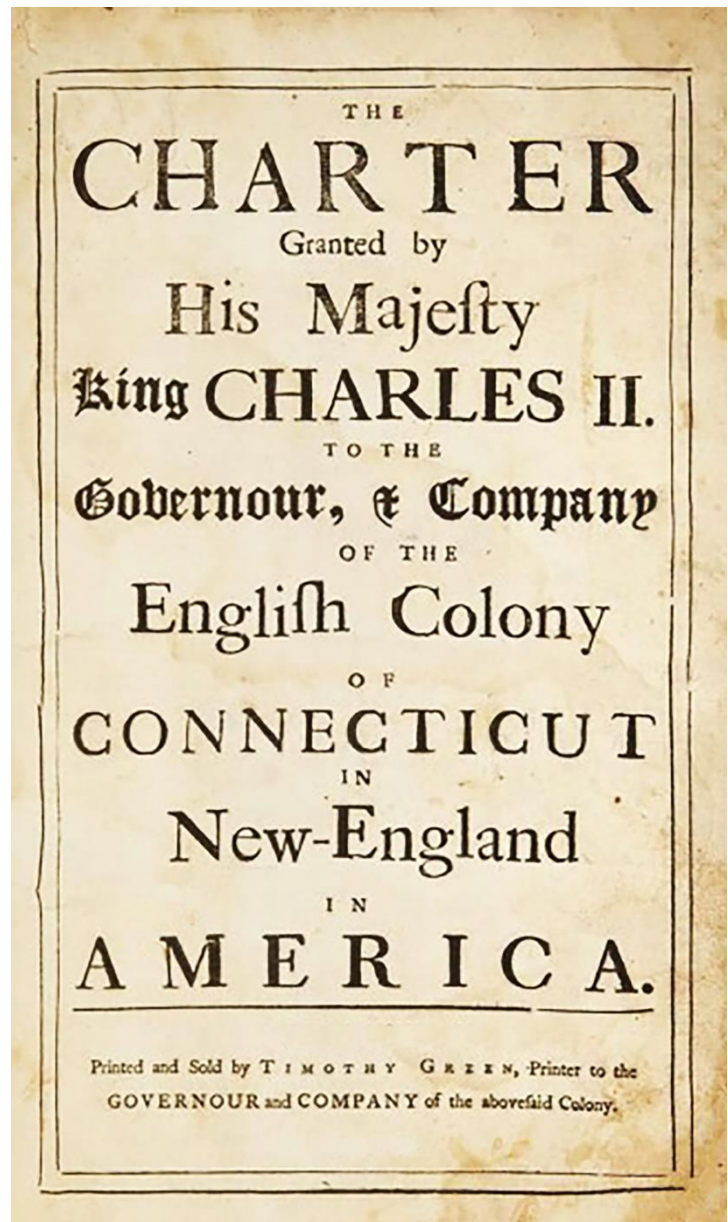


Old Saybrook and New Connecticut When Connecticut Extended to Ohio

(By Lamar LeMonte, OSHS October, 2022)

When the state of Connecticut extended west to northern Ohio, the land there was called New Connecticut. Therefore it is not surprising to find Ohio towns named Danbury, Farmington, Fairfield, Groton, Litchfield, Madison, Mansfield, Norwich, Norwalk, New Haven, New London, Plymouth, Ridgefield, Southington, Trumbull, Saybrook, Saybrook Corners, Saybrook Station, and Saybrook Township. Old Saybrook had many direct connections to that land.

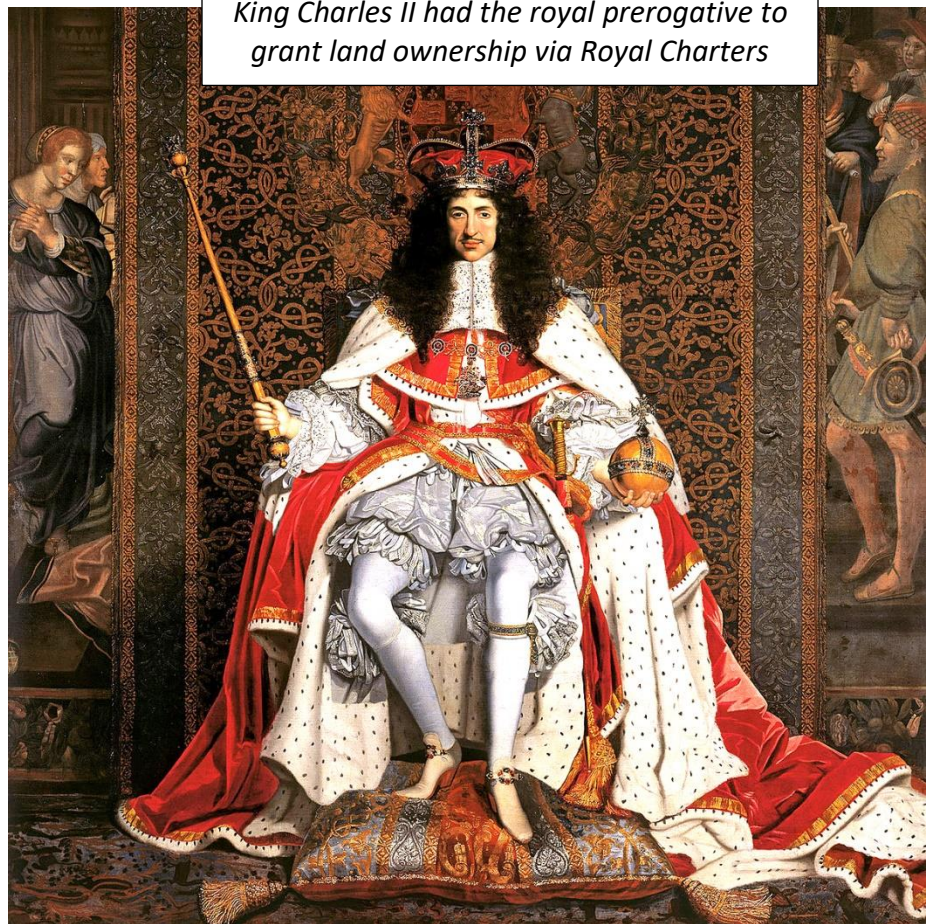
It all started with the founder of Saybrook, John Winthrop the Younger, and the use of the Doctrine of Discovery by English King Charles II. Winthrop the Younger was, among many other things, a lawyer. He knew well the dubious legal origins of the Warwick Patent, which supposedly authorized the Saybrook settlement in 1635. It was dubious because it was not a Royal Charter, directly sanctioned by the Monarch. Later in 1661, Winthrop the Younger, then the Governor of the Connecticut Colony, was encouraged to obtain a Royal Charter from the new king in order to legitimize all of Connecticut. In 1662 he returned home with just such a Royal Charter. It was granted by Charles II through the sanctioned and royal prerogative of all European monarchs known as the Doctrine of Discovery, the right to claim land ownership in foreign lands and to distribute those lands to whomever they chose.



The Doctrine of Discovery and its American legacy

The Doctrine of Discovery had been accepted and practiced by European monarchs since a decree from the Pope in 1455. The Doctrine of Discovery established a spiritual, political, and legal justification for colonization and seizure of land not inhabited by Christians. The Doctrine was to prevent Christian monarchs from going to war against each other over “discovered” lands once the Pope had declared which Christian monarch had the right to spread Christianity in those lands. It was the framework Spain, Portugal, France, Holland and England used for the colonization of many lands, including North America.

Since England owned all of New England through the Doctrine of Discovery, King Charles II had the “divine right” to grant land ownership to whomever he wished. In 1661 he royally granted Connecticut land to Governor John Winthrop the Younger and the people of Connecticut. Royal monarchs in their Royal Land Charters were typically precise with boundaries of latitude, but very vague with longitude. As a result, the new and now Royal



King Charles II had the royal prerogative to grant land ownership via Royal Charters

Connecticut Charter of 1661 decreed that the borders of Connecticut would be land near what is now the Rhode Island and Massachusetts border to the north, and land near what is now Greenwich, Connecticut to the south. The boundary to the west was not specified. It simply said it extended “to the South Seas,” and the exact location in relation to Connecticut was unknown by Charles II as well as most others in England.



(Above): A modern map of the land granted to Connecticut in 1662 by King Charles II. Very little was known about land to the west so many Royal Charters stated land rights extended "west to the sea," not knowing what that really entailed.

This decree by a pope in 1455 helped legitimize the boundaries of Connecticut in 1662. The legal concept was recognized 130 years later by U.S. Secretary of State Thomas Jefferson in 1792 as valid international law, applicable to his newly established United States government. Chief Justice John Marshall later agreed with Jefferson and found that the United States was the true owner of all land inherited from England, the original discoverer. This ruling helped justify the legality of President Jefferson's Louisiana Purchase in 1803 from France. It also formed the spiritual basis of the nation's march westward under the banner of *Manifest Destiny*, much to the dismay of the indigenous tribes. But this ruling would also pose a curious legal problem when it came time for Ohio to be admitted as the 17th state in 1803 because the state of Connecticut still occupied the northern part of Ohio as New Connecticut.

Although Connecticut had settled earlier land disputes with adjacent colonies, they had not yet settled the claim to their land from Ohio west to the Mississippi River, the acknowledged northwest boundary of the country after the Revolution.



The Northwest Territory

Throughout the American Revolutionary War (1775-1783) this region was part of the English province of Quebec. Today that territory would include the states of Ohio, Indiana, Illinois, Michigan and Wisconsin. In 1783 the Treaty of Paris ended the war and the region was ceded to the newly



independent United States. In 1787 the new Congress of the Confederation created the first post-colonial incorporated territory. The ordinance was known formally as the Territory Northwest of the River Ohio. The same ordinance also outlined the process for admitting new states into the Union. That is when things started to get complicated.

Various land claims based on charters from various monarchs caused on-going confusion. Connecticut was not unique in claiming land in the Northwest Territory. Massachusetts, New York, Pennsylvania and Virginia had their own charters with their western longitudes as vague as Connecticut's. States south of the territory also claimed land to the west. The new Congress had to get involved and clarify things.

The result was that all of the eastern states handed over their western lands from which new states were carved. This allowed Kentucky, Tennessee, Mississippi, Alabama, and West Virginia to become part of the United States of America. Connecticut was the exception.



The western boundaries of many eastern states ended at the Mississippi River in 1783. Connecticut is shown in pink.

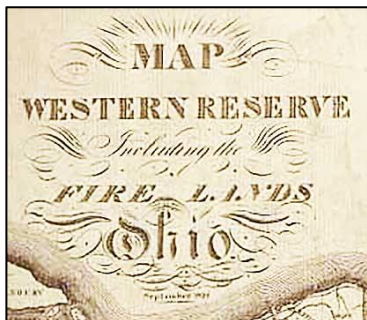
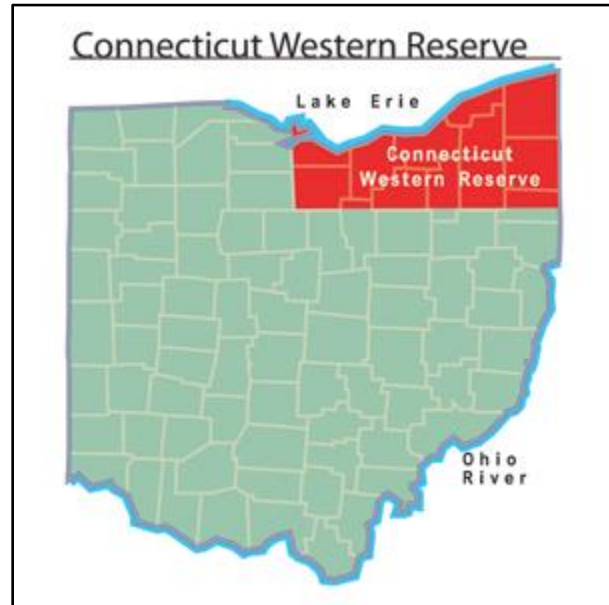
New Connecticut, the Western Reserve, and the Firelands

Like many eastern states, Connecticut also ceded its western land in the Northwest Territory to the new United States government. But it refused to part with their northern strip of Lake Erie shorefront land across the top of what is now Ohio. That land was referred to as New Connecticut or the Connecticut Western Reserve. When Connecticut officially entered the newly formed United States in 1788, the new U.S. government recognized the New Connecticut land on Lake Erie as part of the state of Connecticut.

The story of this land may be unique in American history because there was no other instance where civilian victims of war were compensated with land. But that was the case with the “Firelands.” During the American Revolution there was very little military activity in Connecticut, but the citizens were busy manufacturing

goods and shipping supplies to the Continental Army. These actions angered the British, of course, and they sent out a series of raids from New York to destroy the supplies and cripple the shipping. A good deal of civilian property such as private homes, churches, and schools were also destroyed or damaged.

The citizens had no insurance or federal disaster grants to help them rebuild. So after the war, several petitions were presented to the Connecticut legislature by those who lost property. They soon became known as the “Fire Sufferers.”



A legislative committee reported back in 1792 that the Sufferers ought to be paid, but the state had only western lands for compensation in lieu of cash. It was decided that a half million acres at the west end of the Western Reserve be given to the Fire Sufferers. A major problem was paying off the Indian tribes who owned the land and then surveying it. This took until 1808 and by then most of the sufferers had died or had sold their claims to land speculators.

Due to the slow-moving Connecticut bureaucracy, very few of the actual Fire Sufferers ever saw the Fire Sufferers Lands, a name soon shortened to the Firelands. But during this same time, a group of enterprising citizens from Connecticut saw an opportunity to make some money with the rest of the land in New Connecticut.

(Right): An Ohio road sign today



The Connecticut Land Company

In 1795, 12 years after the end of the Revolutionary War, a group of private investors headed by Old Saybrook's Gen. William Hart, formed The Connecticut Land Company. They bought over 3-million acres of the Connecticut Western Reserve land or New Connecticut. This land was the eastern portion of Lake Erie shoreline, not the western portion set aside as the Firelands. The company consisted of 35 purchasing groups representing 58 of the wealthiest and most prominent men in Connecticut. They paid the state of Connecticut \$1.2 million for the land by way of a mortgage using the land as collateral. As payments were made on the mortgage, the state issued a deed-of-release and discharged a portion of the mortgage. All proceeds were earmarked for the Connecticut School Fund. Moses Cleaveland was one of the company's first directors.

Cleaveland was in charge of conducting the first company survey of the Western Connecticut Reserve in 1796. He successfully negotiated a treaty with the Iroquois, who gave up all of their land claims east of the Cuyahoga River. He also founded a settlement named after him that would later become the city of "Cleveland," spelled without the "a."



What many at the time may not have realized was that by selling the New Connecticut land to the Connecticut Land Company, the state ceased to govern the land; New Connecticut was no longer part of Connecticut. No one else governed it either. Most of it wasn't even Indian land since Cleaveland's treaty had extinguished all Indian rights to the land. Ownership remained in limbo until 1800 when the national government made it part of the Northwest Territory and in 1803 absorbed the land into the new state of Ohio. 6 years after that in 1809, the Connecticut Land Company was dissolved as a financial failure.

Many investors were from Old Saybrook and members of the Congregational Church. Few of them intended to move west; their intention was making a profit in land-speculation. Some of the early Saybrook investors were named Bushnell, Chapman, Griswold, Lord, Mather, Root, and former Revolutionary War general, William Hart. Many of the Ohio land parcels were bought and sold *on spec* several times before anyone ever settled on the land. Some investors like Gen. William Hart, made a small fortune on the investment. However he was the exception.

During the early years, slow land sales forced the company to offer settlers moderate rates, free bonus land for running gristmills and sawmills, and other incentives. Because of company mismanagement, not many of the original proprietors made profits. The 1809 annual report of the Connecticut School Fund showed that a large amount of interest on the company's debt was still unpaid and that the collateral of the original debt, the land in New Connecticut, was not safe and probably was worthless as collateral.

Today, legal scholars have studied the obscure and dubious process by which the land was bought and sold and redistributed, all without a popular vote, first to the Northwest Territory and then to the new state of Ohio. Many assert that legitimate procedures were not followed and that today Connecticut could legally challenge the procedures and reclaim their New Connecticut land along the shoreline of Lake Erie. That would be an interesting dilemma for the Ohio post offices in Danbury, Farmington, Fairfield, Groton, Litchfield, Madison, Mansfield, Norwich, Norwalk, New Haven, New London, Plymouth, Ridgefield, Southington, and Saybrook Township.

