STATE OF Rhode Island.

FILE NO. 9

TITLE PAPERS

OF

Dutch Island in Naragansett Bay.
Washington County 6. Acres
Deed by appraisers from Ester Carpenter
and others 17 april 1826.
$ 1032.—

Copied in Lt House Book D pp. 176–184

Title approved by Attorney General
Rhode Island. 1825

Jurisdiction ceded to the United States by State
of Rhode Island. 1825.

under provisions of Act of
Copied in Lt. House Book D. pp. 176–184

Foreclosure

Copy.

His Excellency James Fenner, Governor of the State of Rhode Island &c

Christopher Ellery, Collector of the Customs for the district of Newport, and Superintendent of light-houses in said State, duly authorised to purchase for the United States a quantity of land on Dutch-Island for the site of a light-house to be thereon erected, most respectfully requests, That your Excellency will, agreeably to an act of the General Assembly, passed at the last May Session, to cede the jurisdiction of certain lands on Dutch Island and Warwick Neck, and to authorize the purchase of said lands for the use of the United States, appoint three suitable persons to appraise the land not exceeding six acres, on Dutch Island, the most southerly part thereof, whereon said light-house may be erected, they being sworn to set a just and fair value thereon; and that your Excellency will be pleased to enjoin it upon the appraisers so appointed to assemble at Dutch-Island on an early day for the purpose of executing their commission, they giving notice of the time of their meeting to Willet Carpenter of Northkingston, Esquire, one of the owners of the soil, and to your petitioner, that he the said Willet may notify the other owners thereof, if he see fit; and that your Excellency will further be pleased to direct that the act of appraisement, subscribed and sworn to by the appraisers, the costs including the charges for surveying said land, as to be allowed by your Excellency, noted thereon, be delivered to your

petitioner, that he may deposite the same in the office of the General Treasurer, together with the amount of money for which the said land be appraised and said costs, at and from the date of whose duplicate receipts for the same, for the use of the owners of the soil and the said appraisers, the fee and property of said land to vest in the United States: Or that your Excellency will take such other measures in the premises as may be

Newport May 12. 1825.

Supt. light-houses &c

Richard Thomas

Betsey Carpenter

Abigill Gardner

Washington Sc. At South Kingstown in Said County on the Seventeenth day of April in the
year one Thousand Eight hundred and twenty Six personally Cometh Esten
Carpenter, Millet Carpenter Abiagail Carpenter Sally Carpenter, Amos
Gardiner Betsey Carpenter, and Abgill Gardiner, Signers & Sealers to the above
and preceding deed and did acknowledge the Same to be their free Voluntary
act and deed — Before — Sam[l] Brown Justice of Peace

Washington Sc. At North Kingstown, April 17th. 1826. Personally came Samuel E. Goodrich &
Mary his wife who was seperately examined apart from her husband, & the two Sworn
acknowledged the their Signatures to the above Deed to be their voluntary act &
Deed — Before, Richard Thomas Just Peace

Received for Record April 18. 1826 at five O'Clock in the afternoon per John Remington Town Clerk
Registered in Jamestown Fifth Book of Land Evidences April 20. 1826 in pages 167 & 168
Per John Remington Town Clerk

Wm. Brown Dr. 178, 9, 80.

Rhode Island Sct. 9.

Enclosure &.

An Act to cede the jurisdiction of certain lands on Dutch-Island and Warwick neck, and to authorise the purchase of said lands for the use of the United States.

Section 1. Be it enacted by the General Assembly, and by the authority thereof it is enacted, That there be and hereby is, granted unto the United States, the jurisdiction of any lands, not exceeding six acres on Dutch-Island, in Narragansett Bay, and not exceeding three acres on Warwick-neck, in the town of Warwick, which may be purchased by the United States for the erection of a light-house on said Dutch-Island and a beacon on said Warwick neck; authorised by act of Congress: provided nevertheless, that all civil and criminal processes, issued under the authority of this State, may be executed on said lands, or in said light-house, beacon, or other tenements to be erected thereon, in the same way and manner as if the jurisdiction had not been ceded as aforesaid.

Section 2. And be it further enacted, That it shall be lawful for the owner or owners of lands on Dutch-Island and Warwick neck to sell and dispose of to the United States, so much land, not exceeding six acres on Dutch-Island, and three acres on Warwick neck, as shall be necessary for the erection of said light-house, beacon, and other tenements, and to execute a deed or deeds thereof in due form of law; and if the owner or owners of said lands shall not agree with the person appointed to purchase such lands on the value thereof, then and in such case, or in any other case upon the request of the person so appointed, his Excellency the Governor is hereby empowered to appoint three suitable persons to appraise the said lands on Dutch Island and Warwick neck, or on either thereof, and upon payment of the value thereof at such appraisement to the General Treasurer of this State, for the benefit and use of the owner or owners of said lands, the fee and property of said lands shall vest in the United States.

The above act was drawn by the superintendent, and in conformity with other acts for like purposes, - varying to suit the circumstances, and introducing some new provisions into the second section, particularly the payment to the General Treasurer and the consequent vesting of the property.

(Copy.)

James Fenner, Governor, Captain General and Commander in Chief of the State of Rhode Island and Providence Plantations.

To Isaac Wilbour of Little Compton, in the County of Newport, Daniel Champlin of Exeter in the County of Washington, and Henry Remington of Warwick, in the County of Kent, Esquires, Greeting.

Whereas Christopher Ellery Collector of Newport hath made application in behalf of the United States of America for the purchase of six acres of land being part of Dutch Island situate in the Narragansett Bay within our said State, for the purpose of erecting a light-house thereon; and whereas satisfactory evidence hath been exhibited to me that he the said Ellery cannot agree with the owner or owners of said land on the value thereof:

I do therefore in pursuance of the authority vested in me nominate and appoint you the said Isaac Wilbour, Daniel Champlin, and Henry Remington Commissioners, with authority to meet at such time and place as you may think fit and [after reasonable notice by you given to all parties interested] upon such evidence as shall be exhibited, to make a fair valuation and appraisal of said land by the acre.

Hereof fail not but make true return with your doings hereon to our Secretary's office.

Given under my hand and the seal of said State at Providence, this sixteenth day of May, in the year of our Lord one thousand eight hundred and twenty-five and of Independence the forty-ninth.

J. Fenner

By his Excellency's command

Henry Bowen

Sec'y

To all people to whom these presents shall come we Esther Carpenter, Willett Carpenter, Samuel E. Gardiner and Mary Gardiner, his wife in her right, Abigail Carpenter, and Sally Carpenter all of North Kingstown in the State of Rhode Island and Amos Gardiner, of South Kingstown in said State send Greeting Know ye that for and in consideration of the sum of One thousand and thirty two Dollars to us paid by John Quincy Adams, president of the United States the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell, and convey unto the said John Quincy Adams president of the united States and to his successors in office forever for the use of the United States a certain tract of land being the most southerly part of Dutch Island in the township of Jamestown in the State aforesaid bounded northerly on land of the grantors, easterly, Southerly, and Westerly on the sea or bay containing Six Acres to be measured according to the report of commissioners appointed to appraise the same and to be enclosed with a good and sufficient fence to be wholly erected and forever hereafter maintained by the said John Quincy Adams president of the united States and his successors in office, for the united States, either with water fences or by extending the fence along the Shores of said tract. To have and to hold said granted and bargained premises with all the privileges and

appurtenances thereof to him the said John Quincy Adams president of the United States and to his successors in office forever for the use of the United States: and we the said Esther Carpenter Willett Carpenter, Samuel E. Gardiner, in right of his wife Mary Gardiner, Abigail Carpenter Sally Carpenter, and Amos Gardiner, for our selves, our heirs, executors, and administrators do covenant with the said John Quincy Adams president of the United States and his successors in office that we are lawfully seized in fee of the premises, that they are free of all incumbrances, that we have good right to sell and convey the same to the said John Quincy Adams president of the United States and his successors in office to hold as aforesaid, and that we will warrant and defend the same to the said John Quincy Adams and to his successors in office forever for the use of the United States against the lawful claims and demands of all persons whatever. And we Betsey Carpenter wife of

the said Willett Carpenter, and Abigail Gardiner, wife of the said Amos Gardiner in consideration of the sum aforesaid paid to our said Husbands do hereby release and forever Quitclaim to the said John Quincy Adams president of the United States and to his successors in office for the use of the United States, forever, all our right of dower in and to the aforedescribed and granted premises.

In Witness whereof we have hereunto set our hands and seals this Seventeenth day of April in the Year of our Lord One thousand eight hundred and twenty Six.—

Signed Sealed and delivered in presence of }

Esther Carpenter

Willett Carpenter

Sam'l Gardiner —

Mary Gardiner

Abigail Carpenter

Sally Carpenter

Witnesses to Esther Carpenter, Willett Carpenter, Abigail Carpenter, Sally Carpenter, Amos Gardiner, Betsey Carpenter and Abigail Gardiner, executing this deed. — —

Alby W. Case

Mary Gardiner

Sam'l. Brown

Witnesses for S. E.
Amos his Wife

In pursuance of authority to me granted by His Excellency James Fenner Governor Captain General and Commander in Chief of the State of Rhode Island and Providence Plantations I have caused to be notified Christopher Elley Esq Collecter of Newport and Superintendant of Light houses in said State and the proprietors of Dutch Island in Narragansett bay in said State that we should meet at said Island for the purpose of appraising a part of said Island not exceeding six acres for the use of the United States at which time and place they might appear and make such observations as were pertinent and relative to said case if they saw fit should be heard: and on this day met on said island said Elley, Willett Carpenter Esq and Samuel Gardiner Esq in right of his wife Mary Gardiner the said Willett and Samuel G appeared jointly for Amos Gardner, and the said Willett also appeand in behalf of his sisters Ester Carpenter Abigail Carpenter and Sally Carpenter being all the proprietors and joint owners of said premises: and after being legally engaged to the faithful discharge of said duty proceeded to hear the pleas and allegations of the respective parties and after examining the land and evidence in the case have sett off to the United States of America the south point of said island and to extend so far north as will include six acres; said land and beach to be measured to the common high water mark; and is bounded north by land of the said Willett Samuel G in right of his wife Mary, Amos, Ester Abigail & Sally, east, south and west on the sea in said bay;

which land and beach we have appraised at the sum of one hundred & seventy two dollars per acre making in the whole one thousand and three two dollars; which sum we consider just and in full payment for said land. All which is submitted by

Isaac Wilbour
Daniel Champlin } Commissioners
Henry Remington

Cost taxed @ $ 39
Transmitting to Secys office } 3
$ 42

Dutch Island 27 May 1825.

True copy of the original deposited in my office.

Copy 30 Cts

Witness
Henry Bowen
Secy of State (R.I.)

The dotted black line on the annexed plat shews the boundary of the point of land which the Superintendent endeavoured to purchase; and it is presumed, that the appraisers believe that the northern boundary of their six acres will be near to it.

The dotted red line was proposed to the appraisers as the eastern boundary, in order to leave to the proprietors a landing-place at the rum-rock, upon which they set a value but for which the United States, as the Superintendent stated, would were not willing to pay ought, it not being necessary for their purposes.

One half of the six acres may be called arable.

The site was selected by the Superintendent, and approved by an respectable ship-masters and others from Newport and Providence, carried in the Cutter to Dutch-Island. It had been supposed that the proper place was at the sandy point making out westwardly.

The island is said to contain 80 acres of land.

Capt. Phillips
Lieut. Hall
Commrs

Tompkinsville N.Y.
Nov 6. 1874

Col. L. C. Woodruff
Esq. 3d Dist

Have rec'd letter of
4th inst. and
Notice papers to
Dutch Island
L. H. Station.

Rhode Island and Vicinity.

Enclosure i.