

LeRoy, Massachusetts?

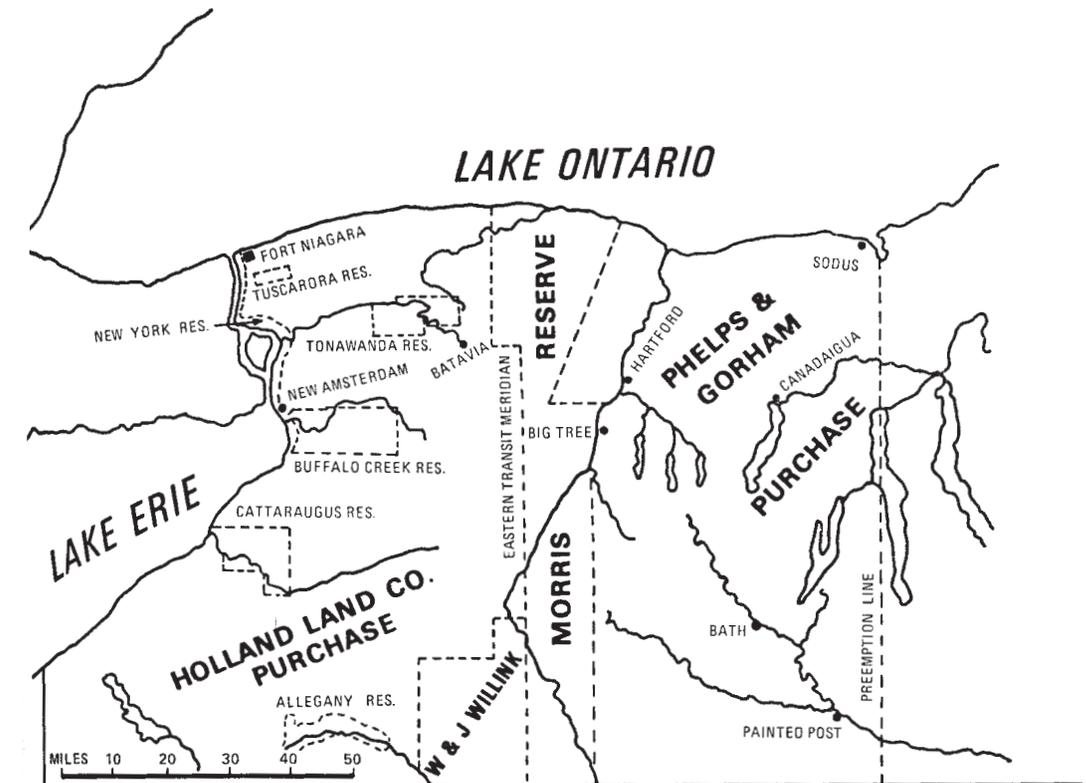
by Lynne Belluscio

I've been writing an article for the Historical Society Newsletter about the land transactions in this neck of the woods before the Town of LeRoy was formed in 1812. At first I thought I'd never understand all the twists and turns, but I think I've been able to make some sense of most of it. I relied mainly on the research done by Alvin Stripp who lived in the house on Trigon Park next to the Methodist Church. Alvin died several years ago, and we received many boxes of his papers, including several copies of his typewritten research on the political history of the Town of LeRoy. He told me that he went to Albany to read the original documents. That impressed me.

In the 1600s, the land in Western New York had been given to both the colonies of Massachusetts and New York. Charles I, King of England, had given the Massachusetts Bay Colony, all the land from their Eastern Atlantic shore westward to "the Pacific" which included most of the State of New York. Later, in 1664, Charles II, gave to the Duke of York the land within the present day State of New York. After the Revolution, this issue had to be settled. There was a voracious appetite for land after the Revolution and before anyone could buy land the issue of which state owned the land had to be settled.

In 1786, Commissioners from New York and Massachusetts met at Hartford, Connecticut to hammer out the details. It was decided that New York would have the right to govern the territory, (which removed the possibility of LeRoy being in Massachusetts) but they ceded to Massachusetts the right of "preemption". This meant that Massachusetts had the first right to negotiate with the Indians for the sale of the land west of the "Preemption Line".

This line passed from the Pennsylvania border, north through Seneca Lake to Lake Ontario. A strip of land that ran along the Niagara River was not included in the Massachusetts preemptive rights. The Hartford Treaty of 1786, also stated that all



LAND HOLDINGS IN WESTERN NEW YORK – 1804

the land ceded to Massachusetts was to be exempt from all taxes. When Massachusetts sold the land, it would only be subject to town or county taxes for a period of fifteen years. To the State of New York, who would not be able to collect taxes on this land for 15 years, this decision proved to be unfortunate.

Massachusetts needed money to recover from the Revolution, and was anxious to sell their preemptive rights to Western New York. Oliver Phelps, a well known citizen of Massachusetts, who had parlayed many business dealings during the Revolution and Nathaniel Gorham, who had served as President of the Continental Congress, were ready and willing to invest in Western New York. The land deal amounted to about 3 cents per acre for 6 million acres, payable in three annual installments.

Phelps and Gorham wasted no time in meeting with the Indians and in July 1788 met at Buffalo Creek. The Indians refused to sell the land west of the Genesee River. Phelps persisted and talked them into a deal for a tract of land along the west side of the Genesee, from about Avon north to Lake Ontario. He convinced them that they needed a grist mill,

and he would use that land for that purpose. That tract of land that would eventually become part of the Town of LeRoy was known as the Phelps and Gorham Mill Tract. When the Mill Tract was first surveyed, an error was made – a rather large error. Eighty seven thousand acres of land that rightfully belonged to the Indians was included in the Mill Tract. When the correction was made, the Triangle Tract was created and was returned to the Indians. Eventually it was purchased by Herman LeRoy and became part of the Town and Village of LeRoy.

(If you ever have the chance to read your deed, you may notice a reference to the "Mill Tract" or the Triangle Tract, however, they are not the only tracts that are part of LeRoy.)

Well, unfortunately, land didn't sell as quickly as Phelps and Gorham had hoped for and they weren't able to make their payments. The land west of

the Genesee River – minus the Mill Tract and the strip along the Niagara River - reverted back to Massachusetts which lost no time in finding another land speculator, Robert Morris. He was no more fortunate than Phelps and Gorham and in turn he had to sell off his land venture. The largest section was sold to a consortium of foreign Dutch investors and became known as the Holland Purchase. The tract of land east of the Purchase, and adjacent to the west side of the Genesee River, became known as the Morris Reserve. Once again, the land changed hands, and the Morris Reserve was carved up into smaller tracts.

Land speculation was a dangerous venture. People were anxious to invest in a high risk business, only to lose their reputation and financial security. Robert Morris, once considered one of the richest men in America, paid dearly for his mistakes and landed in debtors prison.



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