

REGISTERS OF DEEDS

FOR THE

COUNTY OF SUFFOLK,

MASSACHUSETTS.

1735-1900.

BY

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AT the meeting ¹ of the Massachusetts Historical Society held in May, 1898, I presented a paper giving some account of the Recorders, Clerks, and Registers of Deeds for the County of Suffolk from 1639, when the office of Recorder was first created, to 1735, beginning with Stephen Winthrop, the first Recorder, and ending with John Ballantine, who died in the latter year, while holding the office of Register of Deeds for the County.

I purpose now to continue this work and to bring it down to the present year.

While it may be true that the nearer we approach to our own times the less of purely antiquarian interest these sketches possess, still they will be the means of preserving for posterity what has been laboriously collected from sources not easily accessible, and they will perhaps prove of greater interest to those who are to come after us, when we ourselves have become part and parcel of the antiquities of the past.

SAMUEL GERRISH.

1735-1741.

Samuel Gerrish, son of the Rev. Joseph Gerrish ² (Harvard College, 1669), of Wenham, was born in Wenham ³ in 168-.

¹ 2 Proc. Mass. Hist. Soc., XII. 203. This paper was afterward reprinted, with the addition of a few foot-notes, as part of the Introduction to Liber X. Suffolk Deeds, Boston: Municipal Printing Office, 1899.

² Anna Gerrish, a sister of Samuel Gerrish, and one of the daughters of the Rev. Joseph Gerrish, married (published in Wenham September 9, 1716) the Rev. Ames Cheever (Harv. Coll. 1707), of Manchester, Mass. See New England Historical and Genealogical Register, XXXIII. 196; The Cheever Family, by John T. Hassam, privately printed, Boston, 1896, p. 9; Sibley's Harvard Graduates, II. 299; Essex Institute Historical Collections, V. 27.

³ The Wenham Records of Births, Deaths, and Marriages for this period are very defective. This is true also of the Church Records.

Coming to Boston when a lad, he served his apprenticeship with Benjamin Eliot,¹ a noted bookseller of the time. He then established himself in business on his own account as a bookseller, in Cornhill, Boston.² He became a member of the Old South Church,³ March 14, 1707, and joined the Artillery Company⁴ in 1709, being fourth Sergeant in 1712.

Samuel Gerrish

His courtship of Mary Sewall, the daughter of Judge Sewall, is chronicled with great minuteness in the Diary⁵ of her father:—

“Jan^y 31 [1708–9]. Mr. Spensar calls here, and I enquire of him about Mr. Gerrish of Wenham, what he should say; He answer’d not directly; but said his Cousin would come if he might have admittance. I told him I heard he went to Mr. Coney’s daughter. He said he knew nothing of that: I desired him to enquire, and tell me. I understood he undertook it; but he came no more.”

¹ New England Historical and Genealogical Register, XXIII. 336; Memorial History of Boston, II. 433.

Judge Sewall in his Diary (II. 136) says: “Augt. 24 [1705]. Little Sam Green is buried; Bearers Sam. Gerrish, Mr. Elliott’s Prentice, Mr. Campbell’s Prentice, Sam. Smith. I, Hañah, Mary, Jane, at the Funeral.”

“Little Sam Green,” the son of Bartholomew and Mary Green, was born in Boston, November 2, 1703, and died there August 22, 1705.

² This must have been as early at least as 1709, for the titlepage of “The Sailours Companion and Counsellour” bears this imprint: “Boston in N. E. Printed by B. Green, for Samuel Gerrish, and Sold at his Shop near the Old Meeting-House in Corn-Hill. 1709.” See also History of Printing in America, Transactions of the American Antiquarian Society, VI. 216.

It was not until after this paper was all in type that I was able to consult Mr. George E. Littlefield’s Early Boston Booksellers (Boston. The Club of Odd Volumes, 1900), which was published after this paper was written.

Mr. Littlefield has found a book of still earlier date than the one I have mentioned, bearing the imprint of Samuel Gerrish. It is entitled “God in the Camp. A sermon before the General Assembly March 6, 1706–7. By John Williams. Printed by B. Green. Sold by Samuel Gerrish at his shop near the Old Meeting House 1707.”

I must take exception, however, to the statement that Samuel Gerrish served his apprenticeship with Richard Wilkins.

³ Old South Church Records; Transcript in the Office of the City Registrar, p. 30; Historical Catalogue of the Old South Church, pp. 24, 157, 331; Hill’s History of the Old South Church, I. 399 note, 415, 440 note.

⁴ Roberts’ History of the Ancient and Honorable Artillery Company, I. 367, 369, 380, 391, 487; II. 466.

⁵ Sewall’s Diary, II. 249, 250, 251.

“Feb: 4th Nurse Smith buried. Coming from the Grave I ask’d Mr. Pemberton whether S. Gerrish courted Mr. Coney’s daughter; he said No; not now. Mr. Coney thought his daughter young.”

“Feb: 7th I deliver a Letter to S. Gerrish to inclose and send to his father, which he promises to doe.”

“Febr. 17. I receive Mr. Gerrishes Letter just at night.

“Febr. 18th I leave Word at Mr. Gerrishes shop that I would speak with him after Mr. Bromfield’s Meeting was over. He came and I bid him wellcom to my house as to what his father writt about. So late hardly fit then to see my daughter, aƨointed him to come on Tuesday, invited him to Suƨer; I observ’d he drunk to Mary in the third place.

“Febr. 23. When I came from the Meeting at Mr. Stephens’s I found him in the Chamber, Mr. Hirst and wife here. It seems he ask’d to speak with Mary below; her Mother was afraid because the fire was newly made: and Mr. Hirst brought him up. This I knew not of: He ask’d me below, whether it were best to frequent my House before his father came to Town: I said that were the best introduction: but he was wellcom to come before, and bid him come on Friday night.

“Febr. 24. Mr. Hirst tells me Mr. Gerrish courted Mr. Coñey’s daughter: I told him I knew it, and was uneasy. In the evening daughter Hirst came hether, I suƨose to tell that Mr. Gerrish had courted Mr. Coney’s daughter: and if she should have Mr. Stoddard, she would mend her market.

“Friday, Febr. 25. Madam Winthrop, Oliver, and Mico visit my wife. In the evening S. Gerrish comes not; we expected him, Mary dress’d her self: it was a painfull disgracefull disaƨointment.

“Febr. 26. Satterday, Sam Gerrish goes to Wenham unknown to me, till Lords-day night Capt. Greenleaf told me of it. He was not seen by us till Wednesday March 2, David saw him.”

But some satisfactory explanation of this proceeding seems to have been made, for under date of March 11 Judge Sewall writes: —

“S. Gerrish calls here.”

And again: —

“March, 14. The Rever^d Mr. Joseph Gerrish comes to our house in the evening. Dines with us March 15th Tuesday. At night his Son comes, and Mary goes to him. Mr. Gerrish goes home on Wednesday. His son comes and is entertain’d then also.”

“Friday-night. S. Gerrish comes. Tells Mary except Satterday and Lord’s-day nights intends to wait on her every night; unless some extraordinary thing haƨen.

“Satterday, March 19. I call at S. Gerishes shop; he was not within: but came in presently: I desired him to Bind me a Psalm-Book in Calv’s Leather.”

Judge Sewall¹ gives this account of the marriage:—

“Midweek, Aug^t 24 [1709]. In the evening Mr. Pemberton marrys Mr. Samuel Gerrish, and my daughter Mary: He begun with Prayer, and Mr. Gerrish the Bridegroom’s father concluded: Mr. Mayhew was present.”

The following is an extract from the notes of Samuel Sewall, Jr.:²—

“Aug. 24, 1709. Was celebrated the marriage of my sister, Mrs. Mary Sewall, to Mr. Samuel Gerrish, youngest son of Mr. Gerrish, minister of Wenham. Married per Mr. Pemberton. Present my wife and daughter Beck.”

Shortly after the marriage, Gerrish and his young wife went to live in a house on Cotton Hill,³ belonging to Judge Sewall.

¹ Sewall’s Diary, II. 263.

August 25, 1709, the day after the marriage, Judge Sewall had guests at dinner, and in the evening “Gave them variety of good Drink, and at going away a large piece of Cake Wrap’d in Paper. They very heartily wish’d me Joy of my daughter’s Marriage.”

² *Ibid.*, I. xxxviii.

³ In Sewall’s Letter Book (II. 176) is the following:—

“BOSTON; SEPT. 23, 1724.

MR. GERRISH.

I reckon you began to dwell in my House at Cotton-Hill, the 21th of June, 1710. So that you have lived there upward of Fourteen years. The House Mr. Cooper lives in is too remote from his Meetinghouse, and from me. But more than that, his Landlord has sold it; and Mr. Cooper and my Daughter know not where to find a convenient Habitation. This necessitates me to desire you, as soon as may be, to make way for their entring into Cotton-House, by your Removal to some other place. I am, Sir, your Loving Father and Landlord

SAMUEL SEWALL.”

Notwithstanding this notice Samuel Gerrish continued to live in this house until after Judge Sewall’s death. For on the division of the estate in 1730 (Suffolk Deeds, Lib. 45, fol. 124, 133), “the Lands at Cotton hill so Called Situate in Treemount street in Boston aforesd With the buildings Privaledges and Appurtenances thereto belonging in the Present Tenure and Occupation of the aforementioned William Cooper and Mr Samuel Gerrish Wherein is Included half an Acre of Land Purchased by the said Samuel Sewall Esq^r in his lifetime of the late Mrs Bellingham Adjoining to the Land aforesaid as the Same are Particularly Described and sett forth in a plan thereof taken by Mr Jacob Sherfe [Sheafe] Surveyor on the 15th of August 1730” were set off to Judith Cooper, wife of the Rev. William Cooper and daughter of Judge Sewall.

In the Boston News Letter of October 24, 1723, the announcement is made

Under date of November 10, 1710, Judge Sewall makes the following entry in his Diary :¹ —

“Nov^r. 10. 1710. Daughter Gerrish is brought to bed of a daughter about 6. m. My wife being with her, I sat up late and lay alone.”

And again : —

“Nov^r. 13. 1710. I visit Daughter Gerrish, and then ride alone to Lewis's. From thence had Company, and was met by the Sheriff.

“Nov^r. 14. Finished the Business of the Court, sitting a little by Candle-light. Visited Madam Bradstreet, Bro^r Hirst, Major W^m Brown.

“Nov^r. 15. Came home, fair Wether, and not very Cold. Enquired of Mr. Gerrish as I came along concerning his wife: He said she was something disorder'd; but I apprehended no danger, and being just come off my journey, went not to see her that night.

“Nov^r. 16. Thanksgiving. My wife sent my daughter Gerrish part of our Diⁿer, which as I understood she eat of pleasantly. But twas a Cold Day and she was remov'd off her Bed on to the Palat Bed in the morning. After the Evening Exercise my wife and I rode up in the Coach: My daughter ask'd me to pray with her, which I did; pray'd that God would give her the Spirit of Adoption to call Him Father. Then I went away with Mr. Hirst to his House, leaving my wife with my daughter Gerrish, till she call'd to go home. After our coming home, the northern Chimney of the New house fell a-fire and blazed out extreamly; which made a great Uproar, as is usual. An hour or two after midnight Mr. Gerrish call'd me up acquainting us of the extream illness of his wife; All the family were alarm'd, and gather'd into our Bed-Chamber. When I came there, to my great Surprise my Daughter could not speak to me. They had try'd to call up Mr. Wadsworth; but could not make the family hear. I sent for Mr. Mayhew, who came and pray'd very well with her. I put him [manuscript imperfect] again; Mr. Cutler the Physician said he [imperfect]. (Joseph pray'd at home with the family). [Near] four a clock after Midnight my dear child expired, being but Nineteen years, and twenty days old. When this was over, I advis'd them to take Mrs. Hubbard's Assistance; left Mr. Mayhew there and went home. When I entred my wife's Bed-Chamber, a dolefull Cry was lifted up.

that “THE SALE of the Largest & Finest Collection of BOOKS that has ever been Exposed to Sale in this Town, is now begun, and is held at the Dwelling House of SAMUEL GERRISH, Bookseller, at the upper end of QUEEN STREET, in Boston. The whole Collection consisted of above TWO THOUSAND Volumns.”

See 2 Proc. Mass. Hist. Soc., I. 312-326, for a communication from Dr. Estes Howe, showing that John Hull and Samuel Sewall lived on Newbury Street and not in the house on Cotton Hill.

¹ Sewall's Diary, II. 289.

“Seventh-day, Nov^r 18th was the Funeral; Son Gerrish went first, then the two Grandfathers. Bearers, Paul Dudley esqr. Mr. Dan^l Oliver; Mr. Sam^l Phillips, Mr. Jn^o Winthrop; Mr. John Smith, Mr. Giles Dyer jun^r. Scarfs and Gloves.”

Samuel Sewall, Jr., in his notes writes as follows: ¹ —

“Nov. 9th, 1710. Sister Gerrish brought to bed of a daughter. 12th inst. baptized it Hannah.²

“Nov. 17th Father Sewall writes me word of the sad newes of the death of my sister Gerrish. She expired about 4 hours after midnight dying in childbed very suddenly. Was interred in grandfather Hull’s tomb, Nov. 18th, 1710, being Saturday. Next day Father putt up a note for a sanctified use of the early death of my sister for himself and family. I and my wife was there at the funeral. Pal bearers, Paul Dudley, Esq^r Mr Daniel Oliver, M^r Samuel Philips, Mr John Winthrop, Mr John Smith, Mr Giles Dyer. Given scarves and gloves. Born October 28th lived 19 years, 20 dayes.”

It was not without reason that Judge Sewall was uneasy concerning Captain John Coney’s daughter, for the Boston records, under date of May 9, 1712, record the marriage of Samuel Gerrish and Sarah Coney.³ That this marriage had

¹ Sewall’s Diary, I. xxxviii.

² Judge Sewall (Diary, II. 307) gives this account of the death of little Hannah Gerrish: —

“April, 20, 1711. Mr. S. Gerrish goes to Wenham.

“April, 21. Plenty of Swallows. Note. Hannah Gerrish was taken very sick last night.

“April 22. Lords Day, B. Gray calls me up at 1. at night: I find poor little Hannah Gerrish in an Agony, I went to Prayer; afterwards B. Gray read the 5th Rom. I found the Chapter so full of Comfort that awhile after I read it over again. About 6. m. Mr. Wadsworth came and pray’d with little Hañah. Mr. Gerrish her Father came home at $\frac{1}{2}$ hour past Nine: put up a Note in the Afternoon, which Mr. Pemberton read coming out in his Gown.

“April 23. I was call’d up between 2 and 3 at night, but my little Hañah Expired before I got thither. However, She had the Respect of one visit after death. She Expired about $\frac{1}{2}$ hour after 2 at night. The Lord prepare me for my great Change.

“Third-day, April, 24. Hañah Gerrish is buried. Bearers, Gillam Phillips, and Benj. Gray: white Scarvs. Was put into the Tomb just before Sun-set, several of the Council, Dr. Cotton Mather, Mr. Wadsworth, Colman there.”

³ Hill’s History of the Old South Church, I. 319 note.

Gerrish’s marriage with Mary Sewall had not only its romantic but also its practical side, for Judge Sewall (Diary, II. 336), after noting, under date of February 18, 1712, “Mr. Joseph Gerrish comes to Town,” and is invited by him to dine the next day, adds: —

Tuesday, Febr. 19. “Dine with Mr. Gerrish, son Gerrish, Mrs. Anne. Discourse with the Father about my Daughter Mary’s Portion. I stood for making

the approval of the Sewalls appears from the following entries in Judge Sewall's Diary :¹ —

May 8, 1712. "At night, Dr. Increase Mather married Mr. Sam^l Gerrish, and Mrs. Sarah Coney; Dr. Cotton Mather pray'd last. PS. 90. 13 — 2½ staves, I set Windsor Tune. Had Gloves, Sack-Posset, and Cake. Mr. Gerrish, the Minister, and Mr. Pemberton were there. Joseph went to Lecture, but was somewhat faint after it, being the first of his going abroad after his sickness, and was not there. The whole family was Invited."

"May, 13. 1712. My Wife visits the Bride and Bridegroom at Mr. Coney's."

And Samuel Sewall, Jr., in his notes says :² —

"Thursday night, May 8, 1712, Dr. I. Mather married brother Gerrish to Mrs Sarah Coney. I was there present; gave my wife and I gloves."

"Son Gerrish" is frequently mentioned after this in Sewall's Diary, and seems to have been on good terms with the Sewalls. When Judge Sewall prepared his resignation from the Council, he says,³ June 4, 1725 : —

"I got Mr. Gerrish to write it out fair, and carry it to the Council Chamber, between 10 and 11 a'clock, *mane*."

He carried on the business of bookseller and publisher "at his Shop near the Old Meeting-House in Corn-Hill" until the fire of 1711 which destroyed the Town House. He then removed "over against the South Meeting House in Marlborough Street."

£550. doe : because now twas in six parts, the Land was not worth so much. He urg'd for £600. at last would split the £50. Finally Febr. 20. I agreed to charge the House-Rent, and Difference of Money, and make it up £600.

"Febr. 21. I buy two caps at Mr. B. Walker's and give Mr. Gerrish one. Cost 7s. apiece. Mr. Addington draws Mr. Gerrishes Release.

"Febr. 22. Mr. Gerrish comes, Signs, Seals, and delivers it to me in presence of Barthol. Green and Thomas Crump: I then put it into Mr. Gerrishes hand to Acknowledge it before Mr. Secretary Addington, and give it me again. Before Executing it, I gave him Cousin Quinsey's Bonds, offering to do any thing that might be necessary for his demanding what was due on them, and gave him my Note to pay the Remainder."

This release is recorded with Suffolk Deeds, Lib. 26, fol. 115.

¹ Sewall's Diary, II. 347.

² *Ibid.*, I. xxxviii.

³ *Ibid.*, III. 360.

The Boston News Letter of January 4, 1713, contained the following advertisement: —

“ Samuel Gerrish, who has kept a Booksellers Shop at the sign of the Buck in Marlborough Street since the late great Fire in Boston, is now removed to a Shop on the North side of the Town House in King-Street, Boston.”

After this we find him “in Cornhill near the Brick Meeting House.”¹

He purchased, January 6, 1734, for £600, of Edward Bromfield, merchant, a “Brick Ware House or Dwelling House” “Situating and being on the South Easterly Side of the great Dock formerly called and known by the name of Bendall’s Dock.”²

In this year also, he is described as “Bookseller in Dock-square over against the Sun Tavern.”³

At a town meeting held in Boston March 9, 1723, Samuel Gerrish was chosen Constable,⁴ but declined to serve and paid his fine.

At a town meeting March 11, 1733, he was chosen Town Clerk,⁵ and to this office he was elected annually up to the time of his death.

¹ The Boston News Letter of September 30, 1725, contained the following advertisement: —

“ THE Greatest Part of the LIBRARIES of the Reverend Mr. Roland Cotton, of Sandwich, And the Rev. Mr. Nath. Rogers, Late of Portsmouth, Deceased, With a considerable Number of Choice New Books, just Imported from London, Will be Sold by AUCTION, on Monday next, the Fourth day of October at 5 a Clock P.M. At the Bunch of Grapes, just below the Town-House in Boston, By Samuel Gerrish, Bookseller, near the Brick Meeting House in Cornhill; Where the Books may be view’d, And Printed Catalogues had Gratis.”

One of these printed catalogues, in a good state of preservation, is now in the possession of the Rev. Anson Titus of Somerville, Mass.

² Suffolk Deeds, Lib. 50, fol. 21. See also Lib. 61, fol. 104.

³ Boston News Letter, May 16, 1734.

⁴ Boston Town Records, II. 432.

⁵ *Ibid.*, III. 60. March 9, 1735, “A Memorial of Samuel Gerrish, Town Clerk,” was “Presented to the Select Men; Setting forth, That According to Their Order, He had Registered Four Thousand Three Hundred and Forty five, Births and Deaths, from the Minutes kept by Samuel Checkley Esq^r. the late Town Clerk, Viz^t. from the Year 1721 to the Year 1733, inclusive,” and the sum of £30 was allowed him therefor by the Town. (Town Records, III. 197.)

The last time that he was elected to the office of Town Clerk, March 9, 1740 (i. e. 1740–41), “It being represented to the Town that the said Samuel Gerrish is detained by Indisposition, Voted, That Samuel Gerrish Jun^r. Officiate as Town Clerk pro Tempore, who was Accordingly Sworn.” (Town Records, III. 428.)

At a town meeting¹ held January 16, 1734–5, he was elected Register of Deeds to succeed John Ballantine, deceased,² and he held this office at the time of his death.

He was also a Notary Public.

He died in Boston, May 12, 1741, and administration on his estate was granted, May 25, 1741, to Samuel Gerrish,³ merchant, his eldest son. On the death of the latter, administration *de bonis non* was granted, September 19, 1751, to William Phillips, merchant.

By his first wife, Mary Sewall, he had one daughter who, as we have already seen, died in infancy. By his second wife, Sarah Coney, who survived him, he had four sons and four daughters.

The Boston News Letter of Thursday, May 14, 1741, contains the following notice of his death: —

“Last Tuesday Morning died, very much lamented, Mr. *Samuel Gerrish*, County Register for the County of *Suffolk*, and Town-Clerk for the Town of *Boston*: Which Offices he discharg'd with great Fidelity, and to general Satisfaction.”

¹ Boston Town Records, III. 137.

² On the death of Ballantine, the following notice appeared in the New England Weekly Journal of January 6, 1734–5.

“January 4, 1734.5.

This day Mr. Byfield Lyde, Clerk of the Inferiour Court of Common Pleas for the County of Suffolk, was Sworn before two of His Majesty's Justices of the Peace, in order to the taking into his Custody the several Books and Papers in the office of Registry of the said County, at whose Office Deeds are to be lodged in order to be Recorded, according to the direction of the Law.”

In answer to the petition of Samuel Gerrish, Register of Deeds, dated April 12, 1735, showing that there were “divers Deeds left in the Office at the death of John Ballantine Esq^r the late Register,” which the petitioner has since recorded, and that “there are above five hundred Deeds enter'd in the Books, but the Books not signed by the late Register,” the General Court authorized the petitioner to attest the record. (Province Laws, II. 197 note.)

³ Samuel Gerrish, the son, born in Boston, May 17, 1715, entered the Boston Latin School in 1722, and was graduated at Harvard College in the class of 1733. He was a merchant in Boston. He died April or May, 1751, and administration on his estate was granted, June 6, 1751, to his brother, John Gerrish, and to William Phillips, merchants.



Daniel Henshaw, who was an uncle of Joshua Henshaw, afterward Register of Deeds, and who removed from Boston to Leicester in 1748, in the list which he made of the persons who had died since he left the town, says: “Samuel Gerrish, a young Merchant, of a good Character.” (New England Historical and Genealogical Register, XXXVII. 57.)

EZEKIEL GOLDTHWAIT.

1741-1776.

Ezekiel Goldthwait,¹ son of John Goldthwait of Boston, and grandson of Samuel Goldthwait, who married in Charlestown, September 6, 1666, Elizabeth Cheever, daughter of Ezekiel Cheever,

“the famous master of the Boston Latin School,” in honor of whom he and other members of his family received this baptismal name, was born in Boston, July 19, 1710, and was baptized, July 23, 1710, at the Second Church, Boston.

At a town meeting² held May 22, 1741, he was elected Town Clerk, and he held the office, being annually elected thereto, generally by a unanimous vote, until 1761, when it was voted unanimously that the thanks of the town be given him “for his faithfull Services many Years past as Town Clerk,”³ and William Cooper was chosen as his successor. When his term of service as Town Clerk ended, he was chosen Selectman, but declined.⁴

At the same town meeting, May 22, 1741, he was elected Register of Deeds for the County.⁵

At a town meeting⁶ held in Boston, May 15, 1753, he and others having “Purchased a Tract of Land in the Township of Chelsea, at a place called Pullin point for Carrying on the Fishery there,” petitioned the Town for a lease to them of Deer Island. This petition was granted, and it was voted that

¹ Descendants of Thomas Goldthwaite, by Charlotte Goldthwaite, pp. 47, 48, 49, 84-87; Munsell's American Ancestry, IV. 7; Ezekiel Cheever and Some of his Descendants, by John T. Hassam; New England Historical and Genealogical Register, XXXIII. 164, XXXVI. 305, XXXVIII. 170, XLI. 65; The Cheever Family, by John T. Hassam, privately printed, Boston, 1896.

² Boston Town Records, III. 458.

³ *Ibid.*, IV. 464.

⁴ *Ibid.*, IV. 476.

⁵ July 8, 1741, he petitioned the General Court for authority to attest the record of “diverse Deeds left in the Office at the Death of M^r. Samuel Gerrish the late Register,” and since recorded by the petitioner, also of “some Deeds Recorded by John Ballantine Esq^r. the former Register and the Books not Signed.” The petition was granted. (Mass. Archives, XVII. 808, 809.)

⁶ Boston Town Records, IV. 318.

a lease for seven years should be executed "provided there is Yearly and every Year during that time Twenty Vessels belonging to the Inhabitants of Boston Employed in the Fishery at said Pullin point," said "Vessels to be of the Burthen of Forty Tuns, One with the other."

He played a prominent part in the affairs of the town, was frequently appointed on committees for various purposes.¹

¹ At a town meeting held May 28, 1753: "Upon a Motion made by Ezekiel Goldthwait Esq^r and Seconded by many of the Inhabitants, It was Unanimously Voted, That the Thanks of the Town be and hereby is given unto Christopher Kilby of London Esq^r for his great pains taken and close Attendance upon the Lords Commissioners of Trade and Plantations, and also a Committee of the Lords of His Majesty's most Honourable Privy Council, in order to get repealed An Act lately pass'd by this Government, laying an Excise upon Tea Coffee, Snuff, Arrack and China Ware, Sold here, which the Town apprehended to be a great Prejudice to it, and which the said Christopher Kilby Esq^r by his Assiduity and Care got repealed accordingly." (Town Records, IV. 325.)

At a town meeting held March 10, 1761, he was appointed on the Committee to consider "the repairs of Faneuil Hall."

The Committee reported, March 23, 1761, "to have the Roof Slated, the Window Frames of Stone and the Ornaments with as little Wooden work as possible, and as to the ways and means of defreying the charges, they think it best to apply to the General Assembly for a Lottery." (Town Records, IV. 477, 478.)

At a town meeting held March 23, 1761, he was one of a Committee reporting a draft of a petition to the General Court "relative to the Incumbrances in Dock Square," "the standing of People with their Horses and Carts in and about Dock Square, and the Streets round the Market Place" having become "a grievous Incumbrance to all the Inhabitants round said Square," "the lives and Limbs of the Subject" being "thereby often endangered." (Town Records, IV. 479, 480.)

At a town meeting held March 25, 1765, the town having accepted a "Donation for a Bedlam" made by "the late Honourable Thomas Hancock Esq" voted further "that the name of *Hancock* be Recorded and enrolled among those of *Faneuil* and the other worthy Benefactors of this City, and that such House when erected shall be called and known by the name of *Hancock's Hospital*," and Ezekiel Goldthwait and others were appointed a Committee "to open a Subscription" "for building and endowing a Hospital" for the insane. (Town Records, IV. 606, 628, 629, 703, 710, 711; V. 16, 17.)

At a town meeting held March 16, 1767, Ezekiel Goldthwait was appointed on the Committee in relation to the "Receipt of Coll^o Barres Picture." (Town Records, V. 16.) The Committee were instructed to write a letter "informing him of the receipt of his Picture, and that the same by the unanimous Order of the Town is placed in Faneuil Hall," and to engage some person "to write to his Correspondent in London to pay to M^r Duncan Clark or the Painter, the Cost of drawing said Picture, and any other Expence that has attended the same, which Sum the Inhabitants hereby oblige themselves to repay and reimburse." (Town Records, V. 26.)

At a town meeting October 28, 1767, he was appointed one of a Committee "To Consider of some Measures For employing the Poor of the Town of Boston,

He was a Notary Public,¹ a Justice of the Peace, Clerk of

by reviving the Linen Manufacture." (Town Records, V. 43, 44. See also New England Historical and Genealogical Register, XLIV. 103.)

At a town meeting May 4, 1768, he and the others who had "undertaken to carry on the Manufacture of Duck or Sail Cloth in this Town" not to enrich themselves "but for employing the many Poor we have in the Town and giving them a Livelihood," reported that they had "done everything in [their] power to employ the Poor, tho' it is like to fail of success, through the insufficiency of the Subscriptions." (Town Records, V. 88.)

He served on committees also: —

"To Reduce the present Excessive price of Provisions," &c. (March 9, 1752. Town Records, IV. 275.)

"To confer with the Abutters upon the Town Dock relative to the filling it up." (March 9, 1761. Town Records, IV. 468. See also V. 489; VI. 13.)

"To enquire into the Titles to the Dock." (September 20, 1770. Town Records, V. 272.)

Relative to the incumbrances on Dock Square. (March 10, 1761. Town Records, IV. 478.)

To prepare a petition to the General Court "relative to the pernicious practice of forestalling the Market." (March 8, 1762. Town Records, IV. 502, 519.)

"To Examine the Accompts of the Managers of Faneuil Hall Lotteries." (March 12, 1765. Town Records, IV. 623, also 650.)

"To Audit the Accompts of Mr Treasurer Jeffries, and also the Accompts of the Overseers of the Poor." (March 16, 1767. Town Records, V. 13; March 14, 1768, V. 66; March 13, 1770, V. 228; March 12, 1771, V. 287; March 10, 1772, V. 339, 345.)

On the "Premium to be allowed" the Collectors of Taxes. (May 8, 1767. Town Records, V. 30. See also VI. 26.)

To "Examine into the state of the Town Treasury." (March 14, 1768. Town Records, V. 71.)

"To enquire into the state of the Grist Mills." (March 14, 1768. Town Records, V. 74. See also March 19, 1771. Town Records, V. 294.)

To take into consideration "the Erecting of the New Mills on the Mill Creek." (May 4, 1768. Town Records, V. 87. See also 139 and 163.)

To consider the petition "That the Clock now placed upon the Old South Church Steeple may be purchased for a publick Clock." (March 9, 1773. Town Records, V. 421.)

To consider "whether it will not be for the safety & preservation of the Town, that Pumps be fixed at the Mill Bridge and Draw Bridge or some other places to be used in times of Fire." (March 9 and 23, 1773. Town Records, V. 420, 435.)

To attend the Committee when about to fix upon the places of the "Lamps that are to be Erected in this Town," as their proper placing "is of great importance for the convenience and elegance of the Town." (May 11, 1773. Town Records, V. 451, 452. See also V. 497-500.)

On the Repairs of Sea Street. (March 9, 1773. Town Records, V. 420, 453.)

¹ The Notarial Record kept by Samuel Tyley April 2, 1731–February 28, 1744, and by Ezekiel Goldthwait December 2, 1748–March 11, 1754, has recently been discovered. (2 Proc. Mass. Hist. Soc., XI. 184; Report of American Historical Association, 1898, p. 574.)

the Court of Sessions, and Clerk of the Inferior Court of Common Pleas. He was also one of the Prince Subscribers.¹

John Rowe, in his Diary, often refers to Ezekiel Goldthwait, whom he repeatedly met at various private dinner-parties² and at the coffee-houses³ frequented by the leading citizens of the town. He notes one dinner, August 23, 1766, at Ezekiel Goldthwait's country-seat in Roxbury.⁴

To "look into the Law relative to Scavengers." (March 5, 1774. Town Records, V. 485.)

"To examine into the State of the Granary." (March 5, 1774. Town Records, V. 486. See also V. 509.)

On the Town's land "adjoining to the Fortification." (May 10, 1774. Town Records, V. 507.)

He was repeatedly invited with others by the Selectmen "to visit the several Publick Schools in the Town." (Town Records, IV. 522, 633, 706; V. 252, 304, 441, 505.)

The following is from the Minute Book of the Court of General Sessions, under date of October 1, 1771:—

"Ezekiel Goldthwait Esq^r having made a Present to this County of his Majesty's Arms Carved, Gilt, & Painted in a handsome manner, in order to be placed in the County Court Room—The Justices of this Court Thanked M^r Goldthwait for the same in open Court, and Ordered that a Record thereof be made."

¹ Memorial History of Boston, II. 561.

² 2 Proc. Mass. Hist. Soc., X. 31.

³ *Ibid.*, X. 39.

⁴ *Ibid.*, X. 33. Mrs. Rowe, the wife of the diarist, together with his brother-in-law, Ralph Inman, August 16, 1771, "paid a visit to Mrs. Smith over to Goldthwait's. Mr. Inman came home well pleased and agreed on his plan of matrimony." Mrs. Smith was the widow of James Smith, a wealthy sugar refiner, who died in 1769, and Inman's courtship of her is recorded in Rowe's diary. (2 Proc. Mass. Hist. Soc., X. 40.) He notes the publication of the banns at King's Chapel, September 1, and the marriage "at the seat of Mr. Ezekiel Goldthwait," September 26, followed by a dinner at Inman's, where Rowe passed the evening and the night. See also Suffolk Deeds, Lib. 122, fol. 118, 120.

The County Records enable us to determine the situation of Ezekiel Goldthwait's country-seat. By deed dated May 3, 1761, recorded with Suffolk Deeds, Lib. 129, fol. 155, Benjamin Gridley, of Boston, gentleman, conveyed to Ezekiel Goldthwait of Boston, Esquire, "a certain Tract or Parcel of Land situate lying and being in Roxbury in the County of Suffolk aforesaid contain^g: about ten Acres and an half, be the same more or less, bounded Easterly on the Highway, Northeasterly on the Highway, Westerly on the Land of William Heath in part, and partly on Land of M^r: Williams, Southerly on the great Road leading to Dedham, Easterly again on Land of M^r: Thomas Boylstone's Heirs, then Southerly again on said Boylstone's Land in part, and partly on Land of M^r: Foster until it comes to the Highway first mentioned, or however otherwise bounded or reputed to be bounded together with the large new Dwelling house, the adjoining Dwelling house, and all other the outhouses, Barn Edifices & Buildings upon said Land."

The "great Road leading to Dedham" is now Centre Street, and the "High-

His town house was in Middle Street, now Hanover Street, Boston.

John Adams, in his Diary,¹ mentions receiving the following invitation under date of June 28, 1770: —

“28. Thursday. *Mr. Goldthwait.* ‘Do you call to-morrow and dine with us at Flax Pond, near Salem. Rowe, Davis, Brattle, and half a dozen as clever fellows as ever were born, are to dine there under the shady trees by the pond, upon fish, and bacon, and pease, &c.; and as to the Madeira, nothing can come up to it. Do you call. We’ll give a genteel dinner, and fix you off on your journey.’”

He had been elected Register of Deeds, generally unanimously, for several successive terms of office, but at the election of 1771 a competitor appeared, and that competitor was Samuel Adams. When the votes returned to the Court of Sessions were counted, April 16, 1771, “it appeared that there was 1590 Votes, & that Ezekiel Goldthwait Esq^r had eleven hundred & twenty three Votes, & M^r Samuel Adams had four hundred & Sixty seven. The Court thereupon declared the said Ezekiel Goldthwait to be duly Elected.”²

“At a Meeting³ of the Freeholders and other Inhabitants of the Town of Boston at Faneuil Hall on Tuesday the 6th Day of March 1770 — 11 O’Clock A : M : occasioned by the Massacre made in King Street, by the Soldiery the preceeding Night,”

way” is now Old Heath Street. For earlier deeds see Suffolk Deeds, Lib. 129, fol. 154; Lib. 84, fol. 251.

By deed dated March 17, 1778, recorded Lib. 129, fol. 155, Ezekiel Goldthwait conveyed this estate to Cumberland Dugan, of Baltimore, merchant, who by deed dated August 7, 1784 (Lib. 144, fol. 113), conveyed it to William Foster of Boston, merchant, by whom it was conveyed by deed dated January 17, 1785 (Lib. 147, fol. 269) to John Lowell, of Boston, Esquire.

John Lowell afterward acquired title to the Thomas Boylston lot and the John Foster lot, thus becoming the owner of all the land between Centre and Old Heath Streets from their junction west to the line of the Heath and Williams estates. Through this land, the “Lowell Estate,” there have been laid out, in more recent times, Bromley Street, Bromley Park, Albert Street, Bickford Street and the continuation of Parker Street.

I have been thus explicit in showing the situation of Goldthwait’s country-seat as Drake (History of Roxbury, p. 392) makes this rather misleading statement: —

“On the south side of Parker Hill, not far from the corner of Parker and Heath Streets, was the mansion and estate of six acres belonging to Ezekiel Goldthwait, register of deeds for the county of Suffolk, before the Revolution.”

¹ Diary of John Adams, I. 238.

² Minute Book of the Court of Sessions, V.

³ Boston Town Records, V. 211.

it was voted that a Committee consisting of fifteen members, among whom were John Hancock, Esq., Mr. Samuel Adams, and Ezekiel Goldthwait, Esq., be appointed

“to wait on his Honor the Lieu^t Governor; and acquaint him; that it is the unanimous Opinion of this Meeting, that the Inhabitants and Soldiery can no longer dwell together in safety; that nothing can be rationally expected to restore the peace of the Town, and prevent blood and Carnage, but the immediate removal of the Troops; and that they therefore most fervently pray his Honor that his power & influence may be exerted for their instant removal.”

At a town meeting ¹ March 27, 1770,

“The Town having been informed by several Persons that a number of Soldiers with their Baggage landed Yesterday at Wheelwrights Wharff”

Ezekiel Goldthwait and four others were appointed

“a Committee to make enquiry from time to time, whether any more Troops came up from Castle Island than they think necessary, and if they shall find it to be otherwise, that they then immediately acquaint the Selectmen in order for their calling a Meeting of the Inhabitants.”

But although his sympathies seem at first to have been to some extent at least with the popular party, he was evidently not prepared to go to extremes and to attempt forcible resistance to the constituted authorities. His position and his family connections would naturally incline him towards the side of the Crown.²

He was an “Addresser”³ both of Hutchinson and of Gage.

¹ Boston Town Records, V. 245.

² Sabine, in his Biographical Sketches of Loyalists of the American Revolution (I. 478-80, II. 520), includes not only Ezekiel Goldthwait, but also his half-brother, Colonel Thomas Goldthwait, and his nephews Colonel Joseph Goldthwait, Captain Philip Goldthwait, and Dr. Michael Burrell Goldthwait.

Colonel Joseph Goldthwait, “the most uncompromising Loyalist of all the Goldthwaits,” sailed in the fleet to Halifax on the evacuation of Boston by the Royal forces.

Colonel Thomas Goldthwait retired to Walthamstow, Co. Essex, England. See Bangor Historical Magazine, II. 87; IX. 23-30. See also “Col. Thomas Goldthwait — Was he a Tory?” by R. Goldthwaite Carter, U. S. Army, in Coll. Maine Historical Society, 2d series, VII. 23; VIII. 31.

³ On Saturday, May 28, 1774, the friends of Governor Hutchinson, who had been recalled and who was about to sail for England never to return, waited on

At a town meeting¹ held June 27, 1774, on a "motion for

him and presented him with an Address bearing testimony to the "entire Satisfaction" they felt with his "wise, zealous and faithful Administration," wishing him a pleasant passage to England to "receive those distinguishing Marks of his Majesty's Royal Approbation and Favor, as may enable [him] to pass the Remainder of [his] Life in Quietness and Ease; and preserve [his] Name with Honor to Posterity." This Address may be found in Force's American Archives, 4th series, I. 361, 362, and in the Boston News Letter of Thursday, June 2, 1774.

While this address was being handed about for signatures, the opponents of the government, apprehensive of the effect it might have on the people, with its long array of names of well-known and influential citizens of Boston, issued a "Protest," dated May 24, 1774, in which they "utterly disclaim said Address." (Force's American Archives, 4th series, I. 362, 363.)

Wednesday, June 8, 1774, the "merchants, traders of the town of Boston, and others," waited on General Gage, who had been appointed Governor to succeed Governor Hutchinson, and tendered him an address congratulating him on his arrival, referring to the "approaching calamity, which will soon overwhelm the town of Boston" — by the operation of the Boston Port Bill — and expressing a willingness — as in the former Address — "to pay our proportions whenever the same can be ascertained" towards "Making restitution to the East India Company for damage done to their property, and for damage done to the persons and property of individuals among us by the outrage of rash and inconsiderate men" which "we look upon to be quite equitable, and we who have ever disavowed all lawless violences do bear our testimony against them." (Force's American Archives, 4th series, I. 398; Boston News Letter of Thursday, June 9, 1774.)

The opponents of the Government also issued a broadside giving the names of the signers of the "Address" to Governor Hutchinson — which purported to be that of "Merchants and Traders of the Town of Boston and others" — with sarcastic comments on the occupations and callings of many of the signers. This broadside also contained a list of the names, without comment, of the signers of the "Protest," dated June 29, 1774, against the Committee of Correspondence and against the Solemn League and Covenant, which the "Protesters" regarded as "of a most dangerous Nature and Tendency." This broadside was printed in the Proceedings of the Massachusetts Historical Society. (1 Proc. Mass. Hist. Soc., XI. 392.)

The "Address" to Governor Hutchinson and the "Protest" of May 24, 1774, disclaiming it, have been reprinted from Force's American Archives in Bulletin No. 94, of the Public Library of the City of Boston, together with a fac-simile of the broadside. But the editorial note on page 218 of the Bulletin is misleading and confusing. The signers of the "Protest" of June 29, 1774, were Loyalists and supporters of the Government, and had no sympathy with the views of those who were in favor of the "Protest" against the Address to Governor Hutchinson. This distinction should have been clearly set forth in the Bulletin.

The Boston News Letter of June 2, 1774, also contained the following: —

"On Saturday last a Number of Gentlemen of the Law waited on our late Governor with the following Address:

To his Excellency Governor HUTCHINSON.

SIR, — A Firm Persuasion of your inviolable Attachment to the real Interests of this your Native Country, and of your constant Readiness, by every Service in your Power, to promote its true Welfare and Prosperity, will, we flatter ourselves,

¹ Boston Town Records, V. 522.

Censuring & Annihilating the Committee of Correspondence,"

render it not improper in us, Barristers and Attornies at Law in the Province of Massachusetts-Bay, to address your Excellency, upon your Removal from us, with this Testimonial of our sincere Respect and Esteem.

The various important Characters of Legislator, Judge and first Magistrate over this Province, in which, by the Suffrages of your Fellow Subjects, and by the Royal Favor of the best of Kings, your great Abilities, adorned with a uniform Purity of Principle, and Integrity of Conduct, have been eminently distinguished, must excite the Esteem, and demand the grateful Acknowledgments of every true Lover of his Country, and Friend to Virtue.

The present perplexed State of our public Affairs, we are sensible, must render your Departure far less disagreeable to you than it is to us — we assure you, Sir, we feel the Loss — but when, in the amiable Character of your Successor, we view a fresh Instance of the paternal Goodness of our most gracious Sovereign — when we reflect on the Probability that your Presence at the Court of Great-Britain will afford you an Opportunity of employing your Interest more successfully for the Relief of this Province, and particularly of the Town of Boston, under their present Distresses, we find a Consolation which no other human Source could afford. Permit us, Sir, most earnestly to solicit the Exertion of all your distinguished Abilities in Favor of your Native Town and Country, upon this truly unhappy and distressing Occasion.

We sincerely wish you a prosperous Voyage, a long Continuation of Health and Felicity, and the highest Rewards of the Good and Faithful.

We are, Sir, with the most cordial Affection, Esteem and Respect,

Your Excellency's most obedient and very humble Servants,

DAVID INGERSOLL	ANDREW CAZNEAU	ROBERT AUCHMUTY
JER. DUMMER ROGERS	DANIEL LEONARD	JONATHAN SEWALL
DAVID GORHAM	JOHN LOWELL	SAMUEL FITCH
SAMUEL SEWALL	DANIEL OLIVER	SAMUEL QUINCY
JOHN SPRAGUE	SAMPSON S. BLOWERS	WILLIAM PINCHON
RUFUS CHANDLER	SHEARJASHUB BOURN	JAMES PUTNAM
THOMAS DANFORTH	DANIEL BLISS	BENJAMIN GRIDLEY
EBENEZER BRADISH	SAMUEL PORTER	ABEL WILLARD."

The following appeared in the Boston News Letter of Thursday, July 7, 1774: —

"Friday last a Number of Gentlemen of the Bar waited upon his Excellency Governor GAGE, and presented the following ADDRESS.

May it please your Excellency,

PERMIT us, Barristers and Attornies at Law in the Province of Massachusetts-Bay, to approach your Excellency, with our unfeigned Congratulations on your safe Arrival.

We regard his Majesty's Appointment of a Gentleman of your Excellency's known Candor, Moderation and Humanity, to the first Civil and Military Command here, at this unhappy and distressing Crisis, as a renewed instance of his Majesty's paternal goodness, which demands our most grateful acknowledgments.

While we feel ourselves deeply affected by the Frowns of the best of Sovereigns on the Town of Boston, the Metropolis of this Province, (the Causes of which we sincerely regret) we derive great Consolation from the hope, that thro' your Excellency's Wisdom, and benevolent Influence we may soon see the Return of the Royal Favor and our public Affairs restored to their once flourishing and happy State.

We consider the free Course of Justice and the due Execution of the Laws as

he made a speech in open meeting against the Committee.¹ But "the Question" being "put and pass'd in the Negative," the dissentients made a "publick and solemn Protest against the Doings of the said Committee, as such, against the Solemn League and Covenant aforementioned, and against the Proceedings of the Town so far as they have adopted the illegal Proceedings of the said Committee of Correspondence." This protest was dated June 29, 1774, and was signed by many of the foremost citizens, among them being Ezekiel Goldthwait.²

In the Boston Gazette of Monday, August 29, 1774 (Supplement), "Massachusettensis," writing on the popular side, thus refers to Ezekiel Goldthwait:—

the surest Means of promoting the Peace, good Order, and the Happiness of the Community; to attain which our best Endeavours shall be uniformly exerted.

We beg Leave to recommend the Interest of Literature, the liberal Profession of the Law, and the Honor of its Professors to your Excellency's kind Protection and Patronage.

ROBERT AUCHMUTY	JOHN LOWELL	DAVID INGERSOLL
JONATHAN SEWALL	DANIEL LEONARD	SAMUEL SEWALL
JOHN WORTHINGTON	DANIEL OLIVER	JOHN SPRAGUE
SAMUEL FITCH	SAMPSON S. BLOWERS	RUFUS CHANDLER
JAMES PUTNAM	DANIEL BLISS	THOMAS DANFORTH
WILLIAM PYNCHON	JONATHAN BLISS	THOMAS WILLIAMS
BENJA. GRIDLEY	SAMUEL PORTER	CALEB STRONG
SAMUEL QUINCY	JOSHUA UPHAM	SAMUEL FIELD
ABEL WILLARD	JERE. D. ROGERS	EBENEZER BRADISH
ANDREW CAZNEAU		

¹ Diary of John Rowe, 2 Proc. Mass. Hist. Soc., X. 86.

The Committee of Correspondence was "invented" by Samuel Adams. (Memorial History of Boston, III. 42.) It was appointed on his motion in town meeting November 2, 1772 (Boston Town Records, V. 373), and he was one of the most active members of it.

When the conduct of the Committee came up for discussion June 27, 1774, "The Hall [Faneuil Hall] not being sufficient to contain all the Inhabitants assembled," the meeting was adjourned to the Old South Meeting House. The debate on the motion to censure the Committee was very warm on both sides. It lasted all day and part of the next. But it was useless to attempt to stem the current of popular feeling, which was now rapidly sweeping everything before it towards the vortex of the Revolution. The action of the Committee was sustained by a "Vast Majority."

Rowe says: "I think [the Committee] are wrong in the matter. The merchants have taken up against them; they have in my opinion exceeded their power; and the motion was put that they should be dismissed. The gentlemen that made and supported this motion could not obtain their vote; the majority were four to one against them. This affair will cause much evil, one against the other. I wish for peace in this town. I fear the consequences."

² Boston News Letter, Thursday, July 7, 1774; Force's American Archives, 4th series, I. 490.

“ Shall every villain for the smallest fee of office, venture on the fatal alteration of his country’s established rules and orders, and be safe in so doing? Has not Goldthwait, the clerk of your courts, in direct violation of the oaths of office, in direct opposition to the laws and immemorial usages of the Province, issued his warrants for a return of freeholders from whom jurors are to be packed by the sheriff, according to the new mode of government? Do any of them hesitate to wound the Constitution in any article which falls within their particular department?”

The Massachusetts Spy of Thursday, September 1, 1774, contained the following answer of Ezekiel Goldthwait:¹—

“ MR. THOMAS,

Please to insert the following in your next Thursday’s paper, and you will oblige your most humble servant, E. G.

IN the Supplement to the last Monday’s Gazette, a writer under the signature of Massachusettensis, after calling me by name, plainly intimates *that I have wounded the constitution of my country in my department of clerk of the sessions.* This cruel insinuation not only tends to render me odious to the world of mankind, but exhibiting me to my

¹ It was reprinted in the Essex Gazette of Tuesday, September 6, 1774, and also appears in the Boston News Letter of Thursday, September 1, 1774. William Brattle’s address appears September 13, 1774, in the Essex Gazette, and September 8, 1774, in the Boston News Letter.

The following communication from Ezekiel Price in the Massachusetts Spy of Thursday, September 1, 1774, was also reprinted in the Essex Gazette of September 6, 1774:—

“ FOR the MASSACHUSETTS SPY.

To my respectable Fellow Citizens and Countrymen.

HAVING never read the act of parliament, intituled an act for the better regulating the government of the province of Massachusetts-Bay, I was ignorant of the command therein to the Clerks of the Courts of Sessions, to issue precepts to the several Constables respecting Jurors, until Ezekiel Goldthwait, Esq; joint Clerk with me of said Court, delivered me printed forms of said precepts, which he and some other Clerks of said Court upon consultation together, had agreed to issue; after Mr. Goldthwait had signed the precept for Boston and nine other towns in the county, I signed the remainder;—as soon as I had time to consider and reflect on the matter, I was convinced of my error and misconduct, and deeply affected with it, but it was then too late to remedy it, the Sheriff had sent the precepts into the country; as through my whole life it has been my constant endeavour in every department to gain the friendship and esteem of my fellow citizens, which I have always valued beyond the most lucrative post in the power of man to bestow, so their displeasure at any part of my conduct will ever give me sensible pain. The late unconstitutional, cruel and oppressive acts of parliament, I detest and abhor as much as any man on the continent, and rather than conform to any part of them, I will resign my office, if the consequence should be that I beg my bread; I would therefore intreat that I may still be happy in the continuance of your esteem and friendship.

EZEKIEL PRICE.”

countrymen as their enemy, at this time of public calamity, must render me singularly hateful. To one conscious of deserving a very different character, such treatment must be a very severe trial, as it must affect every man of sentiment and feeling. — Soon after the arrival of an act of Parliament, entitled an act for better regulating the government of the province of the Massachusetts-Bay, in North-America, two or three clerks of the court of sessions, of different counties, happening to meet; naturally fell into conversation upon the subject of their duty in consequence of the requirements of that act. On this sudden meeting, and short consultation, finding ourselves directed by that law, we supposed ourselves bound in duty to issue warrants for the return of jurors, in the manner thereby required. Upon this sudden opinion it was, that twenty warrants were issued to the constables of the several towns in the county of Suffolk, agreeable to the directions of the same act; ten of which were signed by me, and the remaining ten by Mr. Ezekiel Price, joint clerk with me. At the time I signed, I did not suppose any one town in the county would take the least notice of such warrant, and with pleasure I find upon enquiry, that my expectations have been answered.

The science of the law hath never been my professed study, tho' the mere mechanical business of a clerk's office hath been my employ for many years. As therefore it has not been my study *to know* any more than *to determine* what is *the law of the land*, my erroneous sentiments (which I am now fully convinced they were) upon that act will be readily pardoned by the candid and humane. I can say for myself, and I believe for my brethren, that it was an error of judgment only, which every good man will chearfully forgive. And I now publicly declare that it was not for the least inclination I had to comply with this, or any other of the acts of Parliament lately passed, relative to North-America, that I signed said ten warrants, for I detest said acts as much as any man on the continent, they being in my opinion, unconstitutional, severe, and oppressive to every person who dwells upon it. These are my sentiments and I am extremely sorry that I ever signed one of said warrants, or any other paper that has given the least umbrage to the community. And I do also declare, that if I am ever required to do any business in my office, in conformity to said act of Parliament, I shall refuse it, altho' by such refusal I may loose my place.

The public are now left to determine upon the *justice* and *generosity* of *singling* me out from the rest of my brethren, as if I alone had fallen into this error. Surely it is not a time to exasperate our fellow citizens without sufficient cause, when the public grievances and great calamities of the day, call for the union of all good men. As no man therefore more deeply feels for the present afflictions of this town and country, or

would more sincerely engage in every laudable method for their abatement or removal, I cannot suppose myself altogether unworthy, and therefore hope to receive the continued friendship and approbation of my fellow citizens and countrymen. EZEKIEL GOLDTHWAIT.

Boston, August 30, 1774."

John Andrews, under date of September 4, 1774, refers to this communication as follows: ¹ —

"As Brattle's ² letter has since been publish'd, with his address to the public in vindication of himself, I herewith inclose 'em, together with an acknowledgment to the public by E. Goldthwait, which I think very extraordinary from him."

Ezekiel Goldthwait remained in Boston during the siege, for Ezekiel Price, ³ his kinsman, who left Boston shortly after the battle of Lexington and found refuge in Stoughton, in his Diary ⁴ under date of August 22, 1775, mentions setting out for Watertown, where he saw several Boston friends. He dined at Cambridge and returned to Stoughton in the afternoon. He adds: —

"In my return home, met Mr. Joseph Otis, jun., on the road, who informed me that Benjamin Gridley was appointed one of the judges of the Court of Common Pleas, and that Mr. Goldthwait, as clerk of that court, officiated, and did business in court; that several actions were defaulted, two against Mr. Hancock; also that Gridley moved in the sessions that my office be broke open to get the Session's Book, &c., out of it; but some of the other members of the court opposed it, so

¹ Letters of John Andrews, 1 Proc. Mass. Hist. Soc., VIII. 354.

² William Brattle (Harvard College 1722), "a man of eminent talents" and a Loyalist, left Boston on its evacuation by the Royal forces and sailed in the fleet to Halifax. (Sabine's *Loyalists of the American Revolution*, I. 250.) See also *Narrative and Critical History of America*, VI. 98, and the Boston News Letter of September 8, 1774.

³ Ezekiel Price, born in Boston, September 9, 1727, was a cousin of Ezekiel Goldthwait. They were, both of them, great-grandsons of Ezekiel Cheever, and the former showed his appreciation of his ancestor by republishing in 1774 the "*Corderius Americanus*" with this notice: —

"The following SERMON, on the Death of that faithful Servant of GOD, the late Venerable Mr. EZEKIEL CHEEVER, Is now Re-published to perpetuate the Memory of that Good Man, by his Great-Grand-Son, EZEKIEL PRICE."

Ezekiel Price was Clerk of the Court of Sessions both before and after the Revolution. He was also Clerk of the Court of Common Pleas, and one of the Selectmen of Boston for many years. He was elected a member of the Massachusetts Historical Society, April 30, 1793, and died July 15, 1802, æt. 74.

⁴ Diary of Ezekiel Price, 1 Proc. Mass. Hist. Soc., VII. 205.

that it could not be carried ; but that Mr. Goldthwait was very angry at my leaving the town, and not delivering the Court Book."

The volumes of Suffolk Deeds also show that he remained at his post. All the deeds left for record during the siege were entered by him and they all bear his attestation. His last official signature was thus affixed January 17, 1776, just two months before the evacuation of Boston by the Royal forces.¹

After the evacuation he retired to private life, and thereafter seems to have taken no part in public affairs.²

His name is found in the list of those "draughted" December 18, 1776, "as our proportion of the Militia, ordered by the Gen^l. Court as a reinforcement for the Continental Army at & near New York,"³ but he paid his fine and did not serve.

In the later years of his life he became blind, and in the deed⁴ of his country-seat in Roxbury, the witnesses say that it was signed in their presence

"after being clearly and distinctly read to the said Ezekiel Goldthwait who is so far deprived of his sight as to be unable to read the foregoing Deed and with Difficulty signed the same."

He died in Boston November 27, 1782, and administration on his estate was granted February 11, 1783, to his widow Elizabeth. On her death, February 6, 1794, John Bacon, who had married his daughter, Elizabeth Goldthwait, was appointed, February 25, 1794, administrator *de bonis non* of his estate.

The inventory of his estate, besides the personal property, shows the following real estate: —

House in State Street	£700 : 0 : 0
Ditto in Ann Street	800 : 0 : 0
Ditto next south of the Mansion House	450 : 0 : 0

¹ It has been stated that he removed to Weston during the siege. The Weston records contain no evidence to show this, while the Suffolk records prove that he was here in Boston.

² At a meeting of the Boston Committee of Correspondence, August 19, 1776, after the evacuation, the Inlisting Paper of the Loyal Irish Volunteers which had been "found in a House owned by Ezekiel Goldthwait Esq. & occupied by one Hoar of said Company and Given in to this Committee by said Goldthwait" was ordered to be put on the files of the Committee. (New England Historical and Genealogical Register, XXXIII. 25.)

³ Boston Selectmen's Minutes, XV. 120.

⁴ Suffolk Deeds, Lib. 129, fol. 155 ; see *ante*, p. 18.

Ditto adjoining the Mansion House	300 : 0 : 0
Mansion House ¹	1200 : 0 : 0

¹ The mansion house and the houses adjoining and next south of it were on Middle, now Hanover, Street, and were formerly part of what is known as the Bant estate.

Gilbert Bant of Boston, merchant, in his will probated December 1, 1732, devised all his real estate to his son William Bant, and gave certain legacies on condition that his daughter, Mary Bronsdon, wife of Benjamin Bronsdon, should execute to said William Bant a release of all interest in the real estate formerly of their mother, Mercy Bant, deceased (who was a daughter of William Whitwell).

William Bant thus becoming the owner of all the land and buildings on the easterly side of Hanover Street, between North Centre Street and Cross Street, conveyed the house and land on the corner of Cross and Hanover Streets to Nicholas Cussens, mariner, by deed dated July 24, 1742 (Suffolk Deeds, Lib. 63, fol. 262), but at the time of his death he was in possession of all the rest of the original estate owned by his father and mother on Hanover Street between these two streets, and also had become the owner by purchase from Knight Leverett and others of the estate on the east side of Hanover Street next south of the above and extending from North Centre Street to the Mill Creek, now Blackstone Street.

By his will dated September 24, 1754, proved October 18, 1754, William Bant appointed Ezekiel Goldthwait his executor, directing him to sell and convey all his real estate within a reasonable time after his decease.

In this will and in a codicil dated September 27, 1754, the testator provided that certain legacies should be paid only on condition that Benjamin Bronsdon and his children should release all their interest in the real estate of the testator's father and mother.

Ezekiel Goldthwait as executor of the will of William Bant accordingly conveyed to various grantees all land owned by William Bant between North Centre and Blackstone Streets, and also conveyed to Bartholomew Gedney, by deed dated April 5, 1755 (Suffolk Deeds, Lib. 86, fol. 269), a dwelling house and land on the north corner of North Centre and Hanover Streets, measuring 38 feet 10 inches on Hanover Street, and by deeds dated September 12, 1755, and December 30, 1755 (Suffolk Deeds, Lib. 88, fol. 23 and 21), conveyed to John Jones of Boston, merchant, who re-conveyed to Ezekiel Goldthwait, all the interest of William Bant in the remainder of the original estate, being all the land on the east side of Hanover Street between North Centre and Cross Streets except the two corner estates so sold to Cussens and to Gedney. This land had a frontage of about 128 feet on Hanover Street with a brick mansion house and a house adjoining it and a house south of it, and a garden extending 150 feet in depth from Hanover Street.

Notwithstanding the provision in the will of Gilbert Bant, his daughter, Mary Bronsdon, does not seem to have executed the release required of her. But Goldthwait to perfect his title obtained from Bant Bronsdon and from Benjamin Bronsdon, Jr. and others, children of Benjamin and Mary Bronsdon, releases of their interest dated October 6, 1751, and December 26, 1755. (Suffolk Deeds, Lib. 88, fol. 19, 20.)

Ezekiel Goldthwait, who had occupied one of these houses during the lifetime of William Bant, lived in the mansion house during the remainder of his life. In the division of his estate after his death (Suffolk Deeds, Lib. 141, fol. 202, 203, 204), the mansion house itself was set off to his widow. It had a frontage of about 87 feet on Hanover Street. See also Suffolk Deeds, Lib. 180, fol. 138, 139.

The buildings now numbered 173-189 Hanover Street stand on the Goldthwait

By his wife Elizabeth Lewis, whom he married in Boston, November 2, 1732, Ezekiel Goldthwait had fourteen children, most of whom died young, five daughters only surviving him.¹

The Boston Gazette of Monday, December 2, 1782, published the following obituary notice:—

“Last Wednesday died in the 72d year of his age, and on Saturday was very respectfully [*sic*] entombed, the remains of *Ezekiel Goldthwait* Esq; He was annually elected Town-Clerk of Boston for twenty years, and held the offices of County Register and Clerk of the Courts of Common Pleas and General Sessions of the Peace more than 30 years, and discharged his duty in his several offices [*sic*] to universal acceptance, and with honor and fidelity.”

His portrait and that of his wife, by Copley, are thus described: ²—

“*Ezekiel Goldthwait*. He was at one time Register of Deeds. The picture is of life size, and of three-fourths length, representing a gentleman dressed in a brown coat, and wearing a white wig, seated at a table on which are pens and an ink-stand. In his right hand he has a pen, while the left holds a deed, the arm resting on the back of the chair. Over his head is a curtain.

“*Mrs. Goldthwait*, wife of the above. A companion picture, represents the lady sitting at a table, on which is a dish of fruit. Her right hand rests on the table. Her dress is of satin of the shade called ashes of roses, beautifully painted. Her hair is without powder; around her neck are three rows of pearls, and a cap completes the costume.”

estate, but it must be remembered that a strip of land about 27 feet wide was cut off from the front of the estate under a resolve of the Board of Aldermen, September 13, 1869, for the widening of Hanover Street.

¹ Ezekiel Goldthwait, one of his sons, born in Boston, March 31, 1738, entered the Boston Latin School in 1745, but died in Boston April 8, 1750, aged 12 years 8 days.

² Life and Works of John Singleton Copley, by Augustus Thorndike Perkins, Boston, 1873, p. 57.

These pictures, at the time when Mr. Perkins wrote, were “in the possession of their relatives, — Mrs. E. M. Alleyne, and Mrs. S. L. Alleyne, Boston,” both of them great-granddaughters of Ezekiel Goldthwait.

The portrait of Ezekiel Goldthwait is now in the possession of Dr. John T. Bowen, No. 14 Marlborough Street, Boston, a grandson of Mrs. Eliza Matilda Alline.

The portrait of Mrs. Elizabeth Goldthwait is now in the possession of Miss Louisa M. Alline, of Milton, Mass., a daughter of Mrs. Sally Louisa Alline.

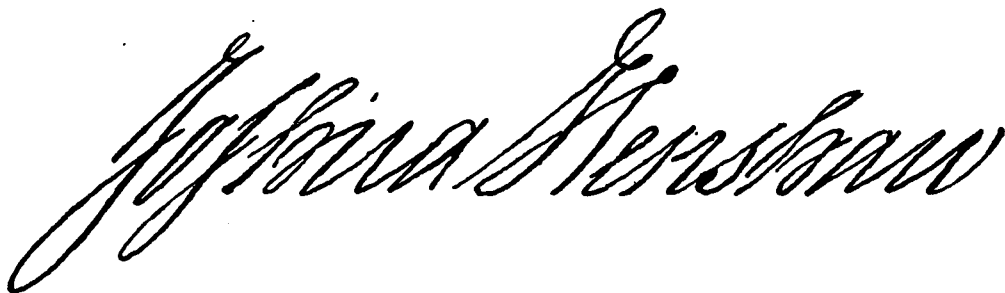
A “half-tone” reproduction of this portrait of Ezekiel Goldthwait will be found in “Descendants of Thomas Goldthwaite,” by Charlotte Goldthwaite, p. 84.

Mr. Perkins mentions portraits of other members of the Goldthwait family.

JOSHUA HENSHAW.

1776-1786.

Joshua Henshaw, son of Joshua Henshaw,¹ merchant, was born in Boston, February 16, 1746. He entered the Boston



Latin School in 1753, and was graduated at Harvard College in the class of 1763.

During the Revolutionary War and the troubles that preceded it, the Henshaw family was as active on the popular side as the Goldthwaits were conspicuous for their loyalty to the Crown.

Letters² written by Joshua Henshaw from Boston to Colonel William Henshaw of Leicester — one dated May 31, 1766, in relation to the rejoicings in Boston on the reception of the news of the repeal of the Stamp Act, another of December 10, 1767, as to the "Measures taken by the Town of Boston for promoting Frugality, Economy and Manufactures," two dated June 15 and June 22, 1768, concerning the seizure of a sloop owned by John Hancock, and one of June 27, 1768, on the report to the House of "the Committee to consider of his Excellency's Message" — have been printed.

He was among the Sons of Liberty who dined, August 14, 1769, at Liberty Tree, Dorchester,³ and was a member of the "Company of Militia under the Command of Capt. John Haskins, 1773."⁴

At town meetings⁵ held in Boston, July 19 and July 26, 1774, he was chosen one of the Committee on Ways and Means and to receive donations —

¹ See Memoir of Hon. Joshua Henshaw, the father of the Register, by Albert H. Hoyt in the *New England Historical and Genealogical Register*, XXII. 105-115.

² *New England Historical and Genealogical Register*, XXII. 402-403; XXIII. 451-454. See also *ibid.*, XLIII. 141.

³ 1 *Proc. Mass. Hist. Soc.*, XI. 141; *Diary of John Adams*, I. 218.

⁴ *New England Historical and Genealogical Register*, XXVII. 57.

⁵ *Boston Town Records*, V. 529, 530, 532.

“for the Employment or Relief of such Inhabitants of this Town, as may be Sufferers for Want of Employment in their several Occupations, by means of the Act of the British Parliament for shutting up the Harbour of Boston.”

No town meetings were held in Boston during the siege, but on Friday, March 29, 1776, just twelve days after the evacuation of the town by the Royal forces, a “Meeting of the Freeholders and other Inhabitants of the Town of Boston duly qualified and legally warned” was held in the “Old Brick Meeting House.”

“The Hon^{ble} Thomas Cushing Esq. was chosen [Moderator] unanimously, who took the Chair, & made a Congratulatory Speech to the Inhabitants, upon the Recovery of the Town out of the hands of the British Enemy, & for the present Opportunity of transacting the Affairs & Business of the Town in a free Town Meeting.”¹

Owing to an omission in the warrant for calling this meeting, no votes were received from Boston for Register of Deeds for the County of Suffolk, although they were so cast in all the other towns in the County. This made necessary the passage of a Resolve² of the General Court, April 30, 1776, allowing the Town of Boston to vote on May 1, 1776.

When the votes were counted at a meeting of the Court of Sessions³ held at Braintree on the third Tuesday of April, 1776, it was found that Joshua Henshaw lacked but one vote of a majority, his competitors being Ezekiel Price and William Sherburne, and that there was no choice. This made another election necessary.

An informality in the proceedings at the next election caused the Court of Sessions, at a meeting held in Dedham on the second Tuesday of July, 1776, to take measures to obtain authority from the General Court to order still another election. But Joshua Henshaw, in a petition⁴ to the General Court, filed September 6, 1776, reciting all the facts in the case, prayed the General Court for a confirmation of the votes and so save the County from the expense of a third election. This petition was granted and a Resolve⁵ was passed September 7, 1776, in his favor.

¹ Boston Town Records, VI. 35.

² Mass. Archives, CCIX. 66.

³ Records of the Court of General Sessions of the Peace, VII.

⁴ Mass. Archives, CCX. 168.

⁵ Resolves, XL.; Mass. Archives, CCX. 167.

The Records of the Court of General Sessions contain this entry : —

“ Joshua Henshaw jun^r Esq^r was Sworn into the Office of Register of Deeds for this County.”

Boston, the place appointed by law for holding the Courts for the County of Suffolk, being “ now made à garrison by the ministerial army,” and having “ become a common receptacle for the enemies of America,” an Act¹ was passed by the General Court, February 8, 1776, by which Dedham was made the shire town of Suffolk County. This Act was repealed² November 2, 1776, but November 21, 1776, the following Resolve³ was passed : —

“ Resolve directing the Register of Deeds in the County of *Suffolk* to keep his Office at *Dedham* ; passed *November 21st, 1776.*

WHEREAS by a late Act of the General Court the Town of Dedham was made the Shire Town for the County of Suffolk, in Consequence of which the Register's Office for that County with the Books and Papers thereto belonging were removed to the said Shire Town by, which Removal two Volumns of Records were lost and several others much defaced. And whereas the Removal of the said Books of Records to the Town of Boston, where (by the Repeal of the said Act) the said Office and Records ought now to be kept, would be attended with much Risque and Danger in this unsettled State of public Affairs : Therefore,

*Resolved, That the Register of Deeds for the County of Suffolk, for the Time being, be and he hereby is directed and impowered to keep said Office, together with the Records and Papers thereto belonging in the Town of Dedham, within the said County of Suffolk, until the further Order of the General Court ; any Law to the contrary notwithstanding.”*⁴

¹ Province Laws, V. 455.

² *Ibid.*, V. 593, 677.

³ Resolves, LIX. ; Mass. Archives, CCXI. 161.

⁴ The lost volumes are liber 112 and liber 114, and they contain the deeds left for record from January 18, 1768, to July 5, 1768, and from December 27, 1768, to May 19, 1769.

It has long been a tradition in the Registry of Deeds that the Records were carried off to Halifax on the evacuation of Boston by the Royal troops and that these two volumes were then lost. But the recitals in this Resolve completely disprove this, and — as Mr. Worthington points out — clearly show that the loss occurred on their removal from Boston to Dedham, as the Records were in Dedham when the Resolve was passed.

Nathaniel I. Bowditch, in his “ Gleaner ” articles, refers to these two volumes as having been “ missing from the Registry of Deeds, ever since the Revolution ; a most convenient circumstance for conveyancers, as it allows us to suppose

When the records were taken to Dedham, the Register caused the following notice to be published in the Boston Gazette of Monday, September 23, 1776: —

“THE Register of Deeds for the County of Suffolk, notifies all whom it may concern, that he has opened an Office near the Rev. Mr. Haven’s Meeting House in Dedham.

Sept. 16, 1776.”

This office was in what is known as the Dexter House.¹ This house is so called because it was built and owned by the Hon. Samuel Dexter, a man prominent in his day and a friend of the father of the Register, the Hon. Joshua Henshaw, who died in this house August 5, 1777.

In the Massachusetts Archives² there is the following petition: —

“To the Honourable the Council, and the House of Representatives, in General Court assembled

The Memorial of Joshua Henshaw Register of Deeds for the County of Suffolk, humbly sheweth, that in Conformity to a Resolve of a late General Court he keeps his Office in the Town of Dedham; that he is obliged to remove from the House which he now occupies; that he cannot hire an House in said Town which will accommodate said County: and therefore prays your Honors to take his Circumstances into Consideration, and act thereon, as in your Wisdom shall seem meet.

April 28: 1779.

JOSHUA HENSHAW.”

In answer to this petition the General Court passed, April 30, 1779, the following Resolve: ³ —

“On the Petition of *Joshua Henshaw*, Esq; Register of Deeds for the County of *Suffolk*:

“Resolved, That he have Leave to remove the Records of said County from *Dedham* to any other Part of the County, on the Main Road, not nearer then Six Miles of the Town of *Boston*.”

ALL missing deeds to have been there recorded; an hypothesis which, of course, cannot be possibly disproved.” (Report of the Record Commissioners of the City of Boston, second ed. V. 65.)

¹ A valuable and interesting paper on “The Dexter House during the Siege of Boston, 1775–6,” by Erastus Worthington was read before the Dedham Historical Society, October 3, 1894, and was printed in the Dedham Historical Register, V. 150.

² Mass. Archives, CCXXII. 182.

³ *Ibid.*, CCXXII. 181; Resolves, CIX.

This Resolve was printed in the Boston Gazette of Monday, May 31, 1779, with the following notice : —

“The Register of Deeds for the County of *Suffolk*, hereby Notifies all whom it may concern, that, in Conformity to the above Resolve of the late General Court, he keeps his Office in the Town of *Roxbury*, near to the Rev. Mr. ABBOT’S Meeting House.”¹

April 12, 1782, he petitioned the General Court² showing that he had been in the “Office of Register of Deeds for the County of Suffolk for about six Years ; that through the Period of the Paper Currency he has suffered much by the Depreciation thereof ; and that the present Fees of Office, altho’ he is engaged in the Business the whole of his time, do not exceed annually eighty pounds,” and praying for the augmentation of the “Fees of his Office, as that therefrom he may derive a Maintenance for his Family.”

The following is the Resolve³ of May 8, 1782, authorizing the return of the Records to Boston : —

“Resolve permitting the Register of Deeds for the county of *Suffolk*, to remove the records to the town of *Boston*.

Whereas the Register of Deeds for the county of Suffolk, was directed to remove the records of said county out of the town of Boston ; and whereas the reason for ordering said removal does not now exist : Therefore,

Resolved, That Joshua Henshaw, Esq ; Register of Deeds for the county of Suffolk, be, and he is hereby permitted, to remove the said records into the town of Boston, any resolve to the contrary notwithstanding.’’

The Continental Journal and Weekly Advertiser of Thursday, June 13, 1782, contained the following : —

“Notice is hereby given to all whom it may concern, that the Office of REGISTER of DEEDS for the County of *Suffolk* is removed by order of the late General Court, from Roxbury to Boston, and is opened in Orange-Street, at the southerly part of said Boston.

June 11, 1782.’’

¹ This notice also appeared in the Continental Journal and Weekly Advertiser, May 27, 1779.

The Rev. Mr. Abbot’s Meeting House — the meeting-house of the Second Parish — was on Centre Street near South Street in West Roxbury. The Rev. Theodore Parker was the Pastor from 1837 to 1846. (Drake’s History of Roxbury, pp. 447, 450 ; Memorial History of Boston, III. 481.)

² Mass. Archives, CLXXXVIII. 19.

³ Resolves, DCLIII. ; Mass. Archives, CCXXXVI. 292.

But after he had held the office of Register of Deeds for ten years, opposition seems to have developed itself. The following communication appeared in the Massachusetts Centinel of Saturday, March 11, 1786:—

“WHIGS! LOOK OUT!

“NEXT Monday will come on the choice for a *County Register*. A powerful party of Tories, and aristocraticks, who have been uniform in their measures to subjugate the mechanical part of the community to vassalage; (and ever inimical to all TRUE WHIGS,) are now exerting all their talents to remove our present COUNTY REGISTER; and to place in his room a man who is allied to a family, who have ever been disaffected to the revolution, and to our happy republican government. *Therefore stand firm WHIGS, and attend the TOWN-MEETING. - A WHIG.*”

The Boston Gazette of Monday, March 13, 1786, contains the following reply to the above:—

“A correspondent who is disaffected to all Tories, wishes to see the Candidate for the office of *County Register*, whose relations and not he, were reflected upon in a piece signed, A Whig, in last Saturday Centinel, succeed in this day's Election, as it is well known his numerous family in their present distressed circumstances, call for that aid, which being Register for Suffolk would fully supply. The present Register it is confessed, is a man of equal abilities with — but that he has taken a more active part in the late Revolution than, Mr. N. G. is denied. Mr. H. has held it for a number of years — there can be no good reason offer'd why he should have it always, without it is necessary to heap money upon the rich. A shifting of officers, when the office is of so much benefit as the Registry of the County of Suffolk is, is perfectly consistent with republican principles. It is well known that the present Register is a man of fortune, and childless: It is equally notorious that Mr. G. has a young and a numerous family, and that misfortunes have reduced his finances to a very low ebb. As the merits of the two are equal let the humanity of the Electors exhibit itself on this day by voters [*sic*] for the needy and the unfortunate, in preference to the rich and affluent.”

Owing to some irregularity in the returns made by the various Town Clerks, another election was needed. A letter from a “Gentleman in this town to his friend in the Country,” advocating the re-election of Henshaw, was published in the Massachusetts Centinel of Saturday, April 29, 1786, and was followed by a reply in the Boston Gazette of Monday, May 8, 1786, favoring “that worthy deserving man, Mr. *Nathaniel Greene*.”

As the law at that date required a majority of the votes cast, several elections were held before a decisive result was obtained, but finally, October 3, 1786, Nathaniel Greene was declared chosen Register of Deeds for the County of Suffolk.

On the death of Nathaniel Greene, five years later, Henshaw again became a candidate for the office.

The Independent Chronicle of Thursday, March 3, 1791, contains the following:—

“To the Respectable Inhabitants of the County of SUFFOLK.

FELLOW CITIZENS,

AS a number of the Candidates for the Office of *Register of Deeds* for this County, have solicited your votes through the Channel of a Newspaper, I am induced to adopt the same mode, least my silence should be construed a relinquishment of my wish to obtain it.

I have had the honor of serving the County in that office, for ten years successively: seven of which, for the security of the Records, I was obliged to leave my native place, and to accommodate the County, was under a necessity to remove my Family four times during that period, without any compensation. While paper was the currency, I was obliged to sell Real Estate, upon the proceeds of which I supported my Family for a considerable time, when engaged in the business of the County. I have met with a series of misfortunes, some of which could not have escaped the public eye, and have been without employment ever since the last Election.

Permit me to ask the favor of your suffrages, and to declare, that should I have the Honor of being again elected, I will devote my whole time to the service of the County, — and will strenuously endeavor to discharge the duties of the Office with fidelity.

I am with the greatest respect,

Your most obedient Servant,

JOSHUA HENSHAW.

Boston, March 2, 1791.”

The Columbian Centinel of Saturday, March 12, 1791, contained this appeal to the Inhabitants of the County of Suffolk, in favor of Mr. Henshaw:—

“If abilities, matured by TEN YEARS experience in this office, and a liberal education; if an inclination and a capacity to acquaint the uninformed of the nature of their property, and to instruct innocence to avoid the traps of artifice — solicit the suffrages of the Electors of this County; the friends of Mr. HENSHAW are happy to find that honest pretensions have not, hitherto, made an unsuccessful application.

“To these claims add a seven years exile from his native town and his friends for the security of the Records, and agreeably to his general wish of satisfying the people of the County: His sacrificing property to maintain his family, at a time when the annual proceeds of the Office were very inadequate for the purpose.

“The superiour number of votes in favour of the above candidate will doubtless excite a wish in the minds of the Boston voters that a general union may appear, and a decided choice be made on *Monday next*.

“In point of property, Mr. HENSHAW’S situation is well known; for although, in common with his neighbours, he has had the misfortune to lose his house by fire,¹ he has since had the happiness to rebuild — so

¹ This mansion was on the northerly corner of Harvard Street and Orange, now Washington, Street.

It stood on part of the estate conveyed by Grizel Apthorp, Administratrix, and others, by deed dated June 30, 1763 (Suffolk Deeds, Lib. 100, fol. 77; see also fol. 75, 78), to Joshua Henshaw, the father of the Register.

Before this, it was the property of James Day, distiller. The whole estate measured forty-two feet on Orange Street and one hundred eighty-two feet six inches on Harvard Street, the rear extending northerly nearly to what is now Kneeland Street. On this rear portion was the distillery with three stills, containing six hundred gallons, three hundred forty gallons, and thirty gallons. On the front was a dwelling-house.

On the death of Joshua Henshaw, the father, the estate was divided (Suffolk Deeds, Lib. 127, fol. 261, 262). Joshua Henshaw, the son, then bought of the other heirs by deeds dated January 1 and October 9, 1784 (Suffolk Deeds, Lib. 145, fol. 88, 180), the front part of the estate on which was the dwelling-house, — this part measuring forty-two feet on Orange Street and one hundred thirty-one feet seven inches on Harvard Street, — and also a parcel on Harvard Street on which was a barn.

The great fire of April 20, 1787, which is referred to here, and in which this house was destroyed, broke out about sunset in the malt-house of William Patten on Beach Street, and raged with great fury on both sides of Orange Street as far as Common Street. Contemporary accounts say that “the devastation which ensued, within about three hours time, was never equalled in this place, excepting in the years 1711 and 1760, since its first settlement.” About one hundred buildings were destroyed, including the Rev. Mr. Wright’s meeting-house, — the Hollis Street Church.

“The light given by the fire was so great, that at Watertown, a person’s countenance could be very plainly distinguished there, at a considerable distance.

“The Light of the Fire was also seen at Holliston, 30 Miles Distance from hence.” (Boston Gazette, April 23, 1787; Independent Chronicle, April 26, 1787.)

Dr. Jeremy Belknap describes this fire in a letter, dated April 23, 1787, to Ebenezer Hazard, and says: “I could (as is usual on such occasions) tell you what *I* did, where *I* was, how *I* worked, and waded through the dock at low water, and all that; but I believe a general account, with a small plan or sketch, will be as much as you will want to have.” See Belknap Papers, I. 470, in 5 Mass. Hist. Soc. Coll., II. 470, where a fac-simile of Dr. Belknap’s sketch is given. It shows the position of Henshaw’s house and barn.

Dr. Belknap adds: “Dr. Byles’s house was in imminent danger: his hoards of books, instruments, papers, prints, &c., &c., were dislodged in an hour from a fifty

that he possesses the requisite which the law requires, and will indisputably prove himself worthy your suffrages, by being chosen by a considerable majority."

To this a writer in the Boston Gazette of Monday, March 14, 1791, replies as follows: —

"Messrs. EDES,

THE writer in the last Centinel in favor of Mr. Henshaw, is desired to answer the following questions: —

1st. Has Mr. Henshaw acquired by ten years possession of the office of Register of Deeds, an exclusive right or privilege to be elected in preference to any other person equally qualified, and having equal pretensions in every other respect? — Or does it not rather shew the justice and propriety of such other persons enjoying a share of the public favor? — Or does the bare copying a deed require ten years experience to learn the Register to do it correctly?

2d. Did not almost every friend of the country (who could) quit the town of Boston when occupied by the British troops, in order to be in a capacity of serving his country — and did the patriotic citizens of this Metropolis, then consider their exile from the town, as leaving their friends, or as joining their friends?

3d. Who sacrificed most (if maintaining one's family is called a sacrifice by any body but Mr. Henshaw) — Those who bore the expense without any aid from the public — or Mr. Henshaw who had the emoluments of the office to lessen his sacrifice? . . .

years' quietness to an helter-skelter heap in an adjoining pasture. He removed for the night to a neighbour's house, and returned the next day. This morning I made him a third visit since the fire. One of his daughters observed that 'her pappa was the first thing they thought of moving.' Upon this he begun to distinguish between *persons* and *things*, and would have brought on a long criticism, if I had not changed the discourse to some enquiries about the great fire in the year 1711, which he remembered. You know he is a curiosity."

After this fire Joshua Henshaw rebuilt his dwelling-house, but before his removal to Shrewsbury he conveyed it by deed dated July 15, 1791 (Suffolk Deeds; Lib. 170, fol. 76), to Joseph Henshaw.

In the returns made for Boston in accordance with the Direct Tax of 1798 levied by the United States (Record Commissioners' Report, XXII. 415), the house is thus described: —

"SARAH HENSHAW, of —, owner; Commodore Andries, occupier; brick & wooden dwelling; South on Harvard Street; West by Orange Street.

"Land, 3,200 square feet; house, 1,600 square feet; 3 stories, 41 windows; Value, \$4,000."

This estate was conveyed to Charles W. Galloupe, the present owner, by deeds dated February 1, 1866, and February 17, 1868 (Suffolk Deeds, Lib. 871, fol. 263; Lib. 919, fol. 74).

The New Marlboro Hotel now stands on the site of Henshaw's dwelling-house.

5th. Does Mr. Henshaw's ability to rebuild a sumptuous mansion house give him a very strong claim on your compassion or justice, in preference to those who with equal capacity to discharge the duties of the office have by mere misfortune and the necessary expense, of much larger families than his, been reduced from circumstances, as easy as Mr. Henshaw's, to want such an office, to pay for the hire of other people's houses and other charges of subsistence. MAR. 14."

The following contribution to what a modern journalist would call the "Humors of the Campaign" appeared in the Boston Gazette of Monday, March 14, 1791:—

"A CORRESPONDENT observes, that I Peregrine Puff, Brother to the late Peter Paragraph, am absolutely and unequivocally the fittest Man in the World for County Register; and now in *my own proper Name*, I do commend myself to your Votes, my beloved Fellow-Country-Men.

"I have black Ink, and a sharp Pen, am *well born* — tolerably stricken in years — expect soon to have a large family of helpless children — have an ample Estate in Brass sufficient to qualify me for a *Bell-founder*.

"I have lived thirty years in a stupid World; where my Abilities were never known to my next door Neighbor; and am hugely apprehensive, that without your Votes, I shall go to my Grave like a Shock of Corn with all the Husks on.

"I conjure you to remember, that Monday is Monday, and that my name is PUFF — *at your Service.* —"

After repeated trials to obtain a majority of the votes, the Columbian Centinel of Wednesday, August 24, 1791, makes this announcement:—

"Mr. HENRY ALLINE, of this town, is chosen Register of Deeds, for the County of *Suffolk*:— and was yesterday sworn into office, before the Court of Sessions."

This second defeat seems to have been a great disappointment to Mr. Henshaw. The following year he removed to Shrewsbury, where he passed the remainder of his life.

"While he resided at the latter place, he was a magistrate, and of the Quorum for the County of Worcester, and transacted much official business, but declined repeatedly to be a candidate for any elective office. He was upright in his official conduct, kind in his private relations, and possessed many popular talents.

“He distinctly remembered the events introductory to the Revolution, and delighted all within the circle of his acquaintance with interesting anecdotes of those times.”¹

He died in Shrewsbury, May 27, 1823, aged 78 years.

His will, dated September 14, 1822, was probated at a Probate Court held in Worcester July 1, 1823.

The Inventory of his estate shows, in addition to certain real estate in Shrewsbury, Spectacle Island in Boston Harbor. This island, containing eighty acres, with all the buildings thereon, was appraised at \$7,500.

He married in Boston, November 16, 1769, Catharine Hill. She died in Shrewsbury, September 7, 1822, aged 76 years. They had no children.

NATHANIEL GREENE.

1786–1791.

Nathaniel Greene, son of Thomas Greene,² merchant, was born in Boston, April 12, 1738, and was baptized in Trinity Church April 16, 1738.

He was a merchant like his father, and was at one time in partnership with his cousin Benjamin Greene and again with

¹ New England Historical and Genealogical Register, XXII. 109, 110. See also Ward's History of Shrewsbury, p. 329.

² Thomas Greene, son of Nathaniel Greene of Boston and grandson of Thomas Greene of “Stone Castle,” Warwick, Rhode Island, and great-grandson of Dr. John Greene, surgeon, of Salisbury, England, and of Salem, Providence, and finally Warwick in New England, was born in Boston, June 4, 1705. He was a prosperous merchant and was twice married. His first wife was Elizabeth Gardiner, daughter of John Gardiner, proprietor of Gardiner's Island, New York. His second wife was Martha Coit, daughter of John Coit of New London, and widow of Daniel Hubbard (Yale College, 1727). He owned land on Newbury, now Washington, Street south of West Street and running back to the Common, which then extended easterly to what is now Mason Street. There were several houses on this land, one of them being his mansion-house. A plan of this estate is on file in the Suffolk Probate Office. It is referred to in his will, which was dated December 6, 1761, and probated August 6, 1763. The Boston Theatre stands on part of this estate.

Thomas Greene was a prominent member of Trinity Church, Boston, and his widow and children in accordance with his views, which his death prevented him from carrying out, gave to that Church a sum of money which has since been known as the Greene Foundation, for the support of an assistant minister.

his half-brother, Joseph Greene, on King Street and on Greene's Wharf, Boston.¹

He was also Clerk of the Proprietors of "Land laying at Muscongus at Broad-Bay," known as the "Lincolnshire Company Patent."²

In 1779, he and others "fitted for Sea the Brigantine Adventure (as a Letter of Marque) burthened about 95 Tons mounting eight Carriage Guns & navigated by thirty men," and he petitioned the Council,³ January 15, 1779, for a Commission to "Joseph Tripp as Commander of said Brig." The petition was granted.

In October, 1782, he petitioned the General Court⁴ in behalf of Colonel Samuel Aborn for a settlement of his claim for payment of two hundred twenty Spanish milled dollars, which Major John Hopkins, Deputy Commissary General, agreed to pay for said Aborn's sloop Polly to transport prisoners from New York.

At the election of 1786 he was a candidate for the office of Register of Deeds for the County of Suffolk, and was the principal opponent of Joshua Henshaw.

In addition to the communication in the Boston Gazette⁵

¹ Boston News Letter, Jan. 22, 1761; July 30, 1761; July 29, 1762; April 4, 1765; May 6, 1773.

² *Ibid.*, May 14, 1772; Jan. 28, 1773.

³ Mass. Archives, CLXIX. 413½.

⁴ *Ibid.*, CLXXXVIII. 140.

⁵ See *ante*, p. 34.

The allusion to the Tories in some of the newspapers may be thus explained:

David Greene, son of Thomas Greene by his second wife, and half-brother of Nathaniel Greene, was born in Boston June 20, 1749. He entered the Boston Latin School in 1757, and was graduated at Harvard College in the class of 1768. John Rowe in his Diary (2 Proc. Mass. Hist. Soc., X. 42), under date of July 21, 1768, thus refers to the Commencement festivities:—

"I came to town this morning and returned to Cambridge; dined with Mr. David Greene, with a very large company, spent the evening there. We had a dance. I was master of the ceremonies; slept at Mr. Inman's."

David Greene received also the degree of A. M. from Yale College in 1772. He was a Loyalist. An "Addresser" of Hutchinson in 1774, he was proscribed and banished in 1778.

He went to England in May, 1775, and remained there until December, 1776, when he sailed for Antigua in company with John Rose, a merchant of Antigua, and afterwards Provost Marshal and Surveyor General. He formed a partnership with Mr. Rose, and they were engaged in business in Antigua in the town of St. John's for several years. He married, November 13, 1777, Rebecca, the eldest daughter of Mr. Rose.

In 1781 he returned to America, lived in Norwich in Connecticut for a while, and then came to Boston, his native city, taking possession of his father's old

of March 13, 1786, the Gazette of May 8, 1786, published the following:—

“ A Correspondent observes, that the Electors in this town will have another opportunity on to-morrow, of exhibiting their respect for that worthy deserving man, Mr. *Nathaniel Greene*, by voting for him to be County Register. If nothing was to be said in behalf of Mr. Greene, the electors might find themselves prejudiced in favor of the present Register, Mr. Henshaw — since his friends have published in the *Centinel* of 29th April, a long panygeric on his merits and bodily weaknesses. That Mr. H. has the abilities to certify what is recorded and to copy what is written — (these being the duties of his trust) — there is no doubt; and ‘added to these *essential* qualities — that he is endowed with patience and an obliging disposition,’ no one disputes; but that Mr. G. possesses these ‘*essential* qualities’ in as eminent a degree as Mr. H.— is a fact — if Mr. H. stands in need of the office of County Register — it is because he does not chuse to risk his fortune in trade, by hazarding which Mr. G. has been ruined — A great part of the *Greene* estate has ever been useful to the public by circulating in particular amongst the worthy tradesmen of this town; and every one knows, who is acquainted with the circumstances of this place that the *Henshaw* estate has not been employed in the same manner. — If Mr. H—’s fortune is small — he is childless: Mr. G— has in trade lost the fortune that was left him, and has a numerous family of young children to maintain; who, if their parent had a competent living, so as to be able to educate them properly might become useful members of the commonwealth. It has been mentioned by Mr. H—’s friends, that he will always be found at *home*, by reason of his bad health:— that Mr. G— will be less at home though in good mansion on Mason Street. In 1787 citizenship was restored to him by Act of the Legislature of Massachusetts.

He died in Ballston Springs, New York, June 21, 1812. The following is an extract from an obituary notice in the *New England Palladium* of Friday, July 3, 1812:—

DIED. “ On the 21st June, at Ballstown Springs, to which place he had gone for the restoration of his health, DAVID GREENE, Esq. of this town, aged 63. Very few persons have passed through life so much beloved and esteemed as Mr. GREENE, by a numerous circle of friends and acquaintance — His singular sweetness of temper, his undeviating politeness, his uncommon attention to strangers, and his extensive connections in business, made him known and admired in every part of the Union; and he was justly considered, at home and abroad, as one of the most accomplished gentlemen of New-England. He was for many years a distinguished merchant, and was alike esteemed for his integrity and his attention to business — During the latter years of his life he was President of the Union Insurance Company in this town.”

I am indebted to his great-grandson, David Greene Haskins, Jr., Esq., for much information concerning this family.

See also Sabine’s *Loyalists of the American Revolution*, I. 498.

health, no one will venture to assert; and that he will be constantly seen in the gallery of the representatives chamber and at the law courts, during their several sittings, our correspondent undertakes to aver will not be the case. — He hopes that Mr. H— will be charitably left to take care of his weak health, and improve his fortune, whilst Mr. G— will be appointed to that office which may enable him to live comfortably, and educate his young children. Mr. H— has had it for a number of years and it is astonishing that any body should think him entitled to it the more on that account. If the child of him who was one of the first merchants in this place — as old Mr. Greene certainly was; — If the man who has eminently served the tradesmen and mechanics of this town by his business (though unprofitable to himself) as certainly Nathaniel Greene has done; — If a needy and numerous family of young children, as his assuredly is; — If a firm and unshaken attachment to the late revolution as most decidedly he possessed during the whole of the late war — can render him an object of the suffrages of the generous, virtuous electors of this town; our correspondent thinks that to-morrow's votes for county register will be fully in favour of Mr. NATHANIEL GREENE."

Several trials were necessary before a majority of the votes could be obtained, but the Massachusetts Centinel of Wednesday, October 4, 1786, makes the following announcement: —

"Yesterday, in the Court of Sessions, the votes returned for a Register of Deeds for the County of Suffolk, were sorted and counted — the whole number of which was 1536 — 769 making a choice. Mr. *Nathaniel Greene* had 815, and was declared chosen. Mr. *Joshua Henshaw*, had 604 votes."

The Independent Chronicle of Thursday, October 12, 1786, contains the following: —

" NATHANIEL GREENE,

PRESENTS his compliments to the respectable inhabitants of the county of Suffolk, and informs them, that he has opened his office for the REGISTRY of DEEDS, at the house formerly occupied by Mess'rs *Brimmers*, near the sign of the Lamb; where constant attendance will be given after sun-rise.

Boston, October 11, 1786."

The Boston Gazette of Monday, January 31, 1791, contained the following notice of his death: —

"On Saturday last, NATHANIEL GREENE, Esq. in the 53d year of his age: Register of Deeds for Suffolk County. — His funeral will be To-morrow, at half past 3 P. M. from his house near the Mall, which his Relations and Friends are requested to attend without further invitation."

He married Anstis Greene, daughter of John Greene, of Warwick, Rhode Island (the intentions of marriage being published in Boston, April 12, 1762), and had by her twelve children whose baptisms are recorded at Trinity Church.

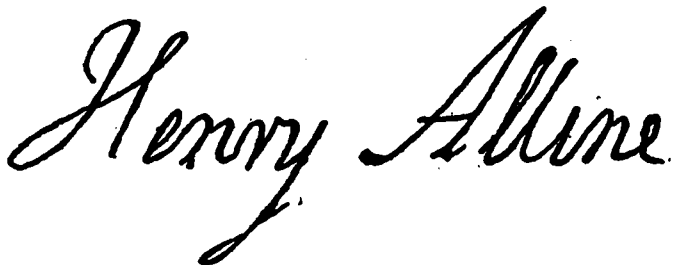
Administration on his estate was granted to his widow, Anstis Greene, February 21, 1792.

HENRY ALLINE.

1791-1796.

Henry Alline, son of Henry Alline, housewright and gauger, was born in Boston, and was baptized November 14, 1736, at the New South Church.

He was a Notary Public, both before and after the Revolutionary War.



He was also Clerk of the Proprietors of the Kennebeck Purchase.

He was chosen, August 3, 1780, clerk of the convention¹ of committees from the New England States which met in Boston to discuss plans respecting supplies for the Army, the vigorous prosecution of the war and the support of the public Credit.

On the death of Nathaniel Greene, in 1791, a contest arose as to his successor. The candidates were numerous. They were Henry Alline, Samuel Barrett, Thomas Clarke, Elkanah Hawkes, Joshua Henshaw, Samuel Quincy, and Samuel Ruggles.

The Columbian Centinel of Saturday, March 5, 1791, and the Boston Gazette of Monday, March 7, 1791, contained the following:—

“ To the worthy and respectable Citizens of the County of SUFFOLK.

AS the Office of Register of Deeds for the County of Suffolk, has become vacant — I have offered myself as a Candidate for that Office — but I did not intend to do it in this publick manner, as it has not, I believe, been usual in this country until lately. I therefore think it incumbent on me to do the same, lest my neglect should be construed as giving up all thoughts of obtaining it, which I do not wish to do ;

¹ Province Laws, V. 1460, notes.

more especially as I have been solicited to do it by a number of respectable citizens in this county — I having been in a similar line of life almost all my days. — Indeed it has been so ordered by the Providence of GOD, that I have been obliged to follow a sedentary calling, being an invalid from my youth, and have no other way of getting a support for my wife and children, my business failing very much for several years past, and having met with a number of losses which has reduced me from easy circumstances to a very low ebb in life. — I beg leave therefore humbly to ask the favour of your suffrages, and if I should have the honour of being elected to that office, shall use my utmost efforts to discharge my duty with punctuality and fidelity.

I am, gentlemen, with great esteem and respect, your most obedient and very humble servant,

Boston, March 4th 1791.

HENRY ALLINE.’’

The Columbian Centinel of Wednesday, August 10, 1791, contains a communication signed “An Elector,” in which, after stating that Henry Alline wanted only eight votes, the writer adds :—

“The eyes of the county seem to be turned on Mr. HENRY ALLYNE; and my design in writing is to state some facts which I do not remember to have seen mentioned, and as every voter wishes to know as much as he can, of the qualification of the Candidate, it is presumed that on inquiry it will fully appear, that Mr. ALLYNE was bred a Scrivener, and has followed that business to good acceptance — that the Plymouth Company, composed of gentlemen of the first rank and property in the government, and capable of selecting any man they chose to serve them, about the year 1766, appointed Mr. ALLYNE their Clerk, intrusting him with all their numerous and important plans and records, and that they highly approved of his conduct and have never displaced him. That his political conduct before the revolution was such as recommended him to the friends of the country, and the General Court have repeatedly chosen him a Notary-Publick — that his bodily health is such as renders a stationary business necessary and agreeable — that his circumstances are such as recommend him to the benevolence of his fellow-citizens, to grant him this Office, to assist in supporting a numerous and growing family.

Without derogating from the merits of other respectable Candidates, Mr. A. must be considered as well qualified respecting accomplishments, and evidences of fidelity, and if we can offer the acceptable sacrifice of charity and beneficence at the same time we substantially furnish the publick with a good officer, the benevolent will consider where the duty lies.

When the Candidates for this Office first came forward with their

well grounded pretensions, dressed in all the force of expression, I cast mine eye round, and at a humble distance, I saw the decrepid ALLYNE, with his well-known accomplishments, casting a wishful look that put eloquence out of countenance — had I had a thousand votes at command he would have had them all.

AN ELECTOR.’’

The newspapers of the day are filled with communications from the partisans of the various candidates, over such signatures as “Fidelitas,”¹ “Humanitas,”² “Benevolus,” “A

¹ In urging the cause of Samuel Barrett, “Fidelitas,” in the *Columbian Centinel* of Wednesday, March 9, 1791, says:—

“It is true, he has not adopted the European custom of publickly soliciting your suffrages: But if abilities, matured by the experience of an active life, and liberal education — if a capacity and an inclination to inform the weak and ignorant of the nature of their property — and to instruct the innocent how to avoid the snares of the designing; if sufferings in the service of his country; if integrity and uprightness, added to the considerations that he is the father of a large and amiable family, chiefly females, who look up to him for subsistence and education; if those, I say, can give him pretensions — they jointly solicit your votes — and will speak louder to your feelings than the most publick address.”

But as the struggle grew in intensity, Samuel Barrett, forced thereto by dire necessity, in the *Columbian Centinel* of Wednesday, April 27, 1791, and Saturday, May 7, 1791, “adopted the European custom” and announced himself over his own signature, a candidate for the office, denying that there was any “incompatibility in his holding his present offices and that of County Register.”

In the *Columbian Centinel* of Wednesday, March 2, 1791, and in the *Independent Chronicle* of Thursday, March 3, 1791, Thomas Clarke, over his own signature, declares himself a candidate, claiming that “there is no impropriety in a man’s offering himself as a candidate for any employment in the gift of his fellow-citizens; provided he does it with becoming deference and modesty.”

On behalf of Samuel Ruggles, who had published over his own signature in the *Independent Chronicle* of Thursday, February 24, 1791, an Address to the “Free Electors of the County of Suffolk,” proclaiming himself a candidate, it is urged in the *Columbian Centinel* of Saturday, May 7, 1791, that —

“He has not been teasingly solicitous in town or country, for three months past — He is a gentleman every way as well qualified as either of them, and has much better pretensions to the Office — he can, and will, *if chosen*, attend the duties of the Office personally and faithfully — in him they may find an Officer easy of access; at all times ready to attend them, and who will be contented with *Lawful Fees*.”

² In behalf of Elkanah Hawkes it was urged by “Humanitas” that —

“On the ever memorable 19th of April, 1775, a party of militia, under the immediate direction of this Gentleman, attacked a detachment of British soldiers on Menotomy plains, killed and took every man of this corps, together with two waggons, loaded with ammunition and other articles, for the purpose of supplying the enemy, then on their retreat from Concord. Thus by his vigilant enterprize, he deprived the British troops of so great a quantity of ammunition, as essentially to check their fires and render the slaughter of our fellow-men, after that, very inconsiderable. But being incapacitated to take an active part in the Revolution by the loss of his right arm, and finding it necessary to ingress

Rustick," "Vox Pop.," "P. Q. R." and others of the sort, as well as with addresses of the candidates themselves over their own signatures, all designed to arouse the enthusiasm, excite the sympathy, and move the compassion of the voters, while above the din the warning voice of "Caution"¹ is heard exclaiming, —

"WHILST the publick are pestered with so many applications for their votes; it must be remembered that however meritorious and capable the Candidates for County Register may be, that they must, *by law*, be possessed, of a FREEHOLD, in this County, of the yearly income of *Ten pounds*."

These communications afford a curious and, on the whole, a decidedly displeasing picture of the times.

In the degraded condition of politics in our own day, we are apt to look back to what we fondly imagine to have been the Arcadian simplicity of former times, only to meet with disillusion.

It is doubtful if a wild scramble at the polls for a purely administrative office like this, the possession of which ought never to be made dependent on mere popular favor or caprice, could ever have been, or can ever be, anything but undignified, humiliating, and demoralizing.²

As the law then required a majority of the votes cast, repeated elections were necessary; but finally the contest was

his whole time, to qualify himself to obtain a decent subsistence, he retired to the pursuit of acdemical studies, and in a short time, by uncommon assiduity, made himself Master of the Art of Writing, and that classical erudition, which is essential to constitute a Grammar School-Master." (Independent Chronicle, March 3, 1791.)

The Independent Chronicle of April 7, 1791, contained the following advertisement:—

"ELKANAH HAWKES,

Most respectfully acquaints the Inhabitants of this Town, That his SCHOOL, in Hanover-Street, is open for the reception of Misses, in which they may receive such Literary Instructions, as may be requisite for them.

Much attention will be paid, and the Hours of Attendance accommodated to the convenience of those who may apply.

Boston, April 7, 1791."

¹ Columbian Centinel, Saturday, March 5, 1791.

² Several attempts have been made in recent years before the Massachusetts Legislature to take the office of Register of Deeds out of politics and make it an appointive office, but so far without success. These efforts should be renewed.

decided in favor of Henry Aline, and the *Columbian Centinel*¹ of Wednesday, August 24, 1791, contained the following:—

“Mr. HENRY ALLINE, of this town, is chosen Register of Deeds, for the County of *Suffolk*:—and was yesterday sworn into office, before the Court of Sessions.”

The *Independent Chronicle* of Thursday, August 25, 1791, also contained a similar statement.

His eyesight failing, he declined re-election and was succeeded in the office by his son William, who was chosen in his stead in 1796.

The *Columbian Centinel* of Saturday, September 8, 1804, contained the following announcement of his death:—

“Yesterday morning, *Henry Aline*, Esq. Æt. 68. His funeral will be from his son’s house, in Cole-Lane, this afternoon, at half-past 4 o’clock, which the friends and relations of the family are request[ed] to attend without a more particular invitation.”

He married in Boston, September 6, 1764, Mary Carnes, by whom he had several children, one of whom, William, was his successor in office.

WILLIAM ALLINE.

1796–1821.

William Aline, son of the preceding, was baptized in Boston, February 11, 1770.

In the *Columbian Centinel* of Saturday, March 12, 1796, appeared the following:—



“MR. RUSSELL,

BEING assured from unquestionable authority that the gentleman who at present fills the office of County Register of Deeds, finds him-

¹ The *Columbian Centinel* of Saturday, November 5, 1791, contained the following notice:—

“*The REGISTER of DEEDS,*

FOR the County of *Suffolk*, hereby notifies all whom it may concern, that the Deeds, &c. which were lodged in the Office of EZEKIEL PRICE, Esq. during the vacancy of the Register’s Office, are ready to be delivered to the several proprietors thereof.

Boston, Nov. 5, 1791.”

self obliged from the immediate act of Providence in depriving him of his sight, to resign that office, I would venture to recommend to the citizens of this town, as his successor, his son,

Mr. WILLIAM ALLINE,

a gentleman whose accuracy, united to an excellent handwriting sufficiently qualifies for the office — and when it is recollected that the support of an aged parent and family naturally devolves on his children, and that a long and perfect acquaintance with the course of the business promises the fairest, and most punctal discharge of its duties, but small doubt can be entertained of his success, particularly as a large number of respectable citizens who conceive it to be a case which interests the best feelings of the human heart, have already determined to give him their support.

Yours, HUMANITAS."

The Federal Orrery of Monday, March 14, 1796, contained the following: —

“MR. PAINE,

As a peculiar misfortune obliges HENRY ALLINE, esq. to resign the office of County Register of Deeds, it is hoped that the abilities and character of his son,

Mr. WILLIAM ALLINE,

will not pass unnoticed at the election of the day. This gentleman, whose perfect knowledge of the business, industry and unblemished character, entitle him to public notice, will add another claim to the suffrages of his fellow citizens, as the maintenance of his aged and infirm father, must naturally devolve on his children, the reward of virtue, alone, one would think, should be a sufficient inducement to insure his election.

March 14,

SUFFOLK.”

William Alline was elected, without opposition, to succeed his father, and he held the office by successive elections, usually by a unanimous vote, until 1821, when he declined to be again a candidate.

He announced his intention in the Independent Chronicle of Saturday, February 10, 1821, as follows: —

“The Register of Deeds for the County of Suffolk, respectfully informs his fellow citizens, that he declines being a candidate at the coming election. He begs them to accept his unfeigned thanks for the honor they have so repeatedly conferred on him.

February 6.”

The Columbian Centinel of Saturday, October 8, 1825, contained the following notice of his death: —

“ On Wednesday evening, William Alline, Esq. aged 55. Funeral this afternoon at half past 3 o'clock, from his late dwelling house in Friend-street.”

He married in Boston, July 13, 1794, Rebecca Cazneau, by whom he had several children, one of them, his son Henry, succeeding him in the office of Register of Deeds.

HENRY ALLINE.

1821-1860.

Henry Alline, son of the preceding,¹ was born in Boston, and was baptized, March 3, 1799, in the First Presbyterian Church.

When his father, William Alline, declined a

¹ Nathaniel I. Bowditch, in one of his “Gleaner” articles, written December 7, 1855, and reprinted in the Report of the Record Commissioners of the City of Boston, second ed. (V. 207), says:—

“No office in this country is hereditary except, as it would seem, that of Register of Deeds, which, in this county, has been held by grandfather, father, and son (Henry, William, and Henry Alline), whose next immediate predecessor (Ezekiel Goldthwait) was the lineal ancestor of the wife of the present incumbent. This tenure, during four generations, of an elective office, indicates some substantial merits as the basis of popular favor.”

He adds in a footnote:—

“Mr. Goldthwait’s first signature as Register is to a deed recorded Nov. 6, 1740, L. 60, f. 77, and his last to a deed recorded Jan. 17, 1776, L. 127, f. 31. It is a remarkable fact that both he and his immediate successor died in office *blind*. I shall gladly continue to vote for our present competent and courteous Register until he becomes *blind*,— a disability which I sincerely hope will never befall him. I am convinced that while he has his eyes the public will not find a more faithful servant.”

In writing the foregoing, Mr. Bowditch could not have had the records before him. He must have relied upon his memory which, in this instance at least, proved treacherous.

The “immediate predecessor” of Henry Alline, the elder, who was elected in 1791, was not Ezekiel Goldthwait, but Nathaniel Greene, whose own immediate predecessor was Joshua Henshaw, who succeeded Ezekiel Goldthwait in 1776. So that an interval of fifteen years— three terms of office of five years each, filled by Joshua Henshaw for two terms and by Nathaniel Greene for one term— separated Henry Alline from Ezekiel Goldthwait.

Although both Ezekiel Goldthwait and Henry Alline were deprived of their sight, neither of them “died in office blind.”

Ezekiel Goldthwait lived six years after he had retired to private life, and became blind only during his later years.

Henry Alline lived eight years after he declined to become again a candidate for Register of Deeds.

re-election in 1821, the Boston Daily Advertiser of Wednesday, February 14, 1821, printed the following:—

“We have received several communications urging the claims to support of a number of gentlemen, to the office of Register of Deeds; but, as we have no particular bias in favor of either of the candidates, we have thought the most equitable course would be, to publish a list of the whole, without any remarks as to their qualifications.”

Then follows a list of seventeen candidates in alphabetical order, headed by “Mr. Henry Alline.” Other names were afterward added. The whole number finally reached the total of thirty-two.

In a communication signed “Caution,” and addressed to the “Freeholders of Boston,” in the Advertiser of Saturday, March 10, 1821, the writer says:—

“ . . . I speak to *Freeholders* more particularly, not because they are better or worse than others of our fellow citizens; but because they are more directly interested in the choice of a Register of Deeds. . . I have no particular candidate to favor. . . . It is notorious that complaints have been made of the manner in which business has been done in the office of Register of Deeds; though on what foundation I know not.

“But I think it is our duty to vote on Monday for some *disinterested* candidate, who, among other qualifications, has capacity and industry to examine past proceedings, and to detect errors, if any have been committed, so as to have them corrected in season. . . .

“Several of the candidates have mentioned their *poverty*. Now, though I never believed in the Indian’s maxim that ‘a poor man *can’t honest,*’ yet our act of 17th March 1784 for the more safe keeping of the Registry of Deeds, expressly provides that he who keeps it shall be some discreet, suitable person having a freehold within the same county of the annual income of £10 at the least. I am ready to allow that of two candidates alike in all other respects, I should prefer the one whose circumstances should most need the office, provided he were not poorer than the statute fairly intends.”

At the March meeting which was held in Boston, March 13, 1821, Henry Alline had a large majority of the votes cast and was chosen, Chelsea having previously given him also a majority.

Even as far back as the first years of Mr. Alline’s administration, the condition of the early records in his custody had excited apprehension, and William Minot and others had peti-

tioned the Board of Aldermen, August 7, 1826, that the first volumes of records "which from age and frequent use are so worn and defaced as to be almost illegible"¹ be copied.

In a petition² presented to the Aldermen October 29, 1827, the Register represented that the ancient volumes were "in a state of great decay" and would be "totally lost unless some means [were] taken for their instant preservation." A committee consisting of the Mayor,³ and Alderman Savage,⁴ to whom the matter had been referred, subsequently reported that they had made arrangements with "Nathaniel G. Snelling,⁵ Esq., whose capacity and zeal in all subjects connected with our local history" were "well known to our fellow citizens" to make an abstract of the first five volumes and to index them. This he agreed to do without compensation, the City furnishing merely the clerk hire. Subsequently abstracts of the second five volumes, making ten in all, were made under his supervision.

Henry Alline held the office of Register of Deeds longer than any of his predecessors or any of his successors. But on the fifth of March, 1860, on account of ill-health, he tendered his resignation⁶ to the Board of Aldermen, and on its acceptance by that body, he delivered all the books and papers in his custody to Daniel S. Gilchrist, who was appointed by the Board Special Register.

After his resignation, he removed to Weymouth, Massachusetts, where he died February 28, 1871.

He married in Boston, January 2, 1828, Eliza Matilda Williams, daughter of John Williams and great-granddaughter of Ezekiel Goldthwait. They had one daughter, Eliza Matilda Alline,⁷ born in Boston, October 12, 1828.

¹ Boston City Records. Mayor and Aldermen, IV. 298.

² *Ibid.*, V. 313.

³ Josiah Quincy, the elder.

⁴ James Savage, afterward President of the Massachusetts Historical Society.

⁵ Nathaniel Greenwood Snelling, son of Josiah Snelling, was elected a member of the Massachusetts Historical Society, January 29, 1818. He was its Librarian and served on various Committees. He resigned membership December 26, 1844, and died in Boston, September 7, 1858. He was President of the Massachusetts Fire and Marine Insurance Company for many years.

⁶ Boston City Records. Mayor and Aldermen, XXXVIII. 132.

⁷ Eliza Matilda Alline, daughter of Henry and Eliza Matilda (Williams) Alline, married, June 10, 1852, James Bowen and died a widow, September 15, 1898, leaving a daughter and two sons, one of whom, Dr. John T. Bowen, is now in possession of the portrait by Copley of Ezekiel Goldthwait. See *ante*, p. 28.

DANIEL S. GILCHRIST.

1860.

Daniel Swan Gilchrist was born in Charlestown,¹ New Hampshire, June 17, 1822. His father, Captain James Gilchrist, a shipmaster and shipowner of Boston, engaged in the South American and East Indian trade, lived in Medford,² Massachusetts, where several of his children were born. But shortly before the birth of his son Daniel S., he retired from the sea and bought a large farm in Charlestown, New Hampshire, where he died when Daniel was only about four years of age.

D. S. Gilchrist

Two other of the sons of Captain Gilchrist became eminent, each in his chosen profession. One, John James Gilchrist (Harvard College, 1828), author of "Gilchrist's Digest," was Chief Justice of the Supreme Court of New Hampshire and Presiding Judge of the United States Court of Claims. He received the degree of Doctor of Laws from Dartmouth College in 1852 and from Harvard College in 1856. The other, Edward Gilchrist, a surgeon in the United States Navy, received from Harvard College³ in 1852 the honorary degree of Doctor of Medicine. A sister married, as his second wife, Edmund Lambert Cushing, Chief Justice of the Supreme Court of New Hampshire.

Daniel Swan Gilchrist was educated at Phillips-Exeter Academy,⁴ entering in the class of 1835. He then came to

¹ The Boston Records in recording his death recite that the place of his birth was Medford, Massachusetts. This is an error. There is no record either of his birth or of his baptism in Medford.

In the Boston Records of Marriages, however, his birthplace is correctly given as Charlestown, New Hampshire.

Unfortunately, the records of Charlestown, New Hampshire, for this period have been destroyed by fire.

² Brooks' History of Medford, p. 514; Saunderson's History of Charlestown, New Hampshire, p. 360.

³ Obituary notices of the death of Judge Gilchrist and of Dr. Gilchrist, both written by the Hon. George S. Hillard, are reprinted in Saunderson's History of Charlestown, New Hampshire, pp. 361-372. See also Bench and Bar of New Hampshire, p. 94.

⁴ Fitz John Porter — afterward General Fitz John Porter — was a friend and classmate of young Gilchrist at Exeter. Mr. Gilchrist was one of his warmest advocates, and followed with the keenest interest every step the General took in his long struggle to obtain justice. Unfortunately, however, he did not live to see the complete vindication of his friend.

Boston, and was at first in the office of the wharfinger of Lewis Wharf. Having determined to devote himself to the law, he then became a student in the office of David Allen Simmons,¹ where he pursued his legal studies, and he was admitted, December 8, 1846, to the Suffolk Bar.²

Confining himself chiefly to conveyancing, he was soon made to feel that the difficulties of the examination of titles to real estate were greatly increased by the imperfect methods of indexing which then prevailed in the Registries of Deeds. Each volume of the records had its own index, in which the name of a grantor or grantee was entered under its initial letter only. So that the searcher of a title standing in the name of John Doe from 1800 to 1854, instead of finding what he wanted in one place, was obliged to look in 480 different places, and must then search through the entire number of entries under the letter D for the name of the landowner.

Beginning with an improved index made for his own use, in which the arrangement was by surnames instead of by initial letters, the superiority of his method was so apparent that the system was adopted by the county.

This was done, however, only after repeated petitions from members of the Bar and communications from the Mayor and prominent conveyancers to the Board of Aldermen, and after additional legislation³ had been obtained and after the indices for 1855 and 1856 had been made. All this furnished material for interesting reports,⁴ and finally, by an order approved by the Mayor December 4, 1857, modified by an order approved by the Mayor January 26, 1858, Mr. Gilchrist was authorized to prepare for the public use an Index of Grantors from 1800 to 1854 inclusive, arranged by surnames.

Although no attempt was made in this index at any arrangement of the Christian names, nor was there any indication

¹ David Allen Simmons was born in Boston, November 7, 1787, and was educated at the Chesterfield Academy, New Hampshire. He studied law with Thomas Williams in Roxbury, and was admitted to the Suffolk Bar March 28, 1816. He practised law in Boston, being associated at various times with George Gay, James M. Keith, and Harvey Jewell. He received the degree of A.M. from Dartmouth College. He died in Roxbury, November 20, 1859. (Professional and Industrial History of Suffolk County, Bench and Bar, I. 345.)

² Professional and Industrial History of Suffolk County, Bench and Bar, I. 560.

³ Acts 1856, Ch. 292.

⁴ City of Boston. Records of Mayor and Aldermen, XXXIII. 670, 702, 748, 782, 822, 849; XXXIV. 331, 26; XXXV. 672, 683; XXXVI. 36.

whatever of the granted land, — for these were refinements which were not thought of at the time and were not to come for many years later, — yet the Gilchrist index was none the less a great improvement over all that had preceded it. It was fully appreciated by the general public as well as by real-estate lawyers, and the new method was rapidly adopted in all the Registries of Deeds throughout the Commonwealth.

In addition to this consolidated index he compiled for some years the annual indices of grantors and grantees.

He also contemplated the preparation in print of an index of all the deeds recorded in 1855.¹

On the resignation of Henry Aline, Daniel S. Gilchrist was appointed by the Board of Aldermen Register of Deeds pro tempore,² and Special Register under a resolve of the Legislature³ passed March 9, 1860, and at the election held March 26, 1860, to fill the vacancy, he was a candidate for the office of Register.

The Boston Daily Courier of Thursday, March 8, 1860, in an editorial article referring to his appointment by the Board of Aldermen to be Register of Deeds until an election can be held by the people, when it trusts the appointment will be indorsed by the voters of the County, adds: —

“ Mr. Gilchrist is peculiarly and pre-eminently qualified for the position, being a man in the prime of life, of great experience in the Registry, of energy, system, powers of labor, and personal integrity of character. He has been employed by the city of Boston for the last few years to furnish indices to the Suffolk deeds, on a plan of his own, which greatly facilitates the labors of the members of the Bar, who, as we understand, represented with unanimous voice to the Board of Aldermen, when they learned that there was to be an appointment of a new Register of Deeds, that Mr. Gilchrist was the man in all respects best qualified for the office.”

An editorial article in the Courier of Friday, March 9, 1860, on “ The Registry of Deeds,” refers to the resignation of the Register, and says: —

“ All our titles to real estate depend very materially, as is universally known among us, upon the registration of the deeds. The system is

¹ City of Boston. Records of Mayor and Aldermen, XXXIV. 489, 589.

² *Ibid.*, XXXVIII. 215, 133, 132.

³ Resolves 1860, Ch. 15.

with us a substitute, and an excellent one, for those iron-bound chests of title deeds with which every reader of English novels is familiar. We require all deeds to be recorded. The record is with us evidence, and the conclusive evidence, of the contents of a lost deed ; and such is the dependence upon the Registries, that an old recorded deed is but too generally considered a thing of no value. The Register's duties, which are clearly defined by law, are so simple that they would seem to require but very moderate capacity, though their importance can hardly be exaggerated. The pitfalls that negligence may place in the path of a purchaser are many and various.

“ If a deed be not immediately and properly entered, a subsequent one may take precedence of it and rob a purchaser of his estate — if it be not correctly copied, either party may suffer loss or trouble in consequence — if it be not indexed it might almost as well be unrecorded.”

It then refers to the “ affliction of premature decay ” that had fallen upon Mr. Alline, the examination which was made by the County Commissioners, and which demonstrated not only his condition but showed that owing to his incapacity the work of recording was greatly in arrears ; that Mr. Alline's more immediate friends who were at first ignorant of the condition of affairs had since then “ co-operated in the most honorable manner with the Board to facilitate the change which the late Register's misfortune and the important public interests therein involved have made imperative.”

This called forth “ A Card to the Public ” from James Rice, one of the opposing candidates, who considered it a reflection upon himself. This Card, which was published in the Boston Herald of March 10, 1860, and the Boston Daily Courier of the same date, was answered by another editorial article in the Courier of Monday, March 12, 1860.

At a meeting of citizens, irrespective of party, held at the Revere House, March 20, 1860, for the purpose of nominating a suitable person for the office of Register of Deeds, it was unanimously voted to support Daniel S. Gilchrist for that office, and he accepted the nomination.

The following is an extract from the report of the Committee chosen at that meeting. It appeared in the Boston Daily Courier of Thursday, March 22, 1860 : —

“ The committee, in discharge of this duty, represent, that the recent action of the Board of Aldermen in appointing Mr. Gilchrist temporary Register, and in afterwards appointing him Special Register under the

late act of the Legislature, was based upon an investigation made by the Board into the affairs of the Registry, which disclosed that its business was greatly in arrears, and in a state of alarming confusion.

“That these appointments by them of Mr. Gilchrist are sufficient evidence of his competency for the office, and that his peculiar qualifications for its duties, both by character and by special training, is further shown by the action of the successive Boards of Aldermen since 1856, in employing him in the responsible duty of preparing the new system of Indices, which has so much facilitated the investigation of land titles, and added to their security.”

The Boston Daily Courier of Saturday, March 24, 1860, contained the resolutions adopted at the Special Meeting of the Democratic Ward and County Committee held the previous evening, endorsing Mr. Gilchrist and recommending him to the voters of the County for their suffrages.

A circular letter setting forth the qualifications of Mr. Gilchrist for the office, followed by a Card signed by the principal real-property lawyers of the City, was sent to many of the voters.¹

¹ I have before me, as I write, one of these circular letters which was sent by James W. Sever to Henry Lee. The signature of the sender is an autograph, but the circular letter, which is dated March 24, 1860, is in print. It refers to the condition of the Registry, the importance of the office, and to the fact that Daniel S. Gilchrist is “unanimously recommended by the legal profession and most earnestly by those gentlemen whose opinion we are accustomed to consider conclusive upon all matters connected with real estate.” It calls attention to a Card annexed, signed by the principal real-property lawyers of the city. This Card is as follows:—

“A Card to the Citizens of the County of Suffolk.

The undersigned, who are familiar with the office of the Registry of Deeds for Suffolk County, and know the qualifications necessary for the discharge of its very responsible duties, emphatically recommend DANIEL S. GILCHRIST as a person peculiarly well qualified for the office; and we believe that the disorder, confusion and insecurity which have latterly prevailed in the office would be best remedied now, and most securely guarded against in the future, by the qualities of system, accuracy, efficiency and fidelity which would be secured by the election of Mr. Gilchrist.

WILLIAM I. BOWDITCH,	WM. MINOT, JR.,
EDWARD S. RAND,	CHARLES A. WELCH,
JNO. GOLDSBURY,	EDWARD BANGS,
WM. S. DEXTER,	WM. SOHIER,
EDWARD S. RAND, JR.,	BENJ. F. BROOKS,
FREDERICK Z. SEYMOUR,	EDWARD BLAKE,
G. S. HILLARD,	JOHN A. LORING,
MELLEN CHAMBERLAIN,	LUTHER L. WHITE.”

Only four of these signers are now living.

Of the Committee of Citizens which nominated Mr. Gilchrist, Francis E. Parker represented Ward 3, and Abraham Jackson Ward 6.

At the election March 26, 1860, James Rice was chosen Register of Deeds. The Courier of Tuesday, March 27, in announcing the result, says:—

“ We beg leave to call the attention of our readers to one or two facts in connection with the election of Register of Deeds yesterday. There are perhaps twenty-five thousand voters in the county of Suffolk. They were called upon to choose an officer whose qualifications were of great importance to everybody who owned property or expected to do so ; and yet less than seven thousand citizens took the trouble to leave their business for fifteen minutes to deposit a ballot. And of the three candidates, the worst was chosen. We call these melancholy facts, and ask our readers to ponder them.”

An editorial article in the Courier of Wednesday, March 28, 1860, again refers to the smallness of the vote:—

“ The vote is only about a third part of that usually thrown in general elections. Shall we infer that only the excitement of political passion brings men out to the necessary duty of selecting public officers . . . We saw in one paper Mr. Rice put forward as the ‘ People’s ’ candidate, against the ‘ Counsellors.’ What a prudent judgment this distinction manifests ! Every one of the people needs the aid of some one of the Counsellors, to advise him in regard to the conveyance of real estate. They would seem to be peculiarly qualified to judge, therefore, of the competency and fidelity of a Register of Deeds.

“ There is another lesson to be learned, and that is, the impolicy of trusting such an office to the chances of popular choice. No appointing power could have failed to make a better selection out of the three candidates proposed. And with this consideration chimes in the folly and wrong of making such an office the subject of party nomination.

“ There is no sort of association between the Registry of Deeds and party politics. And yet it is clearly owing to the action of the Republicans in this respect, that Mr. Gilchrist, who would otherwise have been voted for by most of them, is defeated. In the middle of the ballot, when it was seen how things were going, Mr. Wyman, the Republican nominee, handsomely withdrew in favor of Mr. Gilchrist. But the twelve hundred votes which had then been cast for Mr. Wyman, in correspondence with a party nomination for an office in no sense connected with party principles or measures, had already done the mischief. Except for this, we should now have an entirely suitable and faithful officer, in an office of the highest consequence to the landholders of Suffolk county. As it is, we must submit to a very partial expression of the popular will, turned in a wrong direction by causes which ought not to have affected the result.”

This article called forth a reply signed "Suffolk," which appeared in the *Courier* of Thursday, March 29, 1860. The writer says that he has had much to do professionally with the Register's office for the last twenty-five years; that he has known Mr. Rice all the time he has been associated with Mr. Alline; that the remarks the Editor has made on Mr. Rice's election are unjust; that Mr. Rice having now been elected for the unexpired term of Mr. Alline should have a chance to develop his capabilities and his experience in the past, and that it is not fair to endeavor in advance to prejudice him in the eyes of the public, and adds: —

"I agree with you, that this office should never be mixed up with politics, as it never has been, and it was with that feeling that the friends of Mr. Rice nominated him. The two opposing candidates were party nominations, and hence in part is to be attributed the result. . . . I have written these things, and stated these facts in justice to a man who, under great disadvantages, served the public for twenty-seven years, and an opportunity occurred for him to go up higher, and the voters have said Amen."

Mr. Gilchrist continued to make the annual indices in the Registry of Deeds for a few years after Mr. Rice's election, as he had done before.¹

May 18, 1868, and January 11, 1869, the Judge and Register of Probate petitioned² the Board of Aldermen, acting as County Commissioners for the County of Suffolk, that arrangements might be made for "the classification and preservation of the Probate papers," and the Committee on County Accounts were authorized, June 8, 1869, to contract with some suitable person to arrange and classify the papers and indices in the Probate Office.

Mr. Gilchrist expected to be chosen to carry out this order, but to his disappointment,³ Judge Edwin Wright was selected. Judge Wright spent more than two years over the Probate papers, but lawyers and others, dissatisfied with the long delay, procured the breaking of the contract with him, and the Committee on County Accounts were authorized, with the Approval of the Mayor and the City Solicitor, to make an

¹ City of Boston Records. Mayor and Aldermen, XXXVIII. 816; XXXIX. 609; XL. 777.

² *Ibid.*, XLVI. 492, and City Council Minutes, A. D. 1869, p. 5.

³ City Council Minutes, A. D. 1869, p. 180.

agreement with some one to finish what had been begun,¹ and Mr. Gilchrist was then selected by them as the proper person.

The importance of the work done by Mr. Gilchrist can hardly be overestimated. To those who remember the confusion which formerly reigned in the Probate Office, the transformation wrought by him seems little less than marvellous. He brought order out of chaos.²

This was Mr. Gilchrist's last public work. Thereafter he devoted himself to the practice of his profession.

He died in Boston, April 25, 1885, leaving a widow and one son.

He had married in Boston, June 12, 1858, Caroline Sarah Moore Parker, daughter of Richard Green Parker.³

There were two sons by this marriage, Charles, who died in infancy, and Edward, who is now in the Imperial Chinese Customs service.

The following obituary notice was published in the Boston Daily Advertiser and in the Boston Evening Transcript of Tuesday, April 28, 1885: —

"DANIEL S. GILCHRIST. The name of Daniel S. Gilchrist, who died on the 25th inst., will be gratefully remembered by the present generation of real-estate lawyers for the improvements he succeeded in introducing, after many discouragements, into the system of indexing in our public offices. The accumulation of documents in the registries of deeds and registries of probate had become so great as to make a proper examination of their contents almost a physical impossibility, such a vast amount of labor did it require. Mr. Gilchrist devised the classified index, which has proved such a boon to conveyancers that the late Nathaniel I. Bowditch is said to have declared that Mr. Gilchrist ought to have a bronze statue erected to his memory. This form of index was adopted by the county of Suffolk, and the General Court provided by law that it should be used in all registries of deeds. But his system, admirable as it was in his day, has in its turn given place to

¹ City Council Minutes, A. D. 1872, pp. 62, 92; 1873, pp. 515, 565.

² For a description of the system in the Suffolk Probate Office, see the New England Historical and Genealogical Register, XXXVIII. 131.

³ Richard Green Parker, son of the Right Reverend Samuel Parker, Bishop of Massachusetts, was graduated at Harvard College in the class of 1817. He was the author of a "History of the Grammar School in East Roxbury," "Questions Adapted to Hedge's Logick," "Progressive Exercises in English Composition," "Progressive Exercises in English Grammar," "Aids to English Composition," and many other educational works. Another of his daughters is the wife of the Hon. John Lathrop, a Judge of the Supreme Judicial Court of Massachusetts.

a still better one, and the books in which he took so just a pride are now laid aside forever.

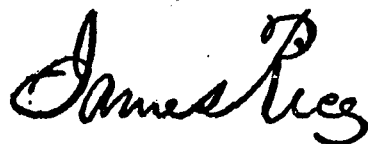
But the work which will prove a more enduring monument to his name is the new system of dockets and indexes and the rearrangement of the files made by him in the Suffolk probate office — a work which had been so well begun by Hon. Edwin Wright. To those who remember the chaotic disorder which reigned in that office twenty years ago, the improvements made by him seem almost incredible. The probate office for the county of Suffolk, as he left it, is unquestionably the best arranged registry of probate either in this country or in England. The inventor of labor-saving contrivances like these is as great a benefactor to mankind, in his way, as he who invents reaping machines, sewing machines or any of the other more widely known aids to human industry, and we ought not to allow his name to be forgotten.”

Mr. Gilchrist was the author of “Ratio Mentis,” an essay on the laws of Thought and Consciousness, but it was never published and is still in manuscript.

JAMES RICE.

1860–1870.

James Rice, son of John Rice, merchant, was born in Boston, on Salem Street, November 22, 1808. After leaving school, he was for a time in the hardware business, but as early at least as 1833, he entered the Registry of Deeds as a clerk.



On the resignation of Henry Alline, he became a candidate for the office of Register, and at a meeting of citizens without distinction of party, held at the Parker House Wednesday, March 21, 1860, to nominate a candidate for Register of Deeds, resolutions were adopted recommending Mr. James Rice to their fellow-citizens as a suitable candidate for their suffrages. These resolutions were published in the Boston Daily Courier of Thursday, March 22, 1860.

As early as its issue of Tuesday, March 6, 1860, the Boston Herald had advocated the nomination of Mr. Rice, and in its issue of Saturday, March 10, he had published his “Card to the Public.” In an editorial article on the “Registry of Deeds” on Thursday, March 22, it strongly favors his cause and says: —

“Mr. Rice has been a clerk in the Register’s office twenty-seven years. When he first went into it he intended to remain only a few days, to supply temporarily a demand for extra clerical labor. He immediately displayed so great an aptitude for the work that he was solicited and finally induced to remain, and has continued steadily employed in the office to the present day. For several years he has held the position of chief clerk, and a large share of the duties and responsibilities of the registration has been sustained by him. Mr. Alline’s advancing years and declining health have rendered him inadequate to perform the taxing labors of his office. Mr. Rice gave up his chances of pursuing a successful career in some other and pleasanter walk, and has devoted the best years of his life to the drudgery of registration. . . .”

After alleging that the opposition to Mr. Rice came principally from the legal profession, it adds: —

“If Mr. Rice is elected, he will introduce all needed reforms into the Registry Office, and his experience will certainly enable him to perceive what is required to render the registry department as efficient as it has been exact. If the masses of our citizens will turn out on Monday next, we shall have no fear of the result — Mr. Rice will be elected and the right man will be put into the right place.”

At an adjourned meeting of citizens held at the Parker House on Friday, March 23, 1860, at which Mr. Rice was present and made a speech, resolutions in his favor were adopted and may be found in the Boston Herald of Saturday, March 24, 1860. In an editorial article in the same issue, entitled “The Right Man in the Right Place,” Mr. Rice’s election was again advocated, while a correspondent styling himself “Ward One,” in the Herald of Monday, March 26, 1860, insists that Mr. Rice is “the *People’s* candidate and *not the counsellors.*” In editorial articles of that date entitled “The Election To-day” and “Registry of Deeds,” the claims of the three candidates are considered, and the “circular signed by fifteen lawyers” is animadverted upon.

Mr. Rice was elected by a plurality of 448, according to the corrected returns.

In a triumphant editorial article in the Boston Herald of Tuesday, March 27, 1860, entitled “The People’s Candidate for Register Elected,” the result of the election held the previous day is given and commented upon, and the statement is made that —

“Hardly any support was given him by the press, with the exception of the Herald, and no stone was left unturned to secure his defeat. . . .”

Mr. Rice was elected triumphantly. In his own ward, Ward 11, he had a majority of one hundred and nineteen over both the opposing candidates, and more than double the vote of the highest of them.

In Ward six, which is much infested by lawyers, a majority voted against Mr. Rice."

In the same issue the Herald gives a brief account of the "Rice Meeting at the Parker House," where the returns were figured up and enthusiastic speeches made, the Register-elect responding in a "modest speech in which he assured his audience that he would endeavor to fulfill the duties of the office of Register faithfully."

Mr. Rice was a member of the Boston City Guards and of the Handel and Haydn Society, which he joined November 4, 1854.

He was made a member of St. John's Lodge of Masons, Boston, in 1861, of St. Paul's Royal Arch Chapter, February 7, 1862, and of the De Molay Commandery, Knights Templar, April 23, 1862.

He held the office of Register of Deeds, by successive elections, until his death.

He died in Boston, August 11, 1870.

Mr. Rice was married in Boston, April 12, 1837, to Elizabeth Meldrum, and she, with one son, Henry A. Rice, of New York, and two daughters, Mary A. Dow, wife of Howard M. Dow, and Elizabeth F. Carruth, then the wife but now the widow of Francis W. Carruth, of Boston, survived him.

ANDREW CAZNEAU.

1870.

Andrew Cazneau was born in Boston, on Myrtle Street, March 23, 1810.

His father, Captain Andrew Cazneau, a ship-



master of Boston, was a descendant of Paix Cazneau, a French Huguenot, who came to New England shortly after the revocation of the Edict of Nantes.

Of this family was Andrew Cazneau,¹ who before the Revo-

¹ Sabine's Loyalists of the American Revolution, I. 298, II. 494; Professional and Industrial History of Suffolk County, Bench and Bar, I. 268; Record Book of the Suffolk Bar, 1 Proc. Mass. Hist. Soc., XIX. 147.

lution was a barrister and attorney-at-law in Boston. A consistent Loyalist, he was one of the "Gentlemen of the Law" who, in 1774, were "Addressers"¹ both of Hutchinson and of Gage, and he was included among those named in the Banishment and Proscription Act² of 1778, but his property seems to have escaped confiscation.³ He was "a gentleman of character, talents, and virtue." After the siege of Boston he went to England, but not long after received an appointment under the Crown in the Bermudas. Returning to Boston from the islands in 1788, he died in Roxbury in 1792.

Edward Cazneau and William Cazneau, both of Boston, were also Loyalists.

Captain Cazneau removed from Boston to Roxbury while his son Andrew was a small boy, but not long after returned to Boston, where he died⁴ February 9, 1833.

Andrew Cazneau, the son, was educated in the public schools of Roxbury and Boston, and was first a clerk in the store of John Goodnow, a dealer in West India goods on South Market Street, Boston.

He then, probably prior to 1839, entered the Suffolk Registry of Deeds as clerk, his cousin Henry Aline being then Register. This position he filled to the general acceptance for more than thirty years.

He was much interested in military affairs, and joined the Boston Independent Fusiliers, September 20, 1840. He was an active member for upwards of twenty years, during a portion of that time being clerk of the Company, and a non-commissioned officer.

On the death, August 11, 1870, of James Rice, then Register of Deeds, he was appointed, by the Superior Court for the County of Suffolk, Register until his successor should be

¹ See *ante*, pp. 20-22.

² Province Laws, V. 912.

³ See Massachusetts Archives, CCXX. 96, 97, for a petition of his brother-in-law, William Palfrey, Esq., to the General Court, dated June 27, 1778, in relation to a "Dwelling House in Boston situated near the New Court House" belonging to Hannah Cazneau, minor daughter and only child of Andrew Cazneau, "in right of her Mother deceased, but which her said Father (before he quitted the Country)," "when the Town of Boston was evacuated by the Enemy in March 1776," "enjoyed as Tenant by Courtesy."

See also Ch. 17, Resolves of 1792, as to house and land in Purchase Street formerly the mansion house of Jeremiah Green (Suffolk Deeds, Lib. 169, fol. 110, Lib. 170, fol. 106).

⁴ See obituary notice in the *Columbian Centinel* of February 12, 1833.

chosen at the next election; and he entered, August 25, 1870, on the duties of his office.

At the election held November 8, 1870, there were four candidates for the office of Register of Deeds, three of them representing political organizations. The name of Andrew Cazneau was presented to the voters of the County as an independent candidate; but although his cause was advocated not only by his personal friends but by many of the lawyers and real-estate owners who had learned to know him during his long connection with the Registry, and although under the circumstances he received a handsome complimentary vote, he was defeated by Thomas F. Temple, who was the Republican nominee and who had a large plurality of the votes cast.

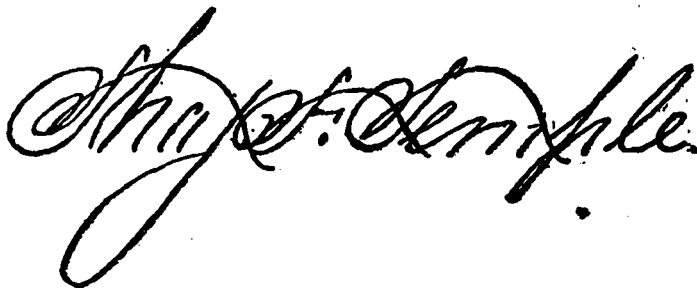
After his successor had entered upon the duties of the office, Mr. Cazneau still continued for a time in the Registry of Deeds, but then retired and lived, until his death, in Woburn, Massachusetts, with his sister, Mrs. Hannah M. (Cazneau) Blaney, wife of George Arnold Blaney.¹

Andrew Cazneau was never married. He died in Woburn July 28, 1894, and was buried in Wilmington, Massachusetts.

THOMAS F. TEMPLE.

1871-19

Thomas French Temple,² son of William Franklin Temple, was born in Canton, Massachusetts, May 25, 1838. His parents removed to Dorchester when he was a child, and he was educated there in the public schools. Entering the service of the Dorchester Mutual Fire



¹ George Arnold Blaney and Hannah M. Cazneau were married, September 30, 1850, at the West Church, Boston. I am indebted to their son George Andrew Blaney, Esq., — a nephew of Andrew Cazneau — for much information concerning the Cazneau family. It is to be hoped that the valuable results of his genealogical investigations may be put in print, and thus preserved from loss or destruction by fire, which has unfortunately been the fate of too many manuscript collections.

² Boston of To-day, p. 419; Men of Progress, p. 184; Professional and Industrial History of Suffolk County, Bench and Bar, I. 378.

Insurance Company in 1855, he filled all the positions in the gift of that Company, and is now its President.

From 1864 to 1870 he was town clerk and treasurer of Dorchester. He was a trial justice for Norfolk County, and when Dorchester was annexed to Boston in 1870, and the Dorchester District Municipal Court was established, he was its first judge. In this year also he represented the new District in the Boston Common Council.

He is a director of the International Trust Company, and of the John Hancock Mutual Life Insurance Company, a trustee of the Home Savings Bank, of the Boston Farm School on Thompson's Island, and of the Cedar Grove Cemetery.

He is a leading Mason, past master of the Union Lodge, member of the Boston Commandery of Knights Templar, Treasurer of the Massachusetts Consistory, and is prominent in many other fraternal societies and in various clubs.

He was formerly connected with the Dorchester and Boston fire departments.

He is a member of the Ancient and Honorable Artillery Company and was its Commander in 1886, and he was for many years a member of the National Lancers.

He was for twenty years on the Board of Overseers of the Poor in Boston, served several terms as Chairman, and finally resigned in 1890.

He was married in Dorchester, July 16, 1863, to S. Emma Spear, a daughter of Captain John Spear, of Neponset, Dorchester, formerly of Quincy. He has one son and three daughters now living.

He was elected, November 8, 1870 (as has been before stated), Register of Deeds for the County of Suffolk, and he entered upon the duties of that office in January, 1871, holding it continuously by successive re-elections from that date up to the present time.

With the entry of Mr. Temple, we may well say

*Major rerum mihi nascitur ordo,
Majus opus moveo.*

For the first time for nearly a century, there had been elected in the County of Suffolk a Register of Deeds who had had no previous connection with the office and had never served an apprenticeship in the "art and mystery" of the Recorder.

Coming without any experience, indeed, in the performance

of its duties, but, on the other hand, not having fallen into the ruts which the deadly routine of such an office only too often produces, accustomed to method, system, and businesslike ways in other callings, with executive and administrative ability of a high order which had long been needed there, the new Register was quick to see what great opportunities for improvement the office afforded.¹

¹ In 1880, the experiment was tried of taking the deeds as they were left for record and setting them up in type, instead of copying them by hand.

For this purpose the large room in the upper story was transformed into a printing-office and the copyists gave place to compositors. A practical printer was put in charge of the work.

The trial was in every way satisfactory, and its results can be seen in Liber 1487 of Suffolk Deeds, a large folio of the usual size.

But as there was no public appropriation to defray the extra cost over and above that of manuscript, the Register felt compelled to stop the work before it had proceeded far, so that only part of Liber 1487 is in print, the remainder being finished by hand.

A comparison of the two parts of this volume is especially instructive, and should be made by all who feel an interest in the subject of the public records.

The superiority of the printed page over the page written by hand was never more clearly and distinctly shown than in this volume. The type was large and handsome — of the size known to printers as small pica — all signatures and the name of every grantor and grantee were printed in capital letters, as was the name of every street and avenue in the description of the land, while the name of every city and town was designated by full-face type. The “habendum,” “in testimony,” and other principal clauses — or rather the leading words of each — were also printed in full-face type. This variation of type was a relief to the eye, and greatly facilitated the examination of the records.

The compactness of the printed record was also most remarkable. Although the type was of good size — and not as its name would seem to imply — being well adapted to the eye of the reader, the printed record occupied only one-third of the space of the manuscript record.

There are other advantages which the printed have over the hand-written records. Corrections and alterations made in manuscript necessitate interlineations and erasures and sometimes the rewriting of whole pages and even folds. But corrections without number can be made from proof sheets of matter still in type, or even in electrotype plates, and clean proofs can then be struck off which will not show a trace of any alteration.

Printed records cannot be tampered with. Detection is certain.

Records printed from type or plates are durable.

We do not know what surprises the future may have in store for us. There is practically no limit to human ingenuity. Improvements in type-writing machines and linotype machines may cause a complete revolution in all our present methods. But nothing can now equal the printed page — printed, that is, from movable type or from electrotype plates.

Statutory forms of deeds may tend to reduce the cost of printing. In fact, many things may contribute to such a reduction, so that the additional expense would no longer be a bar.

In any event, the days of manuscript are over.

What is said above, applies to the printing of the modern records.

But the year 1880 saw another step in advance, for in that year the printing of

Lawyers and conveyancers, as well as others who had occasion to consult the records, and who had long suffered from the antiquated methods which then prevailed in all such public offices, found him ready to welcome their suggestions for much needed reforms, and prompt to adopt any labor-saving contrivances which would tend to the despatch of business or facilitate reference to the records.

And indeed the great increase in recent years in the bulk of the records demanded such improvements and made their adoption imperative.

Although the Registry of Deeds was a land office, and the instruments recorded were conveyances of land, there was, incredible as it may now seem, not a word about land in the indices to those records. These indices were simply long lists of names of persons only, — grantors and grantees, — with nothing to point out what was granted. They were arranged merely by surnames, and the laborious use of such an index involved a waste of time and called for an exercise of patience such as the present generation can scarcely realize. A more unprofitable expenditure of time can hardly be imagined than following the seemingly interminable lists of the name of Smith or Brown through page after page of what, by a strange perversion of the meaning of the word, was miscalled an Index!

A great step in advance was taken when this index gave place to a better and more elaborate one. The chief agent in this long-needed reform was the Conveyancers' Association.¹

the ancient records in the Registry of Deeds was begun. This was undertaken in consequence of petitions of members of the Suffolk Bar to the Board of Aldermen of the City of Boston, acting as County Commissioners for the County of Suffolk, the petitioners representing that the early records of the County had become worn, mutilated, and illegible, and that measures should be taken to save them from imminent destruction.

These early deeds were printed as public documents, in 8vo volumes — of smaller size than Liber 1487 — a form more suitable for library use, and are thus preserved for posterity.

See the Report on the Public Records made by me at the Annual Meeting of the New England Historic Genealogical Society, January 2, 1889, and which was reprinted in the First Report to the Legislature of the Commissioner of Public Records of Parishes, Towns, and Counties, p. xlv.

¹ The Conveyancers' Association, which was formed in 1872, included nearly all the leading conveyancers of Boston. The officers chosen at its first meeting, January 25, 1872, were — President, William I. Bowditch; Clerk, William P. Blake; Trustees, William I. Bowditch, Uriel H. Crocker, John P. Treadwell, George S. Derby, and George G. Crocker.

It began and completed at great expense an index of grantors of Suffolk

The Classified Descriptive Index — arranged by Christian names as well as by surnames and containing a brief description of the granted land — which originated with that Association and which has since been adopted by the County, has led the way for many subsequent reforms. What that Association began the Index Commissioners¹ have since continued and improved upon, until the Suffolk Registry of Deeds is now the best equipped of all the Registries in the Commonwealth.

But these successive improvements in the art of indexing, great as they unquestionably are, have been more than equalled by continual additions to the already unwieldy mass of the County Records.²

This increase, keeping pace as it does with the growth of Boston in population and wealth and the extraordinary development of its business interests, will compel still further improvements and more complete methods of indexing in order to make this vast bulk accessible to the public. It is a necessary consequence of growth and progress.

THE REGISTRY OF DEEDS.

After the destruction by fire of the first Town House in 1711, the second Town House — the present Old State House

Deeds from 1855 to 1871 inclusive, in which the arrangement was by Christian as well as by surnames, while opposite each name was a brief description of the granted land. Several years were spent in the compilation of this index, but it was finally sold to the County at less than its original cost, on the understanding, however, that the County would adopt that method of indexing and continue it in the future.

¹ The Board of Index Commissioners appointed by the Superior Court for the County of Suffolk under the provisions of Ch. 129, Acts of 1878, consisted of William G. Russell, Francis E. Parker, and Alexander S. Wheeler. On their resignation, the Court appointed in 1884 the present Commissioners, Charles A. Welch, John T. Hassam, and Francis L. Hayes.

² The great increase in the bulk of the records in the Suffolk Registry of Deeds can be best comprehended by bearing in mind that nineteen books contained all the deeds and other instruments left for record from the first settlement of the country down to the year 1700. On January 1, 1800, the number had risen to 192. On January 1, 1850, there were 606 books on the shelves and on January 1, 1875, 1250 of them. On January 1, 1900, they had increased to 2656 in number. So that there have been added in the last twenty-five years more books than had been filled during the entire period that preceded it. These are huge folio manuscript volumes, containing, most of them, 640 pages each. When the present Register entered upon the duties of his office, there were 1029 volumes in the Registry, so that he has attested as many volumes of the records as all his predecessors put together and half as many more besides.

— was erected on its site, and the Committee appointed to build it were instructed by the General Court¹ November 7, 1712, as follows: —

“ Ordered by both Houses that there be but two Offices below Stairs in the Province & Court House now Building in Boston, One for the Secretary the other for the Register of Deeds in the County of Suffolk.”

It being represented to the House of Representatives that “ the Office of the Clerks of the Inferior Court & Register of Deeds &c. for the County of Suffolk is too small to contain the records of said County & accommodate the Clerks & Register,”

it was voted,² November 2, 1743, that a Committee be appointed

“ to cause the said Office to be enlarg’d so as to take in one Window more on the north side of the Courthouse & cause a Chimney for burning Sea Coal to be made in said Office the charge to be born [*sic*] by the County.”

In the great fire of December 9, 1747,

“ that spacious and beautiful Building, except the bare outward Walls, was entirely destroyed: As the Fire began in the middle or second Story, the Records, Books, Papers, Furniture, Pictures of the Kings and Queens, &c. which were in the Council Chamber, the Chamber of the House of Representatives, and the Apartments thereof in that Story, were consumed; as were also the Books and Papers in the Offices of the upper Story: Those in the Offices below were mostly saved.”³

Another contemporary account⁴ says: —

“ At six in the Morning the Watch at the East End of the Town House broke up; and between five and ten Minutes after, the Rays of the Fire first discover’d it in the said Passage thro’ the great Window against it, by glancing into the Chambers of the Houses on the North Side of the Town-House, where two or three People were awake; and running to the Windows first saw it *There*; but it quickly broke into the Council Chamber, and run up the Deal Wainscot Stairs into the Loft and Lanthorn above, and set them all in a Blaze, before the People came either to manage the Engines or save the Province

¹ General Court Records, IX. 244.

² Mass. Archives, XLII. 405.

³ Boston News Letter, December 10, 1747.

⁴ Boston Gazette, December 15, 1747.

Records, Books, Papers, Plans, Pictures, or any Thing else in the Chambers or Apartments, to the inestimable Loss of the Province.

But thro' the Mercy of God the County Records under the Western Stair-Case below and Part of the Province Records under the Eastern Stair-Case below, as also Copies of the Minutes of Council from the Beginning to 1737, being at the Secretary's dwelling House, are happily saved."

Another account¹ says : —

"but the County Records, and Papers belonging to the Inferiour Court, being deposited in an Office upon the lower Floor, were most of 'em preserved."

The Chamber in which the several Courts of Justice in the County of Suffolk were held being inconvenient and uncomfortable, the Court of General Sessions,² May 4, 1768,

"Order'd that a New Courthouse within the Town of Boston, for the Several Courts of Justice to Sit in, be Erected . . . on the Lands belonging to the County in Queen Street in Boston (on part whereof the old stone Gaol lately stood) . . . that on the lower Floor of said Building, s^d Committee Assign & Sett off such parts of it, for the Probate Office, for the Register of Deeds, & for the Clerks of the Court of General Sessions of the peace, & Court of Coñon pleas, as they shall Judge to be necessary & convenient for their respective offices."

This building, which is described as "an handsome Brick Building," was finished early in the following year, the first session of the Court of General Sessions being held in it April 18, 1769.

When, owing to the "unsettled State of public Affairs" during the Revolution, Dedham was made the shire town of Suffolk County, the books and papers in the Register's office were removed in 1776 to that town, and Joshua Henshaw the Register "opened an Office near the Rev. Mr. Haven's Meeting House in Dedham."³

In 1779 the office was removed to West Roxbury "near to the Rev. Mr. Abbot's Meeting House."⁴

In 1782 the records were brought back to Boston and were

¹ Boston Post, December 14, 1747.

² Minute Book of the Court of General Sessions of the Peace, IV.

³ See *ante*, p. 32.

⁴ See *ante*, p. 33.

kept in the dwelling-house of the Register on the corner of Orange, now Washington, Street and Harvard Street.¹

In 1786, on the election of Nathaniel Greene, the new Register “opened his office for the Registry of Deeds, at the house formerly occupied by Mess’rs Brimmers, near the sign of the Lamb.”²

The Boston Directory for 1789 contains the following: —

“Greene Nathaniel, Register of deeds, No. 42, Cornhill.”

By 1794 the records had been returned to the Brick Court House, which is thus described by Thomas Pemberton,³ writing in that year: —

“The new Court-house is built on the front of the said street, partly on the ground where the old stone jail stood, which made an uncouth appearance, and was taken down. It is a large handsome building of brick, three stories high, and has on the roof an octagon cupola. The lower floor is used partly for walking, and has on it the Probate office and the office of the County Register of Deeds. In the second story, the floor of which is supported by pillars of the Tuscan order, are held the courts of law. In the second and third stories are convenient rooms for the grand and petit jurors, and for offices.”

In the Boston Directory for 1796 is the following: —

“Alline William, register of deeds, office in the court house.”

Under authority of Ch. 73 of the Acts of 1809 another new Court House was erected in 1810 on lands between Court Street and School Street. It was of stone and was built on the site now occupied by the City Hall. It is thus described by Shaw:⁴ —

¹ See *ante*, p. 33.

An Act passed March 17, 1784, for “the more safe keeping the Registry of Deeds,” &c. provides: —

“And to the end there may not be too great a risque of fire by keeping more public records, papers, and files in one house or under one roof than is necessary:

Be it further enacted, That no Clerk of any Court of Common Pleas, or of the Supreme Judicial Court, shall at the same time be the Register of Deeds for any county.” (Laws and Resolves, 1783, Ch. 60.)

² See *ante*, p. 42.

³ 1 Mass. Hist. Soc. Coll., III. 253.

This brick Court House was torn down in 1831 or 1832, and the stone Court House — now called the Old Court House, fronting on Court Street, and bounded on the other sides by Court Square — was erected on its site. It was finished in 1836, and the Committee appointed to superintend its erection reported, December 19, 1836, its completion and occupancy by the Courts. (City of Boston Records. Mayor and Aldermen, XIV. 310.)

⁴ Shaw’s Description of Boston, 1817, p. 237.

"THE NEW COURT HOUSE is one hundred and forty feet long, consists of an Octagon centre, fifty-five feet wide, two stories, two wings of three stories, twenty-six by forty feet connected by the entrance and passages to the centre; contains two Court Rooms in the centre, one smaller in one wing, Probate Office, Register of Deeds, Clerks of Supreme and Common Pleas Courts, Rooms for Judges and Law Library, Rooms for Grand and Petit Juries."

Snow,¹ writing in 1825, thus describes this court house: —

"THE STONE COURT-HOUSE in Court-square, to which for distinction's sake we have given the name of *Johnson Hall* on our plate, (with reference to the memory of Isaac Johnson esq. whom we have mentioned as a chief patron of the first settlers of Boston) was built in 1810. It is described as consisting of an octagon centre, 55 ft. wide, with two wings, 26 by 40 feet, connected by the entrance and passages to the centre. The length of the whole building is 140 ft. The lower story of the centre is improved by the Register of Deeds, and Clerk of the C. C. P. — the second story by the County Courts, and the upper by the Common Council of the city. The Mayor and Aldermen's room is in the upper story of the western wing; under that are the offices of the Auditor and City Marshal, and on the lower floor the Probate Office. In the eastern wing are the offices of the Clerk of the S. J. Court, rooms for the judges and for the juries, and one occupied by the Law Library."

Still another description of this building may be found in Bowen's Picture of Boston: ² —

"It is in fact our CITY HALL, being principally occupied for municipal purposes. This building was erected in 1810, the materials of which are of white granite, with a stone or brick floor for the first story. It is 140 feet long, consists of an Octagon centre, 55 feet wide, two stories, two wings of three stories, 26 by 40 feet connected by the entrance and passages to the centre; contains two large halls or court rooms in the

¹ Snow's History of Boston, p. 331.

The plate above referred to faces page 37 of Snow's History. It has been reproduced in the Old State House Memorial, sixth ed., Boston, 1893, Appendix L, p. 193. In this Appendix to his Address at the Rededication of the Old State House, Mr. William H. Whitmore has laboriously collected and made accessible to future investigators much historical material concerning the City Hall, the Jail, and the various Court Houses. On pp. 191, 192, and 199 are other views of the New Court House of 1810. On p. 188 there are copies of portions of Osgood Carleton's Map of 1800 and of Hales's Map of 1814. Mr. Whitmore well says that "Snow endeavored vainly to designate this building as 'Johnson Hall.'"

² Bowen's Picture of Boston, 1829, p. 80.

centre, one smaller in one wing, Offices of Probate, Register of Deeds, Clerks of Supreme and Common Pleas Courts, Rooms for Judges and Law Library, rooms for Grand and Petit Juries. The board of Aldermen and Common Council hold their sessions in this building; and the offices of the Mayor, City Clerk, City Auditor, City Marshal, and Superintendent of Burial Grounds are also kept here."

After the Courts had removed¹ in 1836 from this Court House² to the Court House in Court Street — now called the Old Court House — the Registry of Deeds and Probate Court still continued for a time in occupation of the former building.

The Judge and Register of Probate and the Register of Deeds petitioned the Mayor and Aldermen,³ June 18, 1838, "that a separate fire proof building may be erected on the Museum land for their accommodation,"

and February 25, 1839, the Committee on the City Hall⁴ were ordered to consider the subject and report a plan. July 1, 1839, the Committee reported a plan and presented estimates for a "fire proof building, to be erected on the site of the old Museum estate for the accommodation of the Probate Court & Registry of deeds."

And they were ordered to build the building.⁵

The brick building thus erected was on Court Square, directly in the rear of the building of the Massachusetts Historical Society on Tremont Street, its southerly windows overlooking the King's Chapel Burial Ground.

The Probate Court and Registry of Probate occupied the first story, and the Registry of Deeds the rest of the building.⁶

¹ City of Boston Records. Mayor and Aldermen, XIV. 12; XV. 8, 16, 288, 311.

² In 1840 this court house was fitted up as a City Hall, and was so used until 1863. It was then demolished, and the present City Hall, which was completed in 1865, was erected on its site.

³ City of Boston Records. Mayor and Aldermen, XVI. 190. The Museum was the Columbian Museum. See Memorial History of Boston, IV. 10; Drake's History of Boston, p. 806; Snow's History of Boston, p. 336.

⁴ City of Boston Records. Mayor and Aldermen, XVII. 52.

⁵ *Ibid.*, XVII. 248.

⁶ Although the Register of Deeds petitioned, September 28, 1846, "to have gas-lights introduced into his office" (City of Boston Records. Mayor and Aldermen, XXIV. 478), this was done only in two small rooms and in the copyists' room on the floor above. The Record Hall was unlighted, and in the short dark days of midwinter searches of the records came to an early and abrupt end. For more than thirty years this continued, and it was not until the Registry was enlarged by the addition of parts of the Historical Society's building, when gas and steam

Twenty years later, two additional stories were added for the City Engineer Department.¹

But this building soon proved inadequate for the transaction of the rapidly increasing business of the County, and George Tyler Bigelow and others petitioned the Board of Aldermen,² December 20, 1869, "for further accommodation for the Registry of Deeds."

After much consultation between the Aldermen and the Massachusetts Historical Society, the latter decided to take down its building on Tremont Street in the rear of the County building and to erect a new and larger structure thoroughly fire-proof. This was completed in 1872. A lease was then made to the City of Boston³ for fifteen years from January 1, 1873, of the two lower stories, one, the first story, especially arranged for the use of the Probate Court, and the other for the Registry of Deeds. A small parcel of land between the Historical Society's Building and the County building was covered by a temporary structure, the two lower floors of which were by the terms of the lease to be used by the County, and the two upper stories by the Society. Doorways were then cut through the walls separating the County building from the leased portion of the Society's building, and although the floors were not quite on the same level and a short flight of connecting steps had to be built, the two buildings, as to the two lower stories at least, were made one.

This enlargement gave more space, and for a time afforded relief. But soon the needs of the Registry of Deeds outgrew

heat were introduced, that any artificial light was provided for the large room, which then, however, ceased to be the Record Hall, as the volumes of the records were then placed in the leased portion of the Historical Society's building. These modern conveniences, gas and steam heat, however, proved very destructive to the books, and rapid decay, especially of the earlier volumes, was the unfortunate and unlooked-for result.

¹ City of Boston Records. Mayor and Aldermen, XXXVII. 10, 27, 108, 125.

The City Engineer Department removed to the new City Hall shortly after its completion in 1865, and the copyists of the Registry of Deeds then occupied the rooms thus left vacant.

² City Council Minutes, A. D. 1869, p. 312.

³ *Ibid.*, A. D. 1871, pp. 212, 218, 221; A. D. 1872, pp. 46, 253, 254, 261; 2 Proc. Mass. Hist. Soc., III. 293; XI. 310.

Both the Historical Society's building and the County building, in its rear, stood on what was part of the confiscated estate of the Rev. Henry Caner, the Loyalist Rector of King's Chapel. (See *The Confiscated Estates of Boston Loyalists*, by John T. Hassam, in 2 Proc. Mass. Hist. Soc., X. 162.)

these temporary expedients, and complaints again became general.

On the completion of the New Court House in Pemberton Square, the records, books, and papers of the Registry of Deeds were removed in September, 1894, to the top story of that structure, and there they now remain.

The Probate Office had then been installed in the New Court House for a year, the removal of the Probate Records having been made in September, 1893.

