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noticed: the act of 1642, in which the affairs of the college are placed under the supervision of a body of Overseers who are not incorporated, is published in the Book of the General Laws and Liberties of 1660 and in the revised edition of 1672, but it was not thought worth while to include the act of 1650. The direct effect of this omission may be noted in Randolph's report in 1676, where he says, "The government of these colleges is in the Governor and Magistrates of Massachusetts and the President of the College, together with the teaching elders of the six adjoining towns," — a description evidently based on the act 1642. Up to this time the College is generally spoken of in the records of the College as "The Society," and this phrase is used even after this date.

In June, 1652 certain persons were declared to be from "henceforth a corporation"¹ and "incorporated into one body or company," for the purpose of furnishing water to the residents of Conduit Street,² Boston. No corporate name is given, but the

¹ Massachusetts Colony Records, iv. Part i. 99.

² Our associate, Mr. Henry H. Edes, has furnished the following interesting items, which show the existence of the Company at a later day. The Conduit itself was apparently in working order in 1737, and is incidentally referred to in the Selectmen's Records as late as 1763: —

There were thirteen corporators named in the Act (Massachusetts Colony Records, iv. Part i. 99), who appear to have had an equal interest in the undertaking. An intimation that the Conduit had been built before the Charter was granted (1 June, 1652) is found in the Act itself, which provides that the corporators "shall take order for the due pajment of their annuall rent to Mr. Willjam Ting, according to their couenant and agreement wth him." The fact that it had been built and was in use, certainly as early as 24 (11) 1651, is fully established by a deed of that date whereby Valentine Hill, one of the corporators, conveyed to William Awbrey, "for the vse of the Vndertakers of the Iron workes in New England," land and a wharf "on the Southerly side of the streete or highway neere the bridge over the mill Creeke . . . together with all water Cou'ses," etc., and "it is further explajned that by water cou'ses is vnderstood the priuiledge of the Conduite in the streete for two shares as well as any other priuiledges of water cou'ses." (Suffolk Deeds, i. 178-180.) The street, apparently, had not as yet become known as "Conduit Street," but a year later it is so designated in a deed given by William Hudson, another corporator, to Robert Petershall, 27 March, 1652 (*Ibid.* i. 219). The annual expense of the Conduit priuileges is shown by a deed dated 22 October, 1652, by which Leonard Buttles, a third corporator, conveys to Capt. Nicholas Simpkins an estate near the Dock with "right & priuiledge to fetch water at the Conduite

officers had the right, under certain circumstances, to implead in the name of the whole company or body. Any proprietor of lands within the said street could be admitted into the company by the wardens, with the consent of the major part of the company. Un-

for his owne house only paying therefor yearly two shillings & Sixe pence to the wardens of the Company for the time being" (*Ibid.* iii. 302). Three years later, on 20 February, 1655, Buttles conveys to Richard Staines an estate which "fronteth the Conduit Street" and "a fifteenth part of the water Conduit" (*Ibid.* ii. 258). This would indicate that two other "proprietors of lands, wthin the sajd streete or elsewhere," had "come into the sajd body," as permitted by the Charter; but the surmise that a clerical error occurred in recording Buttles's deed is warranted by reference to an instrument dated 13 July, 1656, by which Joseph Armitage conveys to Capt. Thomas Savage "two thirteenth shares in y^e Condit . . . wth two said shares" had been taken on execution from the estate of the "Vndertak^r of y^e Iron workes" (*Ibid.* iii. 3).

Conduit Street was known later as Ann Street, and is now North Street. In the title of the estate now and for many years known as "Oak Hall," and of the estate adjoining it on the Southwest, are references to the Conduit. These estates are on the Northerly side of North Street, between Union and Blackstone Streets, and nearly opposite the end of Merchants' Row. The Southwesterly part of the Oak Hall estate belonged to Major Thomas Savage, who conveyed it in 1659, describing it as "on the North side of the Conduit Street" (*Ibid.* iii. 488). In the Inventory of the estate of William Ballantine, a founder of the Scots Charitable Society, this estate is mentioned with wharf and Conduit privileges (Suffolk Probate, No. 516). William Ballantine's heirs, for £275, conveyed the estate to Col. John Ballantine (the eldest son), 28 July, 1680, together with "one share in the Conduit in the Conduit Street," and wharf privileges (Suffolk Deeds, xii. 95). By deed dated 3 January, 1692, Bozoun Allen granted to Ballantine and others the right of laying pipes for the use of the Conduit in Conduit Street (*Ibid.* xx. 29). Colonel Ballantine bought several contiguous parcels, and died 27 April, 1734. His administrator conveyed the enlarged estate to Charles Coffin by deed dated 25 May, 1737, together with wharf and other privileges, "and the use and privilege of the well and water from the Conduit, as the same Premises were heretofore held, used, occupied, and enjoyed" by Ballantine (*Ibid.* liv. 139). The Ballantine lot had a frontage of about 22 feet on Conduit Street. The lot, about 17½ feet front, adjoining it on the Northeast is now included in the Oak Hall estate.

Conduit Street is also referred to in a deed from Abigail Woodbridge, of Hartford, Conn., to Joseph Belknap, 15 March, 1753, conveying the estate adjoining the Ballantine lot on the Southwest. (*Ibid.* lxxxii. 48.)

See also Shurtleff's Topographical and Historical Description of Boston, pp. 398-404, 640, 645, 683; Boston Record Commissioners' Reports, ii., vii., viii. (Town Records, 1634-1728), *passim*, x. 1-54 (Capt. Robert Keyayne's Will, 1653), 86, and xi., xiii., xix. (Selectmen's Records, 1701-1763), *passim*; and Memorial History of Boston, i. 233, 234, 546.

less words of succession are to be found in "henceforth" and in the provision that others might be admitted, this so-called corporation had neither name nor succession.

There were no other incorporations¹ or attempts at incorpora-

¹ PATENTS.—In May, 1646 Joseph Jenkes, who was reputed to be a man of ability "in raising the manufacture of engines of mills to go by water," "for the speedy despatch of much work with few hands," was granted the exclusive use of "such new inventions" for fourteen years. (Massachusetts Colony Records, ii. 149.)

In May, 1652 Edward Burt, who was supposed to have discovered a new way to make salt, was granted the monopoly for ten years of the manufacture of salt by the new method. (*Ibid.* iii. 275.) Our associate Mr. Henry H. Edes is authority for the statement that Burt was of Charlestown, where he was Town Clerk 1658-1662, and married Elizabeth, daughter of George Bunker. Governor Bradstreet was concerned with him in building there the Saltworks, in 1652 (Suffolk Deeds, ii. 256, 257). Cf. Wyman's Genealogies and Estates of Charlestown, i. 115, 150, 160; Suffolk Deeds, i. 99, 238, ii. 112, 156, 163, 167, 169, 170, 171, iii. 66, 324; Middlesex Deeds, i. 142, 143; Boston Record Commissioners' Reports, iii. (Charlestown Land Records) *passim*; and Massachusetts Colony Records, iii. 421, iv. Part. i. 91, 272, 283, 334.

In October, 1652 John Clarke was granted the exclusive use for three years of his invention "for saving firewood and warming of rooms with little cost and charge, by which means great benefit is like to be to the country." (Massachusetts Colony Records, iv. Part i. 104.) This grant was extended in May, 1656 for the term of Clarke's life. (*Ibid.* iv. Part i. 260.)

In May, 1655 Joseph Jencks, Sr., and his assigns were granted the exclusive right for seven years to make and use an engine that said Jencks had proposed to the Court for the more speedy cutting of grass. (*Ibid.* iv. Part i. 233.) In May, 1656 John Winthrop was granted an exclusive privilege for twenty-one years of making salt after his new way, within this jurisdiction. (*Ibid.* iii. 400.) In October, 1670 Richard Wharton petitioned the Court (*Ibid.* iv. Part ii. 467) relative to the manufacture of salt. A committee was appointed to treat with him. It may be gathered from the report of this committee in June, 1671, that he had information of the "making of salt by improving the advantage of the sea-water by the sun," as practised elsewhere, and that he wished to secure a charter for a company. (*Ibid.* iv. Part ii. 505.) The committee recommended the grant of "a charter for empowering a company of adventurers thereunto," and the Court approved the proposition, but recommended it for future report, after settlement of details.

In June, 1671 the Court passed an order to the effect that no person, except Richard Wharton, John Saffin and Company, could make or produce (any other way than hath been practised in former times in this country) any pitch, rosin, turpentine, oil of turpentine, or mastic of the pine or cedar trees in this jurisdiction. This monopoly of the manufacture of these articles by any other