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THE
TANGIER SMITH MANOR

1521

THE
TANGIER SMITH MANOR
OF ST. GEORGE

ADDRESS DELIVERED AT THE EIGHTH ANNUAL
MEETING OF THE NEW YORK BRANCH

OF

THE ORDER OF COLONIAL LORDS OF
MANORS IN AMERICA

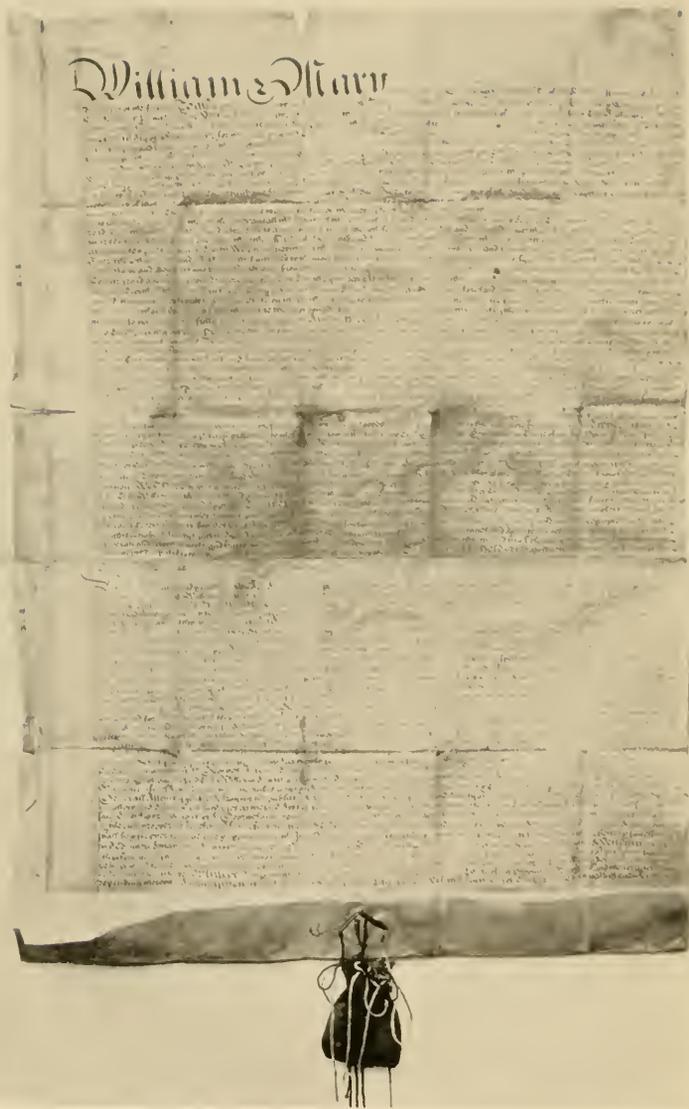
HELD IN THE CITY OF NEW YORK ON THE 24TH
DAY OF APRIL, 1920

BY

REV. HOWARD DUFFIELD, D.D.

L *Order of Colonial Lords of Manors in America*
New York Branch 9

BALTIMORE
1921



FACSIMILE (REDUCED SIZE) OF GOVERNOR FLETCHER'S PATENT OF THE LORDSHIP AND MANOR OF ST. GEORGE, OCTOBER 9, 1693

From the original in the possession of William Tangier Smith, Esq., Clarence Smith, Esq., Miss Martha Tunstall Smith and Miss Eugenia Smith of Smith's Point, Long Island, N. Y.

THE MANOR OF ST. GEORGE

The Manor of St. George was situated at the heart of Long Island, and comprised a broad belt of woodland and meadow stretching from the Atlantic shore to a highroad, which runs along the backbone of the Island, midway between the Atlantic ocean and the Sound. The waters of the great South Bay, teeming with fish, clams and oysters, were originally included within the Manorial boundaries. It was constituted in 1693 under a patent granted by Governor Fletcher to Colonel William Smith. In other meridians the name of Smith is impressed with no special distinction, but in the annals of Long Island it is borne by a group of distinguished families and is blazoned with a dignity similar to that which lends lustre to the Pilgrim Fathers of New England or the Cavalier founders of Virginia, the Bradfords, the Endicotts and the Standishs, the Berkleys, the Randolphs and the Lees. The fact that this Manor does not bear the name of the Proprietor but a title which is peculiarly associated with the royalty of England, wafts over seas into this new world a peculiar whiff of that feudal atmosphere of which it was a relic, and hints at the intimate personal relationship which existed between its Lord and the British throne.

William Smith was born February 2, 1654, at Weld Hall in the little village of Newton, near Hingham Ferrers. The names of his parents are given in the record of his christening which occurred a fortnight after his birth. The entry in the parish register reads: "William Smith, son of John Smith and Mary his wife, was baptized the 15th day of February 1654." The known facts concerning his parentage and childhood are meagre. Gossip hath it, that his mother was a Maid of Honor in attendance upon the Queen. If this legend of her association with court life be correct it would go far to account for the fact of her son spending his boyhood as a page in the royal service. This vocation may help to explain why young Smith failed to receive the schooling customary for young lads and may indicate that he was regarded as set apart for a career of active responsibility rather than professional attainment. It

is evident that he possessed a native endowment of more than ordinary mentality, for if such an outlook was entertained for the child it was emphatically set at naught by the eminent achievement of his later years, in the attainment of highest honors in one of the most distinguished of the learned and literary professions. The earliest item of his biography which shines in unclouded historic light reflects his possession of a personality of recognized capacity and efficiency. The North African town of Tangier, the capital city of Morocco, just across the straits from the rock of Gibraltar at the entering in of the Atlantic to the Mediterranean, was presented to Charles II by the King of Portugal, as a wedding gift upon the occasion of the marriage of his daughter Catherine to the English ruler. To the ever open eye of English sagacity the location of the town marked it as one of the strategic trading posts of the world. As the agent through whom this inviting possibility should be realized the King selected young Smith, who as an attaché of his court had been under the royal observation from his boyhood. A commission as "Mayor of the Royall City of Tanger in Africa"* was granted him in his twentieth year, and gave him that distinguishing title which he carried throughout his life, and which he rendered so significant of fine character and distinguished public service that his descendants cherish it as a proud and priceless heritage.

The dreams of the development of this African seaport were never realized though large sums of money were invested in the enterprise both by the crown and as personal ventures by many of the merchant princes of England. In an official report to the throne Smith was said to be "the greatest Proprietor in the Place." Within a few years the project was abandoned, the little army recalled, the fortifications permitted to fall into ruin, and the Mayor who had been given military rank as Colonel, returned to England. But his sojourn in this out of the way town had not been to him uneventful. On November 26, 1675 in the English Church he was married to Martha Tunstall, daughter of Henry Tunstall, of Putney, County of Surrey, England. Such pivotal incidents of his domestic history are recorded by him with antique forms of speech and the strangely fascinating old-time fashions of spelling in a personal journal of most intense interest, both to lovers of antiquarian research and to those who have a pride in this ancestral story.

* Title as given by Col. Henry Smith in the Tangier Book, page 20.

The series of events which shook his heart with emotions of joy or of sorrow may still be read in William Smith's own handwriting.* This time-worn document also contains a series of curious recipes and suggestions for the comfortable ordering of the household, written by "Lady Martha" as his wife came to be called in later times. "The Tangier Book" is now in the possession of the Honorable Selah B. Strong of Setauket, Long Island. During Colonel Smith's stay in Tangier, six children were born but before his return to England three of them had died. After a not very extended stay in London he turned his face westward toward that new world where the adventurous possibilities of life drew as loadstone draws iron, those who were conscious of leadership and ambitious of a place in the first rank of humanity's advance. In 1686 he embarked for America to seek his fortune in that land where illimitable resources were awaiting development. While in London another child died and one was born, so he began his voyage with three little ones. An infant daughter died at sea. She was born at Younghall in Ireland, from which port he embarked and because of her nativity on Irish soil was christened Hibernia. The entry in "The Tangier Book" which recites this sorrow concludes with the pathetic sentence "The ocean was her grave."

The ship came to anchor in New York harbor August 6th, 1686. The town into which Colonel Smith entered on that long ago summer afternoon was but a little village pleasantly situated by the water's edge at the lower end of Manhattan Island. Where the Custom House is now located stood the old Fort. The spire of the Dutch Church beckoned to him and the arms of windmill waved greeting. Broad Street, whose great canal had been closed ten years before, was the main business thoroughfare. Pearl Street was a waterside promenade. The present Nassau Street was foretold by a meadow path known as "The Path which leads by the Pie Woman's to the Common." A scattering line of private residences stretched along the south side of Wall Street. The palisades upon the north side which Stuyvesant had built and from which the street derived its world-famous name, were either prostrate or

* The record of his marriage was made by him thus:

"Tangr. this twentieth Day of Novemb^r 1675

This day beeing fryday I William Smith Borne in Newton neare Hingham ferris in Northampton was married to Martha Tunstall of Putney in the Countie of Surrie By Docct^r William Turner in the Protestant Church in Tanger"



THE TOMBSTONES OF COLONEL WILLIAM SMITH, LORD OF THE MANOR OF ST. GEORGE, AND OF "LADY
MARTHA" HIS WIFE IN THE FAMILY BURYING GROUND NEAR THE SITE OF THE
ORIGINAL MANOR HOUSE, SETAUKET, LONG ISLAND

falling and must have seemed strangely reminiscent of the abandoned defenses at Tangier. The first public work of which he became a witness was the repairing of this stockade and the erection of stone bastions for artillery at the corner of William Street, which involved such a burden of taxation that a rebellious contemporary described the undertaking as "a monument to our folly." Doubtless he joined in the "hunting of the wolves," with which the Island was infested and for the destruction of which the community was organized by a special proclamation of the City Fathers.

The then Governor of the Province was Thomas Dougan—a man of forceful personality, of large experience in affairs, and a high-minded politician. Among the Colonial Governors he stands in the first rank. Dominic Selyns wrote of him "he is a gentleman of knowledge, politeness and friendliness" and added that he had received a visit from his Excellency and could call upon him whenever he chose. The broad-voiced policy of his administration is evinced by the justly famous "Charter of Liberties and Privileges" which he secured, and which not only enriched the City by many commercial advantages but established the principle of representative government and guaranteed freedom of conscience to "all peaceable people who professed faith in God." In religion he was a Roman Catholic, a fact which ultimately set in motion a train of events which seriously affected the career of Colonel Smith. A common philosophy of life and kindred traits of character inevitably drew these two men into intimate companionship, but there was an additional basis for friendship in their having held similar official dignity under the crown; Dougan having served as Lieutenant-Governor of Tangier. The year of Colonel Smith's arrival in New York was marked by the adoption of a new City Seal, which in its heraldic device, proclaims the atmosphere of growing prosperity and enlarging influence which pervaded the infant metropolis in which he had found a home. To the industrious Beaver of the earlier Dutch Seal were added a Windmill and a Flour Barrel, emblematic of industry and commerce. The whole was supported by two Indian Chiefs, whose presence is not easy to account for, unless it be that as they cheerfully permitted themselves to be mulcted of their rich lands for the sake of the grain and the grist, at such ridiculously small prices, they had come to be not unnaturally regarded as in some sense rightfully to be numbered among

the benefactors and founders of the commonwealth. The design was encircled by a garland of laurel. At the outset of his career on this side of the sea Colonel Smith seems to have played his part in this industrial life of the community. The records of Brookhaven (April 23d, 1690) contain an entry of a note given by Governor Dougan to Colonel William Smith for £293 "for goods" and in the paper Colonel Smith is styled "a merchant."

For the New Yorkers of that day who desired to become land-holders the central and eastern stretches of Long Island possessed magnetic attractions. Not only was the natural wealth of these districts very great, but they were being largely occupied by those of English descent who were impressing upon the growing communities their ancestral habits of life and thought and linking the new settlements with the mother country by christening them with the home names of their native towns. These lands moreover were purchasable from their Indian owners at rates amazingly and alluringly low. Among the most attractive of such holdings was the Town (ship) of Brookhaven which ranged from the Sound to the Atlantic and from Islip to Riverhead. An emigration of fifty-five persons, coming from the neighborhood of Boston in 1655 were the original proprietors. These settlers were well-bred, highly cultivated, versed in the principles of English law and imbued with the spirit of Anglo-Saxon independence. The broad, well-wooded, well-watered fertile tract belting the centre of Long Island they purchased from the Indian Chief, Setauket, for "10 coats, 12 hoes, 12 hatchets, 50 eel spears, 6 kettles, 10 portions of wampum, 7 handfuls of powder, one pair of child's stockings, 10 lbs of lead, 12 knives."

The unlooked for item "one pair of child's stockings" puts a heart throb into this otherwise somewhat sordid incident of barter and sale. To know the whole story of which it is the single sentence would be worth many times the value of the entire remaining inventory.

Brookhaven soon became a township of great family estates. At the time of Colonel Smith's residence in New York it was generally recognized as the centre of the aristocratic conservatism of West Suffolk at its best. Naturally drawn toward such a region by the circumstances of his birth and the experiences of his life, Colonel Smith soon decided to make there his permanent home. Most of the land which he desired was held



View of the residence of Colonel Smith, as it appeared in 1792.

THE OWNERSHIP OF THIS LAND AND RESIDENCE UPON THIS SITE HAS NEVER
PASSED FROM THE DIRECT DESCENDANTS OF COLONEL SMITH
From the original in the Frontispiece of the New York Magazine, October 1792

by a handful of owners who were involved in bitter litigation over title rights. Thanks to the Irish-like wit of Governor Dougan, the tangle was cut by the suggestion that all their difficulties would be readily and permanently settled if they should all alike sell out to Colonel Smith. In consequence of this Socratic advice Little Neck, with much adjoining territory came into his possession October 22d, 1686. Five years later (May 25, 1691) Colonel Smith made another extensive purchase from an Indian named John Mayhew who concluded the sale for £35. The details of the deed strikingly indicate the somewhat vague and indeterminate methods of marking boundary lines which were then in vogue. The conveyance contains such descriptive items as these: "from a river, a line to the middle of Long Island"—"to a marked tree at the country road"—"at the usual going over of Peconic River." "South line to the main sea until you come to that part of the beach that lies directly north of said river"—"East side of a certain house which Stephen Bagley and company used when they went whaling." There would seem to be an excellent chance for decided differences of opinion as to the exact lay of the land thus indicated. The deed is signed "John Mayhew, his + mark."

Following the purchase of this tract Colonel Smith filed an application with the Governor and the Council setting forth that the holdings which he had acquired "compass about five miles, 600 acres of upland, some meadows and thatch beds" and formally petitioned that this estate be erected into a manor to be known as "The Manor of St. George."

The habit of life in the Province of New York was always colored with aristocratic leanings, while the New England colonies were pervaded with a spirit of democracy. In New England the lowest stratum of society was far above the peasantry, and there were few, if any, great landed estates, or large accumulations of wealth. In the adjoining Colony of Connecticut the relation of landlord and tenant was seldom found. Education was general. The squire was a man of breeding. Clergymen were men of letters. In New York throughout the rural districts, there was a decided stratum of peasantry, and in the City a populace, between which classes and the merchants and the social and political leaders a wide gulf existed. In the lowest ranks few were extremely poor, but among the well-to-do, immense fortunes were being accumulated. Landlord and

tenant was the ordinary rule of relationship. Great manorial estates came into existence, miles in extent, cultivated and cared for by armies of tenants. Lord Bellomont describing the Manor of St. George said "Colonel Smith's grant runs fifty miles in extent on Long Island with an infinite number of goodly pines for pitch, tar and resin." The proprietor was known as the Lord of the Manor. The title did not signify that he was a member of the peerage, but denoted an ownership of land invested with ancient and extensive privileges. He had an ex officio seat in the Governor's Council. He had authority to hold "Courts leet and baron." In some instances it lay within his power to inflict capital punishment. On rent days, twice annually, the tenants flocked to the Manor House and after settling their rentals in coin or produce were entertained by general feasting and merrymaking. These estates were entailed by the law of primogeniture, which, however, was usually qualified by specific legacies to younger sons or daughters.

The holdings of Colonel Smith were surveyed by the Surveyor General of the Province, an office, the necessity for which, and the importance of which, the conditions of the time render emphatically apparent. The official return of the Surveyor was made September 19, 1693. The Petition was filed October 5, 1693. The Patent was granted by Governor Fletcher October 9, 1693. The opening sentence of this instrument states that it is executed in the name of William and Mary by Benjamin Fletcher "Captain General and Governor-in-Chief of the Province of New York and all territories depending thereon at the request of your loving subject, Coll. William Smith, one of the Members of Council and Chief Justice of said Province." The Patent states that the holding is located in the district "formerly called Long Island and now the Island of Nassau, which was formerly purchased of ye native Indians." It recites that "the Lordshipp or manor of St. George's" is erected for "the future encouragement of our said loving subject." It further declares "that wee, reposing especiall trust and confidence in the loyalty, wisdom, Justice, prudence, and circumspection of said loveing subject doe * * * give and grant full power and authority at all tymes forever hereafter in the sd. lordshipp and mannour one court Leet and Court Baron to hold and keep." It concludes with the statement that "the said lordshipp and manor shall be and forever continue free and exempt from the jurisdiction of any town, township or manor."



A VERY OLD HOUSE ON THE SITE OF THE BUILDING REFERRED TO IN COLONEL SMITH'S WILL; "I LEAVE TO MY SON WM. HENRY SMITH MY HOUSE ON THE SOUTH SIDE OF THE ISLAND ON THE MANOR OF ST. GEORGE WHICH STANDS ON THE SEBOMECK NECK."

The porch is a modern addition. The house has been occupied by an unbroken line of Colonel Smith's descendants

The interesting interrelationship between the powers of the throne and the prerogatives of the citizens, which was the burning issue of the day and which was bye-and-bye to start Paul Revere on his world-awakening ride, is signally illustrated by the fact that before the issuance of this instrument and its going into effect it was twice submitted to the vote of the Town Meeting. On March 28, 1693, five months in advance of the official filing of the Surveyor's report, a meeting of the Trustees and Freeholders of the Town of Brookhaven was held at which the proposed acquisition of land and the proposal for the erection into a manor were rehearsed, and the question was put "Does the Town object?" After full conference and free discussion the Meeting unanimously adopted a resolution, which after reciting the boundaries of the desired Manor and the privileges of ownership to be conferred, concludes with a formal civic sanction of the proposed transaction, declaring in set terms that "it was voated and agreed that the above saide Coll. Smith may purchase and peacably enjoy as aforesaid." On November 27, 1693, at a similar meeting the manorial patent as issued by Governor Fletcher was read and the question again proposed "did the Trustees object to any of its provisions" and again they "voated" their unanimous approval. In May, 1694, at a General Election Day, after due notice, the patent was once more publicly read and similar action was taken.

In common with the Manorial Grants of the day, this Instrument invested the Lord of the Manor of St. George with authority to exercise certain judicial functions, known in legal parlance as the holding "courts leet and baron." The powers thus conferred have been popularly explained by John Fiske in his luminous discussion of the conditions of manorial life in his "Virginia and her Neighbors." The two phrases signify, he states, certain methods of formally organizing the manorial communities for freedom in self-government. The Court-leet resembled a town meeting. All freemen could take part in it. It enacted laws, elected constables and other local officers, set up the stocks and pillory and sentenced offenders to occupy them. It impanelled its jury and with the Steward of the Manor as presiding judge it visited with fine or imprisonment the vagrant, the poacher, the fraudulent dealer. The Court-baron was an institution in which all freehold tenants sat as judges to determine questions of law and fact. This Court decided all disputes between the Lord of the Manor and his



PRESBYTERIAN CHURCH AT SETAUKET, LONG ISLAND, ERECTED IN 1811 ON
THE SITE OF THE ORIGINAL BUILDING WHICH WAS ERECTED IN 1671

*The Church stands upon an eminence but a short distance from the site of the original Manor
House and within easy walking distance.*

tenantry concerning such matters as rent or trespass. Actions for debt and the transfer of land were here tried with all traditional formalities. In virtue of these chartered rights, the great landed estates of those early proprietors, according to Woodrow Wilson, "kept alive throughout the countrysides a form of liberty very ancient and very vital." They constituted "a school of sturdy self-assertion transplanted out of the feudal law of Old England into an air never breathed in the Middle Ages, and men of the lesser sort were heartened in their democracy accordingly."

The extent and character of the property rights bestowed upon the Lord of the Manor of St. George can be best understood by a quotation from the Patent. The itemized inventory of his holdings is partially detailed in the following paragraph:

"This patent doth give, grant, ratify and confirm unto said Coll. William Smith, his heires and assignes, all and every the forecited necks, tracts and parcells of Land and meadow within the respective limitts and bounds before menconed and expressed, together with all and every messuages, tenements, buildings, barnes, houses, outhouses, fences, orchards, Guardings, Pastures, meadows, marshes, swamps, pooles, poundes, waters, water-courses, woods, underwoods, trees, timber, quarryes, Rivers, Runs, Rivollets, Brookes, Lakes, Streames, Creeks, Harbors, beaches, bays, inlands, fferyes, fishing, fflowing, hunting, hawking, mines, mineralls, (silver and gold mines only excepted) and all rights, members, Liberties, Privileges, Jurisdictions, Royalties, Hereditaments, profits, benefits, advantages, and appurtenances whatsoever to the aforesaid severall and respective necks and tracts and parcells of Land and meadow, Bay, Beach and Inlands, with the bay belonging or in any ways appertaining or accepted, reputed, taken, known or occupying as part, parcell or member thereof"

This is not all, but it is amply sufficient to make it apparent that if there was any sort or condition of material thing within the boundary lines of the grant, over which the Lord of the Manor was not expressly given control, it was because the lenses of the surveyor's theodolite were not powerful enough to discern it, the vocabulary of the dictionary ample enough to express it, or the imagination of the attorney sweeping enough to conceive of it.

In 1689 Colonel Smith removed from New York to Brookhaven. Soon after its occupancy a social function of happy omen was celebrated in the Manor House. The marriage bells rang for Miss Martha Smith. The bridegroom was Caleb Heathcote, son of the Mayor of Chester, England, and afterward himself Mayor of New York and Lord of the Manor of



GENERAL JOHN SMITH, BORN 1756, DIED 1816

GREAT GRANDSON OF COLONEL WILLIAM SMITH

From an engraving by St. Menin in the possession of Miss Eleanor J. Smith



ELIZABETH (WOODHULL) SMITH, WIFE OF GENERAL JOHN SMITH;
BORN 1762, DIED 1839

From a photograph in the possession of Miss Eleanor J. Smith

Scarsdale. Together with his distinguished father-in-law he served as a member of the Council. In this same year Chief Justice Smith was appointed to command the Suffolk militia.

The date (1689) at which Colonel Smith went into residence at St. George's Manor, was made famous by the Revolution in England which resulted in the dethronement of the Roman Catholic James II, and the establishment of the Dutch Protestant Princes William and Mary as the English sovereigns. The proclamation in the Colonies of this change of succession, which had been brought about by intense religious feeling, produced serious agitation. The excitement culminated in New York in the Leisler outbreak with which Colonel Smith became involved and which exercised a marked influence upon his subsequent career. During the agitations in England the City of New York was haunted by a fanatic and hysteric dread of popery. To have risen to eminence or influence under James, to have been loyal to the British crown, to be considered as belonging to the aristocratic class, to be possessed of land or of money, put one under popular suspicion of affiliation with Roman Catholicism and as being at heart hostile or indifferent to the new social order which the popular imagination fancied would follow from the enthronement of Protestantism. A tense situation developed throughout the Colonies. The officials felt themselves surrounded with stealthy foes. The well-to-do classes realized that they were the targets of a growing and irrational popular hatred. The common people were obsessed with the idea that they were the objects of fiendish plots. In Boston a popular uprising led by the celebrated Dr. Cotton Mather overturned the government and lodged Sir Edmund Andros in prison. By private messenger he appealed to Governor Dougan to send from New York without delay a special commission, of whom William Smith should be one, to demand his release. So virulent and menacing was the anti-papal excitement that his request could not be complied with. Under date of "New Yorcke, 1689, May the 22^d" it is recorded in the Minutes of the Council that

Coll. Smith shewed and declared his willingnesse to serve his Excellency Sr Edmond Andros, Butt hee living att Zealtalkett, the middle of Long Island, ware the people already shoocke off this government and taking him to be a papist or a frind off them, fears if hee should goe to Boston that the people in his town would rise and plunder his house, if not offer violence to his family

In New York the most grotesque rumors became rife. Staten Island was said to be infested with papist conspirators. Governor Dougan was believed to be the instigator of an infernal plot to destroy New York. The Lieutenant-Governor, a sincere Episcopalian, was charged with being a papist in secret and it was alleged that he was involved in a conspiracy to cooperate with the landing of King James on the Jersey beach, accompanied by an army of the French, for the purpose of restoring Romanish rule in the province. The inevitable reaction of mob mentality to such abnormal conditions of social excitement and confusion soon took place. There arose in the minds of the masses the vision of a judgment day for the rich and a millennium for the poor, when the populace should mount to the top round of the ladder and the aristocracy should be brought down to earth, to guide the plough and to wield the hammer. Such a situation is the historic cue for the demagogue. Enter, Jacob Leisler. Leisler was a man of great native force but of small breeding. He was a good hater, and the crown and Church of England were his pet antipathy. In conversation he was loud and coarse, and when angered swore like a porter. By refusing to pay revenue duties on the ground that the collector was a papist, he flung the match into the magazine. In the explosion which followed he was lifted into the leadership of a popular revolt against constituted authority. The Fort was seized. The government of the city was usurped. Such civic and social leaders as Phillips, Van Cortlandt and Bayard were maltreated and imprisoned. Whoever challenged the rightfulness of his rule were christened "dogs," "traitors," "hellish rascals." A group of city officials who at the house of Colonel Bayard, were celebrating the coronation of William and Mary, were insolently ordered to the Fort to join with Leisler and his crew in drinking the health of the newly crowned majesties. To avoid giving an excuse for outrage they complied, but as they passed through the streets the mob gathered about them with riotous threats. Physical violence was inflicted. Some were kicked and pounded with fists. One was hit with a musket and another was struck with a sword. Colonel William Smith was vociferously saluted as "a devil and a rogue" and was threatened with such serious mishandling that he was compelled to flee for his life. After a dazzling flare the Leisler rocket was quickly spent and came crashing down to earth. The first official act

of Governor Sloughter, newly appointed by King William, was to arrest Leisler as "having been found in actual rebellion." A special court was summoned for his trial. Colonel William Smith, whom Governor Sloughter also appointed a member of his Council, was one of the distinguished and scholarly men selected to sit upon this commission. A contemporary writes of this bench of judges, "they were gentlemen most capable of discerning the truth and least prejudiced against the prisoners." The ablest lawyers in the Province conducted the case, which resulted in the condemnation and execution of Leisler and his associates as being the ringleaders of a treasonable conspiracy.

During this same year (1691) the Assembly abolished the old Court of Assizes and instituted a new Supreme Court consisting of five Judges; the Chief Justice was granted a salary of £130, the Second Justice £100, while the remaining three were to serve without compensation. The first appointees were Dudley, Chief Justice; Johnson, Second Justice; with Colonel Smith, Van Cortlandt and Pinhorne, Associate Justices. In 1692 Dudley vacated his office by change of residence and Colonel Smith was designated as his successor in the Chief Justiceship. Throughout his long incumbency in this most responsible and exacting office the Colony was shaken with embittered political and social strife but he achieved an enviable record for dignity, ability and impartiality.

When Lord Bellamont became Governor of the Province (1698) circumstances led him to favor the adherents of Leisler. The course of his administration was so shaped as to penalize those who were responsible for Leisler's death and to bring to pass at least some of the theories of social reform which Leisler advocated, by imposing all possible checks upon the accumulation of wealth. This policy led to an immediate clash with Colonel Smith, who was one of the Judges by whom Leisler had been condemned and was also the proprietor of a great manorial estate. The Governor promptly removed him from the Chief Justiceship and appointed in his stead Stephen Van Cortlandt. Had it been expedient the Governor would have removed him from his seat in the Council, but his known loyalty and the high favor in which he stood with the throne stayed his hand.

With reference to the land grants which had been constituted into Manors, Lord Bellamont formulated a radical policy. These enormous landed estates haunted his thought. To his mind all the wealth of the New York aristocracy had been

gained dishonestly. In his opinion great tracts of Government land had been granted away to feudal lords without compensation and in contradiction to the best interests of the commonwealth. He determined to strike a deadly blow at these landholders. A bill was prepared to be submitted to Parliament which should prohibit any one person from becoming proprietor of more than one thousand acres under any circumstances. The ardor with which he embarked upon this proceeding may be inferred from the fact that among the first group of holdings which he sought to "shatter" were two of Dominie Dellius; one of Trinity Church and one of Chief Justice Smith's son-in-law, Caleb Heathcote. Another of his principal objectives was St. George's Manor. That a high official should be an extensive landowner, that any proprietor should exercise feudal rights over a territory alleged to stretch along fifty miles of seacoast, and to belt the fairest region of Long Island, was adjudged by the Governor to be a glaring illustration of a system which was destructive of popular rights and one which he resolutely set himself to overthrow. In the Lord of this Manor he instinctively recognized a formidable antagonist and remarked to the Attorney-General of the Province that "Colonel William Smith seemed very much averse to the proposed bill." Rejecting the advice of the Attorney-General that the passage of the measure was well-nigh impossible, and that even if enacted into law it might produce civil war, the bill was laid before the Council. Three were for it and three were against it. Bellomont cast the deciding vote in its favor. Dominie Dellius at once set sail for England to appeal to the King. Trinity Church invoked the aid of the Bishop of London. The Rector of Trinity, the Reverend Mr. Vesey, omitted mention of the Governor and his family in the Sunday prayers and substituted a petition for Dominie Dellius, imploring God to grant him a safe voyage and give him success with the King. The Governor retorted by petitioning the Bishop of London to deprive Mr. Vesey of his benefice. The upheaval was widespread and intense. The Clergy were aroused. The well-to-do classes were up in arms. The merchants openly aligned themselves against the reformatory measures. The London Lords of Trade were so bombarded with angry petitions, remonstrances and memorials that finally, to Bellomont's discomfiture, they laid upon the table his proposal for the destruction of the manors, and the King whispered in his ear a friendly caution to beware of over-encouraging the Leisler faction.



LITH BY SNYDER & BLACK

PAINTED BY S. A. MOUNT

Eleana Jones Smith
1831

From a print in the possession of Miss Eleanor J. Smith



LITH BY SNYDER & BLACK.

PAINTD BY S. A. MOUNT

Wm Sydney Smith
1831

GREAT GREAT GRANDSON OF COLONEL WILLIAM SMITH
From a print in the possession of Miss Eleanor J. Smith

When the death of Lord Bellamont occurred, March 5, 1701, the Lieutenant-Governor was in the Barbados and the government of New York was left for the time being without a head. Colonel Smith hastened from the Manor of St. George to the City and asserted his right to act as President of the Council in virtue of being its oldest member, and therefore acting Governor of the Province during the interregnum. The four gentlemen present vehemently disputed his claims, their ardor being due not only to their theories of the law, but to the circumstance that they were devoted adherents of Leisler. Before the debate was issued, Robert Livingston and Peter Schuyler, who had been detained by ice in the Hudson, arrived upon the scene and sided strongly with Smith. The walls of the Council chamber reverberated with stinging sarcasm and eloquent invective. The clamor became so strident that people in the neighborhood raised an alarm. Before a parliamentary decision of the dispute could be arrived at, the matter was laid to rest by the return of the Lieutenant-Governor.

By Lord Cornbury, Colonel Smith was reinstated in the Chief Justiceship of the Province which office he continued to administer until within two years of his death.

Whatever justification Bellamont may have had for his embittered opposition to the creation of vast landed estates, (and his attitude was not without reason) and however clearly apparent it might have been that the maintenance of manorial rights must, and should, inevitably lapse with the later and larger development of the commonwealth, there are certain facts which ought to be remembered in connection with the bestowal and the exercise of these exceptional powers. The group of men in whom they were vested were endowed with rare gifts of a leadership which was singularly essential in those pioneer days. Uniformly they rose to the eminence which they enjoyed by the exercise of disciplined intelligence, wide-eyed vision, devoted patriotism, high ideals of political and social order backed by sterling character and fine breeding. The noblest possibilities of the Colony in its formative period could scarcely be more fully and more surely realized than by enlarging the sphere of their influence. The exceptional resources with which they were entrusted were devoted to exceptional service for the State. The Government required and benefited by their talents and their wealth. Civil and military duty was performed by them with unstinted sacrifice of personal devotion and financial re-

source. Taxes were slow, often impossible of collection. Again and again the monies from the Manors saved the credit of the State. Business operations were limited, facilities for commercial interchange were but poorly established and New York is largely indebted for her present-day mercantile supremacy, her social, prestige, her political importance, to the remarkable energy, to the wise and tireless activity of that little group of Lords of the Manors whose spirit Governor Bellamont impugned and whose rights he vainly challenged.

William Smith died at St. George's Manor February 18, 1705, aged fifty-one years.* About two years before his death he had voluntarily laid aside some of his more burdensome dignities, but he continued to sit as a member of the Governor's Council until the end of his life. His grave is in a family burying ground at Setauket, Long Island, near the site of the original Manor House and is marked by a stone bearing the following inscription:

Here lyes intered ye body of ye Hon. Coll. William Smith Chiefe Justice and President of ye Councill of ye Province of New Yorke. Born in England at Higham Ferrars in Northampton Feb. ye 2 165 $\frac{1}{2}$ and died at the mansion of St. George Feb. 18 170 $\frac{1}{2}$ in ye 51st yeare of his age

The tombstone contains only his titles and the dates of his birth and death. In lieu of any formal obituary it is interesting to recall the fact that Governor Bellamont, his pronounced antagonist, testified that "Smith has more sense and is more gentleman like than any man I have seen in the Province."

The Will, which opens with the injunction "I direct my body to be buried without any manner of pomp," reveals the extent of his holdings in real estate, by disposing not only of the extensive tract in the Township of Brookhaven, but also of lots "near the road to Old Man's Farms," (Port Jefferson) lands near Southampton and Southold and of houses in New York (at the present site of No. 1 Broadway). The New York property was bequeathed to his "daughter provided she

* The record of his death in "The Tangier Book" was written by his eldest son, as follows:

Lord day 3 a clocke afternoon	<p style="text-align: center;">Manr of St Georges Febr'y 18 170$\frac{1}{2}$</p> <p>Then Almighty God was pleased (after sixteen days sickness of a Rheumatism &c) to take to himself our hon^d & Deare Father Col^o: William Smith, who ye 21st of said inst. was intered in the Evening where he had directed: & Mr Geo: Phillips preached his funeral sermon.</p>
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do not marry without her mother's consent." In connection with the will, the following inventory of his estate is given:

Wearing apparel	£109
Silver Plate	£150
11 embroidered belts	£100
104 Silver Buttons	£ 5 10s
Silver watch	£ 10
Coat of Arms	£ 2
Silver headed Cane	£ 2
Fine Fishing Rod	15s
Velvet Saddle and Side Saddle	£ 10
Turkey Scimiter	£ 5 10s
Three Swords	£ 8
12 negroes	
Oxen, Steers, Cows	
Two-year-olds, Yearlings, Bulls—	
Total	£2589

The value of his wearing apparel compared with the worth of the family silver-plate, together with the ample equipment of belts and silver buttons significantly suggests that the Lord of St. George's Manor was by no means indifferent to his personal appearance, but took pains to array himself in a fashion properly bespeaking the dignity and responsibility of his rank. The "Turkey Scimiter" was doubtless a souvenir of the sojourn in Tangier. The mention of the negroes in juxtaposition with the barnyard animals is illustrative of the opinion of that day which regarded them as chattels naturally bracketed them with cattle. The total value of the estate, even taking into account the larger worth of money at that time, is singularly modest and would seem to conclusively rebut the idea that the Lord of St. George's Manor was using the high station in the Colony to which he had been exalted to accumulate a personal fortune. When the offices and opportunities that were his are remembered, the value of his estate is singularly and most honorably small.

The Lady of the Manor outlived him four and a half years, dying September 1, 1709, after a residence at St. George's Manor of twenty years. Grace and force were happily blended in her character and the eminence of her station was worthily maintained with mingled dignity and affability. Sharing to the full all the interests of the life which came within her touch, she never descended from the position which she was called to occupy. With kindly respect and with neighborly pride she was universally spoken of as "Lady Martha." In the Meet-

ing House she was assigned a unique place among those of highest rank. At the close of the Sunday services the congregation remained respectfully standing as she withdrew from the Church. Among the family traditions it is whispered that upon occasion she donned her old-time court dress and walked the porch of the Manor House, as though in the royal presence, in order that the fineness of her breeding might not be forgotten and blurred. The Tangier Book contains many a page in her handwriting of curious and forgotten lore showing her knowledge of simples and that she was a past-mistress in the housekeeping craft of her day.* A single excerpt from an old business journal proves her possessed of a canny thrift and executive ability which well qualified her to carry the responsibilities which devolved upon her when left in solitary control of the estate. She writes

Jan ye 16, 1707, my company killed a yearling ("whale") which made 27 barrels. Feb ye 4 Indian Henry with his boat struck a whale and could not kill it and called for my boat to help him. I had but a third which was 4 barrels. Feb 22 my two boats and my son's and Floyd's boat killed a yearling whale of which I had half which made 36 my share 18 barrels. March 13 my company killed a small yearling made 30 barrels. March 17 my company killed two yearlings in one day. One made 27 the other 14 barrels.

Every glimpse of this Colonial gentlewoman which flashes through the misty years moves with warm pride the descendants of the grave and genial chatelaine of St. George's Manor.

A very interesting sidelight upon Manorial life as well as the conduct of things in general at that period, is furnished by certain happenings in connection with the building of the Meeting House and the organization of the congregation. The original house of worship was a small and simple structure only twenty-eight feet square. "After forty years" so runs the record

* Here is a handful of samples taken at random:
"to make a Boyled puden" or a "superexcellent Cack" "to Pickell Cow Cumbers" "to make a good frigasee of Chickens" "a Quakinge puddinge"

"for a Blasted face or pysoned by any ill herb or wend" "for a ffelon"
"for defness" "Oyle of Charety to be taken outwards or inwards"

"a paist to make ye hands white and smooth" "to wash ye head to make hare grow" "to keep your Teath Sounde" etc., etc.



Tangier Smith

THE TANGIER SMITH ARMS

“another committee was appointed to order and proportion a new building and to determine the place of its setting up.” Differences of opinion so deadlocked this committee that for four years they were unable to make any report, even of progress. At the end of that time, a Town Meeting “at which” to quote the Minutes “Colonel Henry Smith, Colonel R. Floyd and all the principle inhabitants and seigniors being present,—agreed that the site might be determined by a providential lot, which being truly and impartially executed, directed the place to be near and adjoining the old Meeting House.” It may be doubted whether the practical politician of the present day, either in the church or out of it, would consent to stake the success of his cause upon “a providential lot,” but all then concerned accepted this solution of their differences and the Meeting House was erected at the spot thus indicated and upon that same site within a gunshot of the location of the original Manor House stands its successor, the present church edifice.

In connection with the locating of the Meeting House, the following order was taken concerning the “Minister’s Sallery.” The amount was fixed at £40, which was to be raised “after the same manner as the County Rate is and to be paid by Coll. Smith his mannor, The Towne of Brookhaven and Smithtown.” Before the arrangements for the new Meeting House were completed circumstances made it necessary to adopt an official plan of seating the congregation. The scheme decided upon strikingly reveals the distinguished position in the community which was occupied by Madame Smith. The documentary statement of the seating problem and its solution runs as follows:

Whereas there hath several rude actions happened in our church by reason of the peoples not being duly seated, which is much to the dishonor of God and the discouragement of virtue, it is ordered that the inhabitants be seated after manner and form following:

That all householders that have or shall subscribe within a month to pay 40 shillings to Mr. Phillips for his maintenance as minister, are seated at the Table and that noe wimmen are permitted to sett there, except Coll. Smith’s Lady—nor any women kinde.

The President was seated at the right; the “Clarke” to the left; the Justice and Justices “at the Table, whatever they paid.” The pews from 1 to 5 were allotted in order of the number of shillings paid toward the expenses of the Church. The roster continues:

7 for young men; 8 for ye boys; 9 for ministers, ministers' widows and wives and for those women whose husbands pay 40 shillings to sett there according to their ages [Truly a most ungallant arrangement and doubtless difficult of execution] 15 for maids; 16 for girls; 17 free for any.

The Tangier Smith coat of arms is thus described in the quaint phraseology of the herald:

Argent—a Chevron between three Griffins' heads—erased sable—langued gules. Crest—Griffin's head, erased ermine. Motto—"Semper Fidelis."

To those skilled in heraldic lore these hieroglyphics publish in emblematic form, the biography of the Lord of the Manor of St. George. The Chevron was given to those who aided in successfully defending a town against a siege. The three Griffins' heads show that a victory had been gained beyond the sea at which the warrior to whom the arms were granted had served as third in command. The Griffin's head in the crest has the same significance, the ermine showing that a sovereign prince had been in command of the army.

This Coat of Arms has been the heirloom of a long and distinguished line, who have imposed no bar sinister upon its quarterings, who have played an influential part in the development and direction of American character and affairs from the days of the Colonies until its present expansion into a world power, who are occupying posts of honor in the state, in the professions, in letters and arts and in social circles; who are marked in high or humble station by the high breeding which is their cherished heritage; who are characteristically loyal to governmental order and constituted authority and conspicuously devoted to the promotion of the common good, in that fine spirit of "noblesse oblige" which is their heritage; who are grateful with a just pride for their ancestral dignity, and by the pursuit of the highest ideals both in the discharge of their public responsibilities and in the culture of their personal character, are ever seeking to exemplify their ancestral motto:

"Semper Fidelis."



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