
THE MILITARY TRACT

Author(s): Jeannette B. Sherwood

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THE MILITARY TRACT¹

One historian asserts and we quote it for our mutual edification, "The pioneers labored early and late to procure a support for themselves and their families—The luxuries they enjoyed were real necessities—The follies and fooleries of our times were unknown to the primitive settlers—They studied Nature as she really was, rather than in what they would have her to be."

So we find the real things lie near to Nature's heart, and the first idea was and is, a home, whether to a soldier, a sailor, or a man higher up!

The original ten counties of what is now the State of New York were created on November 1st, 1683, and named Albany, Dutchess, Kings, New York, Orange, Queens, Richmond, Suffolk, Ulster, and Westchester. On the 12th of March, 1772, Montgomery county was erected from Albany county under the name of "Tryon" and embraced nearly the whole of the central and western part of this State. The name was changed to Montgomery in 1784, in honor of the American hero who fell at Quebec. From Montgomery county on February 16th, 1791, was erected Herkimer county, embracing all the territory now constituting Onondaga, Oneida, Hamilton, and Herkimer counties, and a part of Otsego county.

From this then great county of Herkimer, Onondaga county was erected on March 5th, 1794, including within its boundaries the *Military Tract*.

Following is a transcription of the legislative act erecting the county:

"Be it enacted by the People of the State of New York represented in the Senate and Assembly, and it is hereby enacted by authority of the same; That all that Tract of land called the *Military Tract*, bounded westerly by the county of Ontario; northerly by Lake Ontario, the Onondaga river and the Oneida lake, easterly by the east bounds of the lands in the said tract laid out for the townships and called by the names of Cincinnatus, Solon, Fabius, and Pompey, and the easterly and northeasterly bounds of lands in the said tract laid out in townships and called by the names of Manlius and

¹Paper read at the annual meeting of the New York State Historical Association, Syracuse, N. Y., October 2, 1925.

Cicero as the same have been run and marked by the Surveyor-General of this State, and southerly by the south bounds of the lands in the said tract laid out for townships and called by the names of Cincinnatus, Virgil, Dryden, Ulysses, and Hector, as the same have been run and marked by the Surveyor-General of this State, and the same line continued to the east bounds of the County of Ontario, and shall be a separate county and be called and known by the name of Onondaga."

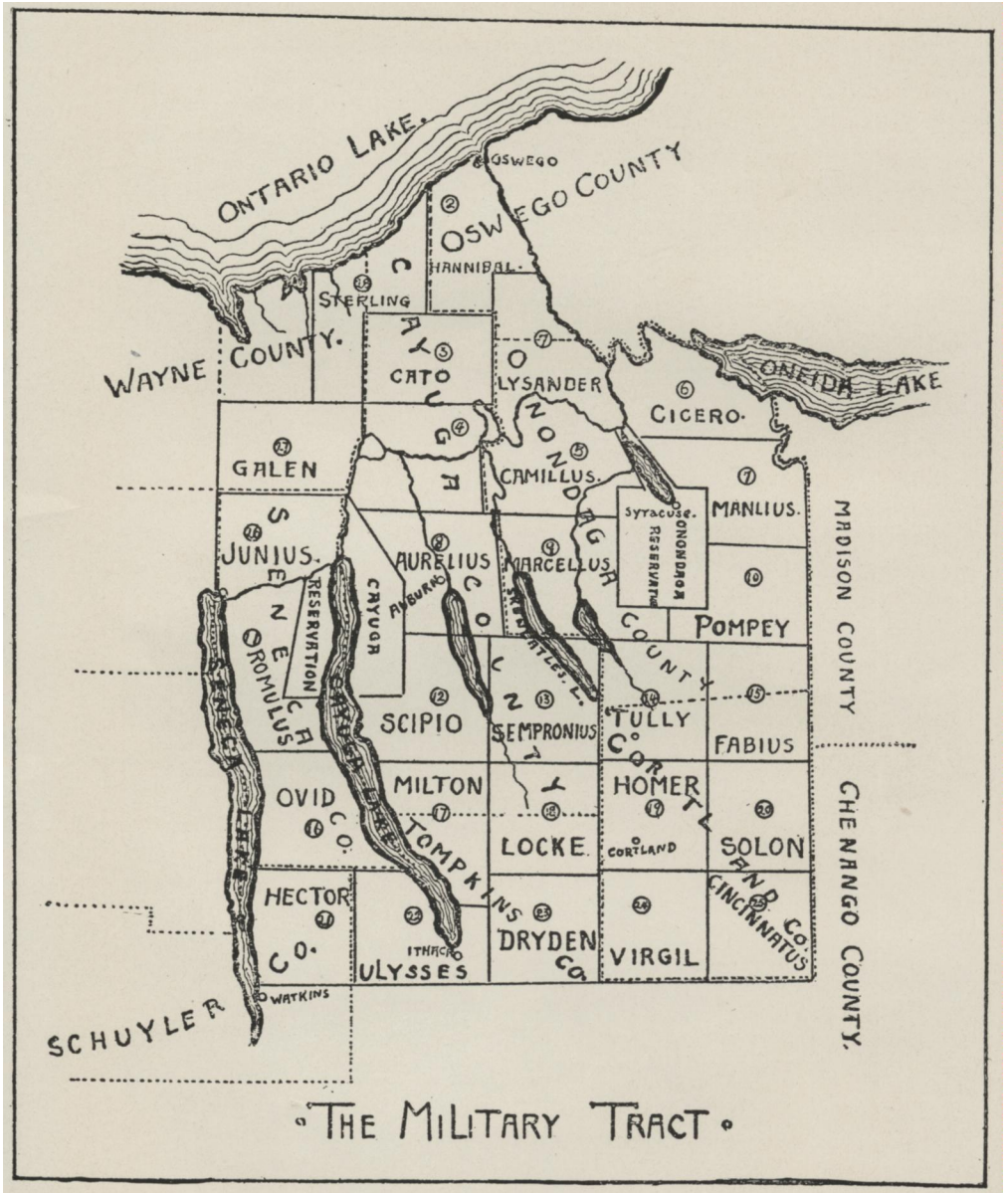
The original townships of the original Onondaga county acquired their names through the creation and survey of the celebrated *Military Tract*. This tract had its origin on the 16th of September, 1776, in the following resolutions, which appear in the Journal of Congress, dated September 16th, 1776, and read as follows, "Congress then resolved itself into a committee of the whole, to take into consideration the report of the Board of War—and the amendments offered by the committee of the whole, and thereupon came to the following resolutions:

That eighty-eight Battalions be enlisted as soon as possible, to serve during the present war; and that each State furnish their respective quotas in the following proportions, viz:

New Hampshire	3	Battalions
Massachusetts Bay	15	"
Rhode Island	2	"
Connecticut	8	"
New York	4	"
New Jersey	4	"
Pennsylvania	12	"
Delaware	1	"
Maryland	8	"
Virginia	15	"
North Carolina	9	"
South Carolina	6	"
Georgia	1	"

That twenty dollars be given as a bounty to each non-commissioned officer and private soldier, who shall enlist to serve during the present war, unless sooner discharged by Congress.

That Congress make provision for granting lands in the following proportions to officers and soldiers, who shall so engage in the service, and continue therein until the close of the war, or until discharged by Congress, and to the representatives of such officers and soldiers as shall be slain by the enemy.



Such lands to be provided by the United States; and whatever expenses as shall be necessary to procure such lands, the said expenses shall be paid and borne by the States, in the same proportion as the other expenses of the war, Viz:

To a Colonel	500 acres
“ “ Lieut. Colonel	450 “
“ “ Major	400 “
“ “ Captain	300 “
“ “ Lieutenant	200 “
“ an Ensign	150 “
“ each non-commissioned officer and soldier	100 “

By an act of the August 12th, 1780, Congress also made provision for land bounties to Major-General 1100 acres, and to Brigadier-General 850 acres.

On the 20th of March, 1781, and the 23d of March, 1782, the State Legislature passed acts which further provided for the raising of troops to complete “the line of this State in the United States Service” and for two regiments to be recruited, on bounties of land, for the further defense of the frontiers of this State. The land granted by these last mentioned acts was known as “bounty lands” and that granted by the other legislation, as “gratuity lands.”

On July 25th, 1782, an act was passed, the provisions of which fixed the boundaries of the Tract, and definitely applied it to the purpose in question. The act reads:

That all lands situate lying and being in the county of Tryon, bounded on the north by Lake Ontario, the Onondaga river and Oneida Lake, on the west by a line drawn from the mouth of the Great Sodus or Asorodus Creek, through the most westerly inclination of the Seneca Lake, on the south by an east and west line drawn through the most southerly inclination of the Seneca lake, and on the east by a line drawn from the most westerly boundary of the Oneida or Tuscarora country on the Oneida Lake through the most westerly inclination of the west bounds of the Oneida or Tuscarora country; shall be, and the same is hereby declared to be set apart and assigned for the purpose of making grants to Major Generals and Brigadier Generals who at the time of their entering into the service were inhabitants of this State, and to the troops of this State serving in the army of the United States.

When the war closed in 1783, the New York Legislature undertook to discharge this obligation, and granted gratuities in lands, on its own account.

This was accomplished by a resolution granting lands in addition to those before mentioned in the following proportions:

To a Maj.-General	5,500	acres
“ “ Brig.-General	4,250	“
“ “ Colonel	2,500	“
“ “ Lieut. Colonel	2,250	“
“ “ Major	2,000	“
“ “ Capt. and Reg. Surgeon—each	1,500	“
To each of the said Chaplains	2,000	“
To every subaltern and surgeon's mate	1,000	“
To every non-com. officer and private	500	“

Another resolution read as follows:—

That the lands so to be granted as bounty from the United States, and as a gratuity from this State, shall be laid out in townships of six miles square; that each township shall be divided into 156 lots of 150 acres each, two lots whereof shall be reserved for the use of a minister or ministers of the gospel, and two lots for the use of a school or schools; that each of the persons above described shall be entitled to as many such lots as his bounty and gratuity land as aforesaid, will admit of; that one half of the lots each person shall be entitled to shall be improved at the rate of five acres for every hundred acres, within the term of five years next after the grant, if such lots are sold by the original grantee, or within ten years from such grant, if the grantee shall retain the possession of such lots; and that the said bounty and gratuity lands be located in the district of this state reserved for the use of the troops by an act entitled 'An Act to prevent grants or locations of the lands therein mentioned' passed the 25th day of July, 1782.

On the 11th of May, 1784, an act was passed by the Legislature appointing commissioners to have charge of the granting of bounty lands. It may be of interest to note that the names appearing on the record as present at the meeting of the Commissioners of the Land Office of the State of New York held in the Secretary's office on September 13, 1790, and for months onward were,

His Excellency—George Clinton Esq.—Governor.
 Lewis A. Scott—Esquire—Secretary
 Gerard Bancker—Esquire—Treasurer
 Aaron Burr—Esquire—Attorney General
 Peter T. Curtenius—Esquire—Auditor

This act, after sections referring to boundaries of tracts already entered gives the boundaries of certain State reservations.

The original acts granting these lands were subsequently modified and amended until finally it was ordered by an act passed February 28, 1789, that the "Commissioners of land office shall be, and they are hereby authorized to direct the Surveyor-General to lay out as many townships in tracts of land set apart for such purpose as will contain land sufficient to satisfy the claims of all persons who are or shall be entitled to grants of land by certain concurrent resolutions, which townships shall respectively contain 60,000 acres of land, and be laid out as nearly in squares as local circumstances will permit, and be numbered from one progressively to the last inclusive; and the Commissioners of the Land Office shall likewise designate every township by such names as they shall deem proper."

The same act ordered the Surveyor-General to make a map of these townships, dividing each into 100 lots of 600 acres each, and number them from one upwards. The same act further ordered that "all persons to whom land shall be granted by virtue of this act, and who are entitled thereto by any act or resolution of Congress, shall make an assignment of his or her proportion of claim or bounty and gratuity lands under any act or acts of Congress to the Surveyor-General for the use of the people of this State." It was also provided that for all lands thus assigned, an equal number of acres should be given by the State, and so far as possible in one patent, "provided the same does not exceed one quarter of the quantity of the township."

These last described grants were to be settled within seven years or the lands would revert to the State. A tax was laid by legislative act of April 6th, 1790, upon fifty acres in one corner of each 600 acre lot, of forty-eight shillings, as compensation for the making of the survey, which tax was to be paid in two years, or the lot would revert to the State and be sold at public auction. The proceeds of such sale were "to be devoted to the payment of expenses of the survey and sale, and any surplus was to be expended in laying out and making roads in the said Tract." These parcels of fifty acres in the corner of each lot have ever since been known in the *Military Tract* as the "Survey Fifty" or "Survey Fifty Acres." In carrying out his instructions the Surveyor-General

surveyed the tract in question, the outlines of which are shown in the accompanying map.

These lands are bounded on the east by the county of the Oneidas; north by Lake Ontario; on the west by a line drawn from the mouth of Great Sodus Bay through the most westerly inclination of the Seneca Lake; and on the south by a line drawn through the most southerly inclination of the Seneca lake, to the county of the Oneidas, 1,800,000 acres. It comprises generally speaking the counties of Onondaga, Cortland, Cayuga, Tompkins and Seneca, and the east half, or nearly so, of the county of Wayne, and that part of Oswego county west of the Oswego river.

By a legislative act of February 28th, 1789, six lots in each township were reserved "one for promoting the gospel and a public school, or schools, one other for promoting literature in this State, and the remaining four lots to satisfy the surplus share of commissioned officers, not corresponding with the division of 600 acres, and to compensate such persons as may by chance draw lot or lots the greater part of which may be covered with water." It was provided also that whenever it appeared that persons applying for bounty or gratuity lands, had received from Congress the bounty promised by that body, or in case they had failed to relinquish their claim to such land, then the commissioners were to reserve for the use of the people of the State 100 acres in each lot to which such persons were entitled; designating particularly in which part of said lot such reserved part was situated.

This provision gave rise to the term "States Hundred" so frequently heard in connection with the *Military Tract*.

The secretary laid before the Board maps of twenty-five townships made by the Surveyor-General, Simeon DeWitt. These townships were as follows, and numbered from one upwards in the order given—Lysander, Hannibal, Cato, Brutus, Camillus, Cicero, Manlius, Aurelius, Marcellus, Pompey, Romulus, Scipio, Sempromius, Tully, Fabius, Ovid, Milton, Locke, Homer, Solon, Hector, Ulysses, Dryden, Virgil and Cincinnatus. To these were afterwards added the town of Junius (Seneca Co.) to compensate those who drew lots subsequently found to belong to the "Boston Ten Towns."

On January 1st, 1791, the commissioners began to determine claims and ballot for individual shares in this great tract. Ninety-four persons drew lots in each of the townships, and the reser-

vations before alluded to were made. The adjustment of these individual claims was a source of almost infinite perplexity to the commissioners, as well as to the real owners.

On account of the many frauds committed respecting the land titles, an act was passed January 8th, 1794, (also act of March 27th, same year) requiring all deeds and conveyances executed prior to that time to be deposited with the clerk of Albany county, and such as were not deposited were to be considered fraudulent. But the trouble did not end here, and the courts overflowed with business relating to these claims.

Soldiers coming to take possession of their lots often found them occupied by pugnacious squatters, and discouraging and costly litigation followed. Finally the inhabitants of the tract became so wearied and exasperated with the continued contentions, that in 1797, they united in a petition to the Legislature for a law under which the whole matter would be adjusted. An act was accordingly passed in that year appointing Robert Yates, James Kent and Vincent Matthews a Board of Commissioners with power to settle all disputes respecting the land titles. After laborious investigation the differences were all adjusted with reasonable satisfaction to all concerned. Only a limited number of the original grantees ever settled on their lands in the *Military Tract*, and the lots became a rich mine for active and often unscrupulous speculation. (From *Onondaga Centennial*, by Dwight H. Bruce. 1896.)

After the act providing for grants of bounty and gratuity lands to the Revolutionary soldiers had been passed, the soldiers became vested with a prospective claim to real estate, and the scarcity of money rendered them easy prey for speculators. For a merely nominal consideration many sold their interest in such lots as might be drawn by them. Many frauds were perpetrated respecting the titles to property, by forging and antedating conveyances and by conveying the same land to different persons, so that it became difficult to know in whom the legal title to some of the lands was vested. To remedy this wrong and for future protection, the act of 1794 for registering deeds and conveyances was passed.

The need of establishing some systematic and safe method in protecting the title of real estate from frauds is demonstrated in

the fact that this law adjudged any person who should forge such a certificate or endorsement of the County Clerk, as guilty of felony, and punishable by death.

The act of January 8th, 1794, authorizing the first record of deeds, required that nothing but deeds of land in the *Military Tract* should be recorded in these books, and required a series of records and indices devoted entirely to this purpose.

There are seven volumes under title of "Onondaga series" and lettered progressively until Cayuga was separated from Onondaga when began the system of "Cayuga deeds", beginning with Volume A. In obtaining title to the *Military Tract* by treaty with the Indians, there was reserved to them one hundred square miles of land lying either side of Cayuga lake which is now known as the Cayuga Reservation.

Some of those lots that went for the support of literature were conveyed by the State to the trustees of Union College of Schenectady, with provisions that should any of them be sold by said college, the proceeds were to be invested and the revenue appropriated to the support of the Professors of the College.

Lot No. 88 Sterling, which was reserved for literature, was granted to the Auburn Academy in 1825, but was reconveyed to the State in 1827 in consideration of \$2,000 as appropriated at that time for the use of the Academy. Many of the gospel and school lots remain unsold and are held under lease in charge of the supervisor of the town, the proceeds of which were formerly equally divided for the benefit of gospel and schools, respectively, but are now entirely applied and apportioned for the benefit of the schools, in the several school districts of the towns.

Under the provisions of different acts providing for the appropriation and distribution of bounty and gratuity lands, the commissioners of the land office were required to keep two books, in which were entered accurately, a complete record of the drawings of the lots. The "Balloting Book", printed in 1825 from the original record which was burned in the capitol fire of 1911, contains the official return of the New York regiments in the Revolution, and gives the name of the soldier who drew each lot, and also the name of the patentee.

In order to designate which of the six lots reserved in each town were to be gospel and literature lots, respectively, the super-

visors of the several towns were enjoined by act passed April 11th, 1796, to designate which lot in each town should be appropriated to each, to make three lists of same and file with Surveyor-General, Secretary of State, and County Clerk.

After completing the title to the reservation, grants were then made of this property by the State which were then required to be recorded as other deeds.

Much might be written concerning the recording of these deeds in some parts of the *Military Tract*; we simply say that by Chapter 204 of the Laws of 1827 the clerks of all the counties in the *Military Tract*, and Cayuga and Onondaga reservations, were directed to make and keep a numerical index of Military reservation deeds, which should contain, under number of lot, a reference to all deeds registered or recorded, affecting such lot, specifying book and page in which they were recorded.

This method of indexing was continued until 1863 when it became so cumbersome and inconvenient that the legislature authorized the clerk to make a general index of both grantor and grantee of deeds. These indices were used until 1879 when the present system known as the Campbell index was adopted. (From George W. Benham—County Clerk, Cayuga County.)

REVOLUTIONARY SOLDIERS IN CORTLAND COUNTY

TRUXTON

Increase M. Hooker of Vermont settled on Lot 94 in 1798. He had previously spent one year in Solon. Soldier in the Revolution and was present at the Battle of Bennington and other conflicts during the war. Cortland County Directory—1869.

CUYLER

David Morse was a soldier of the Revolution and drew Lot 87, upon which he located. He came from New Jersey. Two sons still there in 1859.

James Lockwood came with Morse from Pennsylvania. They came up the Tioughnioga river in a canoe, then by ox-team to place of destination.

FREETOWN

Robert Smith—First settler of Freetown, a Revolutionary soldier, who drew Lot No. 2 and moved on to it with his family in 1800, having previously erected a log cabin for their reception.

LAPEER

Timothy Roberts came to the town about 1803. A soldier of the Revolution and was with Montgomery at the storming of Quebec in 1775.

Thomas Kingsbury—A soldier of the Revolution came into the southeast part of the town in 1802, on the Evans farm.

Zachariah Squires and Robert Smith came in 1806 and settled on Lot 70. Smith was a soldier of the Revolution and held a commission under Washington. (The father of Abram Smith.)

John S. Squires from New Haven, Connecticut, settled on Lot 68 in 1807. The place now known as the Hon. Da. C. Squires place.

Fourteen of the 26 Revolutionary soldiers who settled in Lapeer were Robert Smith, George Tatman, Thomas Kingsbury, Stephen Kelly, Oliver Hopkins, William Parker, David Crowell, Nathan Smith, Henry Turk, Nathan Walker, Timothy Robertson, Samuel Soule, Asa Parker and James Pollard.

TEXAS VALLEY

The first settlement in this town was made by Dr. Japheth Hunt, his wife, two sons, James and William, and three daughters who located on Lot 93, came from New England and had served his country as a surgeon in the Revolutionary War.

SOLON

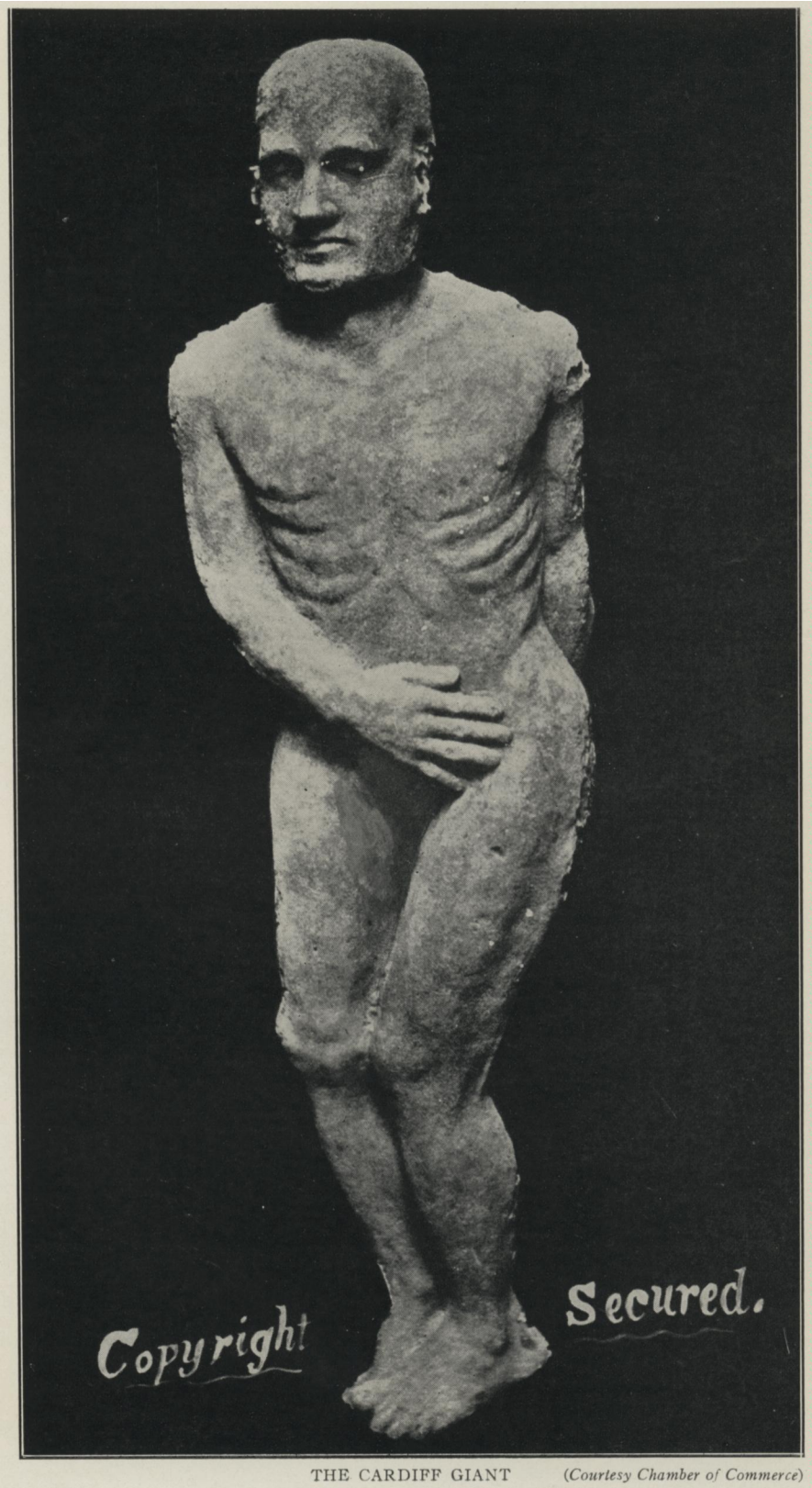
Ebenezer Blake settled on Lot 84, and had fought at the Battle of Bunker Hill. Came from Stoddard, N. Y. Drew his land in Ohio, too.

Samuel Gilbert and Stephen Pendleton, soldiers of the Revolution, settled and died in Solon. (Taken from Cortland County Directory, 1869.)

John Albright the pioneer of East Homer, located on the lot he drew for Revolutionary services.

Cap. Zephaniah Hicks, originally of Rhode Island, immigrated from Connecticut in 1805 and located on the south-east corner of State's Hundred Lot 17.

It was a common saying, as the emigrant families came from New England on to the *Military Tract*, if you wish to settle among "religionists" go to Homer.



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THE CARDIFF GIANT

(Courtesy Chamber of Commerce)

VIRGIL

John M. Frank settled with his family on Lot 43 in Virgil—granted him for service in the American Revolution in 1795.

In 1796, John Fee, from Wyoming, Pennsylvania, moved on to Lot 21, was a soldier in the Revolution and well worth the heroic title. The family retained possession of the original premises until after 1859.

Harry Hill located on Lot 87 which he drew for Revolutionary services.

Seth Trowbridge located on Lot 89, in 1799, and so drew the lot.

Charles Stewart drew and settled on States' Hundred Lot 93.

So history tells the story of these early days, and we might continue the details only for lack of time and your patience.

JEANNETTE B. SHERWOOD