

LAND TITLES OF THE AMERICAN ANTIQUARIAN
SOCIETY.BY CHARLES A. CHASE.

At the April meeting of this Society, two years ago, it being the last one which we were to hold as guests of the American Academy of Arts and Sciences, I gave some account of the places in which the Boston meetings had been held since the first meeting for organization on Nov. 11, 1812.

Within the last month there have been entered of Record in the Registry of Deeds at Worcester,¹ instruments by which the County of Worcester and the American Antiquarian Society by mutual agreements and releases establish forever the boundaries between their respective estates, which have been recently changed by the action of the County Commissioners under the sanction of the General Court.

The land on which the first Hall of the Society was erected, was in the immediate neighborhood of the lot now occupied, and it seemed fitting to the writer to trace the land titles of each estate, and to make them a matter of record in our Proceedings. This he has not done strictly after the manner of the professional conveyancer, but in a way which will give the history of the titles with some side facts not without interest in themselves.

In going back to the early proprietors of this land, we are struck by the very goodly fellowship in which we find our original grantors. Capt. Daniel Gookin was chairman

¹ See end of this paper.

of the first committee appointed by the General Court in 1665 to view the neighborhood and to determine "if there be a meet place for a plantation." A committee, appointed later, to have charge of the settlement, included Capt. Gookin, Daniel HENCHMAN, Richard BEERS and Thomas PRENTICE. To Dr. LEONARD HOAR of Concord, third President of Harvard College, 25 acres were assigned in the first allotment. The death of Dr. Hoar occurred at about the same time, and 40 acres were subsequently granted to his executrix, Mrs. BRIDGET USHER of Boston, in lieu of the original grant. Capt. ADAM WINTHROP, a grandson of Gov. JOHN WINTHROP, was one of the first settlers, and at the death of Gen. Gookin succeeded to the latter's place as the representative of the interests of the Commonwealth. CORNELIUS WALDO, JR., in company with THOMAS PALMER of Boston, and JOHN OULTON of Marblehead, became the owners of very large tracts of land. Mr. WALDO's son DANIEL was President of the first bank established in Worcester, and the latter's daughter was the mother of Gov. LEVI LINCOLN.

The fame of Daniel Gookin, to whom more than to any other one man Worcester owes its settlement, is by no means simply local. He was the associate of JOHN ELIOT in the work of civilizing the Indians; and the Indians of the whole colony were placed under his charge by the Legislature in 1656. He was appointed by CROMWELL a commissioner to induce New Englanders to emigrate to the island of JAMAICA; but his efforts in this direction met with slight success, and he threw up the commission. In 1674 he published "Historical Collections of the Indians in New England; of their Several Nations, Numbers, Customs, Manners, Religion and Government before the English planted there."¹ His "History of the Christian Indians"

¹ These are in the form of Epistles. They were all dated in 1674, but were first printed in 1792. *Vide* Collections of the Massachusetts Historical Society: Vol. I., pp. 141 *et seq.*

was published in the second volume of Transactions of this Society.¹ From the office of captain he was promoted to be major-general in the service of the colony.

Only second to Gookin in his services to the new plantation was Capt. Daniel Henschman. He had been most active in the war of defence and offence against the Indians, and at the close of the war entered with zeal upon the work of establishing the "Plantation at Quinsigamond," as the settlement was first called from the name of the beautiful lake upon its eastern boundary. Capt. Henschman "was a cousin of Judge Samuel Sewall, and allied by family ties to the Hulls, Gookins, Quincys and Eliots." His holdings of land were very extensive. His homestead estate was on both sides of "the country road"² at the north entrance to the village. There he erected a house in 1683. At his death a portion of the land passed to his son Nathaniel, and later to Gov. John Hancock. A part of this farm was subsequently conveyed to "the first Levi Lincoln" as he is called at Worcester, father of Gov. Lincoln, and a part to Samuel and Stephen Salisbury, the last named being the grandfather of our President.

The other two members of the first committee to have charge of the settlement, Capt. Thomas Prentice of Woburn and Lieut. Richard Beers of Watertown, were also distinguished for military prowess and for valuable services in civil life.

It would be out of place in an essay like this to bring in all the names of the brilliant and famous men who came to Worcester in the early years following its final settlement in the year 1713. The village had been twice abandoned because of the overwhelming attacks of hostile Indians. It must be only in connection with the history of our real estate that we mention the names of the Chandlers, Lin-

¹ *Archæologia Americana*, Vol. II., pp. 423 *et seq.*

² Lincoln Street.

colns, Paines, Waldos, Salisburys and other families, without stopping to pay tribute to their virtues and great merits.

On Feb. 23, 1737-8, Thomas Palmer, an original proprietor,¹ conveyed to John Chandler, jr., "81 acres on which is a mansion house and barn, of which 44 acres is second division land, 16 acres on Goulding's right and 21 third division on Wing's right." This John Chandler, jr., was the fourth John Chandler, and the third of the name to wear the ermine in Worcester County. He was the father of Lucretia Chandler Bancroft, whose remarkable and beautiful letter to her daughter was printed in the last number of our Proceedings (pp. 125 *et seq.*) accompanied by biographical and historical sketches by her grandsons, Horace and Andrew McFarland Davis.² This estate, with large additions acquired by later purchases, was called "the down town farm" and was a part of the dower set off to his wife after his flight to England. Mrs. Chandler died in 1783. The Legislature, by a Resolve passed June 23, 1785, granted most of her husband's estate to her seven youngest children. Charles, the oldest of these, and Samuel, who was next to him, bought out the rights of the other five, in the "several messuages, tracts and parsels," paying £320 for each right.

At this point we must digress for a moment to bring in some account of an organization which has been a near neighbor of this Society in both of its locations. The

¹The Proprietors' Records of Worcester cover the period from 1667 to 1783, with a hiatus from 1686 to 1713. A copy was made in 1856 by Mr. Frank W. Bigelow [H. U. 1854], who was then a law student in the office of Hon. Charles Allen. A more complete copy was subsequently made by Mr. Franklin P. Rice, a local antiquary, and was published by the Worcester Society of Antiquity in 1881, with an introduction and valuable notes by Mr. Rice.

²See also the interesting communications from Mr. ANDREW MCFARLAND DAVIS in this number of the Proceedings of our Society.

The last Judge John Chandler had seventeen children, of whom four were by his first wife Dorothy Paine, and thirteen by his second wife Mary Church. Mr. J. Peale Dabney (in the *Christian Examiner*, July, 1847,) said of him:

"The Hon. John Chandler of Worcester, whose sons and daughters were as numerous as those of his Royal Master,—and with whose family every other leading family of the region was proud to entwine itself by marriage alliance,—sleeps far from the town and shire of whose honors he had almost the monopoly."

LAND TITLES OF THE AMERICAN ANTIQUARIAN SOCIETY.

ERRATUM.

BY CHARLES A. CHASE.

In tracing back the title of the Society to its original holdings, for a paper read at the meeting on April 24, 1901, I was misled by a local historian, and made Thomas Palmer the grantor to John Chandler, jr. of the Summer street lot. Messrs. Palmer, Oulton and Waldo were the owners of very large tracts in Worcester, but they did not own this. The land which Palmer sold to Chandler was a little to the south of it.

The large farm of Daniel Henchman's heirs was on both sides of Lincoln street, and in tracing subsequently the history of this farm, I found that a part of it, including the first Antiquarian lot, went to John Chandler jr.

My account of the Henchman farm appears in the proceedings of the Worcester Society of Antiquity for December 1902, and gives the story of Henchman and of the partition of his estate among his heirs. I will not recapitulate here.

The Proprietors of Worcester granted to the heirs of Daniel Henchman 104 acres of land on the east side of Millbrook, Oct. 17, 1718, as on page 75 of Proprietors' Records.

Susannah Harris, daughter of pioneer Henchman, conveyed to Rev. Isaac Burr two-sevenths of six hundred acres; (Jan. 20, 1725-6, Book 26-Page 386, Middlesex.) and on a partition among the several owners, (see Book 21, Page 350-355, and Book 46, Pages 298-302 etc; also a Resolve of the General Court confirming the division: all in the Worcester Registry,) the south part was allotted to Burr. Burr sold to Thomas Stearns, May 11, 1731 B2. P. 419-Thomas Stearns sold forty acres including our Summer street lot, to John Chandler jr. Dec. 12, 1733; B. 4. P. 543.

From this point the title passes as given in my former paper. John Chandler by will to his sons, John (the "honest refugee") and Gardiner, and so on as before stated.

Rev. Aaron Bancroft, a native of Reading, had supplied the pulpit of the parish church of the town for several Sundays in the autumn of 1783, and again a year later, and was engaged temporarily to preach in January, 1785. At a parish or town meeting in March of that year, a motion was made to settle him permanently over the parish, but it was defeated because of his Arminian views. A large majority, including the most prominent members, withdrew and formed a new society with Mr. Bancroft as their minister. After a very strong opposition an Act of the Legislature was secured in November, 1787, giving them a separate existence and organization, and the society has since been legally known as Worcester Second Parish.¹ For about five years services were held in the Court House. In the summer of 1791 a church building was begun upon land bought of Charles and Samuel Chandler, part of "the down town farm" before described. These gentlemen conveyed the lot to the Parish on June 16, 1791, for the nominal consideration of five shillings, and the first services were held in the church on Jan. 1, 1792. In 1828 the society built a new and more commodious church on land bought of Isaiah Thomas, a few rods south of our present hall, and sold the old building, which was at once converted into a tavern, to Samuel Damon.² There was some dispute about the boundary between the Society's land and the church lot, and Mr. Damon gave a deed of

¹ Sixty-three gentlemen were included in the Act of Incorporation. Among them were Levi Lincoln [Senior], Timothy Paine, Joseph Allen, Thaddeus Maccarty [M. D.], Samuel Chandler, Abraham Lincoln, Timothy Bigelow, Clark Chandler, Samuel Allen, Edward Bangs, Nathaniel Paine, Isaiah Thomas, Charles Chandler, David Clap, William Jennison and Benjamin Butman.

The reader is referred to the interesting and exhaustive paper, "Gleanings from the Sources of the History of the Second Parish, Worcester, Massachusetts," by SAMUEL S. GREEN, printed in Vol. II. new series of Proceedings of this Society, pp. 301 *et seq.*

² The tavern was maintained for several years. The estate was conveyed to the Inhabitants of Worcester on May 8, 1846 [B. 419, P. 437], and the building, originally a church, was changed again to a school-house. It was used for the latter purpose some forty years. In March, 1892, the property was sold by the city [B. 1374, P. 469], and passed from public use.

quitclaim, which led the Council, on Nov. 28, 1832, to pass the following vote:—

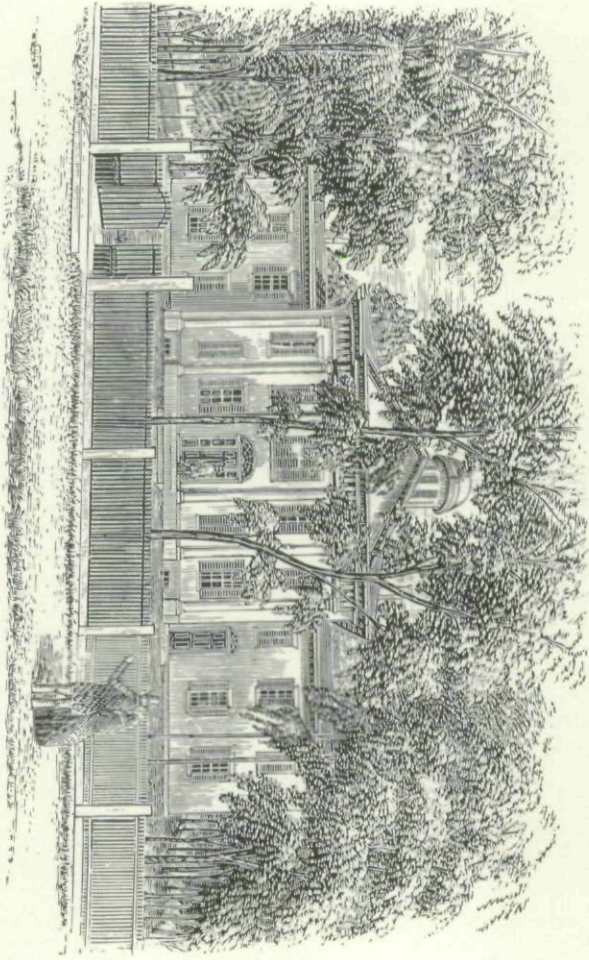
“That Col. Samuel Damon of Holden, in consideration of his conveying to the Society all his right and title to any land now included within the wall of the yard of Antiquarian Hall, shall, with his immediate family, have the privilege of visiting Antiquarian Hall at all hours when the Hall is kept open for visitors.”

Charles and Samuel Chandler owned other real estate in common, and at the former's death in 1798 a partition took place, the “down town farm” going to Samuel, while Sarah, the minor daughter of Charles, became the owner of a larger estate lying southwesterly of the village. After Samuel's death, or on May 9, 1814, his executors, Aaron Bancroft and Benjamin Smith, conveyed the greater part of the down-town farm to Francis Blake [April 27, 1814; Book 192, Page 231]; and on May 9 following sold to Isaiah Thomas, father of the American Antiquarian Society, one-half acre lying just north of the church.

Here was to be our first permanent home.

The first meeting of the Society, for organization, was held at the Exchange Coffee House in Boston, on November 11, 1812.¹ The Worcester meeting in September, 1813, was held at the dwelling-house of Col. Reuben Sikes, innholder; in the following September, at the same place, then called the Worcester Coffee House; in July, 1815, and June, 1816, at the Library room, that is, in Mr. Thomas's spacious mansion. On June 26, 1817, “that part of the ways and means committee residing in Worcester made a report that it is expedient that a subscription be opened to procure a sum in order to enable the Society to build a suitable edifice for the Library and Cabinet; and to elect a proper person to apply to the members in the United States for the purpose; and that the person be furnished with \$500 to enable him to proceed in the mission.”

¹ See a paper on The Boston Meetings of the American Antiquarian Society: by Charles A. Chase. Vol. XIII., New Series Proceedings, page 31.



ANTIQUARIAN HALL.—Summer Street.

On Aug. 15, 1819, it was "Voted that at the request of the President a committee be appointed to superintend the building now erecting by him for the use of the Society.

"Levi Lincoln, Nathaniel Maccarty and Rejoice Newton chosen."

On Oct. 23, 1819, at Foster's Hotel in Boston, a committee, appointed to investigate and report on the general progress and state of the Society, made a long report, in which they say:—

Within the last year our venerable and enterprising President,¹ in praise of whose munificence too much cannot be said, has erected at great expense a handsome, commodious and substantial building for the use and benefit of the Society; and it will probably be ready for the reception of the library and cabinet at some time during the next season. It is sufficiently large to answer all the purposes of the Society for many years, and is so constructed that whenever more room shall be wanted additions may be made without disfiguring but would rather increase the elegance of the edifice.

This building, which was of brick with a classic front, was formally opened on Aug. 24, 1820, "with public services in the Rev. Doctor Bancroft's Meeting House" on the neighboring lot. A formal address was delivered by Isaac Goodwin, Esq. Mr. Goodwin, who is most widely known as author of "Goodwin's Town Officer" [Worcester, 1825,] and "The New England Sheriff" [Worcester, 1830,] a native of Plymouth, was at this time a resident of Sterling, from which place he removed to Worcester in 1826. In his address, which was published by the Society, he dwelt upon the importance of preserving the annals of the human race, and congratulated the citizens of the county upon the event of the day.

¹ Mr. Thomas was then in the 71st year of his age. For the latest contribution to the Isaiah Thomas literature see an article by our associate, Benjamin Thomas Hill, in "The Worcester Magazine" for July, 1901. Published by the Board of Trade, Worcester, Mass.

Hardly ten years passed before the "commodious" building proved to be too small for its purpose. For at the semi-annual meeting on June 30, 1831, a committee appointed by the Sub-Council reported, recommending "the erection of two wings as soon as may be convenient; each wing to be 25 feet long and 20 deep, two stories high and covered with slate or zinc. One of the wings to have the floors covered with stone or brick, and to connect with the main building by means of an iron door. The expense will not exceed, we think, \$1,200."

While the Society had enjoyed the full use of the building as their own, no deed had ever passed from Mr. Thomas. At his death, which occurred April 4, 1831, his will, which was very voluminous, gave the Society a bequest of \$30,000, followed by this clause:—

I give to said Society, (provided I shall not before my death execute a deed thereof,) and their successors forever, that tract of land in Worcester whereon is now erected a building for the use of said Society, which land I purchased of Samuel Chandler's heirs, containing about one acre near the Second Parish, with the said building thereon; which building is to be forever sacredly appropriated as long as said Society shall exist, for the library, cabinet, &c. of said Society; and the house and building are accordingly devised upon this express condition. And in case said Society shall at any time cease to use said building for said purpose, then the whole of this estate is to revert to my grandchildren generally and their heirs.

Mr. Thomas, in his will, further declared that he valued this real estate at \$8,000. He left to the Society \$10,000 in books from his private collection, and \$12,000 in money to make up the whole legacy of \$30,000.

After thirty years the Library building, with its wings, was all too small for its purpose; and at the annual meeting, October 23, 1850, it was "Voted that a committee be appointed to consider that part of the report of the Council which relates to repairs and alterations of the Library

building and to the erection of a new building on some other site; and the said committee, if they shall deem it expedient may, with the concurrence of the Council, purchase a suitable lot for the purpose last mentioned." Hon. Charles Allen, Hon. Isaac Davis and Hon. Stephen Salisbury were appointed as the committee.

At a meeting of the Council, on December 26, 1850, the Hon. ISAAC DAVIS, from the Committee appointed at the annual meeting of the Society "to consider that part of the Report submitted by the Council which relates to repairs and alterations of the Library buildings, and to the erection of a new building on some other site," made an informal report.

"In the absence of the Chairman, Hon. Charles Allen, it was stated that the Committee had examined several lots, and had obtained their prices, viz:—a lot on Park Street owned by Mr. Adolphus Morse, the price of which was \$5,500, a lot on Front Street owned by Hon. Abijah Bigelow, the price of which was \$4,500, a lot on Main Street known as the 'Dix Place,' owned by Mr. Henry Goulding, the price of which was \$10,000, and a lot next north of the old Court House, on Main Street, owned by Hon. Stephen Salisbury, which Mr. Salisbury proposed to convey gratuitously to the Society, provided the Society was satisfied that the location was favorable for their purposes.

"The Committee and the Council having concurred in the opinion that the lot last mentioned possessed very decided advantages for the location of the Library building, and under all circumstances regarding both convenience and safety, was the most favorable for that purpose—and that the liberal proposition of Mr. Salisbury should be thankfully accepted, it was

"*Voted*, That a committee should be appointed to procure plans and specifications for a suitable edifice to be erected on the land proposed to be conveyed by Mr. Salisbury.

"*Voted*, That Hon. Isaac Davis, Hon. Stephen Salisbury, Hon. Alfred D. Foster, constitute said committee."

At the next meeting of the Council, on motion of Hon. EMORY WASHBURN, it was

Voted, That upon the representation of a member of the committee appointed by the Society to act upon the subject of purchasing a lot for the erection of a new Library building, that the Hon. Stephen Salisbury is willing to execute a deed of a lot near the Court House for that purpose, the Council hereby concur in the selection of said lot, if the committee shall see fit to procure the same, and recommend to said committee that they accept a deed thereof, as being in the judgment of the Council a suitable lot for the erection of such a building.

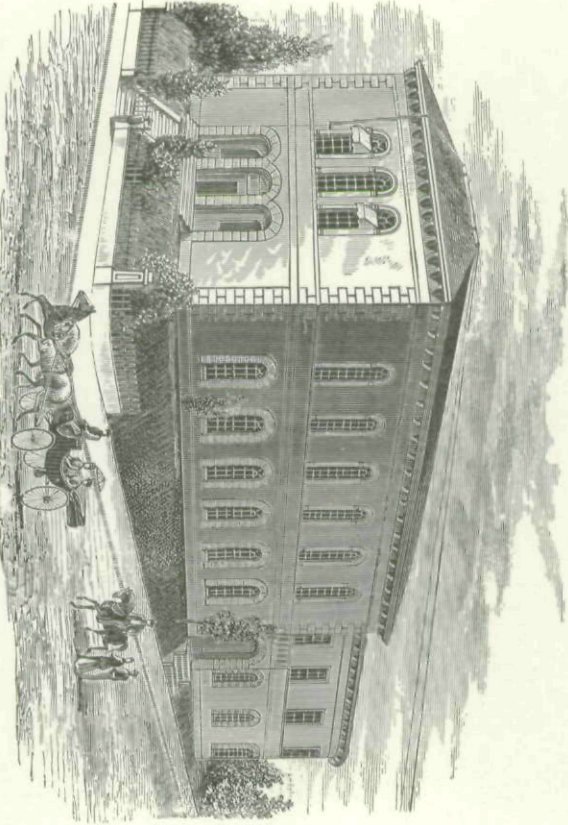
Voted, That the committee appointed at the last meeting to procure plans for a suitable edifice to be erected on the land proposed to be conveyed by Mr. Salisbury, be directed to procure plans with reference to a building, not to exceed ten thousand dollars, exclusive of the expense of preparing the site for the building.

At the semi-annual meeting, April 30, 1851, it was voted: "That the thanks of the Society be presented to Hon. Stephen Salisbury, for his munificent donation of a valuable lot for a new library building." And it was further voted: "That the whole subject of erecting a new library building, and the disposal of the old building and land, be submitted to the discretion of the Council, with full power to sell the old building and land, and erect a new one as they may think proper."

On February 25, 1852, it was

Voted, That the Council of the American Antiquarian Society have a grateful sense of the kindness, liberality and public spirit shown by the Hon. Stephen Salisbury, as well in the gift of a valuable site for the new Hall as in the generous offer of the sum of five thousand dollars to aid in its construction; that accepting in behalf of the Society the offer so made, they readily consent to the use of the lower room for a library for the period indicated in his communication of January 21st. by such persons, and under such regulations as upon a conference with Mr. Salisbury may be thought consistent with the convenience of the Society and the safety of its collections.

ANTIQUARIAN HALL—Main Street.



On April 30, 1851, the Society had given the Council full power to sell the old building and erect a new one. The following minute is from the record of a Council meeting held on July 1, 1854:—

Pursuant to votes of the Society authorizing the sale of the Society's estate on the east side of Summer street, in Worcester, formerly occupied by the Society, and upon the proposition of the Hon. Isaac Davis in behalf of the Trustees of the Worcester Academy to purchase the same:

Voted, That the same be sold to said Trustees for the sum of nine thousand dollars, and that the west line be defined in such manner and by such courses, as to include within the boundaries the quantity of twenty-seven thousand feet of land, with a free and unobstructed right of passage to the grantees and their assigns from every part of the said west line, so to be defined over the remaining land of the Society which will lay between the said line and the east line of Summer street, as established by the County Commissioners, and upon the terms of payment of 1,000 dollars on the delivery of the deed, and the security of a mortgage on the estate for the payment of 4,000 dollars in one year, and 4,000 dollars in two years with interest semi-annually; and that the deed of conveyance be executed pursuant to the vote of the Society at the meeting held this day.

We will follow the title of the Summer street lot until it left our hands. Mr. Thomas's will had provided that if at any time it should cease to be occupied for the uses of the Society it should revert to his grandchildren. The Society, therefore, could not sell it without first obtaining an absolute title. I find no additional vote or authority in the matter, but it is evident that measures had been taken to secure a full title before the vote was passed to sell, for I find upon record quitclaim deeds from the heirs of Mr. Thomas, of "all our right, title, claim and demand in and unto a certain tract of land with the building thereon on Summer street in said Worcester, now occupied by said Society for their library and cabinet." The consideration in each deed was \$1; and the grantors may be

supposed to include all the grandchildren or their representatives.

Samuel Damon, who had become the owner of the church lot, had deeded to the Society a triangular piece of three square rods adjoining our southeast corner, as above stated. At a special meeting of the Society on July 1, 1854, it was

Voted, that the Hon. Stephen Salisbury, Vice President of the Society, be authorized and empowered to convey the estate on the east side of Summer street in Worcester, formerly occupied by the Society to such person or corporation and upon such terms and conditions as the Council shall prescribe.

On July 4, 1854, the Society deeded to Worcester Academy the Summer Street lot for \$9,000.

It is worthy of notice here that the two sites which the Society has occupied are in what was the business centre of the village of Worcester. There were the Court House, the Jail, and the first school-house. There were the dwelling-house and the blacksmith shop of Col. Timothy Bigelow, who led the minute-men from the town on the 19th of April, 1775, and who did valiant service through the Revolution. There was the first apothecary shop in the county, established in 1731 by Dr. William Paine and afterwards sold to Dr. Abraham Lincoln, brother of the first Levi Lincoln and son-in-law of Col. Bigelow. There, after 1771, on land bought of John Hancock,¹ was the colonial mansion, still standing, of the first Stephen Salisbury. The little school-house, 24 feet long, 16 feet wide and 7 feet stud, "completely finished with a good chimney, *glase* and that," was built under a vote of the town passed on June 21, 1738. It stood nearly in front of our present building, on land which is now a part of the public highway. In this building a young man, freshly

¹John Hancock to Stephen Salisbury. 150 acres set off to Joseph and Daniel Waldo as part of their father Cornelius's estate. Nov. 5, 1771. Book 66, page 193 in Worcester Registry.

graduated from Harvard College, taught Latin and the higher branches of English from 1755 to 1758. For a profession he had at first inclined to the ministry; but after a year he decided upon the law, and took up its study under the direction of James Putnam, who is characterized by Willard as "the seventh in point of time but perhaps the first in distinction" [*i. e.*, of the members of the Worcester Bar.]¹ This young teacher and student became the second president of the United States. The first entry in his published Diary describes the circumstances which brought him to Worcester, and the entries for the three years following give a very graphic description of the society of the town and its intellectual activity.

Westerly from, and facing "the down town farm" of Col. Chandler was the large estate of William Jennison, who came to Worcester soon after the final settlement of the town. His brother Samuel, who came with him, was the ancestor of the Samuel Jennison who was Librarian and Treasurer of this Society.

William Jennison gave to the town the lot on which they had built the first school-house, with twenty feet around it, on Nov. 27, 1738.² He had previously given to the County of Worcester³ a lot just south of our present lot, on which a Court House of wood, 36 feet long, 26 feet wide, with 13 feet posts, was built and was first occupied by the courts on Feb. 8, 1734, when the Chief Justice, John Chandler of Woodstock, grandfather of "the honest refugee" of whom I have spoken, delivered a congratulatory address.

After the death (in 1744) of William Jennison, his daughter Abigail Baldwin with her husband William conveyed one quarter of the Jennison estate to Luke Brown,

¹ Address to the Members of the Bar of Worcester County, Massachusetts, Oct. 2, 1829, by Joseph Willard. p. 58.

² Book 10, p. 362, Worcester Registry.

³ Feb. 1, 1731-2; Book 3, p. 57.

son-in-law of William Jennison, and landlord of the "Hancock Arms." A part of this tract, including part of the present site of Antiquarian Hall, was sold to Isaiah Thomas by Luke Brown's executor; and a tract of about nine acres, lying north and in the rear of the Thomas purchase, was sold by Luke Brown's son Luke to Samuel and Stephen Salisbury. Samuel Salisbury conveyed the tract to Stephen, Oct. 22, 1812, and it was inherited by the latter's son Stephen, our grantor and benefactor.

Mr. Thomas sold to Clark Whittemore a lot north of the Court House and on the west side of Main street, 100 feet deep, about 32 feet in front and about 36 feet in the rear. Whittemore sold to Stephen Salisbury, March 22, 1833. A new road leading westerly had been laid out a year or two before, leaving a strip of land between the road and the Whittemore lot, and when Mr. Salisbury conveyed to the Society he gave a lot bounding northerly on Highland street 121 feet and 7 inches, easterly on Main street 70 feet and 8 inches, southerly on a line 24 feet from the stone underpinning of the Brick Court House 118 feet and 3 inches, and westerly by a line running N. 23 $\frac{1}{2}$ ° E. 51 feet and 8 inches. This deed was given "in consideration of my desire to aid in increasing the efficiency of a useful Society, and in consideration of one dollar to me paid by the American Antiquarian Society." It was accompanied by a gift of \$5,000 in money.

On the Jennison land, just south of the court house, Mr. Thomas built a stately dwelling-house. A building containing his printing office and book store was near by. On June 26, 1843, Daniel Waldo conveyed the house lot, 192 feet on the street and about 200 feet deep to the County of Worcester by a deed of quitclaim;¹ and on Aug. 10, Rejoice Newton and Rebecca Newton quitclaimed the same property to the County.² The mansion house

¹ B. 380, p. 472. ² *Ibid.*, p. 461.

was removed to the rear, where it still may be seen, unchanged in outward appearance except some alteration of the south wing.

We have seen that Mr. Salisbury's deed to the Society left an open space of twenty-four feet north of the old Court House. It was evidently understood with the County Commissioners that this space should be forever kept open. The county having become owner of land in rear of the Hall, conveyed to the Society, July 20, 1867,¹ a lot 50 feet wide on Highland street, the south line being an extension of a line running parallel with and 12 feet from the south side of the Hall, excepting and reserving to the grantors a right to a passage way along the entire south and west lines of the tract above described and a right to have said 12 feet forever open and granting to said Society a right of passage way.

The old Court House, the third in point of time, built in 1802, and enlarged in 1857, and the elegant, classic stone Court House, built upon the Thomas estate in 1845 and enlarged in 1878, in time came to be considered too small for the convenience of the Courts and public offices. About the year 1895 the County Commissioners were persuaded to undertake the work of enlarging or rebuilding, and an Act of the Legislature was secured² authorizing them to make such addition, and by section 5 "to take and hold by purchase or otherwise such land, rights of way and easements as they may deem necessary," *etc.*

The plans finally adopted by the Commissioners provided for an extension of the stone Court House northerly, to cover the land occupied by the brick Court House as well as the intervening land, and even to encroach upon the land or easements of the Antiquarian Society. So a supplementary bill was passed by the Legislature in the next year,³ authorizing the Commissioners "to sell, tear down

¹ B. 749, p. 365.

² Acts of 1896, chapter 350. ³ *Ibid.*, 1897, chapter 449.

or remove the brick Court House * * * and to erect on said land or on any part of the adjoining land a building which shall provide additional accommodations for the several courts in said county sitting at Worcester, and for the county offices and papers," etc.

In the development and accomplishment of the plans of the County Commissioners they built much wider "than they knew"; for they encroached not only upon our easements but also upon our territory. But the new bounds have now been established by a plan and deeds of record, and it is hoped that it may be long before the Society shall again be disturbed in its real estate or its privileges and appurtenances.

County of Worcester to American Antiquarian Society.

KNOW ALL MEN BY THESE PRESENTS that the County of Worcester, a body politic and corporate, within the Commonwealth of Massachusetts, in consideration of One Dollar and other valuable considerations to it paid by the American Antiquarian Society, a Corporation duly established and exercising its franchise in the City and County of Worcester, and Commonwealth of Massachusetts, the receipt whereof is hereby acknowledged, doth hereby remise, release and forever quitclaim unto said American Antiquarian Society all its right, title and interest, if any, which the County Commissioners may be authorized and empowered by its agent to convey, to that parcel of land situated in said City of Worcester, lying northerly and easterly of the following described lines, and extending to the southerly and westerly walls of said Society's building. Said lines are located as follows:

Beginning at a point on the southerly line of Highland street, which said point is one hundred and seventy-eight and ninety-six hundredths (178.96) feet easterly, measured on said southerly line of Highland street as now located from the lot line dividing land of Stephen Salisbury from land of G. Henry Whitecomb. Said point is also further defined by being directly opposite to a hole drilled in the top of a stone bound sunk into the sidewalk two feet N. 13° 40' E. from said point; thence from said point running S. 13° 40' W. said course being at a right angle to said line of Highland street, a distance of thirty-one and fifty-seven one hundredths (31.57) feet, to the center¹ of the upper end of an

¹ *Sic.*

iron rod driven into the ground at an angle in said line; thence S. 17° 2' E. thirteen and seventy-three one hundredths (13.73) feet to the center of the upper end of an iron rod driven into the ground at an angle in said line; thence S. 57° 19' E. twenty-two and five tenths (22.5) — ^ to the center of the upper end of an iron rod driven into the ground at an angle; thence S. 68° 12' E. one hundred and twenty-nine (129) feet to the center of a hole drilled in the top of a stone bound set into the ground; thence easterly in the same straight line about five (5) feet, passing through the center of the large granite fence post to the westerly line of Main street; said land lying northerly and easterly of said line to remain unobstructed by any building or additions to the present Antiquarian building, or any fences or structure except as at present existing, together with the right in said Society of access to the bulk head of its building over the adjoining land of said County. Said lines are further illustrated by a plan made by Civil Engineers, Buttrick & Pratt, dated September, 1900, and to be entered for record with this deed.

TO HAVE AND TO HOLD the granted premises, to the said American Antiquarian Society and its successors and assigns, to its and their use and behoof forever.

IN WITNESS WHEREOF on this 28th day of February, 1901, said County of Worcester has caused its corporate seal to be hereto affixed, and these presents to be signed and sealed in its name and behalf, by its agent, William T. Harlow, appointed by an order dated the 26th day of February, 1901, passed by the County Commissioners for said County, and duly entered on their records.

THE COUNTY OF WORCESTER [SEAL]
By William T. Harlow, Agent.

Commonwealth of Massachusetts.

Worcester, ss. March 29th, 1901. Then personally appeared the above named William T. Harlow and acknowledged the foregoing instrument to be the free act and deed of the County of Worcester, and his own free act and deed as agent, before me,

T. S. Johnson, Justice of the Peace.

Rec'd March 29, 1901, at 4h. 17m. P. M. Ent'd & Ex'd.

Attest:

Dan'l Kent

Register.

Worcester, ss. A true copy of Record, recorded with Worcester District Deeds, Book 1680, Page 574.

Attest:

(Sgd.) Dan'l Kent

Register.

American Antiquarian Society to County of Worcester.

KNOW ALL MEN BY THESE PRESENTS that the AMERICAN ANTIQUARIAN SOCIETY, a Corporation existing and located in the City and County of Worcester and Commonwealth of Massachusetts, in consideration of One Dollar paid, and certain acts and things done, by the County of Worcester, a body politic and corporate in and of said Commonwealth, doth remise, release and forever quitclaim unto said COUNTY OF WORCESTER all the right, title and interest of said American Antiquarian Society in and unto that portion of the land of said Society which is covered by the building, foundations and projections of the Court House recently erected by the County Commissioners of said County of Worcester upon said County's real estate, on the westerly side of Main street in said City of Worcester, which building, foundations and projections were by inadvertence and mistake extended upon and over said land of said American Antiquarian Society lying outside and adjoining on the north the land of said County described in the description of its taking, dated September 8, 1896, and recorded with Worcester District Deeds, Vol. 1520, Page 1.

TO HAVE AND TO HOLD the granted premises with the privileges and appurtenances there belonging, to said County of Worcester, its successors and assigns, to its and their own use and behoof forever.

IN WITNESS WHEREOF the said American Antiquarian Society, by Stephen Salisbury, its President and Nathaniel Paine, its Treasurer thereto duly authorized, doth set its hand and seal this 28th day of February, in the year 1901.

THE AMERICAN ANTIQUARIAN SOCIETY [SEAL]

By Stephen Salisbury, President
Nath'l Paine, Treasurer.

Commonwealth of Massachusetts.

Worcester, ss. March 29th, 1901. Then personally appeared the above named Stephen Salisbury in behalf of said American Antiquarian Society, and acknowledged the foregoing instrument to be the free act and deed of said Society, before me,

T. S. Johnson, Justice of the Peace.

Rec'd March 29, 1901, at 4h. 31m. P. M. Ent'd & Ex'd.

Attest:

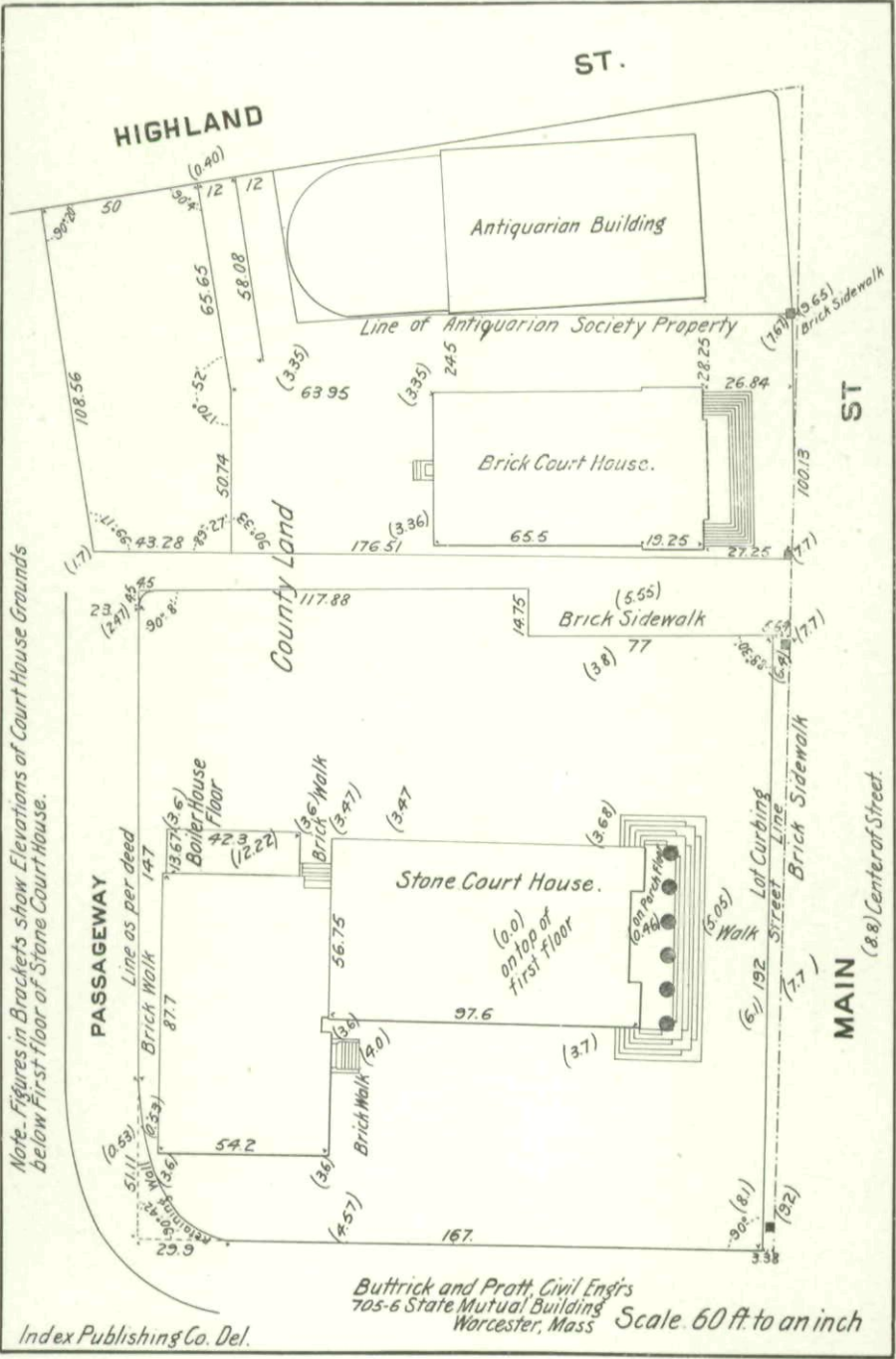
Dan'l Kent,
Register.

Worcester, ss. A true copy of Record, recorded with Worcester District Deeds, Book 1680, Page 576.

Attest:

(Sgd.) Dan'l Kent
Register.

PLAN OF LANDS OF COUNTY OF WORCESTER AND AMERICAN ANTIQUARIAN SOCIETY
ON COURT HILL, WORCESTER, MASS., PRIOR TO SEPTEMBER 8, 1896.



**PLAN SHOWING
ADJUSTMENT OF LOT
LINES between Land
of AMERICAN ANTIQUA-
-RIAN SOCIETY and
THE WORCESTER
COUNTY COURT HOUSE
GROUNDS**

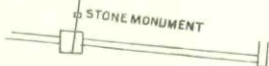
September 1900.

*Buttrick & Pratt
Civil Engineers
Rooms 705-706
State Mutual Building
Worcester, Mass.*

County Land

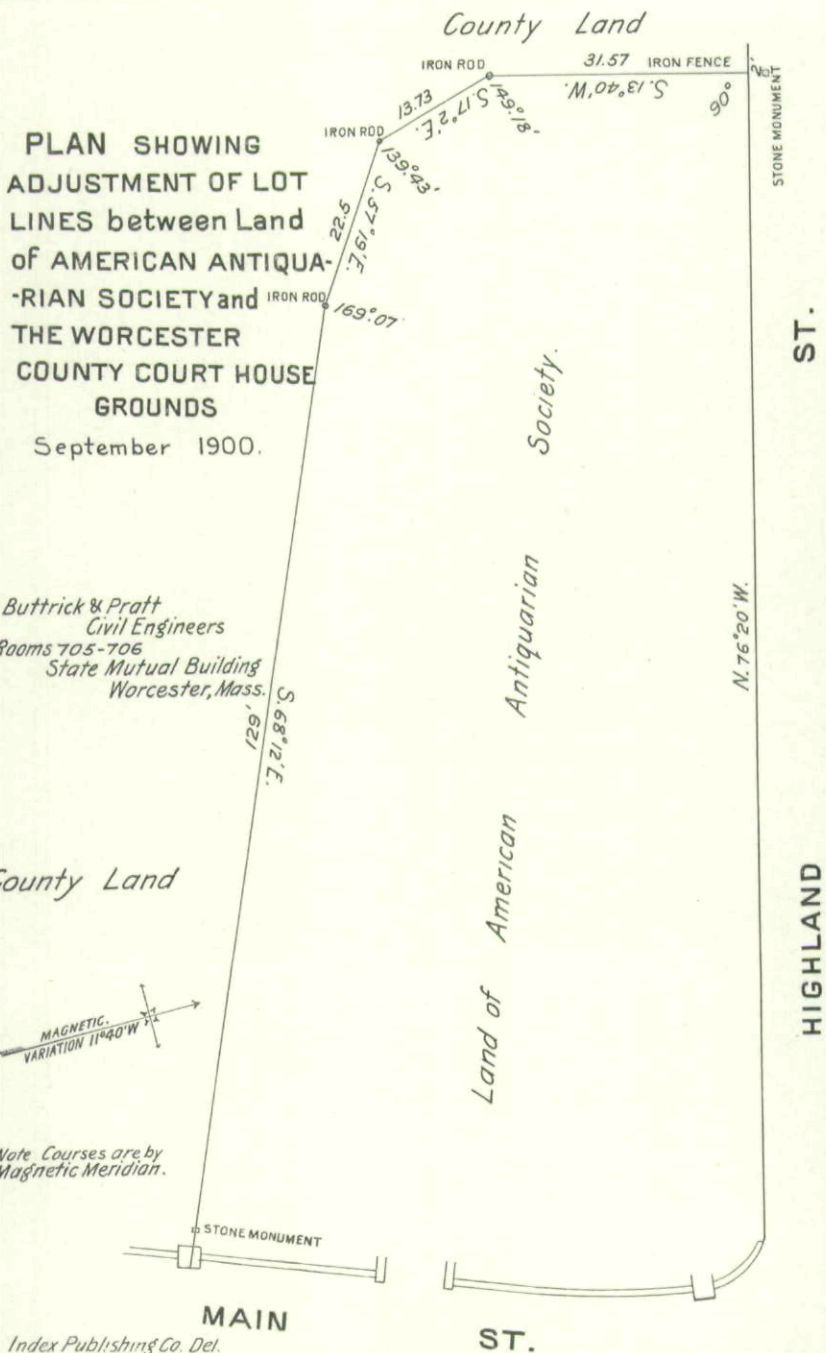


*Note Courses are by
Magnetic Meridian.*



MAIN

ST.



Index Publishing Co. Del.

Copyright of Proceedings of the American Antiquarian Society is the property of American Antiquarian Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.