim Pyle," as witness to the nuncupative will of Thomas Knowles, of New Salem, planter, wherein he devises to Elizabeth Pyle, spinster, as a tribute doubtless to her worth, virtues, and possible personal attractions, the singular legacy of "a heifer in the hands of Charles Bagley and makes James Nevill and Sarah Pyles, executors." The inventory of his personal estate, amounting to £17.7.2, made by Thomas Woodruff, Sheriff, and Edward Lumley, planter, is dated April 2, 1682, and from the fact that Sarah Pyles' was one of the executors, we must, regardless of our former opinion—that she remained in England,

declining to emigrate—in view of the above circumstances, admit that she was, nevertheless, at that particular time, "in propria persona," here.

The last hour of Knowles, within the mortuary chamber of his humble home, as he uttered the words disposing of his small estate, to which "Ephraim Pyle" affixed his signature as witness, must indeed have been a time lugubrious imagination can transport us also there, to mingle with the faithful friends gathered around him, and hear him with faltering accents utter his last wishes. A mysterious influence pervades the room, which tells us that spirits uncanny are hovering near—are already there. It seems a haunted spot.

"O'er all there hung the shadow of a fear,

A sense of mystery the spirit daunted,
And said as plain as whisper in the ear,
The place is haunted."

The Parcae, the weird sisters, the unrelenting fates have come and now are busy with their horrid work:—

"Sororem fila trium patiuenter atra."

Although invisible we are aware of their presence, the painful concentration of the exalted sense rendering their movements audible, when the pen of the scrivener ceasing, and the frigid tongue of the expiring mortal forever silent, we hear the clashing shears of Atropos sever the black worsted cord of sorrow, which frees the spirit, escaping from the desolation and unavailing grief it leaves behind, curable only by the antidotal medicaments of resignation, of time, and of eternal hope.

It is indeed a dark and gloomy hour, without one lucid ray, save when the anticipated arrival of the heifer, led by the hand of the ubiquitous Bagley, sheds a gleam of humor across the final scene.

On opening this "Old Deed" and reading its contents, one cannot fail to realize, the comparative permanence and instability of inorganic matter and organic life. Coming down through eight

generations of my family, without especial care, until within a few years, after the lapse of more than two hundred and thirty years, it is apparently in as good a state of preservation as when it was written, signed, conveyed and witnessed in 1675. But where are the hearts and hands of those twelve men, whose memory is embalmed within the body of the instrument? Long since crumbled into dust. Those hearts which then responded to the impulses of expectation and of hope, those brave hands, whose deft prehensile fingers with psychologic transmutation changed intuition into visible form and made it stay, for centuries, save in

their progeny and finished work, have vanished from the scenes of life, utterly disappeared and "like (an) insubstantial pageant faded left not a rack behind" and were it not for this treasured manuscript, might be forgotten now.

But though they are gone, one of their creations, this sheepskin with its written message, a legacy of long ago, rescued by their cunning art from disintegration and decay, still lives, as it were eternal, alike defying and escaping the rodent "tooth of time and rasure of oblivion."

E. S. S.

Salem, N. Jersey, December 3d, 1908.

LIBRARY OF CONGRESS



0 014 206 918 0

