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# BOSTON NATIONAL HISTORICAL PARK

GOVERNMENT

DOCUMENTS

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## HEARING

BEFORE THE

### SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

### COMMITTEE ON

### INTERIOR AND INSULAR AFFAIRS

### UNITED STATES SENATE

NINETY-THIRD CONGRESS

FIRST SESSION

ON

## S. 210

A BILL TO AUTHORIZE THE ESTABLISHMENT OF THE  
BOSTON NATIONAL HISTORICAL PARK IN THE  
COMMONWEALTH OF MASSACHUSETTS

BOSTON, MASS., SEPTEMBER 10, 1973



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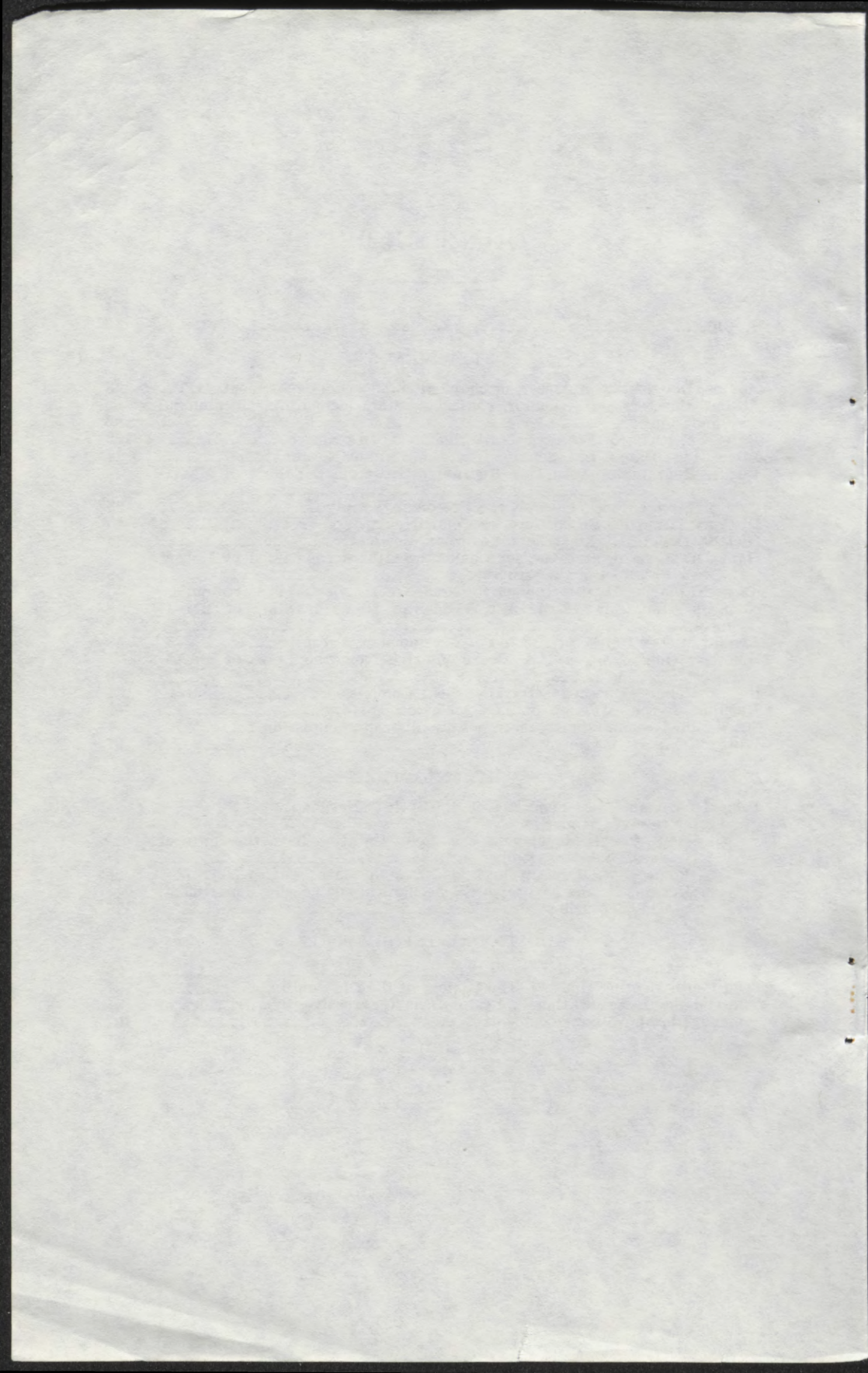
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## BOSTON NATIONAL HISTORICAL PARK

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MONDAY, SEPTEMBER 10, 1973

U.S. SENATE,  
SUBCOMMITTEE ON PARKS AND RECREATION,  
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Boston, Mass.*

The subcommittee met at 8:15 a.m. at Bunker Hill Monument, Boston, Mass., Hon. Alan Bible, presiding.

Present: Senators Bible and Kennedy, and Representative Moakley.

Also present: Gerald Gereau, professional staff member; Maureen Finnerty, clerical assistant; and Mary Murtagh, staff of Senator Kennedy.

### OPENING STATEMENT OF JOHN SEARS, COMMISSIONER, METROPOLITAN DISTRICT COMMISSION

Mr. SEARS. Folks, this is a word of welcome. Our Senators have a lot to do Monday and we have thrown them a traffic curve and a coffee curve but my first words are words of welcome to Bunker Hill Battlefield and welcome to all the rest of you, too.

In a word, what the Senators are anxious to see this morning is what was the condition of the monuments, the battlefields and historic sites around the Boston area and whether it would be a good idea insofar as Senator Kennedy has sponsored a bill called S. 210, to turn some of these sites over from local control to Federal control.

That would bring the Park Service in here. I will not go through a lengthy statement with you but simply say that the MDC, the Metropolitan District Commission has run this site for 50 years. We do try as well as we can to interpret it.

To show what happened here, we struggled manfully to let the people know they are in Breed's Hill and not Bunker Hill and that Dr. Warren, who was also Major General Warren, died not far from where his statue is in this lodge, that what occurred here was a grave loss, that the provisionals did their best but after two waves of attack, stormed Breed's Hill and drove them off this place.

These things we try to teach but it is not easy with a small staff with all the responsibilities of the MDC and with an appropriation system that is not conducive to this kind of national historic preservation.

So, this is my chance to say, as I may be able to say a little bit later in the day, that we have been proud to run this site for five decades and we are content with the support we have had.



I think it best that the Park Service take the place over and for that reason I am a supporter of Senator Kennedy's legislation.

At this point in the proceedings it is early and I would like to ask if Chairman Bible, the chairman of the subcommittee or Senator Kennedy would want to say a word for public consumption.

**STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR  
FROM THE STATE OF MASSACHUSETTS**

Senator KENNEDY. Let me just say welcome to Senator Bible, who is an old friend of Massachusetts.

As chairman of the Interior subcommittee on Parks and Recreation he has done more in relationship to the preservation of our natural resources as well as taking an extraordinary profound interest in the problems of historical preservation than anyone in the U.S. Senate.

This is one of his many visits to the Commonwealth of Massachusetts and in recent years he has been up to Massachusetts as the chairman of the subcommittee to hold hearings on the Mt. Holyoke Range, also our islands trust bill; so he is no stranger to Massachusetts. And as an astute student of history, he is very much aware, I think, of the historical importance of the preservation and restoration and interpretation of many of these different monuments or buildings or meeting places which are so much a part of our own history.

So, I am obviously delighted to welcome Senator Bible here and the Congressman and our other distinguished guests.

We are coming to the period of the celebration of the Bicentennial. It would be important to preserve these areas even if we were not. I think unquestionably the legislation which has been introduced has achieved broad support and would preserve many of the most essential and important parts of our historical heritage.

It has not always been so. You remember back in the 1880's when it was even being seriously contemplated to move the old State House where the Declaration of Independence was first read.

We fought and we will continue to fight to preserve such historic landmarks as the U.S.S. *Constitution*. Those historic monuments are included in this legislation which hopefully will be passed in the very near future.

And, they are important not just because of their physical nature but because of the importance that they provide in reminding us of the force of our past and our national historical heritage, and I think they are absolutely essential as we think about the future of this country as well.

So, I am obviously glad and delighted to welcome Senator Bible and we are going to do this in a more formal setting later this morning.

I think it is important to realize there is a heating problem, and I know, John, you would like to correct this and some other problems here at Bunker Hill.

This is really one of the most essential relics of American Revolutionary history and I would like you to tell us how it is up here in



the wintertime and some of the other particular problems that you are facing.

This Bunker Hill Monument belongs to the people here and in Charlestown and the people of Boston, Mass., as well as the people all over this country and it ought to be preserved as one of the most significant and important reminders of our heritage.

I think there are some funding limitations which you are currently facing which I think would be to a great extent relieved or alleviated with passage of this legislation.

I understand it would cost about \$400,000 for the restoration of this monument. Perhaps you could tell us about some of the particular matters of concern to you at the current time and what you think we can possibly do to help.

#### **STATEMENT OF HON. ALAN BIBLE, A. U.S. SENATOR FROM THE STATE OF NEVADA**

Senator BIBLE. Senator Kennedy, Mr. Congressman, Mr. Sears and distinguished guests and ladies and gentlemen, it is a pleasure to return to Massachusetts.

I am excited about the proposals of Senator Kennedy in this bill which the Congressman has introduced on the House side.

I can't foresee too much difficulty in moving this legislation forward. But, I would like to ask you, Mr. Sears, if you could give me some indication—are you going to make a formal statement so we can preserve it for the record?

I don't know if we are going to have a very good record although we have an exceptionally fine Reporter, Mrs. Liz Melvin, here taking our words down.

I don't know whether you have a prepared statement that we could have as a matter of record because I think we ought to make a good record and we will keep the record open for a week or 10 days.

So, if there are any additional comments that you want to make, please do so.

The thing that I think we are most interested in is the estimate of \$400,000 for rehabilitation—painting, putting a heating system in, fixing up an old heating system, or doing whatever must be done.

Mr. SEARS. Is that a realistic figure? I haven't the slightest idea. There are some people here who will understand immediately what I am about to say. In answer to the chairman's question, it is absolutely what level of service do you want to provide the public.

For instance, there is among us a delegation from the Charlestown Militia. These men have been putting on a battle of the enactment. They have no headquarters and they have no essential inputs to the story of Bunker Hill, so they just do the best they can on sort of an annual basis.

We have long wanted to obtain a building across the street which is now surplus, the Boston Library Annex. If that is included in the historic park, of course the price goes from \$400,000 to probably twice that amount.

It really depends totally on just how much of a job of teaching the story of this vital battle you want to do on this site.



I personally hope that you do ask the city for the library and I find the BAR plans for the building extremely tasteful, perhaps a little bit expensive.

If you would do that, I would have to give you an estimate of closer to a million dollars. This, after all, is the key battle to the place and the only battle that took place in Massachusetts.

Senator KENNEDY. Could you underline further that there is no taking of any homes or houses out here in the area? At other times when Congressman O'Neill and I did introduce some legislation on three different occasions members of the community were wondering if there were going to be takings of any homes. We want it to be extremely clear there is absolutely none here. There is no intention, obviously, to do so.

In this proposal, Mr. Sears, we didn't want you to gather the impression that the possible acquisition of the building would result any in taking of the homes here. We want to be sure the people have those assurances in the community.

Mr. SEARS. The current form of S. 210 is what I would call an extremely civilized piece of legislation.

Senator KENNEDY. Thank you, John, I like to have that label once in a while.

Mr. SEARS. It does not have imminent domain built into it brutally, it says that you may either acquire in cases of the State and we are a State agency, the acquisition would be for nothing.

Senator BIBLE. Where is the title to, Bunker Hill, Breed's Hill, or whatever?

Mr. SEARS. The title could repose in the Federal Government, the State of Massachusetts, the Commonwealth of Massachusetts, or we can enter into an agreement and have this built into the legislation, too.

I think in the case of Bunker Hill it is more sensible, probably, to use the actual shift of control to the Federal Government, to the National Park Service.

I want to again be responsive and say that not only ourselves but the Bunker Hill Monument Association, the Charlestown Preservation, Mr. Tosti of the Charlestown Historical, a number of other societies have been interested in seeing changes made in the battlefield site.

If, for example, we decide that the way the battle has been presented has not succeeded in teaching the story of America to the youngsters then you may want to consider seriously making drastic changes in the lodge and you may want it, as the Park Service would be inclined, to go into archeology outside the building, find the old cannons and so forth, and perhaps even rebuild some of the earth work.

If you do that you have got a different order of priorities. That is why it is hard for me answer the question.

Senator BIBLE. Would you indicate to me the attitude of the Commonwealth of Massachusetts? I suppose it would take a legislative act.

Are they willing to turn the title over to the Federal Government? I think it ought to be one place or another, I don't think it should be divided title.



Mr. SEARS. I would say as one of the Governor's Commissioners and having the proxy of Governor Sargent and Secretary Foster that they are supporting it and would be happy with any legislation. But the legislature must be persuaded and that is why I am glad Congressman Scali is here with us this morning.

You have to go through both branches of the legislature by two-thirds vote and I think it would be little trouble as most of the leadership of both sides of the aisle are in favor of this.

But, I did want to say one thing about the heat. We have done quite a lot of work in this way since there was a public concern about its condition.

A glance around the walls around the lodge will tell you that someone has been at work here and I want to rise to the defense of my own guys. William and Carpenter and Foreman Arthur Lenny and his crew have worked hard to fix this area.

We have tried to refurbish everything you see about you. All I can tell you, it is a brave effort—it is not possible to go and make a reproduction as it would be for the Federal Government.

The Federal Government could have restored some of that loss. We have trouble getting appropriations for things like pamphlets and historic markers, this is why I am pleased, we have worked out this agreement with the Educational Research Co. to do this on a concession basis and we are hoping you will take 1 minute as you leave here to listen to one of those stories to see if that does not help to bring alive the battle.

So many people leave this place thinking it is the Bunker Hill Monument that they visited. Well, the monument has a story of its own. It did take 18 years to build but it is here to help us remember the battle and now we have got it the wrong way around I think.

On the whole I think it would be superb to bring the U.S. Government here primarily because of the way it manages historic sites and the cost would be approximately \$1 million if you travel first class.

The whole thing could be done for a third of a million with the State, an obvious benefit to the American people, and the people who visit this place are from all over the world and I am hoping we will get a Nevada signature before you leave in our guest book.

Senator BIBLE. I signed it yesterday. I made a preliminary run with Mr. Dave Powers. Mr. Powers gave a pretty thorough lecture on this to me.

I do want to say I have handled parks and recreation areas and historic sites as chairman for the last 15 years.

There is always some concern on the part of the citizenry, and justifiably so, of the Federal Government moving in.

I think of all the Government agencies, the Park Service does as fine an interpretative job and as fine a preservation job as any agency in Government and I don't think you have any fears on that score.

I think it is well to raise all of your questions and your doubts, or in the days ahead to try to clear it up and write it out A, B, C, and D in the bill so there is no misunderstanding.

Now, if I understand you correctly the cost ranges somewhere between \$300,000 and a million. I think it should be done correctly,



whatever that might require and whatever the Park Service might find that should be required.

Tell me this, what would you estimate the annual operation and maintenance to be, because that would be continuing costs. I think it has been suggested to me it would cost about \$250,000 or \$300,000 a year, is that in the ballpark?

Mr. SEARS. We have been putting in about \$120,000 a year, Senator, except that you must add the cost of vandalism and the cost of the Metropolitan District Police who provide surveillance here on two shifts a day which is very expensive.

I would think your figure isn't so far off.

Senator BIBLE. The figure was suggested to me, but, it is in the ballpark?

Mr. SEARS. It certainly is.

Senator BIBLE. The Park Service, I am sure, can do, and I think probably you are doing a great job of interpretation now, but not as good as could be done.

I think the Park Service is superior in that area, I think they can do a good job of interpreting. They have done it at Williamsburg and they have done it at Gettysburg and in practically all the park systems throughout the Nation.

I think it is a very effective way of presenting a story to the American people. How many people do you have here annually? Is 250,000 a good figure?

Mr. SEARS. At least 250,000, and we would expect two or three times that many as soon as the sites were really properly interpreted, particularly in the Bicentennial, more than a million.

Senator BIBLE. What is the opposition to this from the Bunker Hill Association? Is everybody for this?

Mr. SEARS. There has been anxiety in the past because people did worry about the loss of their homes and the loss of their ease of access to the park and I don't think anything good happens without a few people having to make some concessions and sacrifices.

Mr. Strout and I are in that category, it hurts a bit for us, and I think the people have been thoroughly reassured now there will not—I think the people of Charlestown will have to help by being genial hosts. There would be more parking around the monuments, a rather tough scene there.

There would be a few inconveniences to them but they have shown us nothing but cordial hospitality over the years.

Senator BIBLE. There was nothing in this bill that contemplates the taking of any homes?

Senator KENNEDY. No, none.

Senator BIBLE. Whatever is acquired must be acquired voluntarily, the way the bill is drawn.

Mr. SEARS. Years ago there wasn't a bill that had that feature in it.

Senator BIBLE. Condemnation.

Mr. TOSI. That was part of the national historic site of which Congressman O'Neill was a member, it called for roughly the taking of 40 homes to create an access approach to the monument grounds and also for parking.



At that time there was a particular proposal coming in to the time that there was a second battle of Bunker Hill occurring at the time.

But, as far as the monument association is concerned, it has voted at its annual meeting to support any legislation which would vest title and control, interpretation and the entire operation of the monument site by the National Park Service and the Department of the Interior.

We have had with us in the monument association, some concern that in addition to this site—and may I say, the monument association unanimously supports the taking of the old library building for the headquarters for the Park Service—there has also been some concern, and I am sure Senator Kennedy is aware of it, that the Federal Government also should take the Bunker Hill quarry site, which is the site of the first railroad in the United States.

The first railroad ever constructed in this Nation was built to haul from the Bunker Hill quarry to the Quonset River, and, Professor Elliott, who was a past president of the association, who is a landscape architect and a professor at Harvard, has supported it over the years.

But, our main concern is that the monument site, the 41½ acres which are encompassed here, be taken over by the National Park Service and the Department of the Interior. And, the monument association wants you to know that it supports Federal legislation for that purpose.

Senator BIBLE. Thank you very much. I would hope you will take a lead, Mr. Sears, in gathering the various commissions together and furnish such statements for the record so we have a record of this, if you are not going to appear at the hearing and I am told you are not going to appear at the hearing, in the interest of time, is that correct?

Senator KENNEDY. That's correct.

Senator BIBLE. We will keep that record open, is that too short a time—I said a week or 10 days, is that all right?

Senator KENNEDY. Yes.

Mr. SEARS. Yes.

Mr. TOSI. I will send a statement.

Senator BIBLE. Send it to my office personally or to the Senate Interior Committee, it will end up in the same place.

Mr. CONWAY. The Charlestown Historical Society will also send a statement.

Senator BIBLE. That will be fine.

[The information to be furnished was not received in time to be included in the record.]

Mr. SEARS. Senator Bible, I want to be a good host but I am hoping you will spend 1 minute on these. This is the same device that is used in the Smithsonian for the Battle of Massachusetts.

Senator KENNEDY. You saw the display?

Senator BIBLE. Yes, sir, I did.

[Intermission in the proceedings at 9:10 a.m. for tours of Paul Revere House, Old North Christ Church.]



## TOUR OF PAUL REVERE HOUSE

Mr. HALEY. This is an interesting chair, there are only two in the country, a coattail chair when the men had the long swallow tail coats. There is one at Harvard, the president's chair, the president sits in it on commencement day every year.

The brick in the fireplace came from England. The ballasts on the ships on either side of the door as you came in here from the kitchen is some of the original wallpaper.

Our picture of St. Mary Lebow came from a church from London, one of Christopher Wren's churches. And the kitchen where you first entered the house, this is the family room, we call it the living room today, and there are two rooms upstairs.

If you have any questions here or upstairs we will help out. That is just a very little bit of our briefing.

Senator BIBLE. How old was Paul Revere?

Mr. HALEY. He was 40 years old when he made the ride, there were eight children by each wife, 10 girls and 6 boys.

Senator KENNEDY. Did they live in this house, too?

Mr. HALEY. Five of the children died before five of smallpox at that time. There were seven or eight children at one time.

This is the large bedroom where the girls slept and the boys slept in the back one. This is the original floor, the only original floor left in the house. The doors here—that door and that one going into the small room is an original door.

Senator KENNEDY. What is that wood?

Mr. HALEY. White pine, it has worn down pretty well.

Senator BIBLE. Three hundred years old.

Mr. HALEY. Yes. This house was built on a site we believe of Reverend Mather's house that was burned up in the great fire of 1776.

The woodwork here is of the Georgian period.

Senator KENNEDY. What happened in the great fire to this house?

Mr. HALEY. Well, Rev. Increase Mather's house was here, that burned and they built this one here right afterwards.

That is a low door here.

Senator BIBLE. How many visitors do you have here?

Mr. REVERE. About 130,000.

Senator BIBLE. They pay how much by way of admission?

Mr. REVERE. It depends, all children under 14 get in for free. Then over that is 50 cents but school groups automatically get in for 35—10 cents for school groups and 50 cents for adults.

Mr. HALEY. And under 14 free, I do not know if you got that.

Mr. REVERE. That is enough to keep us going and we pick up a little bit of memorabilia every so often.

Senator BIBLE. What hours do you stay open?

Mr. REVERE. Nine to four 6 days a week and the only souvenirs we sell pertain to Paul Revere. We feel there are other places selling the general bric-a-brac that could use the money.

Senator BIBLE. You make enough—you are not taxed because you are nonprofit?



Mr. REVERE. Right.

Senator BIBLE. You make enough from your admission charges to pay your caretakers and repainting or whatever you are doing?

Mr. REVERE. Yes, everything.

Mr. HALEY. When you are ready to go downstairs you can go back the same way or out this back door.

Senator KENNEDY. Did he do any work here—Paul?

Mr. REVERE. No, his shop was further down the street.

Senator KENNEDY. Was this actually a well?

Mr. REVERE. Yes, I think so. We bought this house here, the Moses Pierce Hitchborn House. It was more for the architectural student.

Senator BIBLE. Is that open to the public as well?

Mr. REVERE. Yes, to a limited degree, there are people living in there. We have some architecture and some great stuff in there.

Senator BIBLE. What do you do besides this, Paul, is this your complete occupation?

Mr. REVERE. No, I work for Revere Copper and Brass.

Senator BIBLE. That is how your name ends, then I pay my dues to your corporation.

Senator BIBLE. This is a strongly Catholic area, is it not?

Reverend COLLEDGE. A big change has taken place on the waterfront here where there are people—lots of different types of people moving into the apartments and condominiums that are being built on the waterfront. So, we feel we have a real responsibility for all sorts.

#### TOUR OF PAUL REVERE MALL

Reverend COLLEDGE. We are not organized as a parish, we have a sort of special designation much like St. Stephen's church across here, so that actually in a very real sense we serve a very cross-section of American religious traditions, three-quarters of the people are represented or all traditions, in a sense that it is a kind of prophetic tradition as I learned from the Book of Isaiah, my house is a house of prayer for all people and in 1723 people were not talking in those terms and yet the first guy here—let's just pop in over here for a second.

Senator BIBLE. This was here before the church?

Reverend COLLEDGE. Minister Ebenezer Clough built this. There are four houses in a row here but he was the principle brickmason on the church in 1723.

We will just look at the first floor here and walk out this way. We use the building for meeting and seminars and so forth.

The first two floors, when we get back to the outside I will show you how it looks. This had all just gone through rack and ruin.

Senator KENNEDY. How old is the kitchen in there, the fireplace?

Reverend COLLEDGE. 1715.

If you step a little further you can see the dutch oven in the corner, one of the things we did last October because we figured that St. Francis belonged in the garden and also it becomes a chapel and we had a great time, we had all of our neighbors in for a service in the afternoon and we had pastry and coffee here in the Clough House afterwards.



Senator BIBLE. Do you have any problems since this was built?

Reverend COLLEDGE. I have got a statement about how we can really continue to be a church because I realize in the bill it says the agreement sort of won't infringe upon, but I see the church as much more than just a place where you hold some services because we have a very special ministry that a lot of people do not realize, to tourists of all types.

I can just point out a week ago there were two gals who must have been in their middle 20's from San Francisco who began a conversation with me in a simple and innocuous way and they began asking, I could hear they were asking questions about the meaning of life for them and it turned out they were wondering if they were sort of stuck at their point in life filing cards in an office out there.

And the next sort of thing that came out was a girl that they had admired the most who had a better job, a husband and a baby had just committed suicide, and the things that they wanted at least she seemed to have.

So, here was a chance for them with a clergyman on the east coast to sort of dump a lot of this anxiety and hopefully go back to the west coast at least a little relieved.

So, that happens in different forms, practically every day. So, we are much more than kind of a tourist guide sort of thing and that is why I am committed to having identifiable clergy on the aisle because that adds that dimension.

Obviously we try to use guides with younger people at the time but then the conversation, it reinforces them. This other aspect I think works out.

The second floor includes some meeting and seminar rooms which are quite big. And this room to the right is one that we use when we set up luncheons and so forth in here and it works out very well.

We have a kitchen in the basement, and then the third floor is an apartment for my associate. This is how it looks.

That is the back yard. And, that was Harry's Variety Store where you said you could but great pickles right here in this room years ago.

Senator BIBLE. You have done a great job here, sir. It has become a symbol rather than just booming things down.

Reverend COLLEDGE. This passageway creates some problem for us. You are seeing just the tail end of an hour of busloads of tourists. We usually get a break about this hour and this is the light period, this is the time right now. It is a little lighter in this 10-day period; by the middle of the month we will be going strong all day long with the Four H tourists from all over the country.

#### TOUR OF OLD NORTH CHRIST CHURCH

Reverend COLLEDGE. Good morning and welcome to Boston's oldest church building.

You have arrived at the Old North Church which was built in 1723, 250 years ago. Right now you are sitting in the highest box



pews of any in the country. To be sure, there are others in the country who have box pews but there are no others where the walls come up quite this high.

The whole reason for this arrangement was to keep you warm because there was no central heat, no furnaces or boilers in those days. You would bring from home a foot warmer like that tin box on that window sill over there, or you can see a larger one on that third window sill on the outside.

You would bring those things from home with hot pebbles or bricks in them, put them on the floor and gather your family around and that is how you kept warm.

Now, what really puts this church on the map is something that happened here in April 1775, when two signal lanterns were displayed in the steeple by Robert Newman, a name hardly anyone knows.

We would like to underline that name here because nobody wrote a poem about him and now we are only 2 years from the 200th anniversary of the event and I have a feeling these names are going to start appearing in crossword puzzles and quiz shows.

On April 18, with the front door locked from the outside, darkness on the inside, we believe that Robert Newman was sitting in pew No. 10, right by that window over there, waiting in the dark until he heard a tap on the window which would indicate which way the British were leaving Boston on their way out to Lexington or Concord to get their hands on the ammunition which was stockpiled out there and also to get their hands on a couple of ring-leaders named Adams and Hancock who were hiding in Lexington.

So, when Newman heard those two taps he grabbed the two lanterns like those two on the window sill, raced down the aisle, went up 154 steps to the steeple, which is like going up 14 stories, he held up those two lanterns and at the same time Paul Revere, a fellow about whom a poem was written, was in a rowboat with a couple of his buddies quietly and cautiously going across the harbor.

And, when he got over there he hopped on a horse in Charlestown and got as far as Lexington where Revere was captured. He met William Dawes out there and he got out there and they took his horse away and he had to walk back to the center of Lexington.

Now, just a word or two about the church. We have been a church for 250 years, we still are first and foremost a house of prayer with services regularly here each day for which everyone is always welcome.

I think it is still fun to know that we are still using many of the things in use long before the American Revolution. The chandeliers over the center aisle have been here for 249 years, and along with the candles on the side, do provide the only illumination for evening services.

So, you can imagine a wedding here in the evening is obviously under candlelight. Christmas Eve is really the time to come—come to midnight services on Christmas Eve and see what you see—the organ up there dates back to 1759, it was one of the first pipe organs ever built in this country. It is still in action.



I could go on and on with things like that. Next door contains the portrait of Paul Revere painted by William Robertson Lee. It also has a musket of Lexington.

We have a vinegar bible, in the gospel according to St. Luke instead of saying the parable of the vineyards it says the parable of the vinegar, and that mystery back in 1717 makes it terribly valuable.

We have it over there for you to see. It was given to us by George II of England in 1733.

You see that bust of George Washington there, it is one of the first public memorials to George Washington in the whole country.

There is always somebody who comes up to me on the way out and says it does not really look like Washington and I say that is Washington without his false teeth which were very painful and which he only wore when he was posing for the one dollar bill.

It is nice to have you here, folks. I hope you have a good visit here.

Don't trip when you step out of the pews, it is a three inch drop.

Senator KENNEDY. If you could spell this out in a report and send it to us to make sure the congregation understands what we are trying to do.

Reverend COLLEDGE. We feel the whole idea is a great one and I just get a little anxious that this would obviously be one of those very special—it would seem to me if we are going to be the church and receive some sort of aid from the Federal Government, where is the line of support for religious institutions, and I think it is so essential that we be a church and not just a museum.

Senator BIBLE. I agree with you. I am sure there is no intent to do otherwise.

Reverend COLLEDGE. I am just wondering constitutionally if that is almost the idea.

Senator BIBLE. I do not know what would be anticipated, what this does is preserve this as a part of a great historic area and there are of course other areas, Bunker Hill Monument was one good example where you need some Federal dollars in there to restore it and renovate it. But, you look like you are in pretty good shape.

Reverend COLLEDGE. This is the point, if we become part of a park with signs and all then it is assumed that we are supported and that dries up effectively my private contributions.

Senator BIBLE. I understand.

Reverend COLLEDGE. So, that is a very essential point. If I put up signs and say I am part of the park and everybody knows the Old State House is being renovated by the Federal Government and so forth—

Senator BIBLE. I think some thought should be given to that because there is no need of moving the strong arm of the Federal Government into this church and it isn't the Senators' idea at all.

Reverend COLLEDGE. It is not so much what is said but what people think, that is much more important than what is really true. So, that is where the anxiety comes in.



Senator BIBLE. Don't dry up your private funds, they are hard enough to come by.

Reverend COLLEDGE. We are essentially supported by the voluntary contributions, people put something in the box. We stand on three things, we are open longer hours than any of the other sites here; we personally try to give some attention to people through our staff; and the other thing is we don't charge admission. We are committed to that and no one will ever be prevented because of economic reasons from crossing our threshold.

Senator BIBLE. How many members of the Episcopal Church do you have here—yourself, and we just met this last gentleman and then we met the curator—you have three assistants—four assistants?

Reverend COLLEDGE. There are three full-time professional people and then there is a secretary and a sexton and we have parttime help.

Please come along and look at the museum.

This works out to be one of the essential means of supporting the church, this is the gift shop.

Senator BIBLE. Surely.

Reverend COLLEDGE. This shows a little bit of the renovation that was done, the restoration of beams and so forth of a few years ago.

I have to give credit to my predecessors who really stayed with it. The place is not run down as we approach the bicentennial year.

Senator BIBLE. It looks like to me it is in remarkable shape.

Reverend COLLEDGE. And in someways you forfeit support, we maintain any assistance we might get, you can trust us, we have been good stewards in the past and I think that is an essential sort of thing.

That is the portrait I was telling you about and here is the vinegar bible with the parable of the vinegar. Of course this prayer book is fun, too, because in those days we prayed for the royal family so we decided to paste them out and they insert prayers for the President and so forth.

At every service as Episcopalians we always pray for the government and the President and our Senators and so on, but in those days after the Revolution they used the same prayer book but they decided they ought not to be praying for the king. There was a misprint in 1717, there are five or six of these in existence.

Senator BIBLE. Who gave that to you, George II?

Reverend COLLEDGE. Yes, in 1733.

This is the portrait, this little model of the church was done by a little girl, a junior high school girl in Wellslay Mills who did it as a Sunday school social studies project and we asked her if we could put it on view for a little while.

Senator KENNEDY. Whatever happened to the lanterns themselves?

Reverend COLLEDGE. There is one in the museum in Concord. I think what really is felt is that for 50 years the event was nothing, it is only the further we get from it that it becomes more important—that focus, that spark, that glimmer, that blazed the way to freedom.



When William Robinson Lee did this painting there was a campaign to get it here, they raised \$12,000.

We are seriously thinking of trying to do a better job museum-wise and maybe use the first floor of the Clough Hough to put our documents and maybe use this more particularly as our museum.

The first organization of bell ringers in the country was formed here in 1750, Revere and six of his teenage friends—you see, the bells that we have in our steeple are the first peel of bells on the whole North American Continent; they were cast in 1744 and they have been in our steeple ever since. So, permission to form a group of bell ringers was granted here in 1750.

Don't you think that portrait of Revere looks like Bob Hope?

Senator BIBLE. I would certainly say so.

How do you stand down within the Episcopal Church? You were made parson of the diocese?

Reverend COLLEDGE. Yes, we are of the Diocese of Massachusetts, the late Reverend John Burgess is my bishop he has the power to—and I in a sense am answerable to him.

Senator BIBLE. He is the top Episcopalian in the Diocese of Massachusetts?

Reverend COLLEDGE. Yes, he was the first black bishop of the country. He actually has served as a canon at the Washington Cathedral in Washington, D.C. Years ago he was chaplain at Howard University.

There was a school at one time in the early 1800's.

Senator BIBLE. All of this is owned by the Episcopal Church, not here, not this?

Mr. REVERE. No, this is owned by the city of Boston.

Senator BIBLE. I understand.

[Intermission in the proceedings at 10:20 a.m.]

[Hearing at Fanueil Hall, Boston, Mass., 10:30 a.m.]

#### STATEMENT OF HON. ALAN BIBLE, A U.S. SENATOR FROM THE STATE OF NEVADA

Senator BIBLE. The hearing will come to order.

This is the time duly noticed and set for an open hearing on S. 210 to establish the Boston National Historical Park in the Commonwealth of Massachusetts.

The proposed legislation provides for a historical park to be established in the city of Boston to include Fanueil Hall, the Paul Revere House, the Old State House, the Old North Church, Bunker Hill and the Old South Meeting House.

This legislation authorizes the Secretary of the Interior to acquire by donation or purchase, with consent of the owner, but also provides authority for him to enter into cooperative agreements with the city of Boston, Commonwealth of Massachusetts or private organizations currently maintaining these sites.

Obviously this is one of the most memorable of all of the historic sites and now that we are approaching the celebration of the bicentennial it is fitting and proper that we move forward with this legislation.



I want to commend and congratulate my colleague from Massachusetts, Senator Ted Kennedy, for his great interest in this project, his desire to move it forward at an early date.

I am delighted to be here in Boston. My wife has been here, we have enjoyed 2 or 3 days here and the weather here reminds me of Nevada weather and I hope you just keep it this way because it is delightful.

I understand it is always this way and has been this way all summer.

So, we are glad to join you in this great area.

Now, I would defer to Senator Kennedy for such remarks as he might care to make.

Before I do that I would like to introduce as part of the record, S. 210, the bill introduced by Senator Kennedy on January 4 of this year.

[The text of S. 210 follows:]



93D CONGRESS  
1ST SESSION

# S. 210

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## IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1973

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

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## A BILL

To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Boston National Historic  
4       Sites Act of 1972".

### BOSTON NATIONAL HISTORICAL PARK

5  
6       SEC. 2. (a) In order to preserve for the benefit and  
7       inspiration of the people of the United States as a national  
8       historical park certain historical structures and properties of  
9       outstanding national significance located in Boston, Massa-  
10      chusetts, and associated with the American Revolution and  
11      the founding and growth of the United States, the Secretary



1 of the Interior (hereinafter referred to as the "Secretary")  
2 is authorized, in accordance with the provisions of this Act,  
3 to acquire only with the consent of the current owner by  
4 donation or by purchase with donated or appropriated funds,  
5 and all lands and improvements thereon or interests therein  
6 comprising the following described areas:

7 (1) Faneuil Hall, located at Dock Square, Boston;

8 (2) Paul Revere House, 19 North Square, Boston;

9 (3) The area identified as the Old North Church  
10 area, 193 Salem Street, Boston;

11 (4) The Old State House, Washington and State  
12 Street, Boston;

13 (5) Bunker Hill, Breeds Hill, Boston; and

14 (6) Old South Meeting House, Milk and Washing-  
15 ton Streets, Boston.

16 (b) At any such time as the Secretary determines that  
17 he has acquired sufficient lands, improvements, and interests  
18 therein or entered into cooperative agreements with sufficient  
19 numbers of private, municipal, or State owners as provided  
20 in section 3 of this Act, to provide an efficient administrative  
21 unit, he is authorized to establish such lands, improvements,  
22 and interests as the Boston National Historical Park by the  
23 publication of that fact in the Federal Register, together with  
24 a detailed map setting forth the boundaries thereof.

25 (c) In addition to the above described areas, the Sec-



1   retary is authorized to study the following locations, and any  
2   others he deems appropriate for inclusion in the park, either  
3   by donation or by purchase with the consent of the owner  
4   with donated or appropriated funds, or by entering into co-  
5   operative agreements:

6       (1) Boston Common;

7       (2) Charlestown Navy Yard;

8       (3) Thomas Crease House (old Corner Book Store) ;

9       (4) Dorchester Heights;

10      (5) following burying grounds: King's Chapel, Gra-  
11          nary, and Copp's Hill.

12      (d) No site will be included in the park which has not  
13   been either acquired with the consent of the owner or the  
14   subject of a cooperative agreement as outlined in section 3.

15                               COOPERATIVE AGREEMENTS

16       SEC. 3. In furtherance of the general purposes of this Act  
17   as prescribed in section 2 thereof, the Secretary is authorized  
18   to enter into cooperative agreements with the city of Boston,  
19   the Commonwealth of Massachusetts, and private organiza-  
20   tions to assist in the preservation and interpretation of such of  
21   the properties listed in section 2, or portions thereof, which,  
22   in his opinion, would best be preserved in private, municipal,  
23   or State ownership, in connection with the Boston National  
24   Historical Park. Such agreements shall contain, but shall not  
25   be limited to, provisions that the Secretary, through the



## ADDITIONAL AREAS

18        SEC. 4. The Secretary is authorized to accept donations  
19   of property of national historical interest and significance  
20   located in the city of Boston which he may deem proper  
21   for administration as part of the Boston National Historical  
22   Park. Upon such acceptance, such property shall be deemed  
23   part of such park. The Secretary may purchase with the  
24   consent of the owner or enter into a cooperative agree-  
25   ment with the owner of any additional historic sites which



1 he deems appropriate for inclusion in the Boston National  
2 Historical Park.

3                   \*       ADVISORY COMMISSION

4       SEC. 5. The Secretary is authorized to establish a  
5 suitable advisory commission. The members of the ad-  
6 visory commission shall be appointed by the Secretary,  
7 with three members to be recommended by the Governor  
8 of Massachusetts, three by the mayor of the city of Boston,  
9 Massachusetts, and one each by the organizations with  
10 which the Secretary has concluded cooperative agreements  
11 pursuant to section 3 of this Act. The advisory commission  
12 shall render advice to the Secretary, from time to time, upon  
13 matters which he may refer to them for consideration.

14                   HISTORICAL MARKERS

15       SEC. 6. The Secretary is hereby authorized to carry out  
16 a program of historical marking in the city of Boston,  
17 Massachusetts, and other municipalities within the Common-  
18 wealth of Massachusetts, to cover nationally significant sites  
19 of the colonial and Revolutionary periods of American his-  
20 tory, and such sites as are related to any unit of the national  
21 park system within the Commonwealth of Massachusetts,  
22 through agreements with the owners of such sites.

23                   VISITOR CENTER

24       SEC. 7. The Secretary with the consent of the advisory  
25 commission is authorized to construct on lands acquired by



1 him in accordance with this Act or upon other lands that  
2 may be donated to him for such purpose, or make use of  
3 existing facilities with proper restoration, a suitable visitor  
4 center for the interpretation of the historical features of the  
5 Boston National Historical Park.

#### 6 ADMINISTRATION

7 SEC. 8. The Boston National Historical Park shall be  
8 administered by the Secretary in accordance with the provi-  
9 sions of this Act, the Act of August 25, 1916 (39 Stat. 535),  
10 as amended and supplemented (16 U.S.C. 1 et seq.), and  
11 the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-  
12 467).

#### 13 AUTHORIZATION

14 SEC. 9. There are hereby authorized to be appropriated  
15 such sums as are necessary to carry out the purposes of this  
16 Act; except that no such sums shall be used for the purchase  
17 of property owned by the Commonwealth of Massachusetts,  
18 or the city of Boston, Massachusetts.



STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR  
FROM THE STATE OF MASSACHUSETTS

Senator KENNEDY. Thank you very much, Senator Bible.

First of all I want to express for the people of Boston, our very deep sense of appreciation for your willingness to be with us here this morning.

You have been extremely kind and generous with your time as it relates to the people of Massachusetts. This is the third time that I have asked you as chairman of the committee that deals with historic sites and preservation, as well as national parks, to come to Massachusetts and consider legislation. Senator Bible has been extremely responsive in coming to our State, to Mt. Holyoke Range and earlier this year he came for the island trust bill which I introduced affecting the islands of Nantucket and Martha's Vineyard, and the Elizabeth Islands. Now he returns to Boston to consider the historic sites legislation which I introduced in the Senate last year.

Just over a year ago I had the opportunity to meet with many of the community leaders about many of their concerns about preservation and interpretation of some of the greatest historic sites in our country. Today we meet in Fanueil Hall, one of the most historically significant of all, to talk about ways a joint cooperative effort can be worked out to preserve the uniqueness and character of the site itself and also to provide some help and assistance where necessary to the various revolutionary war monuments in Boston. This assistance is not just for the scores of people who will come to Boston and visit these national shrines at the time of the anniversary in 1975 and 1976, but also to preserve these buildings and monuments for all time.

As a result of these conversations and a meeting with the mayor and communication with the Governor—Mayor White and Governor Sargeant, and Lieutenant Governor Dwight, three public officials that have a keen awareness and understanding of the importance of the historic preservation—and a meeting with the members of the historic societies and conservation societies; we fashioned legislation, introduced it, and here we are to gather additional testimony to bring it to Washington, hopefully to gain favorable consideration for this legislation and have it become law in the very near future.

Let me say that I am glad that in the Senate we have been able to see restoration funds in the budget despite the cutting of other funds. For the bicentennial the Senate was able to restore \$4 million for the bicentennial program in the Department of Interior. In testimony before the Judiciary Committee I outlined an amendment to allocate funds to the States based on a visitor impact formula to try and project and predict where the visitors of this Nation are going to visit during the bicentennial. We must find additional resources for those places where the visitors will go so that the site owner can properly handle the great interest from the number of old and young alike who visit these historic sites.

This morning we gather with many of those who have been interested and concerned with this legislation. I think we have out-



lined in the legislation the major sites which will be included—Faneuil Hall, where we are gathered today, the Old State House, the Old North Church, Bunker Hill, Paul Revere House, the Old South Meeting House, and we have had the good fortune of visiting a number of those places this morning and others we will see this afternoon.

We have also retained within the legislation the possibility for adding additional historic sites. The legislation provides that we can expand the historic park concept to include other extremely important and vital historic sites as well.

So, this is really vital living legislation, and legislation which I think can make a great deal of difference to the people of this city and State and the Nation.

Finally, let me say this, the purpose of this legislation is not just to preserve the monuments and buildings, as important and significant as they are at a time of national focus on the historic beginnings of this country. I think it is important that we preserve these buildings and these institutions to remind the American people, particularly at this time in our history, particularly when we are plagued with many of the problems, about the creation of this country, the ideals upon which this nation was founded.

It is important that we understand the past so that we can help to guide this country towards its future. So, it is in that spirit that this legislation has been introduced and it is in that spirit in which I supported it in the U.S. Senate and I am hopeful that those leaders who are here today representing the city and the State and the various historical associations, and other groups, will support that legislation as well.

So, I want to again thank you, Senator Bible, for being here today and I would like to ask that my complete statement be placed in the record.

Senator BIBLE. Without objection your complete statement will be put in the record at this point.

[The prepared statement of Senator Kennedy follows:]

PREPARED STATEMENT OF HON. EDWARD KENNEDY, A U.S. SENATOR  
FROM THE STATE OF MASSACHUSETTS

I am delighted to be here in Boston today with the distinguished Chairman of the Senate Interior Subcommittee on Parks and Recreation, Senator Alan Bible of Nevada.

It was one year ago that I met with the leaders of this community regarding the preservation of historic sites in Boston, and we will have the opportunity to hear from many of these same farsighted men and women today.

One year ago, I presented a draft of legislation to provide assistance to the governmental or private owners of landmarks in Boston, and I asked for suggestions on how that legislation might be improved and tailored to the very special needs of Boston. I received many suggestions which are now a part of S. 210 and which we will have a further opportunity to discuss today. Senator Bible will take your additional suggestions back to Washington with him and present them to his full Subcommittee when they consider this legislation.

Today we will hear from a broad and representative cross-section of Boston elected officials, municipal agencies, and private citizens. We will hear from state agencies, Bicentennial groups and commissions and conservation groups.

We are particularly honored to have with us the Governor of the Commonwealth of Massachusetts, Francis Sargent, and the Mayor of the City of Boston, Kevin White. I cannot think of two elected officials more committed to the



preservation of all the best in our heritage than these two men. Massachusetts and the city of Boston are first in our nation's history as well as first in progressive change, and we are indeed fortunate to have elected officials committed to our history as well as our future.

As we move toward the Bicentennial celebration in this City of Boston we are reminded by the historians that Bostonians haven't changed. We feel no need to celebrate with a carnival that which is better celebrated in the heart. When the ship arrived in Boston Harbor with the Peace Treaty ending the Revolutionary War and acknowledging American independence, a town meeting was called to consider what public celebration was in order. At this meeting in Faneuil Hall a proposal was made for a grand parade and an illumination of the town with candles in every window and torches in every street.

The motion for a parade and general illumination failed. It was too cold for a parade and illumination increased the danger of fire. With that, the meeting adjourned, and the Bostonians trudged home in the snow. That same overwhelming common sense of Bostonians prevails to this day. When the Bicentennial is celebrated in Boston it will be with common sense and a sense of history as the guiding principles of the celebration. For in observing the anniversary of the birth of the nation by restoring and highlighting the buildings and monuments of that struggle, we remind ourselves that freedom is no easily won or easily preserved. And that's what Boston and its citizens stood for in 1776—the right to govern ourselves, the dignity of human freedom, and the right of every human being to fully roam the universe of his own spirit—that is what Boston and its citizens still stand for today.

Bicentennial programs at both the state and city level are moving forward—and the concept of a historical park in Boston compliments both of those plans. It will allow the freeing up of funds for other much needed Bicentennial projects throughout the city and the Commonwealth.

The Boston National Historic Park legislation which I have introduced in the Senate and Congressmen O'Neill, Moakley and Burke have introduced in the House sets out six Revolutionary War sites for immediate consideration to establish the Boston National Historical Park and a second list of sites for immediate consideration when the Historic Park is established. The concept of allowing additional sites to be included in the Park at any later date assures that the Historic Park is a dynamic, and not static Park which will grow through the years and include those sites of national historic significance, if the present owner wishes to participate in the Park, retain ownership, join in the uniform marking system and agree on a program of restoration.

The legislation takes advantage of all that has been done over the years to preserve these historic sites. It provides that the current owners of these sites may continue their ownership and maintenance. It recognizes that those who have worked so desperately over the years to care for our historic landmarks are the best guarantee that these landmarks will be expertly preserved in the future.

It is almost overwhelming to list the sites for consideration for this National Historic Park. Any one of these landmarks by itself could stand alone as worthy of national interest and protection. So much of our national heritage is Boston's heritage.

The first Thanksgiving was in Massachusetts. The first public park was Boston Common. The first American University was Harvard and the first American newspaper and the first subway were in Boston and the first American lighthouse shone from Boston Harbor.

The first battle of the Revolution was fought in Lexington and Concord and the first American novel was published in Worcester. The first liquid fuel rocket was launched by Dr. Robert Goddard in Auburn, Massachusetts.

The real beginnings of American democracy first stirred in Massachusetts—the first town meetings, the first letters of correspondence with other states, the first unity of men and arms to secure the freedom of the new nation.

Faneuil Hall, where we meet today, is known as the cradle of liberty throughout the United States for it was here in this Hall that colonial resentment was turned into organized action to achieve independence. On a motion of Samuel Adams on November 2, 1772, a Committee of Correspondence was formed "to state the rights of the colonists . . . and to communicate the same to the several towns and to the world.



The spirit of Faneuil Hall was summarized in a magazine in 1789:

"In this Hall was first heard the eloquence of Hancock, the two Adamses, a Bowdoin, a Miloneux, and a Warren. In this Hall was kindled that divine spark of liberty, which, like an unconquerable flame, has pervaded the continent, a flame, which, while it proved a cloud of darkness to the enemies of America, has appeared like a pillar of fire to the votaries of freedom and happily lifted them to empire and independence."

Of Faneuil Hall, the noted historian, Reverend Edward Porter, has reminded us:

"No building in Boston has been more widely known or more intimately identified with great occasions in our history than Faneuil Hall. Standing quite apart from other buildings and devoted to market purposes and great popular gatherings, it has been a kind of forum in which all great questions of local or national importance have been freely discussed and from which has gone forth an influence which has helped to create the sentiment and mould the destiny of the Nation."

Reverend Porter said of the Old State House:

"The fact this venerable structure has survived the ravages of fire, the changes of Government, the pressure of business, during so long a period, would seem to be a sufficient reason why it should be allowed to stand henceforth as a permanent memorial of the past.

That was written in 1886 and how many visitors has it since withstood; how many meetings to discuss the preservation of history in Boston has it welcomed. If duration were not enough reason to preserve it, what transpired here before us is convincing proof.

Cardinal Cushing said of the Old North Church in 1966:

"Wherever it is possible, our old buildings of historic and artistic importance should be kept, not just as relics of another time, not merely as souvenirs of other days, but as part of the city which still makes its contribution to the life of the community and is people. Old North Church is an example of such a building . . ."

The legislation includes provisions to protect and preserve the home where Paul Revere lived from 1770 to 1800, the only 17th century structure standing in downtown Boston. It was from his home that Paul Revere made his famous ride.

But he did more than ride—he was the Renaissance Man of Boston—he was a silversmith, a bellmaker, a dentist. It was his engravings of the scene which were used at the trial of the soldiers responsible for the Boston Massacre.

We should recall the words of Dr. Joseph Warren in 1775 from the pulpit of the Old South Meeting House:

"Our country is in danger, but not to be despaired of. Our enemies are numerous and powerful, but we have many friends determining to be free, and heaven and earth will aid the resolution. On you depend the fortunes of America. You are to decide the important question on which rests the happiness and liberty of millions yet unborn. Act worthy of yourselves."

As the historians said of Old South—the question is no longer, can we afford to keep it, but rather, can we ever afford to lose it?

The story of defeat at Bunker Hill is really the story of our first success in the War of Independence.

On June 17, 1775, a highly disorganized band of patriots—made up of militiamen from Massachusetts, New Hampshire and Connecticut—decided to take Bunker Hill and drive the British from Boston. Only two months after the opening of hostilities of the Revolutionary War it became apparent to the patriots that the British strategy was to occupy all of the hills which overlooked the Mystic River from Charlestown. By mistake, the patriots arrived at Breeds Hill—a smaller hill nearer to the City of Boston—and worked through the night in preparation for battle. Working silently, they were undiscovered until daybreak—when the British warships anchored below opened an ineffective fire.

Reinforcements were sent to aid the band and they were deployed on both Breeds and Bunker Hills. The British Army began its attack—marching in solid line up the Hill to meet the patriots who were protected by the trenches and fences they had built in the night. By holding their fire until the British were well within range, the patriots repulsed the British twice in a bloody exchange



of gunfire. Faced with a third assault by the well-armed British, the Americans who were now short of gunpowder were forced to withdraw and finally suffered defeat.

But in the light of day, defeat was turned into moral victory as the patriots learned they had the ability to repel the enemy while suffering few losses among their own men. The difference in fighting styles between the Americans and the British militia—first revealed at the Battle of Bunker Hill—was to be of great significance throughout the war and was certainly, in the early days of battle, contributory to the Americans' belief that they would emerge as the victor in their fight for independence.

We will begin our celebration of the Bicentennial in Boston in 1975, a year early, with good reason if we examine the history of Boston in 1775. It was in 1775 that the will of Boston residents to determine their own destiny was tested far beyond the call of battle and the devastation of injury, defeat, and death in war. The people of Boston in the summer of 1775 were eating salt to keep alive even as they suffered through the heat of summer. The streets were filthy and raw sewage flowed through open gutters. Trees were stripped for firewood and fences and barns were torn down for wood.

Over 100 buildings were torn down in the next few months and by November there was an order promulgated to pull down the Old North Church for firewood. A look down any street in Boston would show the remaining buildings without paint, gardens filled with weeds and stray animals roaming hungry and helpless.

Faneuil Hall was turned into a theater, the Common was lined with trenches, and the pews at Old South Meeting House had been ripped out so the British officers could exercise their horses. And as General George Washington contemplated how to defeat the British soldiers, his secretary wrote him:

"Boston, I fear, must be given up for the common safety."

But the British soldiers knew by the time they sailed out of Boston in March, 1776, that Boston was more than a collection of buildings and a tangle of streets. It was the home of the spirit that assured from the beginning that the struggle for independence would be won. That spirit overcame the hunger and disease and despair that underwrite all wars.

If there were no Bicentennial Celebration in the very near future, there would still be a critical need for this legislation. Hundreds of thousands of visitors each year arrive in Boston to walk the Freedom Trail and visit the sites from their history books. We are proud of these sites and we want them to be able to withstand the pressure of increased visitation during the next few years.

What was true in 1886, is still true in 1973:

The chief characteristic of Boston among the cities of America is not its hotels, warehouses, not its private dwellings or public halls, not even its schools or its Common, however excellent these may all be. Other cities can have what money or enterprise can obtain as well as we. New York excels us in the size and magnificence of her buildings. Chicago in the boldness and energy of her trade, and Washington in the symmetry and cleanliness of her streets. But there is no city in the land which can equal Boston in the number and historical interest of its ancient buildings. Such a possession cannot be purchased. Let it not be needlessly sacrificed.

The care with which a community deals with its history and the effort it expends to preserve its heritage are very often the signs and symbols of how it will direct the future. But the preservation of these Revolutionary War sites in Boston is much more than symbolic. It is much more than the restoration of buildings and monuments. It is much more than a guided tour through antique furniture and cordoned rooms.

It is a recognition of the binding force of history, the cementing of our heritage, the foundation of our culture. For if we lose sight of where we have been, we will lack the vision to know where we are going.

Senator BIBLE. It is my intention to keep this record open for 2 weeks for any of you to make any suggestions. You can simply send your statements to the Senate Interior Committee, Washington, D.C. Two weeks from today will be the closing date on the record.



Our first witness today is Mayor Kevin White, mayor of Boston. I am delighted to see you.

### STATEMENT OF KEVIN H. WHITE, MAYOR OF BOSTON

Mayor WHITE. Senator, I want to send you a kind invitation to you and your wife, I think the Senator has preempted a favorite passtime of mine, that is, he has shown you some of the sites of our city and I assure you he is one of the ablest tour guides in America.

The Senator has always been interested in preserving these historical monuments. I want to join with you today in supporting this bill to create a national park here in the city of Boston and I want you to know and carry back, I hope to your colleagues, that this bill has the unqualified support of all of the people of this city.

What I would like to do is read a very brief statement.

I am reminded daily, as a matter of fact, from a little vantage point of my window in city hall, of the historic sites of my own city.

On more than one occasion it gives one a perspective, a sense of history and a sense of perspective on the decisions that a man makes daily.

From my window I can see Faneuil Hall, the Old North Church, Bunker Hill, and all of this, as you look out the window, is framed by the harbor and even the Constitution that we hope will be back here in Boston soon.

This very building that we are in, as the Senator has probably pointed out to you earlier, was given to us by a French merchant by the name of Peter Faneuil in 1742. It was reconstructed in 1806 by probably America's foremost and most renowned architect, Charles Bulfinch.

Bulfinch believed when he conceived and re-created this building that a market place for ideas as well as a market place for goods could exist or coexist in the same place.

We admire that concept as a people and we practice it today, for in this historical building, Senator, there is a drug store, beauty shop, two meat markets, and at the same time this hall in particular has been preserved as a place where mayors, Governors and Lieutenant Governors, Senators and citizens meet to discuss the issues of the day. And, the issues of today, unfortunately I suppose, are not much different than the issues of our forefathers.

For it was then we debated and we do today the actions of Government—as free and independent people concerned about government's effect on their lives.

They believed then as we do today that the principles of constitutional government, the definition of their own civil liberties as we try and define ours, the limits of Executive authority then as we try and define today and legislative power then and now.

So, what I am endeavoring to say simply at the outset is that here in Boston we have tried to be true to the past, to the principles of the past, and that we believe were true, in the buildings and in the ideas.



Fanueil's idea that participation in government should be as convenient and ordinary an activity as going to the market will live on in this city and it should be preserved in this country.

People will come, as the Senator well knows, from every state in the union and their presence here as visitors in our city gives testimony more than anything I can say and recognizes the national significance of these sites which you have visited today.

I must confess that I was pleased that you can attribute to me the powers of controlling the weather. I would like to always provide it with visitors so distinguished as yourselves as well as my own people. But the fact is, man's powers are limited and nowhere more limited than the power to tax and I cannot ask the proper taxpayers of this city as much as we love our own sites to spend an extensive amount of money to preserve the life of these monuments for another 100 years, nor do we have the money with our own limited resources to preserve these sites for the tremendous wear and use they will receive during the bicentennial.

All of this at a period in which we find ourselves in a tremendous economic bind. I suppose it is correct to say the Nation began in the womb of this city.

The potential of an historic park, to show and explain how our Government began and has been kept open to the people is exciting and challenging for us today.

As Senator Kennedy said in his initial remarks, there is no time in recent history where there is a greater need for that. It can be more than a vision of the past.

In my opinion a preservation of these sites can be in effect a beacon and a guide for all of us for the future. I seldom make speeches using the rhetoric of liberty and patriotism. The words have been abused, worn out by the tugging and pulling necessary to apply them to the events of the past decade.

This year, with the Nation facing a major constitutional crisis, an effort to find meaning for the words and to educate a new generation to the respectable uses of government is essential.

No year is more appropriate than this one—200 years after the Boston Tea Party—to realize the potential of these sites as the educators of a nation.

And, with your favorable decision this process, I hope, will begin.

Thank you, Senator.

Senator BIBLE. A very, very splendid statement, Mayor. May I ask you a few questions?

Who owns Fanueil Hall, who has the title to this Hall?

Mayor WHITE. This is the city of Boston, this and the market behind you and the Old State House is really maintained by a historical association.

Sentor BIBLE. For the record, could you furnish the committee the average cost of operating and maintaining Fanueil Hall over say a period of the last 3, 4 or 5 years, whatever is convenient, a convenient cut off date?

I would like to know what is embraced there, how much renovation do you believe is necessary at Fanueil Hall? It obviously needs



some restoration but it looks to me like by and large you have taken pretty good care of it.

Perhaps you could ask your engineering staff, I know I will be queried as to how much does it cost. And, as the Mayor of a great city you are familiar with that question, I am sure.

Could you supply it for the record?

Mayor WHITE. We would like to give you a cost of all of the expenses you are looking at in terms of preserving this one and now the market behind this in particular.

Senator BIBLE. Any one which the city of Boston has a title to. Are there others to which the sole title is vested in the city of Boston?

Mayor WHITE. Behind the Charlestown Navy Yard.

Senator BIBLE. I am not here to speak to that point in your statement as well because it has been called to my attention.

Senator KENNEDY. Kevan, could somebody provide me with a list of those sites that you were mentioning in the bill?

Senator BIBLE. Yes.

Mayor WHITE. We will get you those figures, sir.

Senator BIBLE. For renovation, rehabilitation and annual costs of maintenance operations, too.

[The information to be furnished follows:]

#### OLD SOUTH MEETING HOUSE REPORT FOR YEAR 1972

| 1972           | Admitted<br>for 25 cents | Those<br>who paid | Cash<br>received | Admitted<br>free | Sales    | 1970   | 1971   |
|----------------|--------------------------|-------------------|------------------|------------------|----------|--------|--------|
| January.....   | 1,446                    | 1,446             | \$361.50         | 157              | \$64.55  | 1,423  | 1,175  |
| February.....  | 1,196                    | 1,196             | 299.00           | 170              | 79.75    | 1,775  | 2,730  |
| March.....     | 2,858                    | 2,858             | 714.50           | 584              | 141.80   | 4,486  | 4,813  |
| April.....     | 4,968                    | 4,968             | 1,242.00         | 2,057            | 295.35   | 8,577  | 9,364  |
| May.....       | 3,994                    | 3,994             | 998.50           | 4,821            | 292.70   | 12,418 | 13,306 |
| June.....      | 6,795                    | 6,795             | 1,698.75         | 2,942            | 425.25   | 19,947 | 20,383 |
| July.....      | 10,811                   | 10,811            | 2,702.75         | 603              | 567.80   | 30,896 | 30,300 |
| August.....    | 14,644                   | 14,644            | 3,661.00         | 678              | 784.75   | 42,928 | 43,197 |
| September..... | 6,476                    | 6,476             | 1,619.00         | 445              | 311.70   | 49,187 | 49,434 |
| October.....   | 6,609                    | 6,609             | 1,652.25         | 2,034            | 475.85   | 54,535 | 55,318 |
| November.....  | 3,812                    | 3,812             | 953.00           | 1,038            | 276.35   | 57,951 | 58,071 |
| December.....  | 2,417                    | 2,417             | 604.25           | 453              | 149.53   | 59,518 | 59,794 |
| Total.....     | 66,026                   | 66,026            | 16,506.50        | 15,982           | 3,865.38 | 59,518 | 59,794 |

#### OLD SOUTH MEETING HOUSE LEAFLET REPORT FOR YEAR 1972

| 1972           | Cash income | Stamps and<br>parcel post | Stamp income | Leaflets sold | Bank deposit |
|----------------|-------------|---------------------------|--------------|---------------|--------------|
| January.....   | \$112.04    | \$1.80                    | \$0.80       | 299           | \$710.24     |
| February.....  | 37.63       | 3.81                      |              | 155           | 33.82        |
| March.....     | 60.27       | .43                       | .18          | 367           | 59.84        |
| April.....     | 40.26       | 2.24                      | .75          | 660           | 38.02        |
| May.....       | 170.20      | 9.08                      |              | 1,190         | 161.12       |
| June.....      | 149.50      | 9.54                      |              | 1,302         | 139.96       |
| July.....      | 186.37      | 1.25                      |              | 1,184         | 185.12       |
| August.....    | 244.32      | 2.79                      |              | 1,606         | 241.53       |
| September..... | 136.60      | 3.39                      |              | 715           | 133.21       |
| October.....   | 181.87      | 3.78                      |              | 857           | 178.09       |
| November.....  | 44.70       | .77                       |              | 276           | 43.93        |
| December.....  | 30.05       |                           |              | 195           | 30.05        |
| Total.....     | 1,393.81    | 38.88                     | 1.73         | 8,806         | 1,354.93     |



## OLD SOUTH ASSOCIATION (EXCLUDES GAIN OR LOSS FROM SECURITIES)

|                             | 1958    | 1959    | 1960    | 1961    | 1962    | 1963    | 1964    | 1965     | 1966     | 1967     | 1968     | 1969     | 1970     | 1971     | 1972     |
|-----------------------------|---------|---------|---------|---------|---------|---------|---------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b>INCOME</b>               |         |         |         |         |         |         |         |          |          |          |          |          |          |          |          |
| Admissions.....             | \$4,229 | \$4,624 | \$5,664 | \$8,076 | \$7,830 | \$7,857 | \$9,640 | \$10,867 | \$11,621 | \$12,145 | \$12,645 | \$13,562 | \$14,987 | \$14,949 | \$16,511 |
| Leaflets and souvenirs..... | 1,017   | 1,394   | 1,147   | 1,337   | 1,382   | 1,877   | 1,591   | 1,938    | 1,658    | 2,598    | 2,604    | 3,236    | 4,054    | 4,124    | 5,221    |
| Rents:                      |         |         |         |         |         |         |         |          |          |          |          |          |          |          |          |
| Goodspeeds.....             | 3,890   | 4,338   | 4,479   | 4,138   | 4,222   | 4,898   | 5,241   | 5,162    | 5,377    | 5,686    | 6,212    | 6,922    | 6,053    | 6,823    | 8,021    |
| Perkins tobacco.....        | 3,198   | 5,716   | 6,254   | 6,869   | 7,171   | 7,177   | 7,638   | 7,666    | 6,900    | 7,036    | 6,954    | 7,354    | 7,390    | 7,805    | 7,477    |
| Old South building.....     | 1,250   | 1,250   | 1,250   | 1,250   | 1,250   | 938     | 1,563   | 938      | 1,563    | 625      | 1,562    | 1,250    | 1,250    | 1,250    | 1,250    |
| Bernstein news.....         | 900     | 900     | 900     | 900     | 900     | 900     | 900     | 900      | 900      | 825      | 900      | 900      | 900      | 900      | 1,175    |
| Public telephone.....       | 1,087   | 947     | 907     | 795     | 801     | 787     | 808     | 691      | 742      | 567      | 608      | 688      | 590      | 546      | 1,582    |
| Miscellaneous.....          | 35      | 35      | 35      | 25      | 25      | 787     | 36      | 787      | 787      | 787      | 787      | 3        | 25       | 106      | 131      |
| Investment income.....      | 4,165   | 4,517   | 4,948   | 5,541   | 6,367   | 7,004   | 7,293   | 7,513    | 8,522    | 8,711    | 9,564    | 9,835    | 10,013   | 10,536   | 9,637    |
| Total income.....           | 19,736  | 23,721  | 25,584  | 26,906  | 29,948  | 31,438  | 34,710  | 35,675   | 37,373   | 38,193   | 41,049   | 43,750   | 45,262   | 47,039   | 50,005   |
| <b>EXPENSE</b>              |         |         |         |         |         |         |         |          |          |          |          |          |          |          |          |
| Salaries.....               | 5,805   | 5,952   | 6,403   | 7,065   | 7,375   | 8,398   | 8,322   | 8,306    | 10,702   | 15,384   | 13,365   | 12,711   | 14,091   | 13,864   | 15,303   |
| Heat.....                   | 2,028   | 2,049   | 2,087   | 2,016   | 2,309   | 2,249   | 2,006   | 2,285    | 2,115    | 2,400    | 2,424    | 2,683    | 2,980    | 3,241    | 4,030    |
| Insurance.....              | 1,490   | 1,884   | 1,501   | 1,162   | 1,625   | 1,674   | 1,787   | 1,710    | 1,584    | 1,531    | 1,254    | 1,541    | 1,179    | 1,551    | 1,645    |
| Clerk.....                  | 850     | 850     | 850     | 850     | 850     | 850     | 850     | 850      | 1,398    | 1,408    | 1,361    | 1,403    | 1,351    | 1,285    | 932      |
| Leaflets.....               | 1,589   | 1,134   | 2,153   | 1,450   | 1,600   | 1,561   | 1,734   | 1,686    | 2,030    | 2,624    | 3,024    | 2,570    | 2,095    | 4,278    | 3,990    |
| Electricity.....            | 731     | 808     | 941     | 955     | 924     | 833     | 833     | 894      | 715      | 703      | 613      | 697      | 941      | 1,897    | 982      |
| Repairs.....                | 1,695   | 996     | 1,122   | 1,321   | 2,037   | 1,882   | 3,310   | 1,812    | 384      | 1,191    | 2,004    | 1,580    | 2,492    | 2,878    | 2,038    |
| Purchases.....              | 320     | 337     | 203     | 317     | 1,007   | 137     | 573     | 251      | 907      | 360      | 352      | 2,854    | 584      | 978      | 2,038    |
| Miscellaneous.....          | 1,253   | 1,190   | 1,101   | 787     | 1,850   | 1,003   | 1,149   | 1,052    | 1,797    | 2,411    | 2,628    | 3,115    | 4,270    | 7,025    | 8,874    |
| Teachers course.....        | 2,025   | 1,930   | 2,055   | 2,588   | 2,254   | 2,592   | 2,620   | 2,611    | 2,607    | 2,966    | 3,791    | 3,318    | 3,329    | 3,515    | 3,320    |
| Total expense.....          | 17,786  | 17,129  | 18,416  | 18,511  | 20,831  | 21,179  | 23,224  | 21,557   | 24,239   | 30,978   | 30,816   | 32,472   | 33,312   | 40,512   | 41,114   |
| Balance.....                | 1,951   | 6,592   | 7,168   | 8,395   | 9,117   | 10,259  | 11,486  | 14,118   | 13,134   | 7,215    | 10,233   | 11,278   | 11,950   | 6,527    | 8,891    |
| Special repairs.....        | 879     | 187     | 13,000  | -----   | 2,475   | 15,899  | 5,681   | 1,770    | 10,164   | -----    | 1,873    | 9,530    | 11,966   | -----    | 50,733   |
| Balance.....                | 1,072   | 6,405   | 4,168   | 8,395   | 6,642   | (5,640) | 5,805   | 12,348   | 2,970    | 7,215    | 1,501    | 1,748    | (16)     | 6,527    | (41,842) |

1 Construction plans \$7,500.



## OLD SOUTH MEETING HOUSE

|                | Admitted for<br>25 cents | Those<br>who paid | Cash<br>received | Sales   | Free | 1972 |
|----------------|--------------------------|-------------------|------------------|---------|------|------|
| January 1973:  |                          |                   |                  |         |      |      |
| 1              |                          |                   |                  |         |      | (1)  |
| 2              | 114                      | 114               | \$28.50          | \$13.45 |      | 89   |
| 3              | 112                      | 112               | 28.00            | 3.25    |      | 34   |
| 4              | 60                       | 60                | 15.00            | 1.95    |      | 27   |
| 5              | 96                       | 96                | 24.00            | 5.70    | 21   | 47   |
| 6              | 202                      | 202               | 50.50            | 10.95   | 11   | 5    |
| 7              | (1)                      |                   |                  |         |      | 108  |
| 8              | 60                       | 60                | 15.50            | 5.35    |      | (1)  |
| 9              | 40                       | 40                | 10.00            | 3.35    |      | 37   |
| 10             | 92                       | 92                | 23.00            | 9.55    |      | 35   |
| 11             | 112                      | 112               | 28.00            | 1.30    |      | 49   |
| 12             | 58                       | 58                | 14.50            | 1.95    |      | 56   |
| 13             | 196                      | 196               | 48.50            | 16.45   | 13   | 32   |
| 14             | (1)                      |                   |                  |         |      | 77   |
| 15             | 66                       | 66                | 16.50            | 6.25    |      | (1)  |
| 16             | 70                       | 70                | 17.50            | 5.80    | 3    | 16   |
| 17             | 67                       | 67                | 16.75            | 1.45    | 6    | 45   |
| 18             | 84                       | 84                | 21.00            | 9.75    |      | 79   |
| 19             | 92                       | 92                | 23.00            | 7.70    |      | 37   |
| 20             | 88                       | 88                | 22.00            | 3.80    |      | 60   |
| 21             | (1)                      |                   |                  |         |      | 165  |
| 22             | 84                       | 84                | 21.00            | 7.05    |      | (1)  |
| 23             | 57                       | 57                | 14.25            | 2.80    |      | 42   |
| 24             | 53                       | 53                | 13.25            | 11.80   |      | 41   |
| 25             | 115                      | 115               | 29.75            | 1.50    |      | 44   |
| 26             | 73                       | 73                | 35.50            | 4.05    | 6    | 42   |
| 27             | 205                      | 205               | 102.50           | 14.75   | 7    | 33   |
| 28             | (1)                      |                   |                  |         |      | 155  |
| 29             | 20                       | 20                | 10.00            | 1.15    |      | (1)  |
| 30             | 28                       | 28                | 14.00            | 1.10    | 20   | 44   |
| 31             | 26                       | 26                | 13.00            | 1.65    | 15   |      |
| February 1973: |                          |                   |                  |         |      |      |
| 1              | 26                       | 26                | 13.00            | 4.25    | 39   | 43   |
| 2              | 28                       | 28                | 14.00            | 1.90    |      | 54   |
| 3              | 148                      | 148               | 74.00            | 9.35    | 8    | 20   |
| 4              | (1)                      |                   |                  |         |      | 28   |
| 5              | 24                       | 24                | 12.00            | 2.50    | 2    | 77   |
| 6              | 27                       | 27                | 13.50            | 1.50    | 1    | (1)  |
| 7              | 19                       | 19                | 9.50             |         |      | 20   |
| 8              | 13                       | 13                | 6.50             | 1.80    |      | 14   |
| 9              | 24                       | 24                | 12.00            | 7.45    | 15   | 30   |
| 10             | 126                      | 126               | 63.00            | 11.95   | 8    | 24   |
| 11             | (1)                      |                   |                  |         |      | 26   |
| 12             | 37                       | 37                | 18.50            | .80     | 62   | 158  |
| 13             | 18                       | 18                | 9.00             |         |      | (1)  |
| 14             | 19                       | 19                | 9.50             | 3.45    | 3    | 26   |
| 15             | 22                       | 22                | 11.00            | 1.25    |      | 51   |
| 16             | 32                       | 32                | 16.00            | 5.65    |      | 45   |
| 17             | 159                      | 159               | 79.50            | 21.50   | 21   | 31   |
| 18             | (1)                      |                   |                  |         |      | 40   |
| 19             | 181                      | 181               | 90.50            | 15.45   | 65   | 25   |
| 20             | 127                      | 127               | 63.50            | 15.05   | 5    | (1)  |
| 21             | 100                      | 100               | 50.00            | 10.40   | 11   | 118  |
| 22             | 120                      | 120               | 60.00            | 14.95   |      | 74   |
| 23             | 76                       | 76                | 38.00            | 6.00    | 25   | 53   |
| 24             | 215                      | 215               | 107.50           | 19.95   | 15   | 31   |
| 25             | (1)                      |                   |                  |         |      | 69   |
| 26             | 18                       | 18                | 9.00             | .80     |      | 74   |
| 27             | 26                       | 26                | 13.00            | 2.40    |      | (1)  |
| 28             | 22                       | 22                | 11.00            | 3.65    |      | 24   |
| 29             |                          |                   |                  |         |      | 45   |

See footnotes at end of table.



## OLD SOUTH MEETING HOUSE—Continued

|             | Admitted for<br>25 cents | Those<br>who paid | Cash<br>received | Sales  | Free   | 1972 |
|-------------|--------------------------|-------------------|------------------|--------|--------|------|
| March 1973: |                          |                   |                  |        |        |      |
| 1.....      | 36                       | 36                | \$18.00          | \$4.35 | 2      | 32   |
| 2.....      | 32                       | 32                | 16.00            | 4.90   | 47     | 22   |
| 3.....      | 133                      | 133               | 66.50            | 16.80  | 38     | 11   |
| 4.....      | (1)                      |                   |                  |        |        | 134  |
| 5.....      | 56                       | 56                | 28.00            | 3.50   | 8      | (1)  |
| 6.....      | 25                       | 25                | 13.50            | 40     |        | 53   |
| 7.....      | 33                       | 33                | 16.50            | 5.50   | 7      | 48   |
| 8.....      | 19                       | 19                | 9.50             | 7.95   |        | 9    |
| 9.....      | 45                       | 45                | 22.50            | 7.75   | 24     | 45   |
| 10.....     | 176                      | 176               | 88.00            | 39.65  | 85     | 71   |
| 11.....     | (1)                      |                   |                  |        |        | 227  |
| 12.....     | 61                       | 61                | 30.50            | 3.00   |        | (1)  |
| 13.....     | 29                       | 29                | 14.50            | 1.95   | 6      | 65   |
| 14.....     | 39                       | 39                | 19.50            | 1.60   | 2      | 37   |
| 15.....     | 64                       | 64                | 32.00            | 1.80   |        | 6    |
| 16.....     | 124                      | 124               | 62.00            | 5.10   | 14     | 57   |
| 17.....     | 114                      | 114               | 57.00            | 9.50   |        | 72   |
| 18.....     | (1)                      |                   |                  |        |        | 313  |
| 19.....     | 78                       | 78                | 39.00            | 9.60   |        | (1)  |
| 20.....     | 65                       | 65                | 32.50            | 4.50   |        | 105  |
| 21.....     | 55                       | 55                | 27.50            | 4.70   | 80     | 75   |
| 22.....     | 41                       | 41                | 20.50            | 2.20   |        | 41   |
| 23.....     | 69                       | 69                | 34.50            | 2.35   |        | 130  |
| 24.....     | 215                      | 215               | 107.50           | 24.00  |        | 117  |
| 25.....     | (1)                      |                   |                  |        |        | 116  |
| 26.....     | 34                       | 34                | 17.00            | 3.10   | 8      | (1)  |
| 27.....     | 70                       | 70                | 35.00            | 3.10   |        | 181  |
| 28.....     | 75                       | 75                | 37.50            | 8.85   | (1)    | 142  |
| 29.....     | 55                       | 55                | 27.50            | 2.50   |        | 142  |
| 30.....     | 57                       | 57                | 28.50            | 2.60   | 19     | 113  |
| 31.....     | 160                      | 160               | 80.00            | 14.15  | 56     | 294  |
| April 1973: |                          |                   |                  |        |        |      |
| 1.....      | (1)                      |                   |                  |        |        | 583  |
| 2.....      | 68                       | 68                | 34.00            | 4.65   | 4      | (1)  |
| 3.....      | 58                       | 58                | 29.00            | 4.80   | 1/40   | 278  |
| 4.....      | 73                       | 73                | 36.50            | 7.55   | 3/50   | 257  |
| 5.....      | 54                       | 54                | 27.00            | 5.60   | 3/71   | 248  |
| 6.....      | 147                      | 147               | 73.50            | 23.35  | 1/6    | 224  |
| 7.....      | 245                      | 245               | 122.50           | 46.30  | 8/260  | 153  |
| 8.....      | (1)                      |                   |                  |        |        | 248  |
| 9.....      | 95                       | 95                | 47.50            | 26.35  | 1/33   | (1)  |
| 10.....     | 36                       | 36                | 18.00            | 5.05   | 2/44   | 165  |
| 11.....     | 81                       | 81                | 40.50            | 11.60  | 4/273  | 41   |
| 12.....     | 68                       | 68                | 34.00            | 15.00  | 2/83   | 154  |
| 13.....     | 83                       | 83                | 41.50            | 5.95   | 4/76   | 48   |
| 14.....     | 241                      | 241               | 120.50           | 26.10  | 10/131 | 114  |
| 15.....     | (1)                      |                   |                  |        |        | 248  |
| 16.....     | 245                      | 245               | 122.50           | 18.55  | 4/63   | (1)  |
| 17.....     | 220                      | 220               | 110.00           | 46.30  | 11/267 | 1.2  |
| 18.....     | 201                      | 201               | 100.50           | 30.25  | 12/311 | 184  |
| 19.....     | 230                      | 230               | 115.00           | 37.10  | 5/54   | 186  |
| 20.....     | 309                      | 309               | 154.50           | 15.10  | 0      | 24   |
| 21.....     | 393                      | 393               | 196.50           | 41.80  | 1/6    | 173  |
| 22.....     | (1)                      |                   |                  |        |        | 327  |
| 23.....     | 191                      | 191               | 95.50            | 16.60  | 2/66   | (1)  |
| 24.....     | 213                      | 213               | 106.50           | 21.40  | 1/34   | 192  |
| 25.....     | 224                      | 224               | 112.00           | 15.15  | 6/117  | 142  |
| 26.....     | 97                       | 97                | 48.50            | 10.35  | 1/17   | 161  |
| 27.....     | 98                       | 98                | 49.00            | 9.85   | 1/35   | 130  |
| 28.....     | 292                      | 292               | 146.00           | 37.55  | 5/208  | 174  |
| 29.....     | (1)                      |                   |                  |        |        | 332  |
| 30.....     | 69                       | 69                | 34.50            | 9.35   | 3/64   | (1)  |

See footnotes at end of table.



## OLD SOUTH MEETING HOUSE—Continued

|            | Admitted for<br>25 cents | Those<br>who paid | Cash<br>received | Sales  | Free   | 1972 |
|------------|--------------------------|-------------------|------------------|--------|--------|------|
| May 1973:  |                          |                   |                  |        |        |      |
| 1.....     | 58                       | 58                | \$29.00          | \$3.95 | 1/41   | 102  |
| 2.....     | 54                       | 54                | 27.00            | 5.70   | 5/254  | 39   |
| 3.....     | 71                       | 71                | 35.50            | 9.55   | 12/244 | 42   |
| 4.....     | 86                       | 86                | 43.00            | 6.35   | 2/34   | 34   |
| 5.....     | 222                      | 222               | 111.00           | 22.80  | 10/215 | 110  |
| 6.....     | (1)                      |                   |                  |        |        | 317  |
| 7.....     | 95                       | 95                | 47.50            | 5.35   | 1/19   | (1)  |
| 8.....     | 74                       | 74                | 37.00            | 20.05  | 1/55   | 76   |
| 9.....     | 103                      | 103               | 51.50            | 7.10   | 2/56   | 42   |
| 10.....    | 92                       | 92                | 46.00            | 10.45  | 8/280  | 76   |
| 11.....    | 59                       | 59                | 29.50            | 14.95  | 4/133  | 112  |
| 12.....    | 222                      | 222               | 111.00           | 53.05  | 14/290 | 132  |
| 13.....    | (1)                      |                   |                  |        |        | 356  |
| 14.....    | 183                      | 183               | 91.50            | 7.75   | 3/50   | (1)  |
| 15.....    | 123                      | 123               | 61.50            | 14.00  | 6/139  | 82   |
| 16.....    | 141                      | 141               | 70.50            | 41.65  | 8/454  | 81   |
| 17.....    | 139                      | 139               | 69.50            | 20.65  | 8/353  | 115  |
| 18.....    | 66                       | 66                | 33.00            | 1.65   | 1/40   | 117  |
| 19.....    | 356                      | 356               | 178.00           | 50.05  | 5/146  | 96   |
| 20.....    | (1)                      |                   |                  |        |        | 200  |
| 21.....    | 146                      | 146               | 73.00            | 37.35  | 5/121  | (1)  |
| 22.....    | 120                      | 120               | 60.00            | 35.80  | 7/299  | 141  |
| 23.....    | 123                      | 123               | 61.50            | 7.45   | 5/93   | 134  |
| 24.....    | 121                      | 121               | 60.50            | 28.70  | 8/285  | 125  |
| 25.....    | 103                      | 103               | 51.50            | 12.15  | 3/60   | 108  |
| 26.....    | 399                      | 399               | 199.50           | 25.00  | 3/51   | 140  |
| 27.....    | (1)                      |                   |                  |        |        | 620  |
| 28.....    | 162                      | 162               | 81.00            | 19.00  | 1/22   | (1)  |
| 29.....    | 88                       | 88                | 44.00            | 11.05  | 0      | 327  |
| 30.....    | 136                      | 136               | 68.00            | 13.50  | 10/193 | 130  |
| 31.....    | 162                      | 162               | 81.00            | 10.00  | 7/255  | 140  |
| June 1973: |                          |                   |                  |        |        |      |
| 1.....     | 161                      | 161               | 80.50            | 8.50   | 10/247 | 9/   |
| 2.....     | 267                      | 267               | 133.50           | 19.05  | 8/156  | 130  |
| 3.....     | (1)                      |                   |                  |        |        | 294  |
| 4.....     | 135                      | 135               | 67.50            | 22.55  | 6/166  | (1)  |
| 5.....     | 152                      | 152               | 76.00            | 14.00  | 9/248  | 194  |
| 6.....     | 167                      | 167               | 83.50            | 18.40  | 6/331  | 232  |
| 7.....     | 220                      | 220               | 110.00           | 30.85  | 11/348 | 148  |
| 8.....     | 173                      | 173               | 86.50            | 26.85  | 8/396  | 136  |
| 9.....     | 225                      | 225               | 112.50           | 26.45  | 3/35   | 165  |
| 10.....    | (1)                      |                   |                  |        |        | 236  |
| 11.....    | 196                      | 196               | 98.00            | 15.10  | 2/41   | (1)  |
| 12.....    | 180                      | 180               | 90.00            | 8.00   | 9/281  | 283  |
| 13.....    | 120                      | 120               | 60.00            | 21.45  | 4/96   | 279  |
| 14.....    | 177                      | 177               | 88.50            | 27.25  | 3/202  | 305  |
| 15.....    | 193                      | 193               | 96.50            | 25.30  | 3/70   | 197  |
| 16.....    | 374                      | 374               | 187.00           | 36.35  | 3/74   | 265  |
| 17.....    | (1)                      |                   |                  |        |        | 409  |
| 18.....    | 277                      | 277               | 138.50           | 28.90  | 1/19   | (1)  |
| 19.....    | 246                      | 246               | 123.00           | 17.65  | 3/44   | 256  |
| 20.....    | 257                      | 257               | 128.50           | 20.00  | 6/119  | 346  |
| 21.....    | 241                      | 241               | 120.50           | 24.55  | 1/15   | 297  |
| 22.....    | 188                      | 188               | 94.00            | 18.55  | 1/17   | 199  |
| 23.....    | 430                      | 430               | 215.00           | 54.60  | 4/42   | 224  |
| 24.....    | (1)                      |                   |                  |        |        | 502  |
| 25.....    | 264                      | 264               | 132.00           | 28.00  | 2/103  | (1)  |
| 26.....    | 137                      | 137               | \$68.50          | 11.50  | 1/5    | 353  |
| 27.....    | 178                      | 178               | 89.00            | 12.45  |        | 373  |
| 28.....    | 200                      | 200               | 100.00           | 18.05  | 1/30   | 409  |
| 29.....    | 201                      | 201               | 100.50           | 16.15  | 2/53   | 330  |
| 30.....    | 280                      | 280               | 11.40            | 16.10  |        | 136  |

See footnotes at end of table.



## OLD SOUTH MEETING HOUSE—Continued

|              | Admitted for<br>25 cents | Those<br>who paid | Cash<br>received | Sales   | Free | 1972 |
|--------------|--------------------------|-------------------|------------------|---------|------|------|
| July 1973:   |                          |                   |                  |         |      |      |
| 1            | (1)                      |                   |                  |         |      | 610  |
| 2            | 284                      | 284               | \$142.00         | \$20.20 | 1/30 | (1)  |
| 3            | 270                      | 270               | 135.00           | 17.60   | 8/16 | 459  |
| 4            | 308                      | 308               | 154.00           | 33.45   | 1/10 | 448  |
| 5            | 204                      | 204               | 102.00           | 13.65   | 1/30 | 344  |
| 6            | 317                      | 317               | 158.50           | 21.65   | 4/29 | 457  |
| 7            | 429                      | 429               | 214.50           | 54.45   |      | 417  |
| 8            | (1)                      |                   |                  |         |      | 544  |
| 9            | 217                      | 217               | 108.50           | 30.05   | 2/51 | (1)  |
| 10           | 240                      | 240               | 120.00           | 41.00   | 2/21 | 390  |
| 11           | 267                      | 267               | 133.50           | 31.00   |      | 393  |
| 12           | 223                      | 223               | 111.50           | 39.00   | 1/5  | 340  |
| 13           | 270                      |                   | 135.00           | 40.00   |      | 220  |
| 14           | 455                      | 455               | 227.50           | 46.00   | 1/30 | 347  |
| 15           | (1)                      |                   |                  |         |      | 459  |
| 16           | 292                      | 292               | 146.00           | 42.65   | 1/10 | (1)  |
| 17           |                          | 299               | 149.50           | 59.00   | 2/34 | 344  |
| 18           |                          | 284               | 142.00           | 66.00   | 1/25 | 365  |
| 19           |                          | 316               | 158.00           | 65.00   |      | 314  |
| 20           |                          | 244               | 122.00           | 48.50   | 1/28 | 413  |
| 21           |                          | 473               | 236.50           | 56.75   |      | 385  |
| 22           | (1)                      |                   |                  |         |      | 599  |
| 23           |                          | 381               | 190.50           | 49.00   |      | (1)  |
| 24           |                          | 324               | 162.00           | 60.15   | 1/30 | 413  |
| 25           |                          | 313               | 156.50           | 61.35   |      | 325  |
| 26           |                          | 258               | 129.00           | 45.30   | 3/20 | 484  |
| 27           |                          | 252               | 126.00           | 53.40   | 1/30 | 419  |
| 28           |                          | 566               | 283.00           | 100.00  | 1/19 | 344  |
| 29           | (1)                      |                   |                  |         |      | 563  |
| 30           |                          | 314               | 157.00           | 50.30   | 3/48 | (1)  |
| 31           |                          | 288               | 144.00           | 20.50   |      | 415  |
| August 1973: |                          |                   |                  |         |      |      |
| 1            |                          | 246               | 132.00           | 50.00   |      | 561  |
| 2            |                          | 278               | 139.00           | 31.00   | 5/72 | 491  |
| 3            |                          | 260               | 130.00           | 30.00   | 1/12 | 364  |
| 4            |                          | 550               | 275.00           | 51.50   | 2/50 | 422  |
| 5            | (1)                      |                   |                  |         |      | 715  |
| 6            |                          | 351               | 175.50           | 40.50   |      | (1)  |
| 7            |                          | 378               | 189.50           | 37.55   |      | 504  |
| 8            |                          | 219               | 109.50           | 38.10   | 2/38 | 633  |
| 9            |                          | 66                | 33.00            |         |      | 532  |
| 10           |                          | 240               | 120.00           |         |      | 596  |
| 11           |                          | 451               | 225.50           | 66.35   | 2/43 | 550  |
| 12           | (1)                      |                   |                  |         |      | 817  |
| 13           |                          | 370               | 185.00           | 57.00   | 2/60 | (1)  |
| 14           |                          | 400               | 200.00           | 86.00   |      | 615  |
| 15           |                          | 117               | 58.50            | 32.00   |      | 67   |
| 16           |                          | 463               | 231.50           | 67.70   |      | 650  |
| 17           |                          | 369               | 184.50           | 56.00   | 1/12 | 600  |
| 18           |                          | 516               | 258.00           | 135.25  | 1/8  | 501  |
| 19           | (1)                      | 383               | 191.50           | 88.00   | 1/6  | 679  |
| 20           |                          | 328               | 164.00           | 51.00   | 1/11 | (1)  |
| 21           |                          | 302               | 151.00           | 48.65   |      | 590  |
| 22           |                          |                   |                  |         |      | 560  |
| 23           |                          | 401               | 200.50           | 64.00   | 2/50 | 553  |
| 24           |                          | 328               | 162.50           | 66.00   |      | 473  |
| 25           |                          | 603               | 301.50           | 88.00   | 1/10 | 414  |
| 26           | (1)                      |                   |                  |         |      | 631  |
| 27           |                          | 222               | 111.00           | 47.30   |      | (1)  |
| 28           |                          | 306               | 153.00           | 47.00   |      | 407  |
| 29           |                          | 265               | 132.50           | 63.00   |      | 464  |
| 30           |                          | 182               | 91.00            | 21.00   |      | 385  |
| 31           |                          | 103               | 51.50            | 7.00    |      | 260  |

See footnotes at end of table.



## OLD SOUTH MEETING HOUSE—Continued

|                 | Admitted for<br>25 cents | Those<br>who paid | Cash<br>received | Sales   | Free | 1972 |
|-----------------|--------------------------|-------------------|------------------|---------|------|------|
| September 1973: |                          |                   |                  |         |      |      |
| 1               |                          |                   |                  |         |      | 238  |
| 2               | (1)                      |                   |                  |         |      | 473  |
| 3               |                          | 311               | \$197.00         | \$41.70 |      | (1)  |
| 4               |                          | 178               | 114.00           | 25.00   |      | 491  |
| 5               |                          | 160               | 96.30            | 16.30   |      | 230  |
| 6               |                          | 160               | 91.00            | 11.00   |      | 170  |
| 7               |                          | 184               | 121.00           | 29.00   |      | 234  |
| 8               |                          | 317               | 156.50           | 69.00   |      | 230  |
| 9               | (1)                      |                   |                  |         |      | 278  |
| 10              |                          |                   |                  |         |      | (1)  |
| 11              |                          |                   |                  |         |      | 272  |
| 12              |                          |                   |                  |         |      | 170  |
| 13              |                          |                   |                  |         |      | 210  |
| 14              |                          |                   |                  |         |      | 174  |
| 15              |                          |                   |                  |         |      | 188  |
| 16              | (1)                      |                   |                  |         |      | 392  |
| 17              |                          |                   |                  |         |      | (1)  |
| 18              |                          |                   |                  |         |      | 281  |
| 19              |                          |                   |                  |         |      | 95   |
| 20              |                          |                   |                  |         |      | 220  |
| 21              |                          |                   |                  |         |      | 184  |
| 22              |                          |                   |                  |         |      | 216  |
| 23              | (1)                      |                   |                  |         |      | 474  |
| 24              |                          |                   |                  |         |      | (1)  |
| 25              |                          |                   |                  |         |      | 226  |
| 26              |                          |                   |                  |         |      | 202  |
| 27              |                          |                   |                  |         |      | 147  |
| 28              |                          |                   |                  |         |      | 167  |
| 29              |                          |                   |                  |         |      | 209  |
| 30              | (1)                      |                   |                  |         |      | 365  |

<sup>1</sup> Sunday.<sup>2</sup> Hundreds.

Mayor WHITE. I would like to take advantage, and I don't want to impose on anybody else's time, least of all yours, the Senators and the Congressmans but I would like to take the opportunity to say two things.

One, we sincerely hope that the *Constitution*, that is, the ship itself, will remain in Boston. It is as much a part of our heritage as any single monument.

Without question I think the fierce loyalties and tenacities which people are willing to fight for its retention is important.

The second point is in connection with my mentioning the Navy Yard. It is simply that this is an important site nationally and we hope the national administration will give us the opportunity to develop it and preserve it as an economic factor in this Nation's development.

Sentor BIBLE. Thank you very much.

Senator KENNEDY. As the Mayor knows, there is actually Federal legislation that requires the U.S.S. *Constitution* to remain in Boston.

Mayor WHITE. I didn't know that.

Senator KENNEDY. And it was discussed in the recent hearings that we had on the Boston Navy Yard down in Washington. The Secretary of Navy once again wrote into the record a clear determination of the administration and his full commitment to its present continuation here in Boston. But, it is important that we remind ourselves about the *Constitution*, having seen the loss of many of our other facilities it is important that we keep our eye on the *Constitution* as well.



Let me mention just to our distinguished chairmen of this subcommittee the imaginative approach that the mayor has offered for the bicentennial.

There have been a number of mayors of other cities who perhaps don't have the same historic heritage associated with the early days of the founding of the republic as our mayor. Rather than a creation of a carnival type of atmosphere and climate, we have a program which highlights the city itself. I think you are going to hear more about this program later on.

I think his program is extremely sensitive and impressive, and we will hear later what the city is attempting to provide for the people who come and visit the city.

I think the mayor understands this so well, and has attempted to preserve so many of these areas in an urban atmosphere with problems of noise and pollution. And, it is extremely challenging.

I just want to underline, Mr. Chairman, there is really no reason or very little reason why all of the expenses that are necessary to preserve the historic sites should be supported solely by the people in Boston here.

They are of national importance in terms of our whole culture and tradition; and people from all over the country come. And it is entirely appropriate that resources raised throughout this Nation are going to be used to preserve what belongs to the City of Boston, and which is very much a part of our national heritage.

And again I can give assurances to the chairman that the kinds of programs that are being considered now for the various sites are responsible, they are sensible.

As I understand them, they have been worked out with those that have been extremely involved in the development of the historical past, and it seems to me highly commendable.

Senator BIBLE. I join in that, Mayor.

You made a splendid presentation and as Senator Kennedy points out, I think this does merit Federal attention and Federal assistance and help.

One of the best examples in the world is Philadelphia—Independence Hall and the Liberty Bell where we moved in more and more funds each year to preserve this other cradle of freedom. And, I think the same thing should be done here.

Thank you for coming this morning. You are welcome to stay. We realize you have a heavy schedule ahead of you, so we understand.

Our next witness will be Lt. Gov. Donald R. Dwight.

#### **STATEMENT OF DONALD R. DWIGHT, LIEUTENANT GOVERNOR, BOSTON**

Lieutenant Governor DWIGHT. Thank you very much, Senator Bible. I am pleased to be here this morning to testify.

Senator KENNEDY. If the Governor will just yield, we had invited Governor Sargent when these hearings were scheduled earlier back in the year and he accepted willingly. And, because of votes in the Senate, we had to cancel on very short notice our hearings. We were



hopeful of having the time right before Labor Day and we had some scheduling problems and it was re-established for today.

On previous times Governor Sargent had indicated his desire and willingness to come and we have been in touch with his office. He has been extremely cooperative and helpful in the development of the legislation.

So, we regret that he is not here. But, I want to express my deep sense of appreciation to Lieutenant Governor Dwight for being here, and knowing of his great interest in historical preservation I think he is an able spokesman for our State.

Senator BIBLE. Thank you for being here, Governor, and we are happy to be here now.

Lieutenant Governor DWIGHT. It is a pleasure to make an expression for the Commonwealth and also for myself.

I view Senate bill 210—it shows the great farsightedness of Senator Kennedy.

If the proposals set forth in this bill become law, the people of Charlestown, of Boston, of Massachusetts, will gain a major historic, recreational, and economic asset.

Earlier this year our fears of many years came true. The Department of Defense announced the closing of a number of military installations around the country.

The impact of the announcement was greatest here in southern New England—30,000 jobs will be lost in Massachusetts and Rhode Island alone.

But it will serve no useful purpose to belabor that fate. That damage is reality.

Nor will it do any good to sit passively and watch people suffer for lack of employment. Government has a special responsibility to act.

Already Massachusetts has created a conversion commission and we have committed all available resources—dollars and people.

Already we have begun to place those who were laid off August 3. This is an impressive undertaking, and it will prosper because of effort in both the public and the private sectors, with special emphasis on media attention and promotion.

We are moving to convert an apparent disaster into a unique opportunity, by devising new uses for the land and facilities left behind.

And Senator Kennedy's bill, S. 210, promises an enormous assist in accomplishing this objective.

The bill calls for converting a portion of the Navy Yard into an historic park. It will protect the buildings and the grounds that have played a pivotal role in our Nation's defense for so many years.

It also preserves this historic hall, the Paul Revere House, the Old North Church, Bunker Hill, and other historic sites in Boston by providing for cooperative agreements between the Secretary of the Interior and the current proprietors of these sites.

This is a key and innovative feature of the legislation before you today.

Moreover, enactment of this legislation will create jobs—jobs that will be needed in the vacuum created when the shipyard finally closes.



The city of Boston holds a nation's heritage. Boston has hundreds of historic landmarks and treasures. But one has come to outweigh the rest, one has come to symbolize the strength and dedication of those who made this country great.

The people of Massachusetts will take a lot—they are willing to accept unpopular decisions when they are inevitable. But we will not sit by when there are threats to our heritage—and by this I mean the U.S.S. *Constitution*. For Old Ironsides is part of the character of this city and this State.

It came as no surprise to me that when the *Constitution* was threatened, the people of Massachusetts rallied vigorously—Governor Sargent, Mayor White, and our Congressional delegation joined together and insisted that she stay.

It is incumbent on us now to take this opportunity to protect Old Ironsides for all time . . . to ensure that those who follow us will be able to share the inspiration of this fighting ship. And Senator Kennedy's bill would do just that—it would guarantee the *Constitution's* continued presence in Charlestown.

And it would do even more. It would create a national historical park that will include many landmarks. And it is flexible and expansive. There are provisions for preserving and protecting other historical attractions for posterity.

Mr. Chairman, a nation's past, and the lessons its people can learn from it, are tremendously important. The past helps us in dealing with the problems of today, in preparing for the problems of tomorrow.

Each part of this country has its own special heritage. But no part of the country is, I believe, richer in history than Boston.

The Commonwealth of Massachusetts is vitally interested in this project, because we want to see this history preserved. And we also want the recreational and economic benefits that will result.

We are preparing specific recommendations as to boundaries and uses, and we will be forwarding them to this committee in the days ahead.

Many will benefit from enactment of this legislation. None will suffer. There will be jobs. There will be recreational facilities for the people who live in the area. The tourist trade will be enhanced. And our heritage will be preserved.

I am grateful for Senator Kennedy's sponsorship and, on behalf of Governor Sargent and the people of Massachusetts, I pledge our total support and cooperation as these proposals become fact.

Senator BIBLE. Thank you very much, Governor Dwight.

Let me ask you, you have Fanueil Hall where we are right now, you have the Paul Revere House, the Old North Church House, the Old State House, and the Old South Meeting House and listed on page 2 of the bill the Commonwealth of Massachusetts, is it a Commonwealth, which do you call yourself?

Lieutenant Governor DWIGHT. It certainly is a Commonwealth.

Senator BIBLE. I suppose the only one the State has title on is the Old State House, is that correct?

Lieutenant Governor DWIGHT. I think the city of Boston has title to that. We do have title, however, through the metropolitan



district commission, to the Bunker Hill property, that is invested in the Commonwealth.

Senator BIBLE. Has there been any resolution passed by the State of Massachusetts indicating their willingness to deed whatever property they might own to the Federal Government?

Lieutenant Governor DWIGHT. It is not on record that I know of, Mr. Chairman. However, and I don't speak for the legislature, as anybody in this room would know, but I would anticipate absolutely no difficulty in successful passage of whatever resolution of intent or ultimately transfer of title if this bill were to become law.

Senator BIBLE. Thank you, and as chairman of the Parks and Recreation Subcommittee and the Historic Preservation Committee, in handling legislation similar to this all over the United States for the last 15 years, I think the National Park Service is a mighty fine agency of Government and I think the bill that is before us, it is the proper way for the Government to act in the future because I think this is of national historic importance. If this isn't I don't know what is.

So, I think we will be able to get very fast action, I am sure, Senator Kennedy, just as soon as we can complete this record; we will get on this right away.

Senator KENNEDY. Just a couple of points, Mr. Chairman.

Governor Dwight, could you just for the record tell us how this fits in with the State's plan for the Bicentennial? Does it complement it or how does it fit in?

Lieutenant Governor DWIGHT. This would complement and augment the plan for Massachusetts in the city of Boston. Mayor White spelled out the financial problems quite well.

We are quite concerned that maybe we are a little late and slow in getting geared up for the bicentennial and I am sure Congressman Moakley, who is a member of the legislature, this is one of his concerns, and the cochairman of the Bicentennial Commission, State Senator Atkins, who has been getting the project on track, but this will very clearly compliment and enhance the prospects of Massachusetts in meeting what we know will be floodtide come 1976 and 1975 for our kickoff date is the 19th of April in 1975 when the Paul Revere commemoration comes.

Senator KENNEDY. Is there anything in the legislation which you would like to see altered or changed, or are you satisfied with the thrust of it?

Lieutenant Governor DWIGHT. I like very much the cooperative nature of it. I think the various levels of government should be able to work it out if there are any differences and I don't anticipate any.

I like the agreement, and willing agreement, that type of approach that you have incorporated here, Senator. Moreover, there are provisions in this bill to help us meet whatever problems might arise.

No, I would have no amendments to this legislation.

Senator BIBLE. Thank you Governor Dwight, thank you very much.



Now, our next witness will be Congressman Joe Moakley, the co-sponsor with Congressman O'Neill, of I think identical legislation in the House of Representatives.

**STATEMENT OF HON. JOHN MOAKLEY, A U.S. REPRESENTATIVE  
FROM THE STATE OF MASSACHUSETTS**

Representative MOAKLEY. First of all I would like to welcome you again to Massachusetts and thank you for taking time from your busy schedule to be here this morning.

Senator KENNEDY. If the Congressman would yield, I would just mention that along with our other witnesses who have appeared before us—Congressman Moakley has been extremely active, Mr. Chairman, in sponsoring this legislation in the House of Representatives along with Congressman O'Neill and Congressman Burke when he was in the legislature, Congressman Moakley was one of the creative forces in trying to find ways of better utilizing our Boston Harbor Islands for preservation, which would benefit people within the community and in the city.

I share with him the feeling of every serious underutilization that we have there, both recreational and environmental. Perhaps some special industry or planned development could open up some jobs.

So, he comes with a very keen awareness of the impact of this legislation on the city and he is a person who has given a good deal of thought to the subject generally. I want to express my appreciation of working with him in the development of this legislation and welcome him here.

Senator BIBLE. We are happy to have you with us.

Representative MOAKLEY. Thank you. Also, I want to thank Senator Kennedy for sponsoring the legislation. I thank you for the co-operation of yourself and your entire office staff in making yourself so accessible because I know of the tremendous schedule. But, let me get to Charlestown this morning. I talked with Congressman Thomas O'Neill, who is majority leader in the House of Representatives and I told him I would be here this morning. He intended to be here, he had a prepared statement. So, with your kind indulgence I am wearing two hats up here representing myself and Congressman O'Neill.

I would like now to read Congressman O'Neill's statement into the record.

I want to express my appreciation for your efforts in scheduling hearings here in Boston on S. 210.

I extend to you a formal welcome and thank you for coming. As you know, I have sponsored along with Congressman Burke and Congressman Moakley, an identical measure in the House, H.R. 7486.

It is strikingly appropriate that this hearing should take place here, in Faneuil Hall, a site which has served as an inspiration to many of our nation's citizens through the decades.

Faneuil Hall is not unique in this respect. Located within the City of Boston, within close physical proximity, are a series of sites which are almost unequalled in historical and symbolical significance.

The Paul Revere House, the Old North Church, the Old State House, Bunker and Breed's ill and the Old South Meeting House are places every school child is familiar with, as well as the legendary episodes which accompany each site.

This bill, then, represents a unique opportunity to bring within one park,



under the supervision and auspices of the federal government, many historic sites, integrally related to the founding of this nation, and related to one another as well.

Needless to say, the people of Boston, and I number myself among them, are intensely proud and enthusiastic about these historic sites.

The purpose of the present bill is to provide all Americans with a greater opportunity to visit and appreciate these monuments to our glorious beginnings.

The people of the United States have always taken an intense and sincere interest in the preservation of their national heritage.

From the earliest days of the Republic, Americans have exhibited a desire to protect and maintain the buildings, battlefields and sites which comprise the most physical and ostensible evidence of our rich and varied history.

These sites within the City of Boston are not only testaments to the vitality of America's past, but are a source of purpose and resolve for the future.

In time of domestic turmoil and foreign strife, our historical monuments can provide a kind of stability and security offered by no other medium.

If Americans can look to the past with pride and dignity, they are more likely to endure the travails of the present.

Again I want to emphasize that under federal auspices the significance of these sites can be appreciated by more Americans than at present.

The bill provides not only for the major sites already mentioned, but in addition, the Secretary of the Interior is authorized to study other areas and determine their appropriateness for inclusion in the park.

Among these are: the Boston Common, the Charlestown Navy Yard, Thomas Creese House, Dorchester Heights, as well as several old and famous burial grounds.

Moreover, the bill provides for the construction of historical markers and a visitor center, which will aid in the understanding and interpretation of the sites to the thousands of Americans who will journey to the park each year.

The bill then, contemplates a comprehensive plan for an area with a particularly high concentration of historical sites.

As I mentioned earlier most of our citizens can recall the names and importance of these famous buildings and sites. However, our struggle for independence is too often relegated to the pages of history books.

But, the very breath and spirit of the Revolution flows through these historic sites. They, more than any book, classroom discussion or photograph bring the Revolutionary days out of the imagination into the clear air of reality.

Truly, our history comes alive through these moments. Clearly then, these sites deserve to be part of a federal park, wherein all citizens can share in their enjoyment.

And the revolutionary spirit which these sites embody belongs not only to the state of Massachusetts, but to the nation as well.

There is one overwhelmingly practical consideration which dictates that these sites be placed under federal supervision. Only the federal government can provide the degree of care necessary to retain these buildings, and only the Department of the Interior and the National Park Service has the resources to transform the proposed park into a genuinely national shrine.

Recently, I was shocked to learn that several of these sites did not even have American flags for display. It is imperative that the deterioration and disrepair which has tragically afflicted many other significant American historical sites be prevented from happening to the buildings and grounds which played such an important role in the birth of the United States.

Finally, I would like to point out that the bill does not involve the grant of any confiscatory rights. It simply directs the Secretary of the Interior to acquire certain areas with the owners consent.

This protection is written into the legislation to protect private property rights and insure that individual owners are not displaced against their desire.

I urge the Committee to act favorably and swiftly upon this legislation. I am aware that our nation is literally filled with similarly significant historical sites, from coast to coast, in small towns as well as large cities.

However, I respectfully suggest to the Committee that few areas in the country contain so many sites, each of independent importance, yet each related to the others.



For this reason, and the others I have mentioned, it is my belief that adoption of this measure will enure to the everlasting benefit of the American people, for which they will be forever grateful.

Thank you.

These are the remarks of Congressman O'Neill. My remarks will be in the record. Senator Kennedy, I would like to change the bill just a little bit.

I think there are other historic sites—I would like also to share, including them not only as cooperative ventures but including them in the main bill for takeover by the Federal Government so they could be adequately supervised.

Dorchester Heights, I am very familiar with, I know the deterioration that has happened there. The city is just unable to have the paltry sums available to take care of it.

Senator BIBLE. Your recommendation is that you take the Heights from the study area, put them over there in the active area similar to this hall?

Representative MOAKLEY. Yes, sir.

Senator BIBLE. That is what you are suggesting?

Representative MOAKLEY. Yes, sir.

Senator BIBLE. Fine, we will take a very close look at that for you.

I have no questions.

Tell Tip O'Neill he has a mighty fine spokesman and a mighty fine statement.

I will make part of the record at this point the testimony of Congressman James A. Burke which I have before me here.

[The prepared statement of Congressman Burke follows:]

STATEMENT OF HON. JAMES A. BURKE, A U.S. REPRESENTATIVE FROM  
THE STATE OF MASSACHUSETTS

Mr. Chairman, as a Congressman who represents a historic section of the City of Boston, it is only natural that I should be interested in expressing my concern at this public hearing about the future of the many historic landmarks of the Revolutionary period. I also feel, however, that because I am a United States Representative that I have a national as well as a local responsibility to make every effort to maintain and preserve those landmarks that represent a national heritage for our country. It is for this reason that I transcend parochial attachment; yet as a lifelong resident of Boston I speak with familiarity and concern for what can truly be described as America's genuine tradition. It is very important that every nation have a measure of respect for its tradition, and in a country that is as relatively young as our own we should not forsake those tangible remnants of the virtuous birth of our nation that are and will continue in future generations to be a source of inspiration and poignant remembrance of our commitment to democracy and republicanism. The fast pace of technological progress with its constant promises of building a new and better world must be tempered with the solemnity of the past which luckily for this nation is a fountainhead of inviolable and indefatigable safeguards for the welfare of its citizens. The embodiment of that tradition in the buildings and sites in Boston is therefore a matter of national attention and it is only appropriate that they be maintained as historical sites for the benefit of visitors from throughout the nation.

Many of the sites that would be incorporated in the Boston National Historical Park as authorized in H.R. 7486 and S. 210 are valuable architectural structures as well. The Paul Revere House, home of the Revolutionary Patriot, is the only extant 17th century dwelling in downtown Boston, dating back to circa 1676. The Old North Church, from whose belfry lanterns signaled the British march to Lexington and sent Paul Revere on his famous ride, is the oldest surviving church in Boston, a romanesque structure built in 1723. A



magnificent Georgian building, the Old Massachusetts State House, 1712-1713, served as the seat of government for the province of Massachusetts and as one of the original 13 statehouses, from 1776 to 1798. The Old South Meeting House, 1729-1730, one of the few pre-Revolution meeting houses still standing, is the work of one of America's most distinguished architects, Joshua Blanchard.

Faneuil Hall, which was erected in 1761, is not only historically significant as a self-government town meeting place of the Revolutionary era but also served as the center for the 19th century abolitionist movement in New England.

Each and every one of these sites was a focal point in the organization of colonial protest during the birth of this great country. Each and every one of these sites represents the very roots of our tradition as Americans. The Boston National Historical Park would be for every American a true cradle of liberty.

The available operating funds for these historic landmarks are woefully inadequate. As we approach the Bicentennial Celebration it is clearly evident that the funds available for the upkeep of the popular tourist sites cannot match the demands for needed maintenance. Nor are there adequate facilities to accompany these sites to accomodate the millions of tourists who will annually make the pilgrimage to the birthplace of the Revolution. The situation has deteriorated to such a degree that the Bunker Hill memorial site can be described in no uncertain terms as disgraceful. The buildings have been closed by the Health Department and Building Inspectors because they are unsafe, unclean and unheated. This amounts to a veritable slap in the face to the memory of many inexperienced but spirited and courageous American militiamen who gave their lives on June 17, 1775 in the first full action versus British regulars of the Revolutionary War. This glorious defense of American freedoms deserves a far better state than the ramshackle condition it finds itself in now.

The Boston Naval Shipyard in Charleston is one of America's oldest Navy yards and is the home of the nation's most famous fighting ship, the U.S.S. Constitution. Dorchester Heights was the first camp of Washington's newly formed army, and its gun emplacements prompted the British Fleet's evacuation of Boston and its harbor. The esteem we hold for these places steeped in tradition is indicative of the values we attach to the ideals that have made the United States the model of democratic government.

I am confident that the Committee and the Congress share in the sense of tradition and honor that the residents of Massachusetts and New England feel toward these historic sites. The Congress would be acting in the spirit of the Bicentennial Celebration by acting favorably on H.R. 7486 and S. 210, and the benefits of such action would be lasting for all Americans who cherish our nation's heritage.

Senator BIBLE. Will you take Dorchester Heights and put it in the study area or are you putting it in the first area?

Representative MOAKLEY. I have discussed this with Congressman Burke and Congressman O'Neill. We are working on some kind of an amendment to the bill.

Senator BIBLE. Very well.

Senator Kennedy.

Senator KENNEDY. I understand that Dorchester Heights was the scene of the first American military victory at the time of the Revolutionary War—it is celebrated in this city every year.

It is of great historical importance. It is a lovely community, it is high, it is cool and breezy and a lot of wonderful lovely homes.

Yet, I agree with the Senator that there is a critical need in terms of some restoration and preservation in that particular area. It is entirely appropriate that this type of area be preserved and I would be glad to work with the Congressman.

Just this one point I would like to mention to the Congressman. As he understands, as I mentioned earlier, there is absolutely no taking of any homes in the passage of this legislation. It is terribly



important that this be understood. I want to give these assurances. Somebody mentioned earlier today this was to be a market place of ideas as well as a market.

With the business being done here at Fanueil Hall we will be able to continue to function as a market without interruption. There will be no taking of any homes. There are no provisions here for any condemnation and we just wanted to make sure that the citizens in particular areas which might be of concern will know that we are going to help alleviate some of the problems they are facing as well as the taxpayers, and to beautify these places as well as interpret them.

There is absolutely no intention I am sure from your point of view, and I am certain from mine, of any kind of taking of this nature.

Representative MOAKLEY. Actually, Senator, I think your legislation deals with this. In the past some similar bills did provide for taking. There was much opposition to legislation such as this but your legislation spells out specifically that there will be no private takings, it is more a voluntary effort between the Federal Government and the owners of these places.

Thank you very much.

Senator KENNEDY. Thank you. We hope you will remain with us if you can.

Senator BIBLE. A very fine statement.

[Subsequent to the hearings Congressman Moakley submitted the following letter:]

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., October 4, 1973.

The Hon. ALAN BIBLE,  
Chairman, Subcommittee on Parks and Recreation,  
Committee on Interior and Insular Affairs, U.S. Senate,  
Washington, D.C.

DEAR SENATOR BIBLE: I am pleased to write my colleagues on the Parks and Recreation Subcommittee about a matter of great personal concern. I would very much appreciate your prompt consideration of S. 210 (the Boston National Historic Park bill); and, especially, approval of a revised list of site acquisitions, as noted in my recent testimony before the Committee.

Although our nation's BiCentennial is nearly three years away, Boston has already begun to prepare for the event. In November 1972, Mayor Kevin White created the Office of the Boston BiCentennial, charged with the responsibility of directing Boston's efforts in this area. Within the year, this Office, working with other government agencies, community organizations, business groups, and private institutions, was able to present to the Mayor a "Master Plan" for the BiCentennial celebration in Boston.

These preparations were none too soon. As the major seat of early revolutionary activities, Boston will be one of the national centers of the BiCentennial celebration. Some 15 million tourists are expected to visit the city during the BiCentennial years. The influx of so large a number of visitors, plus the need to upgrade many of the historic sites in the city, require that Boston begin early to ready itself for the nation's 200th anniversary.

To accomplish its goal for the BiCentennial, Boston must maintain the present pace of its preparations. The Office of the Boston BiCentennial's "Master Plan", while sufficient for the moment, is only a framework on which to build. The details must be filled in, and there is little time for the work to be done.

It is because of Boston's urgent need to get on with the work of preparing for the BiCentennial that I ask you not to delay your consideration of S. 210. Uncertainty surrounding the final disposition of this legislation can only im-



pede the progress of Boston's plans. This obstacle to Boston's efforts should be removed as soon as possible.

Of equal urgency is the need to reorder the priorities for site acquisition that have been written into S. 210 (identical bill H.R. 7486). As I testified before this Committee on September 21, it is important to the success of the Boston National Historic Parks, and the Boston BiCentennial that the Dorchester Heights be included in the list of sites authorized for immediate acquisition by the Secretary of the Interior. Both the historic importance of the Heights, and its potential for providing visitors an unsurpassed panorama of the city, would argue for its inclusion as a "first stage" site in the proposed National Historic Sites Act.

The Roxbury High Fort, the Dillaway-Thomas House, and the Shirley-Eustis Mansion are all important historic monuments that have been omitted from S. 210. Each of these Roxbury landmarks was employed by the Continental Army during many of the important campaigns of the Revolutionary War, and are considered by authorities to be fine examples of colonial architecture. These monuments should be included as "second stage" sites in the proposed Park.

Boston is proud to be the birthplace of the American Revolution. Our city is anxious to make the BiCentennial another landmark in its distinguished history. Your speedy consideration of S. 210 (identical bill H.R. 7486), and your endorsement of the revisions I have recommended, would be much appreciated contributions to the success of Boston's plans for this important occasion.

Thank you for your kind consideration. With warm regards, I am,

Sincerely yours,

JOHN JOSEPH MOAKLEY,  
*Member of Congress.*

Senator BIBLE. Our next witness is Councilman Lawrence DiCara from the Boston City Council.

#### **STATEMENT OF LAWRENCE S. DI CARA, BOSTON CITY COUNCIL**

Mr. DI CARA. Thank you very much Senator Bible and Senator Kennedy.

I would like to also join in welcoming you, Senator Bible to Boston and I hope that you will have a delightful stay as long as you are here.

My name is Lawrence S. Di Cara and I reside at 86 Codman Hill Avenue in the city of Boston where I serve as a member of the Boston City Council.

I am here today to express my support of Senate bill No. 210 which would bring the National Park Service to Boston by the establishment of the Boston National Historical Park.

I would hope that this legislation would be adopted as soon as possible, as we in Boston are preparing for the Bicentennial, celebrating our Nation's birth.

Boston, being one of the important visitor centers in the world, will surely have many visitors in 1975-76.

I feel it is essential that all facilities are as adequate as possible for these visitors. I think one way we can do this is to bring the National Park Service to our assistance.

In addition to the six sites, outlined on page 7 of this bill, I would also hope to see Dorchester Heights in south Boston and other sites listed on page three included under the National Park Service, as soon as possible.

People who live in Boston have much to be proud of. Much of our Nation's history springs from this great city. Although we have



done our best to preserve them, the city and State alone cannot insure the historical sites adequate protection for the people who tour these sites every year.

With the Bicentennial approaching, we need the assistance of the Federal Government. I feel that this proposal of Senator Kennedy's is a way of doing this.

I am also very happy that the committee has consulted with the people in the various communities who will be affected by this bill.

I think this is essential since those who live in Boston will be here long after the tourists have left. This is especially true in the case of the Bunker Hill Monument as it is located in a residential area and it is important that this area be left as valuable open space for the people of Charlestown.

In summary, I do support this bill. I think it is a very good idea. I just hope it can be passed as rapidly as possible since there is broad support for this in the city.

And, from my position as a member of the city council, I could add that if it requires the transferring of the title of any buildings that are now in proximity, then I would be happy to cooperate in doing this as expeditiously as possible.

Senator BIBLE. How large a city council do you have in Boston?

Mr. DI CARA. Nine members elected at large.

Senator BIBLE. Very fine.

I appreciate your attendance here this morning. That is a very fine statement.

Senator KENNEDY. Larry, I thank you for your presentation and I have the good fortune of knowing this councilman well, Mr. Chairman, and he speaks with a sure voice for the citizens. I want to express my appreciation for his being here.

Senator BIBLE. Thank you.

Our next witness is Chet Atkins.

#### **STATEMENT OF CHESTER ATKINS, STATE SENATOR, CHAIRMAN, STATE LEGISLATURE, BICENTENNIAL COMMISSION**

Senator ATKINS. I am State Senator Chet Atkins of the fifth district. I am here today to strongly endorse Senate bill 210, a bill to authorize the establishment of the Boston National Historical Park.

This bill provides for badly needed assistance of the efforts of the city of Boston and the Bicentennial Commission.

Tomorrow the State Senate must debate a bill which would allow the State to spend \$20 million for the restoration and preservation of the Boston Harbor Islands.

That bill, combined with this bill, will truly allow us to have a living monument to the bicentennial after 1977. The bill would also allow us to make the city the exhibit which is the prime focus, particularly of the city of Boston's efforts during the bicentennial years.

The State working in conjunction with the city has been moving to solve some of the logistical problems which would be aided greatly by the passage of this bill.



We are currently working on the fringe parking up in the area west and north of the city so people who are coming in, visitors, can park there and come into the city on busses so the influx will not severely affect our efforts to reduce air pollution or hamper the quality of life in the city.

We are also working on a visitor's information center, and the visitor's information provided for in this bill would be particularly useful.

I would like to relate a few of my own experiences with the National Park Service. I live, or have lived, just adjacent to the Minuteman National Park, the other major national park in the State and watched in my childhood the development of that park, which of course Senator Kennedy was very active with.

This bill provides for a similar kind of park in the State. I know it is something which is not usually done within the National Park System but I think this bill provides for—it has the benefit of some of the experience of the Minuteman National Park, and without that bill I can say that we would not even be able to contemplate facing the bicentennial.

The people who have run that park, some of them are here today, have been sensitive to the needs of local residents and I can honestly say that there has never been a major squabble between the residents of either Concord or Lincoln and the people of the national park.

They have always been sensible to area needs. I would like to add at this point a footnote on the bicentennial, a historical footnote, and that is, the centennial celebration in this country, and I think that will give us an indication of what we have to look forward to, unless we see the passage of this bill with Federal support for the State and city efforts, and that is during the centennial years the President Grant along with his entire cabinet was invited out to Concord and Lexington and that was supposed to be the Federal participation in the centennial. And, that resulted in the largest traffic jam ever in the history of Massachusetts.

It also resulted, during the ceremonies, during the invocation there were so many people up on the platform that President Grant and his entire cabinet took an ignominious descent 10 feet under the ground as the platform collapsed.

I think a review of that historical event is particularly appropriate at this time.

Senator BIBLE. And suggest that they build the next platform lower or stronger? It must suggest one or the other.

Senator ATKINS. It suggests they should have a Republican platform instead of Democrats.

Senator BIBLE. Proceed.

Senator ATKINS. The Federal Government, we feel, has not really given us the aid and assistance at either the state level or the Federal, or the city level in planning the bicentennial.

They have switched signals on us so many times we are very confused. We feel that we really deserve more support, particularly here in Massachusetts both in terms of assistance, in terms of legislation such as his, and also in terms of Senator Kennedy's pro-



posal and Congressman Moakley's proposal for special impact funds for Massachusetts.

With all great deference to your State, Senator, Nevada and Wyoming are apparently getting the same amount of money for bicentennial purposes as Massachusetts is and we are only getting twice as much as American Samoa.

And, there is something that seems a little bit unfair in that particular distribution. We will be facing, I feel, many more logistical problems in the bicentennial than your State would perhaps, or than any other State in the Nation would.

Without this legislation it will be difficult for the State to provide for the visitors. There have been some figures mentioned about the number of visitors here and of course much of that is speculation.

The State bicentennial Commission has been working with some professional planning estimates and those are the only professional estimates we have received today. They estimate 10 to 15 million additional visitors.

Our best figures indicate the normal growth rate of tourism in this State is 7 percent. In the bicentennial community it would be perhaps something like 30 percent.

However, the sites which are innumerable in this bill are the sites which will be the key impact areas and the number of visitors could increase at those sites up to three times easily.

So that again indicates I think the importance of not only having this bill but of having this bill very quickly.

I think the architectural and physical integrity of the buildings will be threatened without the kind of protection which is involved in this bill.

I would just like to point out one other thing on the bill and that is that it generally sticks to sites solely related to the Revolutionary War.

I would like to see that expanded and focused on the State bicentennial Commission and also to some degree the City Bicentennial Commission.

It is not just 2 years of history, it is 200 years of history, not just the Sons of the American Revolution or the Daughters of the American Revolution, but opening up to an entire expansion of American history.

I think it is very important that certain sites are included in this city of Boston. I think it would be a real tragedy if the bicentennial was a white only affair and we did not encourage people into the other areas of the city to bring out particularly the strong role which blacks in Massachusetts played in the abolition movement. There are two particular sites that come to mind, those are the Lewis Hayden House which is currently privately owned by a private historical group, and the other is the Smith School, which is owned by the city of Boston currently.

The other things, if you will look at the map up there, you will see that the sites are focused around the downtown, with a few exceptions, area of Boston.

I would strongly recommend that Roxbury High Ford and the Shirley Eustis House in the black community of Boston be in-



cluded in this bill and I hope you will give it serious consideration.

Senator BIBLE. We will certainly take a look at those. I am not familiar with the add ons that you suggest but we will take a look at it of course.

Of course it is largely built around the bicentennial celebration and obviously that is really built around the Revolution or that period of American history.

I share with you the concern that you express about the ARBC, which is the American Revolution Bicentennial Committee. They have authorizing legislation before the Senate today, it isn't even out of the Judiciary Committee. I just hope we can get that squared around because it has not been an effective commission, with all due respect to it, up to the present time.

And, 1976 is not very far away. I hope we can get that squared away with the necessary and proper funding. It does require adequate funding.

I appreciate your appearance here today and suggestions you have made. I would prefer to refer this to others who have more knowledge of the historical significance of your suggestions.

Senator KENNEDY. Very briefly I just want to welcome you and also echo the frustration of the Bicentennial Commission.

As a member of the Judiciary Committee, we have had some oversight responsibilities. One of the prime sponsors who introduced it was Senator Mathias, 5 years ago when he was a member of the House of Representatives. And, as you pointed out, it has been bungled and poorly administered, and I think remarkably unimaginative and uncreative since its formation.

There have been changes in the last 8 or 9 months and they have some people now who I think are attempting to make some legitimate efforts to try and turn the direction.

The only program they have come up with were these park programs, \$50,000 to each State to develop a bicentennial park.

And, with all of the kinds of talent we have in this country, and they have been in business for some 4 years—a few million dollars and that was the only program they came up with. It really showed the lack of creativity.

I think all of us are very much aware and alert to the point you have made and we will do the best we can as far as the Senate goes.

Senator Bible will have an important voice in the development of those appropriations. There is just one point, what kind of assurance can you give to the Interior Committee if we are able to pass this legislation, and I am very hopeful that we will, that you would be able to develop the kind of state appropriations to do an adequate job.

We don't want to just say that the money comes now from the Federal and it releases the obligation at the State level.

As far as the public goes the facilities really would remain the same. What kind of assurances can you give us you are only one member of this, but you are an important one and you have spent a great deal of time—on this.

Mr. ATKINS. Senator, I can't even assure you I would be in elected office by the bicentennial, my term is only 2 years. But the



State, as I have already mentioned, we have got a bill which provides for a \$26 million bond issue which is a pretty big size, which given the State budget and our size, it is a pretty large commitment.

It has been supported by the President of the Senate, it has by the leadership in the House, by the Governor and by yourself. You have been very helpful with that legislation in your office, and also by Congressman Moakley.

I would say we have already made our commitment. We are going ahead and that money will be appropriated in a bond issue to be spent.

We are working on a number of other things, as is the city of Boston, so I would say this money is more of an incentive to the State to do more.

I think originally there was a feeling of despondency. You can't do anything and let's forget about it. So, I think that isn't so anymore, particularly the personal interest you have expressed in the bicentennial has enabled us to really move ahead.

I think by the time this legislation is passed in the Senate we will have made our commitments for the bicentennial which will be for the ones we cannot back out of.

Senator KENNEDY. Thank you very much.

Senator BIBLE. Thank you very much.

Our next witness will be Katharine Kane.

#### **STATEMENT OF KATHARINE D. KANE, DIRECTOR, MAYOR'S OFFICE OF THE BOSTON BICENTENNIAL**

Mrs. KANE. Thank you very much, Senator Bible.

Again it is a great pleasure to welcome you to Boston.

Senator KENNEDY. Mr. Chairman, we have many bright lights in Boston, Mass. and in a country that is concerning itself about the bicentennial but none are brighter or working harder towards it than Kathy Kane.

We want to welcome her.

Senator BIBLE. I enjoyed meeting her.

Mrs. KANE. In November 1972, Mayor White created the Office of the Boston Bicentennial to plan an appropriate commemoration of the Nation's 200th anniversary in Boston.

As director of this office and the Boston 200 program for which it is responsible, I am actively involved in supporting and encouraging those public and private investments, celebrations and events, which will make the bicentennial period a time for all of us to better understand what it means to be an American citizen.

To this end, I am working with several hundred groups from all of Boston's neighborhoods, professions and cultural life to coordinate their activities.

The sites visited today are symbols of our past, daily reminders of our traditions, identity and shared values. As the former director of the Office of Cultural Affairs and Summerthing, I believe such symbols are vital parts of our city's cultural and social life.

In this city, history has continuity. As in few other places, the past is alive and closely tied to 20th century activities.



The Markets, Sears Crescent, the historic churches all carry on important commercial, civic and religious functions.

I am told by many visitors to the city that this coexistence of past and present makes Boston distinctive, one of the few American cities where the past is both visible and vital to daily activity.

Boston 200 is seeking ways to open people's eyes to this relationship, to show that history is not myth or illusion, and that we are and will be shaped by that which has preceded us.

Historic preservation is a major emphasis of our Bicentennial program. We believe that preservation includes the wise use of resources during the celebration and investments in them for the future.

I fully support national involvement in this goal. We have worked closely with Senator Kennedy on S. 210, and will continue to cooperate on those congressional measures which reinforce these Bicentennial goals.

I would like to describe, briefly, our plans for Boston 200 and how the national historic sites bill relates to them. In a sense, Boston's Bicentennial celebration will be conservative.

With no fairground, central pavilion, trade show, or midway, we will focus on the things we are proud of—the city itself, in all its diversity.

The city is the exhibit. We will offer new ways to explore and enjoy this complex, urban environment. Maps, guidebooks, scrapbooks, markers, new exhibits, and films all will be part of a program we call citygame.

Anyone can play citygame—the one day visitor who wants to “do” the city's high spots, a Boston school child, a family from east Boston curious about another part of the city.

Central to the citygame plan are walking trails, routes through the city that make some sense visually and thematically, providing a variety of experiences and opening up some parts of the city for the visitor.

The Freedom Trail, which has led hundreds of thousands of visitors into Boston's past and present, will be at the heart of this trail network.

Of course, we plan to encourage visitors onto other trails—a medical trail, a walk through Charlestown or Beacon Hill, the Black Heritage Trail.

But I know from our survey data that about three-quarters of our visitors came to see historic sites and a significant portion of the visitor population stops at one or more of these sites.

Our celebration will run throughout 1975 and 1976. We have done careful estimates of how many people we can expect to visit Boston in this period.

We are now working with a range of estimates, from 11 million to 22 million people. The range is accounted for by different assumptions of how attractive Boston's celebration is nationally and how much promotion we do.

I must emphasize that even if the city does no promotion, national commercial interests and media attention will focus upon these symbols of the past, encouraging travel to this area.



Our middle range of estimates assumes effort on our part to let people know about Boston—perhaps if only to encourage visits at less crowded times—and to create an attractive celebration of the national Bicentennial.

If 15 million people visit Boston in 1975-76, we can expect a 300-percent increase in daily visitor volume during the peak summer season.

That means an increase from the current 15,000 visitors per day to a possible 40,000 per day.

The numbers point to a serious problem. I am told that the Old State House cannot accommodate crowds coming in tour groups, that the Old North Church has been swamped by larger than usual crowds this summer.

Though we want to share these resources with the Nation, we are often close to capacity now.

Based on our knowledge of past travel patterns, the city expects a steady growth in the number of visitors even without a Bicentennial celebration.

With more and more visitors every year at these historic sites, the problems of overcrowding, heavy use, and general restoration needs must be addressed now.

Our mail tells us that visitors are now often disappointed when they come to visit the sites—despite what I consider to be fine and often outstanding work by those responsible for their care.

But, because of inadequate resources, sites must close early and on weekends; markers are not clear or extensive enough; additional staff is needed; and interpretive exhibits and materials are in short supply.

I believe that the National Park Service could be of great aid in helping us deal with these problems.

Of great importance is restoration—to guarantee another two centuries of life for these buildings of the 17th and 18th century.

This means attention to wiring, plumbing, security, and, in some cases, structural supports. The work includes a systematic approach to managing the visitors and their needs, both during and after the Bicentennial.

This approach must be integrated; we cannot manage visitor traffic if each site simply copes on its own.

Finally, interpretation and education for these sites present a major opportunity. With the Bicentennial theme, "The City as Educator," we are seeking to use all activities and institutions to open up the city to all those with a desire to learn.

There is much exciting work to be done in making history truly come alive through these sites.

I have given top priority to these sites in our Boston 200 efforts. Knowing their needs, we have started work with each site to secure funds for the one or two things that must be done to meet the Bicentennial impact.

We are doing what we can, applying for money through existing Federal grants, seeking corporate help, exploring ways to make services pay for themselves.

However, all of these sources combined cannot meet the needs I see; work financed this way can only proceed in a piecemeal fashion,



with priority concerns giving way for the less essential but highly visible projects.

It is unlikely that substantial local funds can be made available for these sites; and, frankly, I don't think the city should bear the entire responsibility for them.

We value these treasures and we will do all that we can for them. However, the sites are of national importance. Their preservation is national business.

They are part of the American history texts read by children in California and Missouri and Florida. The people visiting the sites come from every State and many foreign countries.

The national business of the Bicentennial, I feel, is to make pledges to future generations about the best in our heritage.

The work to be done here will help us focus on the significant aspect of our past and relate them to the present and the future.

In this time when our Government's purposes are often clouded by doubts, this work, which we must do together, can illuminate the values we share and restore some of our pride in who we are.

Senator BIBLE. I want to compliment you on a very fine statement.

It seems to me—what type of budget do you have for this work that you are doing?

Mrs. KANE. We have a planning budget in the city of Boston for about \$270,000 up to fiscal 1974. We hope to increase that a little bit. We are trying to get—it is very hard to get public support and private support and the attitude that the Bicentennial belongs to everyone, that any citizen can help in any way—

Senator BIBLE. I am happy to see you are getting support up here. It is more than we are getting in some of the other areas up here.

Senator KENNEDY. I just wanted to point out, Senator, that Mrs. Kane has been very helpful in promoting this legislation.

I want to thank her for a very fine statement.

Senator BIBLE. This is Bob Kenney of the Boston Redevelopment Authority.

#### **STATEMENT OF ROBERT KENNEY, DIRECTOR, BOSTON REDEVELOPMENT AUTHORITY**

Mr. KENNEY. Gentlemen, I want to strongly put myself and my agency in favor of Senate bill 210. BRA is the city's planning agency and it has consistently been trying to preserve the city's heritage and some of its older buildings and at the same time to build new ones.

We feel it is the only way that we can maintain the historical uniqueness and charm of the city so that we have the restoration of the old and preservation going on at the same time, but it does not come easy.

As you walk out the door today you see a substantial amount of construction going on in what we call the Fanueil Hall Market Area, old buildings built in 1826, probably the first urban renewal project in the country.



These buildings are being restored with Federal funds. We tried for a long time to find private developers to do it. We tried and could not afford to do in the city budget, the only way this major restoration, which is probably one of the largest restoration projects in the country, was able to succeed has been the very strong help of the Federal Government.

And, I think it is important to point out this, several other landmarks of this city, the building that we are in, the Old State House, that not only is it important to preserve them, but to maintain them in the tradition that is so important to stand the great influx of tourism, again additional sums are needed.

We strongly support the idea of the National Park Service moving into the arear, they have done such a great job in maintaining and constructing parks in the wilderness and we think it is very appropriate that they begin, as I know they are starting to, to move into the creation of urban parks.

And, for that reason we feel very strongly that the park proposal before you is one that should be approved and one that the National Park Service should move into.

We have passed out to you our proposal for creating a national park for a portion of the soon to be unused Charlestown Navy Yard.

We are all trying to lessen the catastrophe of the closing of the Navy Yard. We feel a great deal of work has to be done in the creation of a park on approximately 3 acres of the Navy Yard.

We look on the park as a new park to enhance the U.S.S. *Constitution*, *Old Ironsides*, which is the largest tourist attraction in the city.

We want to see some of the older buildings preserved and turned into a Navy museum. And again, looking on the history of the *Constitution*, the history of the Navy, and the history of shipbuilding, we also feel there could be created a regional visitor's center so we could have exhibits and diagrams concerning the Revolutionary War and so many other important things that started in the Charlestown section.

It is important to say that this is not going to come easy. Creation of a park for which there is very strong community support is going to cost \$16,216,000. We cannot do it ourselves, we need the help of the Federal Government.

The proposal merits the support of not only the National Park Service but a complete Government. But, I think with your help in passage of this bill, provided it is properly funded, it will certainly set us on a course.

Senator BIBLE. Mr. Kenney, that is a very fine statement. I have had a chance to thumb through it and I will read it with a lot of interest.

Are there further questions?

Senator Kennedy.

Senator KENNEDY. I just want to join in welcoming Mr. Kenney. The BRA has indicated its interest in the total concept by the work they are currently doing in Fanueil Market for which Mr. Kenney is to be commended and by supporing this proposal here for the National Historic Park. We introduced other legislation to transfer



title for part of the Navy Yard from the Navy to the Interior and then preserve the particular area so it could as well be part of the historic park.

Mr. Chairman, that legislation is really based upon this excellent study by the city so they have given thought to the idea.

Mr. Kenney is to be commended for the work he has done. If this legislation is passed and becomes law, much of the work will be done obviously under his authority and responsibility.

And, I think we can have additional assurance that it will be done well and defectively once we are able to get the legislation into law.

So, I want to thank you for your appearance here today and your cooperation.

Senator BIBLE. Thank you, Mr. Kenney.

Do we have further witnesses?

If not, we will stand in recess until 2 o'clock this afternoon when we will continue the afternoon hearing at the Old State House.

[Whereupon, at 11:53 a.m., the hearing was recessed, to reconvene at 2 p.m. this same day.]

#### AFTERNOON SESSION

Senator BIBLE. The hearing will resume.

Our first witness this afternoon is Mrs. Harriet Ropes Cabot of the Bostonian Society.

Why don't you just make yourself comfortable? Let's see, you can sit right about there so the reporter can hear you.

#### STATEMENT OF HARRIET ROPES CABOT, CURATOR, THE BOSTONIAN SOCIETY

Mrs. CABOT. I would like to welcome you here by the Bostonian Society and the Old State House which certainly is of interest.

I want to say that the legislation to form a Boston National Historical Park decidedly affects the occupation and use of the Old State House by the Bostonian Society.

The building survives through the efforts of the society when it was saved from destruction and restored by the city of Boston in 1880.

Between 1900 and 1904 the east Boston tunnel was built through its foundations and more recent damage has been caused by the heavy street traffic, the subways, the air pollution, and the unregulated heating system can be seen in the cracked walls and window panes as well as in the deterioration of library books, historic objects, and even recently cleaned paintings.

The Bostonian Society has been a lessee of the Old State House from the city of Boston for over 93 years. The Society was founded when a group known as the Boston Antiquarian Society became distressed by the decay of the building and the offer of the city of Chicago to buy and transport the building to the shores of Lake Michigan.

Many of these people were public spirited employees of the city. It was not an affluent or socialite group, but their efforts were suc-



cessful in stopping this destruction and the building was restored under the supervision of the city architect and leased to the newly named the Bostonian Society for management and interpretation.

Under the lease the city has the responsibility for maintaining the building and providing a janitor.

The Society was chartered for the "study of the history of Boston and the preservation of its antiquities." Until 1972, visitors were admitted free, but with the recent renewal of the lease for 20 years, the society has been permitted—with some regret and reluctance, especially when you see people not able to come in to visit the building—to impose a charge for admission, applicable to all except Massachusetts school children.

This has reduced the number of visitors from more than 155,000 in 1971 to 80,669 in the last year. When there were nearly 2,000 people here a day in summer, it was impossible to control the crowds and to permit the visitors to view the rooms and exhibits satisfactorily.

The stairs and floors are in increasingly dangerous condition. This is one of the reasons we felt we had to control this because the stairs gave way as you come up and are quite wobbly.

The second town house, now known as the Old State House, has an impressive history. It was built in 1713 by the Provincial Government of Massachusetts Bay Colony, which assumed one-half the cost, and by the town of Boston and the county of Suffolk, each of which assumed one-quarter of the cost.

It was built then to replace the first town house, a wooden building built in 1658, which had been destroyed by fire.

In this building, and on and near its site occurred most of the political events and disputes which happened before 1776.

In its council chamber, this room, the coronations and deaths of kings were celebrated or observed, Church of England services, funerals of important citizens and balls were held, the siege of Louisburg was planned, and, of course, it was visited by George Washington.

John Hancock was here inaugurated as the first Governor of Massachusetts. Listening to the recent proceedings in Washington on television brings to mind the fact that James Otis first established the doctrine against searches without warrants, and again in 1766 ordered the establishment of the first public visitors gallery for the Hall of Representatives—the first open hearing place in the English-speaking and perhaps the modern world.

The circular letter of 1768 to the other colonies was drafted here, being the first real political cooperation among the colonies leading to the confederation of the United State.

John Adams referred to this building as the "Birthplace of Independence." From the windows, vessels could be seen at Long Wharf, bringing immigrants and supplies as well as the British troops in their red coats, some of whom were later to be housed in various portions of this building.

The Boston Massacre or riot in 1770 could be seen and heard from the east window where later the Declaration of Independence was first read to the people of Massachusetts.



The building was used as the second city hall of Boston from 1830 to 1841. It was later used for offices.

The building itself has had little attention since 1880 and was much injured when the east Boston tunnel was built from 1900 to 1904.

Recently, it has been discovered that in the alterations for use as City Hall in 1830 the central part was much weakened by the installation of the circular staircase.

A new gas furnace was installed in 1972, and was attached to the old pipe and radiator system.

This has not changed the overheated internal atmosphere of the building which is bad for paintings, historic objects, and human beings alike.

Before the expected increase of tourists in 1975, this building needs new plumbing, sound walls and sound floors and stairs.

The Bostonian Society cannot complete plans for the Bicentennial without improved security from burglary, fire, and vandalism.

Without safe wiring we cannot plan new exhibitions to improve the interpretation both of the history of the building and of the history of our country and city.

Our collections are irreplaceable and demonstrate the wisdom and good taste of the men who founded this society. Besides illustrating the period of the Revolution we can show the progress into the 19th century through an outstanding marine collection, exhibits of early metropolitan facilities such as the militia, fire companies, and police.

We have an easily available library of books on Boston history as well as a large collection of negatives and photographs, prints, paintings and watercolors, and maps.

These are in constant use, with the increasing interest at this time. Publishers, writers, and students are here daily.

We act as a clearinghouse for Boston historical information to those who often find material which is not available elsewhere.

It seems possible that with the help to be received through the agreements with the city, the society, and the Secretary of the Interior it will be possible for us to continue to be of increasing use and service to the public.

Of necessity we have found ourselves dealing with crises which are unknown to organizations whose quarters are in good repair and in which the space is planned.

How many directors of historic buildings like this have had to replace attic windows in a tower in February, or to make duckboards for the flooded cellar, or to pull down frozen flags from rickety and dangerous balconies, and found other daily crises which are as surprising as they are uncomfortable and frustrating.

Senator BIBLE. That is a splendid paper and I certainly want to compliment you, it is a real valuable addition to these hearings.

I want to thank Mrs. Cabot. I had a chance to be here with her and a couple of others who were to be here this morning and solicited her ideas. And, I think she in her statement reminded us about the importance of this building and I think just a visual examination, as brief as we have been able to see, in coming up here



earlier today bears out the point in the most dramatic way that she makes.

The building of this importance and this significance in the history of this country is going to disappear. I am constantly amazed that the society is able to do as much as they are able to do with the limited resources available to them.

And, this is a great tribute to them, the job that they are doing and continue to do. The citizens of this community, all over the country and all over the world come here.

They make a strong case, Mr. Chairman, and it is one which I think demands our action.

Mrs. CABOT. I also add that the winds are causing wall problems in this building.

Senator KENNEDY. Didn't we feel those vibrations of the subway just a moment ago?

Mrs. CABOT. Yes, they go in four directions. We have to keep an eye on the exhibitions and keep them straightened up.

The dampness has been coming through the walls, this is when the wind is changing. This is the first time in 250 years that this building has been opened more than 25 feet away from the next building.

Senator BIBLE. Our next witness will be Dr. Richard Hale, and I understand he is going to appear together with Mr. Robert C. Dean.

**STATEMENT OF DR. RICHARD HALE, ARCHIVIST FOR COMMON-WEALTH; ACCOMPANIED BY ROBERT C. DEAN, ARCHITECT OF THE STRUCTURE**

Dr. HALE. I believe we sent you a letter.

Senator BIBLE. And it will be made a part of the record.

[The letter referred to above follows:]

OLD SOUTH ASSOCIATION IN BOSTON,  
THE OLD SOUTH MEETING HOUSE,  
August 30, 1973.

Senator ALAN BIBLE,  
Old Senate Office Building,  
Washington, D.C.

DEAR SENATOR BIBLE: The Old South Meeting House is important for three reasons.

One is the historic events that have taken place there as listed on this enclosed leaflet.

A second is its importance as an architectural prototype for many subsequent New England Meeting Houses.

A final one is that the Old South is a bastion of free speech, for under our charter we can enable any one who wants to make his point of view heard get a hearing, if he is denied elsewhere. It is for this final importance that we wish to remain a private institution.

Yours sincerely,

RICHARD W. HALE, Jr., *Secretary.*





## Old South Leaflets.

No. 202.

# Freedom and the Old South Meeting-house.

So long as Boston shall Boston be,  
And her bay-tides rise and fall,  
Shall freedom stand in the Old South Church  
And plead for the rights of all.

—Whittier.

### IN THE BEGINNING.

The church now called the Old South Church in Boston, was the third Congregational church gathered in this town.<sup>1</sup> Like too many other churches of Christ, it originated in bitter contentions. . . . The contentions . . . were not local, or of sudden production; but originated in the first ecclesiastical institutions of the country, and were spread through the whole of New England.

Our Puritan ancestors were, as a body, men of rare excellencies. . . . In their views of civil and religious liberty, they were far in advance of their age. But they had not discovered that radical principle of free institutions, the separation of church and state. . . . "An order," made in 1631, . . . ["that . . . no man shall be admitted to the freedom of this Commonwealth, but such as are members of some of the Churches, . . ."]<sup>2</sup> occasioned discontent from the beginning. . . . [The] number of persons not church members who were, of course, excluded from all civil offices, and from having any voice in elections, and yet were subject to taxation and the various burdens of public service . . . gradually increased. . . . They soon began to complain of their unjust burdens and restrictions. . . . At length, in 1646, the subjects of these restrictions, throughout the colony, made a vigorous effort to obtain relief. . . . In 1662, . . .

<sup>1</sup> This extract and the one following—on the "Conflict with Andros"—are both reprinted from "The History of the Old South Church in Boston, in Four Sermons, . . ." by Benjamin B. Wisner, Pastor of the church [1821-1832], Boston, 1830, Sermon I.

<sup>2</sup> Colonial Laws, Mass., 1649, p. 33, reprinted in Whitmore ed., Boston, 1889, p. 153.



a Synod of all the ministers . . . [determined], in substance, that all baptized persons ought to be considered members of the church, under its discipline, and to be admitted to all its privileges, except a participation of the communion. . . . The decision appeared . . . rather to inflame the churches. . . . There were great divisions and contentions in *the church of Boston* upon this head.<sup>1</sup> . . . [The Rev. John Wilson, the pastor, having died in 1667, the proposal] to extend a call to John Davenport of New Haven, . . . "the greatest of the anti-synodists," met with a warm opposition. To settle Mr. Davenport, it was urged, would be virtually to declare against the decisions of the Synod. . . . All objections were, however, overruled by the majority; and Mr. Davenport was installed pastor over the Boston church. The dissatisfied brethren, . . . in all twenty-nine, including some of the most respectable persons in the colony<sup>2</sup> . . . now . . . organized themselves into a distinct church, under the denomination of "the Third Church in Boston," . . . May 12th, 1669 [O.S.].<sup>3</sup> . . . And a flame was kindled which spread through the colony. [After a time] . . . the new church, and its friends through the colony, achieved a public and final

<sup>1</sup> The First Church did not accept the more liberal covenant until March 3, 1731.

<sup>2</sup> Among them were John Hull, mint-master and treasurer of the colony; Hezekiah Usher, agent of the Society for Propagating the Gospel among the Indians; Edward Raynsford who had come over with Winthrop and was brother to a Lord Chief Justice; Jacob Eliot, a nephew of "Apostle" John Eliot; Edward Rawson, secretary of the colony from 1650 to 1686; Thomas Savage, son-in-law of Anne Hutchinson; Peter Oliver and Thomas Brattle, founders of large fortunes in trade; John Alden, son of John Alden and Priscilla of Plymouth; and others of note. Thomas Thacher was the first pastor, 1670 to 1678.

<sup>3</sup> The First Church in Boston, variously described as "Boston Church," "Church of Boston," and "The Old Church," was organized by the colonists under Winthrop, in the year of settlement, 1630. From 1632 to 1640 meetings both of the church and of the town were held in a small thatched-roof building on the south side of what is now State street, diagonally across from the market-place on the site of which the Old State House now stands. In 1640 a wooden meeting-house was put up on the west side of "the Corn-hill" (the old name for that part of Washington Street) but still near the public market in order that trade might not be diverted from the vicinity. This second meeting-house was burnt in the fire of 1711, and the brick structure which was promptly raised in its place came to be known as "The Old Brick." In 1808, however, the latter was taken down and the land sold for other purposes. The office building now on the site is set apart on three sides by a court (now Cornhill court and Court avenue) which in the days of the meeting-house was named "Church square."

The Second Church was a division from the First Church, supposedly for the convenience of householders at the North End. The North Meeting-house, or "Old North," as it was eventually called, gave the name to North square, and was first occupied in 1650. Samuel, brother of Increase Mather, was the first preacher, and Increase, Cotton, and Samuel Mather, father, son, and grandson, were successively its pastors, from 1664 to 1741. The original building was destroyed by the fire of Nov. 27, 1676, and it was the second meeting-house on the same ground that was pulled down and used for firewood by "evil-minded men of the king's party," during the siege of Boston, 1775-6.

Strictly speaking, the so-called "Third Church" was not the third religious body to be gathered in Boston, the Society of Friends (May 4, 1664) and the First Baptist Church (July 7, 1665) having both organized meetings prior to 1669, but the South Church, at what was then considered the south end of the town, was the third *Congregational* church, as Dr. Wisner says. The Congregational churches, such as the First, Second, and Third Churches in Boston, were the Puritan or "independent" congregations organized in "The New-England Way," and "separated" or "dissenting" from the Established Church in England.



triumph [at the elections]; a triumph . . . to be rejoiced in, as confirming the rights of freemen<sup>1</sup> to many who had been unjustly deprived of them, and laying the foundation of all the good to be effected, in the hands of providence, by this church.<sup>2</sup>

#### CONFLICT WITH ANDROS.

. . . Political evils . . . soon came upon the colony, in rapid succession and with fearful weight. In 1676, arrived that unrelenting enemy of the liberties of New England, Edward Randolph, "whose business it was," the people said, "to go up and down seeking to devour them." In 1682, he proposed in the Council of the colony, that ministers of the Established Church of England should be sent over; to be maintained, in part, by diverting to this object the money hitherto annually expended amongst the Indians, and to have the exclusive privilege of solemnizing marriages. This proposal spread alarm among the ministers and churches, and produced a deep conviction of the necessity of union and concert in resisting the threatened encroachments upon their liberties. . . .

In July, 1685, the charter of the colony was abrogated.<sup>3</sup> . . . Col. Joseph Dudley received a commission to take charge of the government . . . [and] entered in form upon the duties of

<sup>1</sup> That is, the right to vote, and to be eligible for office.

[In 1634], there was plenty of room for all near Boston, if they had been able to agree on questions of government. But many people thought the clergy were getting too much power, and disapproved the policy of allowing none but church members to vote. These feelings were especially strong in Dorchester, Watertown, and Cambridge (then still called Newtown). The pastor at Cambridge was Thomas Hooker, one of the most learned and eloquent of the Puritan leaders. He believed that the whole people ought to be governed by the whole people, or as nearly as possible. In other words, he believed that all the people ought to take part, directly or indirectly, in the work of governing; that those who do not themselves hold office at least ought to vote. On the other hand, Governor Winthrop believed that a large part of the people are always unfit to take part in governing. He believed that the whole people ought to be governed by a part of the people, supposed to consist of the best and wisest persons. Thus we see that Winthrop's idea of government was aristocratic, while Hooker's idea was democratic. . . . What happened was that, in 1636, a great part of the congregations of Cambridge, Watertown, and Dorchester, journeyed to the Connecticut Valley. (There, in 1639, for the first time in the history of the world a state was created by a written constitution.) In the colony thus founded there was no restriction of suffrage to church members.—John Fiske, "History of the United States for Schools," Boston, 1899, p. 101 *et seq.* Cf. Old South Leaflets, No. 8, "The Fundamental Orders of Connecticut," and No. 55, "The Way of the Churches of New England."

<sup>2</sup> The victory of the seceders, for so we may call it, is a turning-point in the ecclesiastical, and therefore in the political history of New England. It was none the less a gain to the cause of freedom, because, like most such victories, it was won by men who were consciously fighting only for their own privileges.—John A. Doyle, "The English in America. The Puritan Colonies," London, 1887, Vol. 2, p. 251.

The South Church, then, came forth as a protest against exclusiveness, religious and political. At the very beginning it stood for freedom of worship and political equality. It stood directly in line with the early contentions of Thomas Hooker, and in Boston itself.

<sup>3</sup> This was the date the formal notice was received in Massachusetts. The charter was actually vacated the previous year, the decree in Chancery having been entered June 18, and confirmed October 23, 1684. The proceedings, in the form of a writ of *scire facias*, were brought at the instance of the king (Charles II).



his office May 25, 1686. The *next day* a clergyman<sup>1</sup> of the *Church of England* . . . waited on the Council, and requested one of the three Meeting Houses to preach in. This was refused; and he was granted the east end of the Town-house, . . . until those who desired his ministry should provide a fitter house.

On the 19th, of the following December, Sir Edmund Andros arrived, as governor, with almost unlimited powers. He landed on the 20th, and went to the Town-house, where his commission was read; and the Council sworn. The ministers being present at the solemnity, he took them aside into the Library, and spoke to them about accommodation as to a Meeting House, the times of service to be so contrived as that one House might serve two assemblies. The next day a meeting was held of the ministers and four of each church, to determine what answer to give to the Governor; and it was agreed, that they could not, with a good conscience, accede to his Excellency's proposal.

On the 23d, of March, the Governor sent Randolph for the keys of the South Meeting-house. The demand was not complied with; and six of the principal members of the church waited on his Excellency, and remonstrated against his occupying the House without the consent of the proprietors. On the 25th, the Governor sent orders to the sexton to ring the bell and open the House. The sexton was frightened into a compliance; and the Meeting House was occupied for the service for Good-Friday prescribed by the Church of England. On the next Sabbath, the Governor and his retinue again met in the Meeting House, having notified Mr. Willard<sup>2</sup> that he might occupy it at half past one. The members of the South congregation, accordingly, assembled at that time; but were kept standing in the street till past two.<sup>3</sup> From this time the

<sup>1</sup> A Mr. Ratcliffe who had come over with Dudley in 1683. The first Episcopal or Church of England society was formed here in 1685.

<sup>2</sup> Samuel Willard, pastor of the South Church, 1678-1707.

<sup>3</sup> Sabbath March 27. Governour and his retinue met in our Meeting house at Eleven; broke off past two because of the Sacrament and Mr. Clark's long Sermon; now we were appointed to come  $\frac{1}{2}$  hour past one, so twas a sad Sight to see how full the Street was with people gazing and moving to and fro because had not entrance into the House. . . .

Saturday, June 23. Capt. Frary and I goe to his Excellency at the Secretaries Office, and there desired that He would not alter his time of Meeting, and that Mr. Willard consented to no such thing, neither did he count that 'twas in his power so to doe. Mr. West said he went not to ask Mr. Willard Leave. His Excellency asked who the House belong'd to; we told Him the Title to the House was on Record. His Excellency turned to Mr. Graham and said, Mr. Attorney, we will have that look'd into. Governour said if Mr. Willard not the Parson, so great an Assembly must be considered. We said He was Master of the Assembly, but had no power to dispose of the House, neither had others, for the Deed expressed the Use 't was to be put to. Governour complain'd of our long staying Sabbath-day sennight; said 't was the Lord's Supper, and (he) had promised to go to some other House on such dayes; Mr. Randolph said he knew of no such promise, and the Governour



Governor, when in town, occupied the House, at such times as he was pleased to say suited his convenience, (more than once changing the hours of meetings on the Sabbath, to the great annoyance of Mr. Willard and his people,)—probably till his deposition from the government in 1689: when the congregation were freed from the usurpation.

#### TESTIMONY AGAINST THE WITCHCRAFT DELUSION.

Mr. Willard was regarded as "a champion, defending the cause of truth. . . ." In the strange proceedings in relation to witchcraft in 1692, though three of the judges<sup>1</sup> who condemned the persons executed for that crime were members of his church, and to express doubts of the guilt of the accused, was to expose one's self to accusation and condemnation, [he] had the courage to express his decided disapprobation of the measures pursued, to use his influence to arrest them, and to aid some who were imprisoned awaiting their trial, to escape from the colony. And he had the satisfaction soon to see a stop put to those unhappy proceedings, and the judicious part of the community came over to his opinion.—Wisner, *Four Sermons*, p. 14.

Hutchinson says of the judges that they did not change as soon as the juries. . . . One of them, however, when he came to be convinced of the terrible mistake he had made, did everything in his power to manifest his sorrow and contrition. . . . [Judge Sewall] openly acknowledged his sin, and asked the pardon of his fellowmen, in the congregation. A public fast had been appointed by the Governor and Council for the 14th of January, 1696-7. . . . On the afternoon of the Fast Day the judge handed to Mr. Willard as, in gown and bands, he was passing up one of the "alleys" to the pulpit, the following "bill" to be read by him:—

"Samuel Sewall, sensible of the reiterated strokes of God upon himself and family; and being sensible, that as to the Guilt contracted upon

seemed angry, and said He would not so break his word for all the Massachusetts Colony, and therefore, to avoid mistakes, must give in writing what we had to say; we answered, Mr. Randolph brought not any writing to those he spoke to. Governour . . . mention'd folks backwardness to give, and the unreasonableness; . . . we . . . would not give to build them an house: Said came from England to avoid such and such things, therefore could not give to set them up here: and the Bishops would have thought strange to have been ask'd to contribute towards setting up the New-England Churches.—Samuel Sewall, "Diary," Massachusetts Historical Society Collections, Vol. 5, Fifth Series, Boston, 1878, Vol. 1, pp. 217-218.

Thus we may mark the temper of the South Congregation in controversy with [the first royal governor over the right to use its own property for its own religious purposes. This incident well serves to illustrate the Andros régime. Again the South Church had stood out against any invasion of popular rights.

<sup>1</sup> Wait Winthrop, Samuel Sewall, and Peter Sergeant. Hill, 1. p. 285.





In the above section of William Price's View of Boston, 1743, No. "10" is the first or "Cedar" meeting-house of the South Church. It was built in 1669 by Robert Tweld and gave way to the present meeting-house on the same site in 1729. For some description of it see p. 27 of this leaflet.

The illustration is from a similar one owned by Mrs. John E. Rousmaniere [Miss Mary Farwell Ayer] and it is reproduced here by her kind permission. In a valuable contribution to the history of the original South Meeting-house contained in the New England Historical and Genealogical Register for July, 1905, Mrs. Rousmaniere uncovered this, the only detailed view known of the old building. A comparison chanced to be made of two copies of Price's View and disclosed the fact that a copy in the British Museum was probably made about 1725, before the plate had been altered to include the present Old South Meeting-house, built in 1729. The alteration had been made by pasting a drawing of the new meeting-house over the old building on the earlier engraving, and it was only because the old belfry had not been entirely covered that the discovery was made. Through the kindness of authorities at the British Museum, Mrs. Rousmaniere was able to have the paster picture stripped back and the lines of the old cedar meeting-house brought to light as shown above.

No. "9" in the drawing is "The Governor's House" [The Province House, nearly opposite the head of Milk street, but some distance back from the main street. It was built in 1679 and was the official residence of most of the royal governors].



the opening of the late Commission of Oyer and Terminer at Salem (to which the order for this Day relates) he is, upon many accounts, more concerned than any that he knows of, Desires to take the Blame and shame of it, Asking pardon of men, And especially desiring prayers that God, who has an Unlimited Authority, would pardon that sin and all other his sins; personal and Relative: and according to his infinite Benignity, and Sovereignty, not Visit the sin of him, or of any other, upon himself or any of his, nor upon the Land: But that He would powerfully defend him against all Temptations to Sin, for the future; and vouchsafe him the efficacious, saving Conduct of his Word and Spirit."

The good judge stood, as this solemn confession was read by his minister in his behalf, and bowed at its close. In all his distinguished career he was never so great as at that moment.<sup>1</sup>—Hill, *Hist. Old South Church*, Vol. I, pp. 290–292.

#### BENJAMIN FRANKLIN BAPTIZED IN THE SOUTH MEETING-HOUSE.<sup>2</sup>

"Jan. 6. [1706] Benjamin, of Josiah & Abiah Franklin."<sup>3</sup>

#### EARLY NOTICES OF THE OLD SOUTH IN THE TOWN RECORDS.

At a meeting of the Free-holders and other inhabitants of the Town of Boston, duly qualified & warned according to Law, being Convened at the South Meeting-House<sup>4</sup> in Boston the 14th day of May 1712.

Isaac Addington Esq<sup>r</sup> is chosen y<sup>e</sup> Moderator for this Meeting. . . . Whereas the Committee appointed the 11th of March Last to enquire after a piece of Land at the North end of this Town Sutable to Sett a School House on. Have now Signified

<sup>1</sup> In 1700 Sewall published his "The Selling of Joseph,"—"the first public plea for the emancipation of the negro."—Lindsay Swift, "The Massachusetts Election Sermons," Cambridge, 1897, p. 56.

<sup>2</sup> That is, the original "Cedar meeting-house," built in 1669, which did not give way to the present building until 1729. Cf. editorial on page 27.

<sup>3</sup> This is the record, on the books of the Third Church, of Benjamin Franklin's baptism on the very day of his birth. He was the youngest son of Josiah and Abiah (Folger) Franklin, who respectively "owned the Baptismal Covenant" in 1685 and 1688, and were received into full membership in the Third Church, in 1694. ("An Historical Catalogue of the Old South Church," Boston, 1883, pp. 108, 112, and 18.)

There is disagreement over the actual birthplace of Franklin. By many he is said to have been born on what is now Milk Street, directly across from that side of the meeting-house. A bust of Franklin on the building at No. 17 marks the site of the house his father occupied for a considerable period before he moved to the corner of Hanover and Union Streets. There is a reference in the Boston Town Records, 1660 to 1701, p. 197, "April 27, 1690 . . . Granted Libertie to Josiah Frankline to erect a buildinge . . . vpon the Land belonging to L<sup>t</sup> Nath<sup>l</sup> Reynolds neere the South Meetinge house." In 1719, Josiah Franklin received several votes for the office of deacon in the South Church.

<sup>4</sup> This is the first recorded town-meeting in the South Meeting-house. The Town-house and the meeting-house of the First Church had been burnt in "the great fire" of 1711. At about this time also the annual Election Sermon, which from 1634 to 1885 was preached at the gathering of the General Court, began to be reserved to the South Meeting-house, and was delivered here during most of the time thereafter. (L. Swift, "Election Sermons," p. 62.)



to this meeting that they have . . . at length pitched on a piece of Land. . . on Bennet Street, and the other end on Love Street, w<sup>ch</sup> they Recommend to the Town as the most sutable place w<sup>ch</sup> they Can procure for that use.

Voted. That the S<sup>d</sup> Committee be impowered to purchase afore said parcell of Land, to be paid for out of the Town Treasury: . . .<sup>1</sup>

—*Boston Town Records, 1700 to 1728*, p. 338, the original pagination of the MS books being used throughout this leaflet.

At a Meeting of the Freeholders and other Inhabitants of the Town of Boston legally qualifed and warned in publick Town Meeting Assembled at the Town House on Monday the Ninth Day of March Anno Dom<sup>o</sup>. 1761. . . .

Voted that this Meeting be adjourned to Rev<sup>d</sup>. Dr. Sewalls Meeting House<sup>2</sup> [Old South].<sup>3</sup> 3 O'Clock in the Afternoon. . . .

Voted, that this Meeting be adjourned to meet at the Town House, to Morrow Morning 9 O'Clock Forenoon.

9 O'Clock A.M. Met according to adjournment and further adjourned to the Rev<sup>d</sup>. Dr. Sewalls Meeting House. . . .

—*Boston Town Records, 1758 to 1769*, pp. 464-476.

#### THOMAS PRINCE, PASTOR.

[Thomas Prince, from his ordination, Oct. 1, 1718, to his death, Oct. 22, 1758, pastor of the Old South Church, was a man of wide influence. He had reputation as an historian and as a collector of historical material, to which reference is made on p. 28 of this leaflet. He was furthermore a faithful minister and shared the Old South pulpit of his colleague, Joseph Sewall, during the whole of his pastorate. Sewall was ordained Sept. 26, 1713, and died June 27, 1769, at the age of eighty years. They were together in the same work for forty years. For his time, Thomas Prince had an enlightened mind and more than once was conspicuous for breadth of intellectual vision.]

I might go on to mention a great Variety of *other Righteous Acts* of the LORD our GOD to this Covenant People, both corrective and merciful . . . as distressing Droughts and Scarcities . . . [*et cetera*]; *Vexations* from those that have envied and hated us; the cruel taking away of our most deare bought *Privileges*, the most grievous Affliction of all others, and their wonderful Restoration; The insupportable Power of strange *Oppressors*, and the surprizing appearance of GOD for our *Rescue*, when no other Arm could save us, and our Hope was almost perished from before Him.—But the time would fail me.—

I shall therefore only mention one remarkable *Work* of GOD which appears to me to be full of Wonder, and a visible and constant Monument

<sup>1</sup> The first of the Old South town-meetings, then, was chiefly devoted to providing the land for a famous North End public school. The school lot on Love lane, now Tileston street, is occupied by the Eliot School.

<sup>2</sup> The first recorded adjournment of a town-meeting to the "Old South," apparently because of its greater capacity.

<sup>3</sup> In 1717 the church that was gathered on Summer street took the name of "New South." Thereafter the Third Church was called the "Old South."



of his special Favour and Appearance for us—and that is this—On the account of our pure Religion, we have been all along a People misrepresented, envied and maligned above any other on Earth. We have had continually for this *Hundred Years* many powerful and active Enemies, and but few and feeble Friends to stand up for us and plead our Cause—How comes it then to pass that we have greater civil & religious Privileges than almost any others!—The most high GOD has been our Friend. . . . He has removed Kings and set up Kings; He has carried the Devices of the crafty headlong, . . . And when our Case has been so helpless that we cou'd only Pray, we have then stood still and seen the Salvation of GOD —. . . Let it be ever marvellous in our Eyes: And let him have all the Glory.

And so let Him have the Glory likewise of all his *other Works*, both of Judgement and of Mercy to us. Let us frequently call them to mind, peruse the published Histories of them, and teach them to our children after us.

—Thomas Prince, [Election] *Sermon delivered . . . Before the Great and General Assembly of the Massachusetts, May 27, 1730*, pp. 31-32.

#### PROTEST AGAINST THE IMPRESSMENT OF SAILORS.

[The public satisfaction over the repeal of the Stamp Act was short-lived. On June 2nd, 1767, Parliament, under lead of Charles Townshend, Chancellor of the Exchequer, voted duties upon paint, paper, glass, and tea admitted into the colonies in America, probably for the mixed purpose of raising revenue and "trying out" the question of taxation. The leaders here met the new measure with agreements not to import and not to buy the goods taxed. Revenue laws had been systematically evaded in the colonies for more than a century, and now the practice of smuggling became even more widespread. On November 2nd, 1767, when the new laws were effective, the Boston town-meeting, guided by James Otis, counselled moderation and called upon the inhabitants to refrain from any overt opposition. On January 20th, 1768, the Massachusetts House of Representatives petitioned the king for a redress of grievances. The original draft by Samuel Adams was revised no less than seven times with the express object of making it a "Dutiful Petition." The next month, February 4th and 11th, the same representatives voted "a Letter [the famous Massachusetts Circular Letter] to . . . the several Houses of Representatives and Burgesses on this Continent, to inform them of the Measures which this House have taken with regard to the Difficulties they are apprehensive will arise from the operation of several Acts of Parliament for levying Duties and Taxes on the American Colonies. . . ." (Journal of the . . . House of Representatives, . . . 27 May, 1767—4 March, 1768, pp. 140 *et seq.* The resolution to petition the king is on pp. 121-2.)

All along the sea-board "the language which had been familiar under the Stamp Act again was heard," but Massachusetts had taken the lead. In Boston itself a sharp issue was soon raised. The presence of the British Sloop-of-War "Romney" (50 guns), sent to help enforce the authority of the newly created Board of Commissioners of Customs, resident here, led to a long train of important historical incidents. Her commander had seen fit to apprehend and impress New England sailors as they were returning up Boston harbor from voyages at sea. They were impressed "for the service of the King, in his ships of war." On June 10th came the seizure of John Hancock's sloop "Liberty." Violation of the obnoxious revenue laws was charged and the customs officers caused the vessel to be moved under guard of the "Romney." Public feeling ran high against the crew of the gun-boat, there were hostile demonstrations against the customs commissioners, and a serious riot nearly ensued. This circumstance was the occasion of the town-meeting on the 14th. While the provincial leaders deprecated the tumult over the seizure, they held that the whole proceeding was an invasion of public rights.]

At a legal Meeting of the Freeholders and other Inhabitants of the Town of Boston at Faneuil Hall June 14<sup>th</sup>: Anno. Dom: 1768—

The Warrant for calling the Meeting --- Read—

The Hon<sup>ble</sup>. James Otis Esq. was chosen Moderator of this Meeting, and took the usual Oaths, . . . —



Faneuil Hall not being capacious enough to receive all the Inhabitants assembled, and those within the Walls being incommoded by the crowd—A Motion was made and it was accordingly Voted, that this Meeting be Adjourned to Meet at the Old South Church; at which place the Inhabitants Met according to Adjournm<sup>t</sup>.

After very cool and deliberate Debates upon the distressed Circumstances of the Town, and the present critical Situation of their Affairs, it was unanimously, Voted, that

The Hon<sup>ble</sup>. James Otis Esq. Moderator. . . .

John Hancock, Esq.

Dr. Joseph Warren. . . .

Mr. Samuel Adams. . . .

Mr. Josiah Quincy [and seventeen others]

be & hereby are appointed a Committee to wait on his Excellency the Governor of the Province, with the following Petition—Viz<sup>t</sup>.—

|               |   |                                     |
|---------------|---|-------------------------------------|
| Province of   | } | To His Excellency Francis Bernard   |
| the           |   | Esq. Governour and Commander        |
| Massachusetts |   | in Chief, in and over said Province |
| Bay—          |   | and Vice Admiral the same.          |

The Inhabitants of the Town of Boston in Town Meeting legally Assembled—  
Humbly Shew

That your Petitioners consider the British Constitution as the Basis of their safety and happiness; By that is established no Man shall be govern'd nor taxed but by himself or Representative legally and fairly chosen; and in which he does not give his own consent. In open violation of these fundamental Rights of Britons, Laws & Taxes are imposed on us to which we have not only not given our consent but against which we have most firmly Remonstrated<sup>1</sup>—Dutiful Petitions have been preferred to our most gracious Sovereign, which (though to the great consternation of the People, we now learn, have been cruelly and insiduously prevented reaching the Royal Presence) we have waited to receive a Gracious answer to, with the greatest attention to the publick peace, untill we find ourselves invaded with an armed force, Siezing, impressing the Persons of our Fellow Subjects contrary to express Acts of Parliament. Menaces have been thrown out, fit only for Barbarians which already effect us in the most sensible manner, and threaten us with Famine & Desolation, as all Navigation is obstructed, upon which alone our whole support depends, and the Town is at this Crisis in a Situation nearly such, as if War was formally declared against it. To contend with our Parent State is

<sup>1</sup> Of the Townshend revenue acts and the suddenness of their visitation, an excellent English authority, Sir George O. Trevelyan, writes "—the step was taken, and taken in the name of Chatham, which in one day reversed the policy that he had nearest at heart, and undid the work of which he was most justly proud. The Boston Massacre and succeeding events. . . —all flowed in direct and inevitable consequence from that fatal escapade. . . . For the colonists, one and all, irrespective of class, creed, and calling, it was indeed a rude awakening." Cf. "The American Revolution," London, 1899, Part I., pp. 32-33.



in our Idea the most shocking and dreadful Extremity; but tamely to relinquish the only security we and our Posterity retain of the enjoyment of our Lives & Properties, without one struggle is so humiliating and base, that we cannot support the Reflection;<sup>1</sup> we apprehend Sir, That it is at your option, in your power, and we would hope in your inclination, to prevent this distressed and Justly incensed People, from effecting too much, and from the shame and reproach of attempting too little.

... We flatter ourselves your Excellency will in tenderness to this People, use the best means in your power, to remove the other grievance, we so Justly complain of, and issue your immediate Order to the Commander of his Majesty's Ship Romney, to remove from this Harbour, 'till we shall be ascertained of the success of our Applications.—...

—*Boston Town Records, 1767 to 1769, pp. 95-98, printed, &c.*

His Excellency being at his country seat, at Roxbury, [Jamaica Plain] the gentlemen of the committee immediately set out in eleven carriages; on their arrival, they were very politely received, and their Chairman, presented the petition to his Excellency, who was pleased to inform them, that next day in the afternoon, an answer should be delivered in writing.<sup>2</sup>

—*The Boston Chronicle for 1768, June 13-20, p. 253.*

*We are authorized to inform the public, that Capt. Corner, [Comer] Commander of his Majesty's ship Romney, in case he should want any more men, will not take any belonging to, or married in the province, nor any employed in the trade along shore, or to the neighbouring colonies.*

—*The Boston Chronicle for 1768, June 13-20, p. 253.*

[June 21st, 1768, the governor transmitted, in part, to the provincial assembly, an order of the Secretary of State for the Colonies, the Earl of Hillsborough, requiring that body, in the king's name, immediately to repudiate its circular letter of February 11th to the other colonies. The insistence of the house brought forth the full text of Lord Hillsborough's remarkable missive. In it the representatives were told to rescind the resolution under which the circular letter was sent, or the governor "would immediately dissolve them," and their case would be laid before Parliament, in order "that such Provisions as shall be found necessary be made to prevent, for the future, a Conduct of so extraordinary and unconstitutional a Nature." To the governor this further language was used,—“As it is not his Majesty's Intention that a faithful Discharge of your Duty should operate to your own prejudice, or to the Discontinuance of any necessary Establishments, proper Care will be taken for the Support of the Dignity of Government.” The House of Representatives answered, on June 30th, flatly declining to rescind their resolution, by what became a famous vote, 92 to 17. (Journal of the . . . House of Representatives, &c., 25 May-30 June, 1768, pp. 68-69, and 89.) The action of the British ministry amounted to a denial of the right to petition.]

<sup>1</sup> For the attitude of the colonists was not that of slaves seeking liberty, but of freemen—freemen for five generations—resisting political servitude.—Mellen Chamberlain, "John Adams . . . with other Essays . . ." Boston, 1898, p. 249.

<sup>2</sup> The governor replied in substance that impressment was practised in all the king's dominions, that therefore he could not dispute it in this part of them, but that he would use his "utmost endeavors to get it regulated so as to avoid all the inconveniences to this Town"; he desired, he said, to be a faithful servant in regard to both the people here and their "Parent State," but he had "no command over his Majesty's Ships," and could not issue any order to the commander of the "Romney." That he did "get it regulated" appears from the news item in the Chronicle, relating to Capt. Comer.



# AN OLD SOUTH MEETING DEMANDS THE REMOVAL OF THE KING'S REGIMENTS.

[The proceedings of 1768 meant troops for Boston, and in October they came, eight ships of war with infantry and cannon: in a short time enough detachments to furnish "at least one red-coat for every five of the men, women, and children who made up the total of her seventeen thousand inhabitants." (G. O. Trevelyan, p. 38.)

(There are 4000 troops ordered for Boston, which, it is thought, will sufficiently intimidate those people to comply with the law enacted in England; especially as the other colonies seem to have deserted them, the congress which they had entered into being broken. . . .

—From the London letter dated August 1st, 1768, in the supplement to *The Boston Chronicle*, No. 44, Oct. 10-17, 1768, p. 401.)

A standing army was now quartered on a "free city" in a time of peace, another infringement of an ancient English political right. Cf. *Petition of Right*, 1628.

Field officers and staff were assigned to the Town-house, (now the Old State House) and the main guard was stationed with its guns pointed to the south entrance.

June 14, 1769, the House of Representatives protested against the presence of an armed force at its meeting place and was thereupon removed to Cambridge at the order of the governor. It now refused to proceed with any public business except "from Necessity." "The House regarded a Standing Army posted within the Province in a Time of the most profound Peace, and uncontrollable by any Authority in it, as a dangerous Innovation; and a Guard of Soldiers with Cannon planted at the Doors of the State House [*sic*], while the General Assembly was there held, as the most pointed Insult ever offered to a free People, and its whole Legislative. This, Sir, . . . was the principal Cause of the Non-activity of the Assembly."—Answer to the governor, "*Journal* . . . 12 May, 1769—26 April, 1770," pp. 23-26.

The same month certain of the troops were ordered away, leaving but two regiments, the Fourteenth and the Twenty-ninth, under command of Lieutenant-Colonel Dalrymple.]

At a Meeting of the Freeholders and other Inhabitants of the Town of Boston legally qualified and warned in publick Town Meeting Assembled at Faneuil Hall on Tuesday the 6 Day of March Anno Domini 1770—3 O'Clock, P: M:—

The Hon<sup>ble</sup>. Thomas Cushing Esq. was chosen Moderator of this Meeting—

Faneuil Hall not being Capasious enough to receive the Inhabitants who attended; Voted, that this Meeting be Adjourned to Dr. Sewalls Meeting House—<sup>2</sup>

<sup>1</sup> As climax to a succession of street-fights between men and boys about town, and individual British soldiers, a file of the latter had been aggravated into firing on a turbulent crowd in King street by the Town-house. Three of the inhabitants were killed outright, two died, and six more were seriously maimed. This was the "Boston Massacre," Mar. 5, 1770. All the bitterness and resentment over the presence of the forces broke into flame over the episode. The air was surcharged with hatred of the red-coats and the ministry that had sent them. Bells were rung and a great meeting was held at eleven o'clock the next morning in Faneuil Hall "occasioned by the Massacre made in King Street, by the Soldiery the preceding Night,"—various "informations" "were given in" and a committee appointed to wait on the Lieutenant-governor, and tell him "that the Inhabitants and Soldiery can no longer dwell together in safety. . . ."

The provincial leaders determined to use the episode to its fullest extent in forcing the withdrawal of the troops. To this end the public proceedings were shaped in most compelling fashion. Sir Francis Bernard had left for England eight months before, and Thomas Hutchinson, Lieutenant-Governor and Chief Justice, who, although of old Boston family, had thrown in his lot on the king's side, was acting governor.

<sup>2</sup> It was a short walk, then, that the committee had to take—from the head of King (now State) Street to the head of Milk Street. But it was a walk which Samuel Adams turned to momentous account. Hat in hand, he passed, with his fellows, between the double row of townspeople overflowing from the meeting-house into the streets. Right and left as he walked, he turned to the eager citizens, and said, and said again, "Both regiments or none!" . . . Once within the Old South, the committee delivered its message: one regiment might go to the Castle in the harbor if the magistrates must have it so. But from all the people, crowding the floor, stairways, doors and galleries, rolled back the words of Adams, "Both regiments or none!"

—M. A. DeWolfe Howe, "Boston, the Place and the People," New York, 1903, p. 95.





The second or "Brick" meeting-house of the Old South Church, now standing. It was built in 1729, supposedly by Joshua Blanchard, a master builder of the time.



The Committee appointed to deliver a Message of the Town to his Honor Leuutenant Governor, Reported, and laid before the Town the Reply they had received from his Honor in Writing which is as follows— —

*Gentlemen*

I am extremely sorry for the unhappy differences between the Inhabitants and the Troops—and especially for the action of the last Evening, and I have exerted myself upon that occasion, that a due inquiry may be made and that the Law may have its course. I have in Council consulted with the Commanding Officers of the two Regiments which are in the Town. They have their Orders from the General at New York. It is not in my power to countermand those Orders. The Council have desired that the Two Regiments may be removed to the Castle. From the particular concern which the 29<sup>th</sup>. Regiment has had in these differences Col<sup>o</sup>. Dalrymple who is the Commanding Officer of the Troops has signified to me that the Regiments shall without delay be placed in the Barracks at the Castle until he can send to The General and receive his further Orders concerning both the Regiments and that the Main Guard shall be removed and the 14<sup>th</sup> Regiments so disposed and laid under such restraint, that all occasion of future differences may be prevented— —

The foregoing Reply having been read, and fully considered the Question was put—“Whether the Report be satisfactory—  
—Passed in the Negative almost unanimously—(but one dissentient)— —

It was then moved and Voted, that

The Hon<sup>ble</sup>. John Hancock Esq.

Mr. Samuel Adams

Mr. William Mollineux

William Phillips Esq

Dr. Joseph Warren

Joshua Henshaw Esq.

Samuel Pemberton Esq.

be and hereby are appointed a Committee to wait on his honor the Lieu<sup>t</sup>. Governor, and inform him, that it is the unanimous opinion of this Meeting, that the Reply made to a Vote of the Inhabitants presented his Honor in the Morning is by no means satisfactory, and that nothing less will satisfy them, than a total and immediate removal of the Troops.<sup>1</sup>

<sup>1</sup> Samuel Adams for the Committee to Lt.-Gov. Hutchinson.—“It is well known, that, acting as Governor of the Province, you are by its charter the commander in chief of the military forces within it; and, as such, the troops now in the capital are subject to your orders. If you, or Col. Dalrymple under you, have power to remove one regiment, you have the power to remove both; and nothing short of their total removal will satisfy the people or preserve the peace of the Province. A multitude, highly incensed, now wait the result of this application. The voice of ten thousand freemen demands that both regiments be forthwith removed. Their voice must be respected, their demand obeyed. Fail, then, at your peril, to comply with this requisition! On you alone rests



The Committee having waited upon his Honor the Lieut. Governor agreeable to the foregoing Vote; laid before the Inhabitants the following Vote of Council, removed from his Honor—

His Honor the Lieut. Governor laid before the Board a Vote of the Town of Boston passed this Afternoon, and then Addressed the Board as follows—

Gentlemen of the Council I lay before you a Vote of the Town of Boston, which I have Just now received from them, and I now ask your advice what you Judge necessary to be done upon it—

The Council thereupon expressed themselves to be *unanimously* of Opinion that it was absolutely necessary for his Majestys service and the good order of the Town and the peace of the Province that the Troops should be immediately removed out of the Town of Boston, and thereupon advised his Honor to communicate this advice of the Council to Coll<sup>o</sup>. Dalrymple, and to pray that he would order the Troops down to Castle William—

The Committee also informed the Town, that Coll<sup>o</sup>. Dalrymple after having seen the above Vote of Council, said to the Committee That he now gave his word of honor that he would begin his preparation in the Morning, and that there should be no unnecessary delay untill the whole of the two Regiments were removed to the Castle—

The above Report of the Committee having been read by the Town Clerk; the Inhabitants could not but express the high satisfaction, which it afforded them—

—*Boston Town Records, 1770-1777, pp. 214-216.*

"I have represented to your lordship, that the authority of Government is gone in all matters wherein the controversy between the Kingdom and the colonies is concerned. There cannot be a plainer proof of it than I have now given to your Lordship. . . ."

—Thomas Hutchinson to the Earl of Hillsborough, *March, 1770, in Massachusetts Historical Society, Proceedings, 1863, p. 487.*

#### THE FIFTH OF MARCH ANNIVERSARY ORATIONS.

[March 19, 1771.] The committee appointed to Consider of some Suitable Method to perpetuate the memory of the horred Massacre. . . . Reported . . . That for the present the Town make choice of a proper Person to deliver an Oration . . . to commemorate the barbarous murder of five of our Fellow

the responsibility of this decision; and, if the just expectations of the people are disappointed, you must be answerable to God and your country for the fatal consequences that must ensue. The committee have discharged their duty: it is for you to discharge yours. They wait your final determination."

—J. K. Hosmer, *Samuel Adams*, Boston, 1885, p. 173.



Citizens on that fatal Day, and to impress upon our minds the ruinous tendency of standing Armies in Free Cities, and the necessity of such noble exertions in all future times, as the Inhabitants of the Town there made, whereby the designs of the Conspirators against the public Liberty may be still frustrated. . . . and Mr. James Lovell [Master of the Latin school, 1734-1775] was unanimously chosen.<sup>1</sup>—*Boston Town Records, 1770-1773*, p. 293.

Every member feels it to be his interest, and knows it to be his duty, to preserve inviolate the constitution on which the public safety depends, and is equally ready to assist the magistrate in the execution of the laws, and the subject in defence of his right; and so long as this noble attachment to a constitution, founded on free and benevolent principles, exists in full vigor in any state, that state must be flourishing and happy. . . . Be wise in your deliberations, and determined in your exertions for the preservation of your liberties . . . enlist your selves under the sacred banner of reason. . . . If you perform your part . . . the same almighty Being who protected your . . . venerable forefathers, . . . will still be mindful of you—their offspring.—*Joseph Warren's first oration, Mar. 5, 1772.*

And could it have been conceived that we again should have seen a British army in our land, sent to enforce obedience to acts of parliament destructive of our liberty? But the royal ear, far distant from this western world, has been assaulted by the tongue of slander; and villains, traitorous alike to king and country, have prevailed upon a gracious prince to clothe his countenance with wrath, and to erect the hostile banner against a people ever affectionate and loyal to him and his illustrious predecessors of the house of Hanover. Our streets are again filled with armed men: our harbor is crowded with ships of war. But these cannot intimidate us. Our liberty must be preserved. . . . The man who meanly will submit to wear a shackle, contemns the noblest gift of Heaven, and impiously affronts the God that made him free.—*Joseph Warren's second oration, Mar. 6, 1775.*<sup>2</sup>

<sup>1</sup> The oration was April 2nd, a committee was appointed "to select a proper Gentleman to deliver an oration on the 5th of March next," and the resolution was voted in almost the exact terms of the one previous. Indeed, this was the procedure, each 5th of March, here in the Old South, to repeat the words of the original vote, "to impress upon our minds, the ruinous tendency of standing Armies," &c., in 1772, 1773, and 1774. In 1775, the anniversary falling on Sunday, the day was March 6th, Joseph Warren was the orator, and again was voted the same resolution. Thereafter, until 1783, the orations were delivered elsewhere, but it is interesting to observe with what persistency the identical language was used, due probably to the fine hand of the "master agitator." These orations are to be found in a volume issued by Peter Edes in 1807, and some account of them is in J. S. Loring, "The Hundred Boston Orators," Boston, 1852.

<sup>2</sup> This was the occasion when Warren is said to have entered by the pulpit window, to avoid altercation with British officers who had blocked the front aisles and seated themselves on the pulpit stairs.

"I had long expected that they would take that occasion to beat up a breeze, and therefore (seeing many of the officers present before the orator came in), as moderator of the meeting, I took care to have them treated with civility, inviting them into convenient seats, so that they might have no pretence to behave ill; for it is a good maxim in politics, as well as in war, to put and keep the enemy in the wrong. They behaved tolerably well until the oration was finished, when, upon a motion made for the appointment of another orator, as usual, they began to hiss, which irritated the assembly to the greatest degree, and confusion ensued; they, however, did not gain their end,—which was apparently to break up the meeting,— . . ."—Samuel Adams, Letter to Richard Henry Lee, in Wells's life of the former, Boston, 1865, Vol. II., pp. 280, 281.

The orations in 1773 and 1774 were by Benjamin Church and John Hancock.



## THE MEETING THAT PRECEDED THE TEA PARTY.

[The revenue acts "had given birth to such dangerous combinations beyond the Atlantic," that the king's ministers felt impelled to some "composing measure." On the very day of the Boston "Massacre," Lord North, now First Lord of the Treasury, moved in the House of Commons the repeal of the duties levied in America under Charles Townshend's Act, with the single exception of the duty upon tea. But Parliament was by no means of one mind on the course to be taken. The king's speech at the opening of the session had contemptuously referred to the "distemper among the HORNED CATTLE [that] had lately broken out in the kingdom," and "the infection from foreign parts," but Chatham, Burke, Conway, Barré, Meredith, and other friends of America who were fighting also for the liberties of Englishmen at home remained unabashed. They continued to inveigh against the policy of Government in general and the revenue acts in particular. The cabinet itself had recommended the retention of the tea-duty by a majority of only one. But the king and his friends were obdurate. "The contest in America . . . is now for no less than sovereignty on one side and independence on the other," cried Lord North. "Shall we, while they now deny our legal power to tax them, acquiesce in the argument of illegality and give up that power? Shall we betray ourselves out of compliment to them, and through a wish of rendering more than justice to America, resign the controuling supremacy of England? God forbid!" And by a vote of 204 to 142, the king's party had its way, the "3d per pound-weight avoirdupois" upon tea remained a law. (Parliamentary History of England, London, 1813, Vol. XVI, pp. 642, 852, *et seq.*) At first, in the colonies, there was a disposition to regard the repeal of all the other duties as a concession, although grudgingly made. Soon, however, the tea-tax grew into a commanding issue. This time, the leaders were fully persuaded that the king and the king's friends were in earnest to "try the question," and waited a move to be made. At length the East India Company, embarrassed by the non-importation agreements, and the increasing volume of illicit tea-trade with the Dutch, secured from Parliament a license to ship its tea free of duty in England, but subject to the stated tax here, the money to be remitted to the royal treasury by the company's agents. This was in the autumn of 1773, and at once ships were laden and consigned to principal American ports where designated persons were to act as consignees, or "tea commissioners." The colonists everywhere were roused to most determined preparations for resisting any and every attempt to land the cargoes.

In Boston, the tea-meetings, "of this and the neighboring towns," began to be held on Monday, November 20th, 1773, at Faneuil Hall, the first consignment having then arrived.

"A motion made that as this town have determined at a late meeting that they would, to the utmost of their power, prevent the landing of the tea, that the question be put, Whether this body are absolutely determined that the tea shall be returned to the place from whence it came, at all events." Passed in the affirmative unanimously.

"Upon a motion made, *Voted*, That this meeting be immediately adjourned to the Old South Meeting-house.

"At the Old South Meeting-house, met according to adjournment. A motion made and the question put, whether it is not the firm resolution of this meeting that the tea shall not only be sent back, but that it shall not pay a duty. Passed unanimously in the affirmative.

"A motion made, in order to give time to the consignees to consider and deliberate, that the meeting be adjourned to three o'clock. And the meeting was adjourned accordingly."—(Minutes of the Tea Meetings, 1773, in Massachusetts Historical Society Proceedings, Boston, 1884, Vol. XX., pp. 10-17.)

Other meetings, to the same general purpose, were held, again on the afternoon of November 20th, twice on the 30th, when a special night watch of twenty-five men, and riders to alarm the country towns should occasion arise, were provided for, and again on December 14th, when Mr. Rotch, owner of one of the tea ships, was sent for and required to apply for a clearance for his vessel. The report on Mr. Rotch's errand to the collector was the first matter before the meeting on the morning of December 16th.]

Thursday, 16 December. The Body<sup>1</sup> met by adjournment at the Old South Meeting-house.<sup>2</sup>

<sup>1</sup> The people assembled in Boston took the name of "the body," instead of "a legal town meeting," and began with that spirit with which all established powers ought [*i.e.* are accustomed] to act in the exercise of their legal constitutional authority. . . . The "form" of a town meeting was assumed, the select men of Boston, town clerk, &c., taking their usual places; but, the inhabitants of any other towns being admitted, it could not assume the name of a "legal" meeting of any town.—Thomas Hutchinson, "History of Massachusetts Bay," Vol. III., London, 1828, pp. 430-433.

<sup>2</sup> These minutes were printed from the handwriting of Thomas Cooper, Town Clerk, also clerk of the tea meetings, although the spelling has been corrected. The many erasures and corrections in the original are preserved in the Massachusetts Historical Society edition, showing the first form in which the people's votes took shape and the subsequent changes in their language.







The Committee to wait on the Collector, Mr. Harrison, reported as No. 2. [The Committee's report here follows.]

A demand made by Mr. Rotch, owner of the ship "Dartmouth," on Mr. Harrison, Collector of the Customs, and what followed thereon, Mr. Rotch made the demand in the following manner, viz.:—

"I am required and compelled at my peril by a Body of people assembled at the Old South Meeting-house yesterday, where Mr. Samuel Phillips Savage was President, to make a demand of you to give me a clearance for the ship 'Dartmouth' for London, in the situation she is now in, with the tea on board."

Upon which one of the Committee observed that they were present by order of the Body only as witnesses of the before-mentioned demand, and the answer that should be given.

Thereupon Mr. Harrison, the Collector, said to Mr. Rotch (Mr. Hallowell, the Comptroller, being present), "Then it is you make the demand?" Mr. Rotch answered, "Yes, I am compelled at my peril to." Then Mr. Harrison said to Mr. Rotch, "Your ship 'Dartmouth' entered with me the 30th November last, with dutiable articles on board, for which the duties have not been paid. I cannot therefore give you a clearance until she is discharged of those articles, consistent with my duty."

*Voted*, that Mr. Rotch be sent for.

Proceedings of Lexington read.

A letter from Plymouth, informing of Messrs. Clarkes' vessel being on board, was read.

Mr. Rotch attended, and was asked whether he would protest against the Custom-house, and then demand a pass for the Castle.

Motioned. That this Body expect that he immediately protest against the Custom-house, and procure a pass of the Governor, and that he this day proceed with the vessel for London.

He replied that he would not comply, because it was impracticable; and being again asked whether he would order his vessel to sail this day, he replied he would not.

Mr. Rotch [was] desired to proceed in making protest and demanding a pass.

Adjourned to 3 o'clock P.M.

<sup>1</sup> John Singleton Copley, R.A., the celebrated painter, had married, in 1769, Susan, daughter of Richard Clarke, one of the consignees of the tea. Because of that relationship he had a part in the tea-meeting of December 14th.



Met per adjournment at 3 o'clock P.M.

*Voted*, That it is the sense of this Body that the use of tea is improper and pernicious.

*Voted*, That it is the opinion of this Body that every town in this Province appoint a committee of inspection to prevent the accursed tea [coming?] into any town in this Province.

*Voted*, upon a motion made, That it [is] the sense of this Body, to decide [?] by the former resolution, that they will not suffer the landing of the tea.

Mr. Rotch attended, and informed that he had demanded a pass for his vessel of the Governor, who answered, "He was willing to grant any thing consistent with the laws and his duty to the king, but that he could not give a pass unless the vessel was properly qualified from the Custom-house, but that he should make no distinction between this and any other vessel, provided she was properly cleared."

Mr. Rotch could not tarry, his protest not being finished, but informed that he told the Governor of the steps he had [taken] and was taking as to a protest.

Mr. Rotch was then asked whether he would send his vessel back with the tea under her present circumstances. He answered that he could not possibly comply, as he apprehended it would be to his ruin.

He was further asked whether he would land the tea. He answered he had no business with it unless he was properly called upon to do it, when he should attempt a compliance for his own security.<sup>1</sup>

*Voted*, That this meeting be dissolved, and it was accordingly dissolved.<sup>2</sup>

—*Minutes of the Tea Meetings, 1773, in Massachusetts Historical Society Proceedings, Boston, 1884, Vol. XX., pp. 10-17.*

<sup>1</sup> It was at this point that Samuel Adams arose and gave the signal that had evidently been agreed upon, "This meeting can do nothing more to save the country." Thereupon a number of men, from fifty to ninety, supposedly "Sons of Liberty," partly disguised as Mohawk Indians, rushed by the porch of the meeting-house, and brandishing hatchets and whooping, ran down to the three tea-ships lying at Griffin's wharf. There, in three hours, in the dark, they broke open the three hundred forty-two chests that made up the cargoes, and threw the whole of the tea into the harbor.

<sup>2</sup> Some interesting details of the Tea Party are contained in a letter of Peter Edes, printed in M. H. S. Proceedings, Vol. XII., Boston, 1873, pp. 174-6. In the same series, Vol. XIX., pp. 134-6, are printed some letters of Governor Hutchinson, with interesting comment on early aspects of the tea question. Cf. Old South Leaflet No. 68, for excerpts from Hutchinson's account of the tea episode.

"I think we have put our enemies in the wrong, and they must in the judgment of rational men be answerable for the destruction of the tea which their own obduracy had rendered necessary." Samuel Adams, Letter, in Edward G. Porter, "Samuel Adams," Boston, 1885, p. 25.

<sup>3</sup> This is the most magnificent movement of all. There is a dignity, a majesty, a sublimity, in this last effort of the patriots, that I greatly admire. . . . This destruction of the



# TORIES DEFEATED IN TOWN MEETING, JUNE 27-28, 1774.

[On June 17th, John Adams, being chosen Moderator, in place of Samuel Adams, then attending the General Court at Salem, an adjourned town-meeting at Faneuil Hall "entered into the Consideration of the Article in the Warrant, Vizt. 'To consider & determine what Measures are proper to be taken upon the present Exigency of our public affairs, more especially relative to the late Edict of the British Parliament for Blocking up the Harbour of Boston, & annihilating the Trade of this Town,' and after very serious Debates thereon—

Voted, (with only one Dissident) That the Committee of Correspondence be enjoined forthwith to write to all the other Colonies, acquainting them that we are not idle, that we are deliberating upon the Steps to be taken on the present Exigencies of our public affairs; that our Brethren the landed Interest of the Province with an unexampled Spirit and Unanimity, are entering into a Non-Consumption agreement; And that we are waiting with anxious Expectation for the Result of a Continental Congress; whose Meeting we impatiently desire, & in whose Wisdom & Firmness we can Confide, & in whose Determinations we shall cheerfully acquiesce—

Voted, That this meeting be adjourned to 3 O'Clock P.M.—

3 O'Clock P.M. Met according to Adjournmt.

Agreeable to Order the Committee of Correspondence laid before the Town such Letters as they had received in Answer to the Circular Letter, wrote by them to the several Colonies, & also to the Sea-Port Towns in this Province, since the Receipt of the Boston Port Bill, & the same being publicly read—Whereupon—

Voted, unanimously, That our warmest thanks be transmitted to our Brethren on the Continent for that Humanity, Sympathy & Affection, with which they have been inspired, & which they have expressed towards this distressed Town, in this important Season

Voted, unanimously, that the thanks of the Town be, & hereby are given to the Committee of Correspondence to their Faithfulness, in the Discharge of their Trust, & that they be desired to continue their Vigilance & Activity in that Service— . . .

Adjourned to June 27th 10 O'Clock A.M.

—Boston Town Records, 1770-1777, pp. 519-521.]

## Port Bill adjournment.

Met agreeable to Adjournment June 27th 10 o'Clock A.M.

Mr. Samuel Adams in the Chair—

Moved & seconded that the Committee of Correspondence<sup>1</sup>

tea . . . must have so important consequences and so lasting, that I cannot but consider it an epoch in history." John Adams, "Diary," Dec. 17, 1773.

When the news of this violence reached England, it was evident to all that either the British Parliament must abandon its claim to enforce the payment of the tea duty or it would have to maintain its authority by force. Burke pleaded for a return to the older system under which Great Britain had been respected for so many years. "Revert," he said, "to your old principles . . . leave America . . . to tax herself . . . Leave the Americans as they anciently stood." . . . The king, Lord North, and [their subservient majority in] Parliament, thought otherwise. They saw that there was anarchy in America, as far as English law was concerned, and they conceived it to be their duty and their right to bring it to an end. In 1774 was passed the Boston Port Act [effective June 1st], prohibiting the landing or shipping of goods at Boston; the Massachusetts Government Act, transferring the appointment of the Council [and] all judges and administrative officers from a popular electorate to the Crown; and another Act forbidding public meetings without the leave of the governor. In order to keep down resistance, a soldier, General Gage, was sent to be governor of Massachusetts.

—S. R. Gardiner, "A Student's History of England," London, 1898, pp. 780-782.

[The ministry] was in fact a mere cloak for the direction of public affairs by George himself. . . . [His] immense patronage was steadily used for the creation and maintenance in both Houses of Parliament of a majority directed by the King himself; and its weight was seen in the steady action of such a majority. It was seen yet more in the subjection to which the ministry that bore North's name was reduced. George was in fact the minister through the twelve years of its existence, from 1770 till the close of the American war; and the shame of the darkest hour of English history lies wholly at his door.

—J. R. Green, "A Short History of the English People," pp. 776-777, 1898 ed., London. It should be remembered that the history of America 'o 1783 is part of the history of England, and that similarly the history of England to the same year is part of the history of America.

<sup>1</sup> In town-meeting, at Faneuil Hall, Monday, November 2nd, 1772, on receipt from Governor Hutchinson of an unfavorable reply to their petition of October 30th to allow the General Court "too meet at the time to which they now stand prorogued," in which



be desired to lay the Letters they have wrote to the other Towns and Governments since the receipt of the Port Bill,—the question being put—Passed in the Affirmative—

Upon a Motion made, Voted, that this Meeting be adjourned to the Old South Meeting House, the Hall<sup>1</sup> not being sufficient to contain all the Inhabitants assembled—[and a committee was named] to wait upon the Proprietors Committee of that House for leave to make Use of it.

The Town being again met according to Adjournment—Motion was made & passed, That all Letters received as well as the Answers returned, be laid before the Town and read—

After the Town Clerk had accordingly read a Number of Letters, a Motion was made that the said Vote be so far Reconsidered, as that the Reading of all other Letters previous to the Covenant sent into the Country by the Committee of Correspondence, & the Letters accompanying the same, be suspended for the present, & that the Town proceed to the Reading of said Letter & Covenant, & any other Letters that may be particularly called for—

The said Covenant & a Number of Letters having been read, a Motion was made, that some Censure be now passed

reply the governor had said, in part,—“If . . . in compliance with your Petition I should . . . meet the Assembly, contrary to my own Judgement at such time as you Judge necessary, I should in effect yield to you the exercise of that part of the prerogative and should be unable to Justify my conduct to the King—There would moreover be danger of encouraging the Inhabitants of the other Towns in the Province to Assemble from time to time in order to consider of the necessity or expediency of a Session of the General Assembly or to debate & transact other matters which the Law that authorizes Towns to Assemble, does not make the business of a Town Meeting”—the following action was taken,—

“The foregoing Reply having been read several times and duly considered; it was moved & the Question accordingly put Whether the same be satisfactory to the Town; which passed in the Negative *Nem. Cont.* And thereupon—

“RESOLVED as the Opinion of the Inhabitants of this Town that they have ever had, and ought to have a right to Petition the King or his Representatives for the Redress of such Grievances as they feel or for preventing of such as they have reason to apprehend, and to communicate their Sentiment to other Towns

“It was then moved by Mr. Samuel Adams, That a Committee of Correspondence be appointed to consist of twenty one Persons—to state the Rights of the Colonists and of this Province in particular, as Men, as Christians, and as Subjects; to communicate and publish the same to the several Towns in this Province and to the World as the sense of this Town, with the Infringements and Violations thereof that have been, or from time to time may be made—Also requesting of each Town a free communication of their Sentiments on this Subject—And the Question being accordingly put—Passed in the Affirmative, *Nem. Cont.*—Also

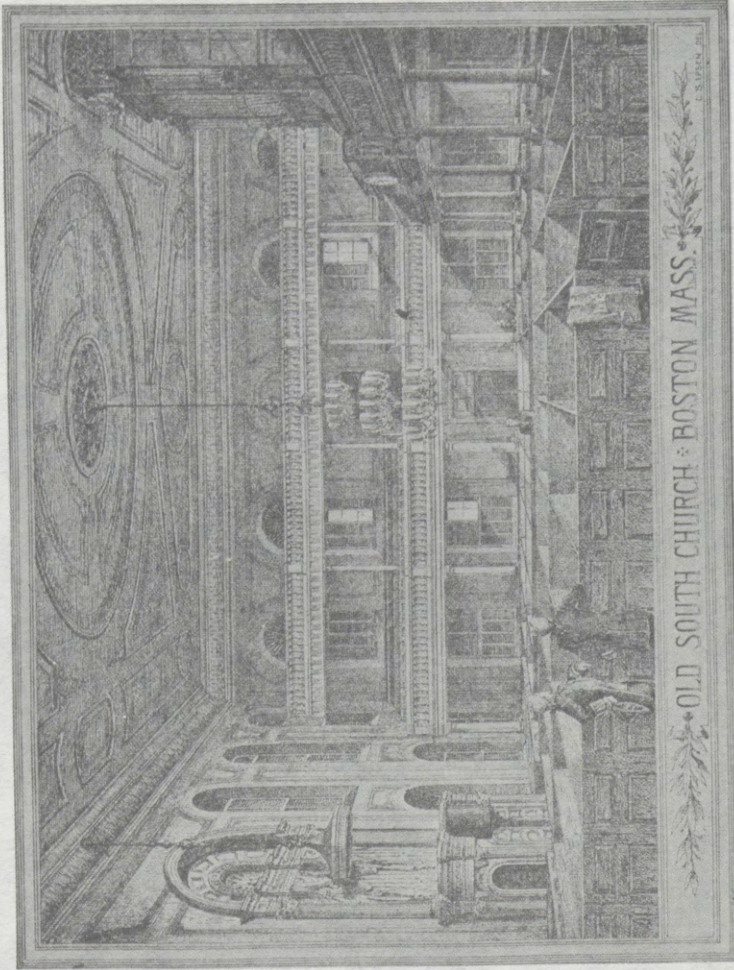
“Voted, that, The Honble. James Otis Esq. Mr. Samuel Adams Dr. Joseph Warren . . . Mr. Oliver Wendell . . . Josiah Quincy Esq [and seventeen others] be and hereby are appointed a Committee for the purpose aforesaid, and that they be desired to Report to the Town as soon as may be— . . . Then the Meeting was dissolved.”

—Boston Town Records, 1770-1777, pp. 372, 373.

These proceedings, with the report of the Committee of Correspondence, in full, were printed in a pamphlet by order of the town and distributed to each town in the province, and wherever the Committee thought fit. The report was a careful statement of the whole argument against the American policy of the Government then in office. It covers nearly twenty-six pages in the town records and is well worth reading. It was this committee which Bancroft said “contained the whole Revolution.” Cf. Old South Leaflet No. 173.

<sup>1</sup> Faneuil Hall was very much smaller then than now. It was enlarged to its present dimensions in 1805.





The interior of the present meeting-house as it appeared after the alterations made in 1857, although with the exception of the pulpit, the narrow upper gallery, the organ, the decorations on the ceiling, etc., the drawing substantially represents the interior as it was from 1729 on. The figures in revolutionary costume are clearly out of place in an 1857 interior.



By the Town on the Conduct of the Committee of Correspondence; and that said Committee be annihilated—

Mr. Adams, the Moderator, then moved, that as the Conduct of the Committee of Correspondence for this Town, of which he had the Honor of being a Member, is now to be considered, another Moderator might be chosen *Pro Tempore*.

The Hon<sup>ble</sup>. Thomas Cushing Esq was accordingly chosen Moderator during that Debate—

The Motion for Censuring & annihilating the Committee of Correspondence was considered & the Gentlemen in favor . . . patiently heard; but it being dark; and these declaring that they had farther to offer—

Voted, that [it] be referred to the Adjournment—Tuesday June 28. . . . The Motion for Censuring & Annihilating the Committee of Correspondence again Considered, & after long Debates the Question was accordingly put; which passed in the Negative by a great Majority—

It was then moved, that the following Vote be passed, Viz<sup>t</sup>. “That the Town bear open Testimony that they are abundantly satisfied of the upright Intentions, and much approve the honest Zeal of the Committee of Correspondence & desire that they would persevere with their usual Activity & Firmness, continuing stedfast in the Way of well Doing—And the Question being put, passed in the Affirmative by a *Vast Majority*.”

The Committee on Ways & Means . . . acquaint the Town, that they had met, & had received very encouraging Accounts of the Readiness of their Sister Colonies to assist us; . . . adjourned. . . .

—*Boston Town Records, 1770-1777*, pp. 521-523.

#### DURING THE SIEGE OF BOSTON.

Soon after the battle of Lexington, in the spring of 1775, the gates of Boston were shut, and all passing and repassing of citizens, between town and country prohibited, by the British commander. Mr. Hunt<sup>1</sup> was at that time on a visit at Brookline. Returning to Boston, he was not permitted to enter, unless he would pledge himself to remain. Not choosing to give this pledge, he retired to Northampton; where he died, . . . the following December, aged 31. During the occupancy of Boston by the British troops, the congregation was broken

<sup>1</sup> John Hunt, Pastor, Sept. 25, 1771, until his death, 1775.



up, most of its members having sought an asylum in different country towns. Their parsonage-house on Marlboro Street [now Washington],—formerly the mansion of Winthrop the first governor,—was demolished, and the materials used for fuel. Their Meeting House was turned into a riding-school for Burgoyne's regiment of cavalry. . . . Thus was the holy place profaned, until the British army evacuated Boston in March 1776.

—Wisner, *Four Sermons*, pp. 33-34.

#### TRUE TO REVOLUTIONARY PRINCIPLES.

[On September 17th, 1830 were held, in the Old South, exercises commemorative of the founding of Boston, two hundred years before, the Hon. Josiah Quincy delivering the oration. Exercises were also held in memory of James Monroe on Thursday, August 25, 1831. There was a Eulogy by the Hon. John Quincy Adams.]

[May 1st, 1861.] In this day of disaster and disruption, when national harmony is disturbed, when the beautiful order of the republic is broken up, and the dearest interests of ourselves and our posterity are in peril, the standing committee of the Old South Society, with the pastors and officers of the church, have deemed it eminently proper for them to unite with their fellow citizens, in expressions of loyalty to the government, in its efforts to restore order, peace and justice throughout the land. . . .

Thus true to the memories of the past, and devoted to the country, whose glory must not pass away, the Old South to-day gives our national flag to the breeze,—bearing upon it the motto, True to our Revolutionary principles,—and declares to the world that good men will cheerfully put themselves forward to protect it.<sup>1</sup>—Statement of the Standing Committee, in Hill, *Hist. Old South Church*, Vol. II. p. 513.

#### THE OLD SOUTH MEETING-HOUSE SAVED.

#### THE OLD SOUTH CHURCH BUILDING

All the materials above the level of the sidewalks, except the Corner Stone and the Clock in the Tower, of this ancient and historical landmark building, which has now come under the auctioneer's hammer, and will be disposed of

<sup>1</sup> The national flag waved from the steeple, May 1, 1861, and in August, 1862, a great public meeting was held in the yard of the Old South for the purpose of promoting enlistments in the Union Army. The bell was rung, there was a band of music in attendance, and the number of people was so large that traffic in the street had to be stopped. In eight weeks 1000 men volunteered and were examined in the porch of the Old South Meeting-house, the use of which had been given the authorities for recruiting purposes.



on Thursday, June 8, 1876, at 12 o'clock noon on the premises, on the corner of Washington and Milk streets.

The spire is covered with copper, and there is a lot of lead on roof and belfry, and the roof is covered with imported old Welch slate. 60 days will be allowed for the removal.

Terms cash.

—*Newspaper advertisement.*

Let these walls stand, if only to remind us that, in those days, Adams and Otis, advocates of the newest and extremest liberty, found their sturdiest allies in the pulpit. . . . The saving of this landmark is the best monument you can erect to the men of the Revolution.—Wendell Phillips, *Address in the Old South Meeting-house*, at a great mass meeting, held in the interest of preserving the building.<sup>1</sup>

The Rev. Edward Everett Hale had written to Mr. Longfellow: "You told me that if the spirit moved, you would try to sing us a song for the Old South Meeting-house. I have found such a charming story that I think it will really tempt you. I want at least to tell it to you. . . . The whole story of the fleet is in Hutchinson's *Massachusetts*, ii. 384, 385. The story of Prince and the prayer is in a tract in the College Library, which I will gladly send you, or Mr. Sibley will. I should think that the assembly in the meeting-house in the gale, and then the terror of the fleet when the gale struck them would make a ballad—if the spirit moved!"<sup>2</sup> This ancient building, with its historic memories, was in danger of being demolished.<sup>3</sup>

—Samuel Longfellow, editor, *Final Memorials of Henry Wadsworth Longfellow*, p. 256 note.

<sup>1</sup> This address is printed in Old South Leaflet No. 183, with full notes and other interesting matter by Mr. Edwin D. Mead relating to the wonderful and successful effort of that day to save the Old South from destruction.

The last religious service held in the meeting-house for a long period of years was on Sunday afternoon, November 9th, 1872, for the troops who had been called to guard the burnt district, during and after the great fire of that year.

<sup>2</sup> "A Ballad of the French Fleet" was the outcome of Dr. Hale's suggestion. To those who were present this ballad took on a new significance when in the course of his sermon in the Old South, August 4, 1907, the first religious service allowed to be held in the meeting-house for thirty years, Dr. Hale recited the entire poem. Then in his eighty-sixth year, he had long cherished the desire to outlive the terms of the restriction imposed with the sale of the property, and himself to conduct a service within its walls. Dr. Hale's sermon was from Haggai ii. 9. "The glory of this latter house shall be greater than the glory of the former, saith the Lord of Hosts; and in this place will I give peace, saith the Lord of Hosts," the same text used by Joseph Sewall, when the meeting-house was first occupied, April 26, 1730 (O.S.).

Whittier in his "The Landmarks," and "In the 'Old South,'" Holmes in his "An Appeal for the 'Old South,'" James Freeman Clarke in his "The Old South Speaks," James Russell Lowell and Charles W. Eliot in notable addresses, with others, were also of great help in rousing public interest in the labors of the Committee on Preservation.

<sup>3</sup> Cf. pp. 28-30 of this leaflet.



The Standing Committee of the Old South Society held a special meeting this forenoon and voted to accept the offer of the Citizens' Committee of \$400,000 in cash for the Old South Meeting House. The offer was made on the 2nd day of September, after many consultations, and was suggested by the Standing Committee. They wished to insure the use of the building for historic and memorial purposes only, for all time, but were advised by ex-Judge Thomas that a restriction for thirty years would be more liable to hold in law, and today it was voted to accept the offer, with a restriction that it should be used for such purposes only and not be open upon Sunday. The restriction holds for thirty years, provided the building remains upon its present site. But if removed, no restriction attaches to either land or building.—*Boston Evening Transcript*, Friday, September 15, 1876.

The sale of the Old South Church was formally completed Thursday morning, for the sum of \$400,000. A city life insurance company [New England Mutual Life Insurance Co.] loans \$225,000 upon the property, taking a mortgage. Mrs. Hemenway advances on second mortgage the sum of \$100,000, and Mr. R. M. Pulsifer, the purchaser, pays \$75,000 in cash, making the amount of the purchase money. Mr. Pulsifer gives a bond to the committee of ladies to the effect that if they raise the money within a reasonable time he will give them a deed of the property.<sup>1</sup> The conditions of sale are as before stated—no religious services in the place for thirty years.

—*Boston Evening Transcript*, Friday, October 13, 1876.

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The story of the Old South Meeting-house outlined in this leaflet is an attempt to show its relation to the progress of freedom on these shores. It was not alone for "no taxation without representation" [or "consent"], that the men of the revolution contended; they strove to defend ancient privileges to which they believed themselves entitled, privileges which they had exercised from the days of settlement. They were for the right of liberty, the right to law, the right to labor and trade, the right to property, the right to bear arms, freedom of assembly and petition, freedom of speech, freedom of elections, and other of the great chartered rights of Englishmen. In the main, they had always governed them-

<sup>1</sup> Among the many notable meetings and entertainments for the benefit of the Old South Preservation Fund, was one especially remarkable, held in the meeting-house itself, May 4th, 1877. There was an introductory address by Governor Rice. Dr. Oliver Wendell Holmes recited "Old Ironsides," "The Old South," and "Dorothy Q." Ralph Waldo Emerson read his "Concord Hymn" and "Boston Tea Party," Dr. James Freeman Clarke read his "The Old South's Plea," Mrs. Julia Ward Howe read "The Old South" and the "Centennial Hymn," and Dr. Samuel F. Smith read "America." John G. Whittier was to have read "Samuel Sewall's Prophecy," but was unable to attend. An elaborate "Old South Ball" was held in old Music Hall in March, 1877, and again in 1878, and there was a great fair in the meeting-house, in December, 1877, in which \$36,000 was netted for the preservation fund. Rev. Edward Everett Hale, Wendell Phillips, James Russell Lowell, Dr. William Everett, Colonel Henry Lee, Dr. Edward G. Porter, Dr. George E. Ellis, Rev. Henry W. Foote, and others delivered notable lectures from the Old South platform and here also in 1879 John Fiske gave one of his first courses of lectures on American history.



selves; the Parliament now sought to deprive them of that function. So it came about that in a congregation, itself organized as a protest against tyranny and exclusiveness, was found sympathy with every liberal aspiration of a determined people; so it was that under the roof of its meeting-house was found sanctuary for every assembly gathered in the interest of freedom.

The site of the meeting-house has been continuously occupied by a church-building for a longer time than any other ground in Boston. The lot was part of "the green," originally granted by "The Colony of the Massachusetts Bay in New England" to Governor John Winthrop and described by him as "the governour's first lot," (Winthrop, *Hist. N.E.*, 1853 ed., Vol. I. p. 383) and it so appears as "Lot A" in "Plans of Boston, showing existing Ways and Owners of Property" for 1630, compiled by George Lamb, Boston, 1905. Transfers were not required to be recorded until Oct. 19, 1652 (Colonial Records, III. 280), and apparently the first record of the land in question was Sept. 26, 1643, a mortgage by John Winthrop to William Tyng *et al* (Suffolk Deeds, Lib. 1, p. 45 and Aspinwall Notarial Records, printed, Boston, 1903, p. 211). On Nov. 12, 1643, title passed to Stephen Winthrop and it was recorded Mar. 26, 1648 (Lib. 1, p. 102). The Spring Lane corner was set off Febr. 20, 1654 to Amos Richinson or Richardson (Lib. 3, p. 487a), and on Mar. 26, 1659, Judith Winthrop, widow of Stephen, conveyed all of the remainder to John Norton, the lot bounded "south by the highway to the seaside" (Lib. 3, pp. 257-262). Possession appears to have been given John Norton, July 26, 1659, and he, dying in 1663, devised his estate in Boston to his wife Mary Norton (Suffolk Probate Records No. 334). On April 1, 1669, Mary Norton executed a Deed of Gift to certain individuals, Thomas Savage *et al.*, their associates and successors, as the congregation of the Third or South Church (Lib. 6, fol. 26). Mrs. Norton also gave a deed dated June 30, 1677, of the land upon which her house, enlarged to be available for a parsonage, had been built, and this second deed was recorded Jan. 13, 1804 (Lib. 207, p. 241), the grantee being the South Church Congregation. Mrs. Norton knew she was helping a cause that would have found favor with her husband, the late Teacher of the First Church. She seems also to have felt that she was but giving the equivalent of what others had given in money. Hers was one of the sightliest estates in the town, at the corner of the "great way to Roxbury." Here, in the house that stood facing to the south, with the end toward School street, about where the main entrance to the adjoining office building now is, in the house which Mary Norton was devoting to the uses of the congregation, Winthrop himself probably lived from 1643 until his death. "It was of wood, two stories high, . . . and till the meeting-house was erected, [it was the only] building on the lot; . . . the premises gave the appearance indicated by the name, 'The Green,' being skirted along the main street by a row of beautiful buttonwood trees" (Wisner, "Four Sermons," pp. 34 and 54). These trees, with the house, furnished fuel for the British troops in the winter of 1775-6.

Once before, this lot had been offered for church purposes. In 1630 Winthrop was willing to give it to the First Church when the latter was about to build on a new place. The alternative was to take the land in Cornhill Court, about two minutes' walk less farther south. Among the advantages of this corner lot at that time were "1. First because it hath singular Accommodation to the Ayre, the want of [which hath made] burdensome the ordinances, to many (specially weake) hearers by faynting their spirits in the Summer time. . . This hath a farre greater advantage for the aire by reason of the sudden descents of the earth near to it, and it standeth open, ready to entertayne every breath of aire in the summer. . . and the whole Towne breaketh the force of the cold northerly winds [in winter]" (Hill, *Hist. Old South*, 1. p. 133, and original paper, Boston Public Library). But it was feared that to move the Church so far south would mean the "decay of the town's trading."

"The frame [of the first meeting-house of the South Church] being in place on the 1st of October help came in to raise it" ("Third Church Narrative" in Hill, 1. p. 146), and on Dec. 19, 1669, it was first occupied. Of its appearance we know very little. "The House was built of cedar, with a steeple, galleries, square pews, and the pulpit in the side as in the present building (Wisner, p. 10 n.). In a declaration of trust, executed by Edward Rawson and others, it is recited that they and their associates built "a large spacious and faire meeting house, with three large porches, every way compleately fitted, and covered with sheete lead, the house and said porches, which stood them neere if not above two thousand pounds" (Hill, I. 274 n.). From the N.E. Weekly Journal of April 28, 1720, Miss Mary Farwell Ayer found that the first meeting-house "was near 75 foot long and near 51 wide; besides the Southern, Eastern, and Western porches, . . ." aside from the porches, only 20 feet less in length and 17 less in width than the present building. An interesting contribution on "The South Meeting-house, Boston," by Miss Ayer is contained in the N.E. Historical and Genealogical Register, July, 1905, and includes a reproduction of a section of Price's View of Boston, 1725. From a copy in the British Museum, in curious fashion, was brought to light a rough drawing of the roof and steeple of the cedar meeting-house. (Cf. illustration on p. 6 of this leaflet.) In 1721 it was voted to enlarge 21 feet on the north side but that was not done (Wisner, p. 26). On Febr. 27, 1727/8, it was voted to build a new house, and the old was demolished Mar. 3, and 4, 1728/9 (Cf. an account in Boston News Letter for Mar. 6, 1720, cited by Miss Ayer). The N.E. Weekly Journal, April 28, 1720, is also quoted. "On Monday, Mar. 31, the Stone Foundation of the South Church Brick began to be laid about 7 foot below the Pavement of the Street. And the Vault-Work being finished on Thursday



Morning last, April 24; the Frame of the Floor was laid above it, on the same Day. It lies nearly in the same place as the former." We can well understand the great attachment for the old building of older members like Judge Sewall who asked that his written protest be entered in the Church Records (*Cf. Letter Book, II, pp. 233-4*). There is a tradition that "the mortar was all made the fall before it was used" (Wisner, p. 26 n.). The stone at the south-west corner inscribed "N.E. [Newly Erected] Mar. 31, 1729," probably means that the foundation was begun on that date. "[The building] was finished with two galleries as at present; and the pulpit in the same position as now, but larger and higher than this, with a sounding-board projecting from the wall above the casing of the window; and with two seats directly in front, one somewhat elevated for the deacons, and one still more elevated for the elders. On each side of the middle aisle and nearest the pulpit, were a number of long seats for aged people: and the rest of the floor, except the aisles and several narrow passages, was covered with square pews. There were stairs or passages to the galleries inside the House, in the southwest and northwest corners; and the porch in Milk Street projected into the street about as far again as at present: the former were removed into the west porch in 1808, and the latter was reduced in 1813" (Wisner, p. 27). The new (present) meeting-house was first occupied on April 26, 1730 (O. S.).

In the "Steeple Chamber" Thomas Prince collected his "New-England Library." On shelves, and in boxes and barrels, in the room which had been Prince's study, the notable collection was left for many years without care. During the siege idle and pilfering hands were doubtless laid upon it. No doubt, also, many of the books were used by the king's soldiers to kindle fires in the riding-school here. But some of the most valuable of the treasures seem to have been preserved almost miraculously, the Bradford MS. "History of Plimouth Plantation," for instance. See the full account of Prince's library in the catalogue published by the Boston Public Library, which is now entrusted with the collection.

As a riding-school for Burgoyne's cavalry, the pulpit and pews, and all the inside structures were taken out and burnt for fuel, except the sounding-board and east galleries. The latter were left for the accommodation of spectators; and in the first gallery a place was fitted up where refreshments were furnished to those who came to witness the feats of horsemanship here exhibited. Many hundred loads of dirt and gravel were carted in, and spread upon the floor. The south door was closed; and a bar was fixed, extending from the wall on the west side of the first window west from the Milk street door, about ten feet long and four feet from the floor. Over this the cavalry were taught to leap their horses at full speed. (From Wisner's notes.)

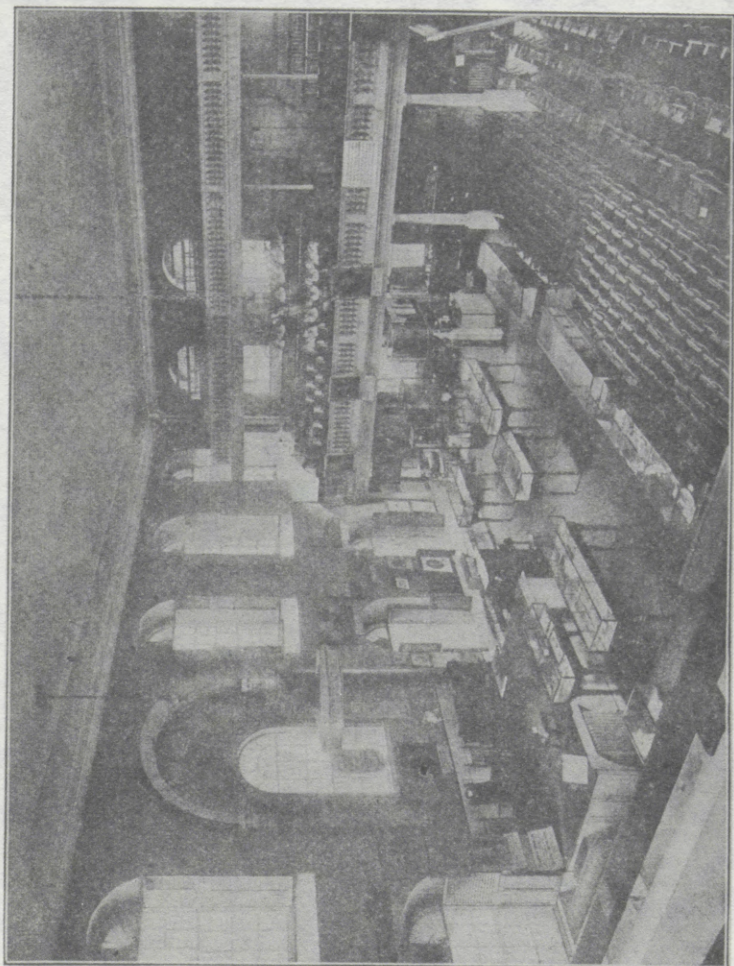
The interior was restored in the early part of 1783 in the same general style as of fifty years ago, except the pulpit, the form as well as the substance of which had then been changed. The original was what was commonly called "a tub pulpit." The one later in use, and the "wine-glass" portion of which is now on exhibition, was built in 1808, by Deacon William Phillips, at an expense of \$400. In 1814 the meeting-house was painted on the outside for the first time, the brick walls having previously been left in their original color. In 1824, the building was newly glazed, with new window sashes, &c., and furnaces were put in. An organ was brought from London in 1822 at an original cost in London of £1000. In 1857, the upper galleries were made less wide, the ceiling was decorated, and the pulpit lowered and considerably changed. With the exception of the "wine-glass" portion, the pulpit was now entirely new.

A chapter could be written of the contentions over pews, of the deference paid not only to age and official standing, but to social and family distinctions, in marked contrast with the "rude political equality" of the townmeeting; of the placing of youth and children and sometimes women in the gallery, and of "blacks" in the upper gallery. "At a meeting of the South Church in their Brick Meeting House, Aug. 5, 1730. Voted that the deacons be desir'd to procure some suitable person to take the oversight of the children and servants in the galleries, and take care that good order be maintained in time of divine worship; and that a sufficient reward be allow'd for the encouragt. of such a person." (Third Church Records.)

In the chapel of the "Old South," on Spring lane, was organized the first Young Men's Christian Association in the United States, Dec. 29, 1851.

At length, the building having been somewhat damaged in the fire of 1872, and other circumstances having arisen, the congregation decided to worship elsewhere and in a new meeting-house. The property of the New Old South on Boylston and Dartmouth streets was first occupied in 1874. The old building was leased to the United States for post-office purposes for two years from December, 1872. Then came the thrilling campaign for its preservation. In the spring of 1876 the church was advertised for sale. Protests came from all over the country; but the effort to preserve the building was unorganized, and on June 8 it was sold at auction for \$1,350, to be removed within sixty days. The work of destruction at once began. The clock had been taken from the tower, and the solid masonry had been attacked, when a prominent Boston business house, George W. Simmons & Son, stepped in and bought the right to hold the building uninjured for seven days. June 14 fell in the middle of that period; and the meeting in the Old South on that day was one of the most remarkable ever held within its walls. The Meeting-house was crowded, Wendell Phillips and others making notable speeches. Months of strenuous effort followed, and public interest was roused. The price of the land on which the Old South stood was \$400,000. It was finally the women of Boston and New England who saved the old meeting-house





The Interior of the Meeting-house as it is To-day.



Mrs. Mary Hemenway's gift of \$100,000 was the decisive act. An equal sum was made up by the contributions of hundreds of generous givers, and by this payment at the time of half the price the Old South was saved.

The meeting-house now contains an historical museum, and is the head-quarters of the Old South Work in History. At stated times it is opened for lectures to teachers, school children, and others, and in every way it is sought to make of it such a centre of inspiration as a "Sanctuary of Freedom" should be.

The one comprehensive work on the meeting-house is the *History of the Old South Church, Boston 1669-1884* by Hamilton Andrews Hill in two volumes, Boston, 1890, to which reference has been made. Mr. Hill has woven into his narrative the more significant records and documents of the church. There is also the pamphlet "*History of the Old South Church*" on sale at the Meeting-house, another by Everett W. Burdett, published in 1877, and various papers and publications mentioned in this present leaflet, not to exclude the valuable edition of Rev. Benjamin B. Wisner's "*Four Sermons*," 122 pp., Boston, 1830. A very interesting account of the efforts in the early 1870's of a part of the Old South Society to continue worshipping in the old meeting-house, by George A. Goddard, Esq., is to be found in two numbers of "*The Trust Fund*," a periodical published by real estate and banking interests in 1876.

Boston, 1st July, 1910.

Including certain small corrections the foregoing text is now reprinted. The editor takes the opportunity to add items that may be of interest to the visitor. One is a tribute to the architect and builder of the Old South Meeting-house in an article by Richard Grant White on *Old Public Buildings in America* in the *Century Magazine*, March, 1884, pp. 685-688, as follows:

"It is the perfect model of the New England 'meeting house' of the highest style in the olden time. Bare of the beauty of architectural detail, it delights the eye by its fine symmetrical proportion; and its octagonal spire, springing from an airy eight-arched loggia, is one of the finest of its kind, not only in this country, but in the world. Nothing more light and elegant and graceful can be found, unless in the finest Gothic work. Not a 'Wren' spire (indeed an architect would scout the notion) it yet suggests Wren to the unprofessional eye; but I have never seen a spire of Sir Christopher's which equalled it in grace and lightness. . . . It is not a copy nor an imitation of anything else. It is the conception of a Yankee architect—the outgrowth and development of the steeple-belfry of the New England meeting house. New England may well be proud of it."

## THE TEA MEETING

Account by Thomas Carlyle in his *History of Friedrich II of Prussia, called Frederick the Great*, Vol. X. pp. 93-95.

'*The Boston Tea* (same day). Curious to remark, while Friedrich is writing this Letter, "*Thursday December 16th, 1773*," what a commotion is going on, far over seas, at Boston, New England,—in the 'Old South Meetinghouse' there; in regard to three English Tea Ships that are lying embargoed in Griffin's Wharf for above a fortnight past. The case is well known, and still memorable to mankind. British Parliament, after nine years of the saddest haggling and baffling to and fro, under Constitutional stress of weather, and such east-winds and west-winds of Parliamentary eloquence as seldom were, has made up its mind, That America shall pay duty on these Teas before infusing them: and America, Boston more especially, is tacitly determined that it will not; and





The Old South Meeting-house, 1945



that, to avoid mistakes, these Teas shall never be landed at all. Such is Boston's private intention, more or less fixed;—to say nothing of the Philadelphias, Charlestons, New Yorks, who are watching Boston, and will follow suit of it.

'Sunday November 26th,—that is, nineteen days ago,—the first of these Tea Ships, the *Dartmouth*, Captain Hall, moored itself in Griffin's Wharf: Owner and Consignee is a broad-brimmed Boston gentleman called Rotch, more attentive to profits of trade than to the groans of Boston:—but already on that Sunday, much more on the Monday following, there had a meeting of Citizens run together,—(on Monday, Faneuil Hall won't hold them, and they adjourn to the Old South Meetinghouse),—who make it apparent to Rotch that it will much behove him, for the sake both of tea and skin, not to "enter" (or officially announce) this Ship *Dartmouth* at the Customhouse in any wise; but to pledge his broad-brimmed word, equivalent to his oath, that she shall lie dormant there in Griffin's Wharf, till we see. Which, accordingly, she has been doing ever since; she and two others that arrived some days later: dormant all three of them, side by side, three crews totally idle; a "Committee of Ten" supervising Rotch's procedures; and the Boston world much expectant. Thursday December 16th: this is the 20th day since Rotch's *Dartmouth* arrived here; if not "entered" at Customhouse in the course of this day, Customhouse cannot give her a "clearance" either (a leave to depart),—she becomes a smuggler, an outlaw, and her fate is mysterious to Rotch and us.

'This Thursday accordingly, by 10 in the morning, in the Old South Meetinghouse, Boston is assembled, and country-people to the number of 2,000;—and Rotch was never in such a company of human Friends before. They are not uncivil to him (cautious people, heedful of the verge of the Law); but they are peremptory, to the extent of—Rotch may shudder to think what. "I went to the Customhouse yesterday," said Rotch, "your Committee of Ten can bear me witness; and demanded clearance and leave to depart; but they would not; were forbidden, they said!" "Go, then, sir; get you to the Governor himself; a clearance, and out of harbour this day; hadn't you better?" Rotch is well aware that he had; hastens off to the Governor (who has vanished to his Country-house, on purpose); Old South Meetinghouse adjourning till 3 P. M., for Rotch's return with clearance.



'At 3 no Rotch, nor at 4, nor at 5; miscellaneous plangent intermittent speech instead, mostly plangent, in tone sorrowful rather than indignant:—at a quarter to 6, here at length is Rotch; sun is long since set,—has Rotch a clearance or not? Rotch reports at large, willing to be questioned and cross-questioned: "Governor absolutely would not! My Christian friends, what could I or can I do?" There are by this time about 7,000 people in Old South Meetinghouse, very few tallow lights in comparison,—almost no lights for the mind either,—and it is difficult to answer. Rotch's report done, the Chairman (one Adams, "American Cato," subsequently so-called) dissolves the sorrowful 7,000, with these words: "This Meeting declares that it can do nothing more to save the Country." Will merely go home, then, and weep. Hark, however: almost on the instant, in front of Old South Meetinghouse, "a terrific War-whoop; and about fifty Mohawk Indians,"—with whom Adams seems to be acquainted; and speaks without Interpreter: Aha?—

'And, sure enough, before the stroke of 7, these fifty painted Mohawks are forward, without noise, to Griffin's Wharf; have put sentries all round there; and, in a great silence of the neighbourhood, are busy, in three gangs, upon the dormant Tea Ships; opening their chests, and punctually shaking them out into the sea. "Listening from the distance, you could hear distinctly the ripping open of the chests, and no other sound." About 10 P. M. all was finished; 342 chests of tea flung out to infuse in the Atlantic; the fifty Mohawks gone like a dream; and Boston sleeping more silently even than usual.'

JOSIAH QUINCY, JR.

*Memoir* by his son, Boston, 1874, pp. 124-5

Josiah Quincy, Junior, standing in the east gallery of the Old South meeting-house, spoke in a tone of bold and animated invective against the measures of the British government. Harrison Gray, standing on the floor, in reply warned the young gentleman in the gallery against the consequences of the intemperate language in which he indulged, saying that such language would be no longer borne by administration; that measures were in train which would bring the authors of such invectives to the punishment they deserved. Mr. Quincy replied, "If the old gentleman on the floor intends,



by his warning to 'the young gentleman in the gallery,' to utter only a friendly voice in the spirit of paternal advice, I thank him. If his object be to terrify and intimidate, I despise him. Personally, perhaps, I have less concern than any one present in the crisis which is approaching. The seeds of dissolution are thickly planted in my constitution. They must soon ripen. I feel how short is the day that is allotted to me."

While Mr. Quincy was speaking, the men dressed as Indians, who were going to the wharves to destroy the tea, came in, and he closed with the following sentence: "I see the clouds which now rise thick and fast upon our horizon, the thunders roll, and the lightnings play, and to that God who rides on the whirlwind and directs the storm I commit my country."

The text of this leaflet was compiled by G. G. Wolkins, both in 1910 and in 1945.

1st May, 1945

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#### THE OLD SOUTH

The Second Meeting-house of the Third or South Church  
Erected 1729

In this House Otis and Adams, Hancock and Warren  
Helped to Mould Public Opinion

Here June 14, 1768, the Townspeople  
Asserting their Rights under the British Constitution  
Protested against the Impressment of Sailors  
Here March 6, 1770, They Demanded the Removal of  
the King's Regiments

Here December 16, 1773, was held the Meeting  
That led to the Boston Tea Party

Here the Patriot Orators  
Kept the Boston Massacre fresh in the Minds of the People  
Here the Inhabitants of Boston were roused to Revolution  
This Meeting-house is famous in the Annals of Liberty

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The above is a draft suggested for a bronze tablet which the Massachusetts Society, Sons of the American Revolution, sought in 1909 to place within the tower of the meeting-house.

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PUBLISHED BY

**THE DIRECTORS OF THE OLD SOUTH WORK,**  
Old South Meeting-house, Boston, Mass.



Dr. HALE. We have also sent you a letter written by Mr. William Everett, the son of Edward Everett, describing the events which have taken place in the Old South Meeting House, and I should also add that the Young Men's Christian Association was founded there.

Another reason is architectural importance. There are three styles of New England meeting house. One, the earliest style, there is only one example left in the whole country, the old Ship Church in Hingham.

The second style is a copy or modification of our present Old South Meeting House. So, it is important architecturally.

The third point to which I would like to bring your attention is under a chapter "Provisions and enforcement of the Act Creating the Old South Association," we are enabled to hold public meetings when other people are denied the right to hold such meetings.

We have a great tradition of freedom of speech. For example, a group of pro-Castro Cubans had their meeting broken up last November.

We promptly—they wished to have a return match. I think may have hoped that they might be banned in Boston as a good advertisement.

We were able to give them a meeting place so they could say that they had spoken and we have a tradition under our power to give educational meetings of insuring that free speech takes place in Boston.

And, for that reason, we would care very much to continue to be a private corporation with this particular power and we are very glad to see that you in your bill one of the features we like, if we fail you can take us over but if we succeed you can let us use this peculiar power which is part of our tradition.

Now, General Dean knows a great deal about the practical problems of what we need. I believe I have some supporting figures I can help him with as to attendance and speeches. And of course, I am rather amused to say we have planned for being able to meet foreign tourists. We have circulars in Chinese and Japanese, I can't read them but we are already able to hand them out.

Senator BIBLE. That is a real compliment and I thank you.

Now, General Dean, would you like to take over?

General DEAN. The Old South Meeting House was built in 1729 by a master builder by the name of Joshua Blanchard who also did the original Fanueil Hall. He apparently was one of the great builders in Boston at that time.

It is the prototype, as Dr. Hale has already said, of the square meeting house. Now, this plan is not a direct descendant of the Wren churches in London that so many American churches have descended from, but it was invented to serve the needs of the congregational form of worship.

It was much abused during the Revolution, as a matter of fact it was used as a riding academy by Reverend War Burgoigne who later paid for that as you remember.

It was restored in 1899 when the oak trusses in the roof had deteriorated to a point where they had to be replaced with the present iron trusses.



The Old South Association, which owns the building and has title to it, keeps the meeting house as a shrine of free speech in America.

Anyone with a cause can plead it here. It is one of the most important monuments in the old Colonies. Its present use, its throng of tourists, its architectural merit, all make it worthy of careful preservation.

As in any building and especially one of the age and quality of the Old South Meeting House it requires constant care and maintenance.

The corrosive atmosphere of the modern city eats away at the paint, the mortar, the gutters and the metal flashings.

While the association devotes large sums privately raised to its maintenance, much more could be done. Fairly substantial sums are needed.

We, the association, believe that the independence and the usefulness of the building will be best preserved by continuing its present ownership and management.

I might add to that that the building is in pretty good condition. The association has done a good job over the years since it has held title to that building in keeping it up.

Senator BIBLE. You mean this building here?

General DEAN. I mean the Old South Meeting House. It is in fairly good condition, but in order to bring it to the kind of condition of which we would all be proud during this coming festival there ought to be a good deal of money spent on redecorating the interior, repainting the mortar on the outside, replacing some of the copper work through the towers, and particularly we want to go up through the tower and strengthen that to avoid the situation that happened to the Old North Church in the 1938 hurricane when the tower was blown off. We certainly would think that would be a great tragedy here and this work needs to be done.

Thank you, sir.

Senator BIBLE. Tell me this, do you have any estimate of the cost of doing this rehabilitation work at the Old South Meeting House?

General DEAN. Yes, we think about \$200,000 would put us in good condition. As I say, the building is in fairly good condition now and we just need to work it over carefully and be certain that there is no further deterioration of the fabric that is there now.

The year before that we didn't spend anything and then we go back into a series of \$10,000 more or less a year.

We believe the building should always be kept in top condition—about \$30,000 or \$40,000 a year spent on its maintenance.

Senator BIBLE. Now, can you supply the figures for the Old State House?

Dr. HALE. No, it is a separate corporation.

Mrs. CABOT. The city of Boston holds those figures.

Senator BIBLE. I guess that is right, I think they will supply them. They testified this morning, I forgot where the ownership was, they had records on that and they would supply them for the recor. So, there is no problem there.

Senator KENNEDY. You are able to carry on now on the entrance charge that you have, is that correct, to provide you the income by



which you have been able to do restoration and to maintain the kind of service that you are currently undertaking?

General DEAN. We raised this money privately, of course, and if there were no funds forthcoming from this bill we would, of course, naturally have to start another public campaign, because to raise this kind of money, we do not have it right now and it is not in our endowment.

Senator BIBLE. Further questions?

Thank you very much, gentlemen, for being here today. I wish you would make a part of your exhibits all material which bears upon the Old South Meeting House.

Dr. HALE. We shall be glad to do that, sir, and especially we would like to present with you a little account by Thomas Hutchinson of a certain tea party we had.

Senator BIBLE. We would like to read about that—years and years ago—I would like to refresh my memory. Thank you very much.

[The material requested follows:]





OLD SOUTH  
MEETING-HOUSE



BOSTON



## THE HISTORY OF THE OLD SOUTH

**H**ERE was the garden originally granted to *John Winthrop*, the great governor; and *here* he died, 26th March, 1649.

*Here*, after Winthrop's death, lived *Rev. John Norton*, chosen by John Cotton on his death-bed, as his successor, and called by Cotton Mather "the chief of our burning and shining lights." *Here* he died 6th April, 1663.

*Here*, in John Norton's household, was bred *Increase Mather*, to whom New England and Harvard College owe so much.

*Here* was built, in 1669, the first house of worship of the *Third or Old South Church*, which withdrew from the *First Church*, to provide a more liberal entrance into the Church, and consequently a wider civil franchise. *This ground* was given them by Madam Mary Norton.

*Here* Sir Edmund Andros forcibly caused the Episcopal form of worship to be celebrated.

*Here*, in the *Old House*, in 1696, Judge Sewall stood up in his pew, while his confession of contrition was read for his share in the witchcraft delusion of 1692.

In 1691, Josiah Franklin was allowed to build in the neighborhood, and on Jan. 17, 1706, *here*, in the *old meeting-house*, Benjamin Franklin was baptized.

*Here*, [perhaps] in the same year, a town-meeting was held to consult on fortifying the harbor against an expected French invasion.

In March, 1729, the *old cedar meeting-house*, which had stood for two generations, was pulled down; a new one of brick was begun forthwith, and *here*, on the 26th April, 1730, was dedicated *this meeting-house*, the existing *Old South*. It was built according to the best taste of the time, and forcibly recalls Sir Christopher Wren's churches. The inside has undergone repairs and renovations, as have the contemporary



College Halls at Cambridge and any buildings of that age that have received equally rough usage. These repairs have always strictly preserved its character.

*In this building*, in October, 1746, at the rumor of the coming of D'Anville's fleet, Rev. Thomas Prince, the pastor, and a historical scholar of the first eminence, prayed the Almighty's help—

And even as I prayed  
The answering tempest came;  
It came with a mighty power,  
Shaking the windows and walls,  
And tolling the bell in the tower  
As it tolls at funerals.  
The fleet it overtook,

And the broad-sails in the van  
Like the tents of Cushan shook,  
Or the curtains of Midian.  
Down on the reeling decks,  
Crashed the o'erwhelming seas,—  
O never were there wrecks  
So terrible as these.—*Longfellow.*

When the colonies came into collision with Great Britain, and Faneuil Hall proved repeatedly too small for the town-meetings of the patriots, they were adjourned *here*, and an "Old South meeting" became famous to Chatham and Burke.

*In this House*, on June 14, 1768, *James Otis* being moderator, a meeting was held to compel Governor Bernard to remove from the harbor a war vessel, stationed to enforce the odious impressment and customs laws.

*In this House*, in March, 1770, after the Boston massacre, an overflowing town-meeting waited till night, while *Samuel Adams* went back and forward to the State House till Hutchinson yielded and withdrew the regiments.

*In this House*, on Nov. 29, 1773, a meeting of five thousand citizens resolved that the tea should not be landed, and *in this House*, on Dec. 16, 1773, a meeting of several thousand citizens sat till after candlelight listening to *Josiah Quincy, Jr.*, and *Samuel Adams*, while messenger after messenger went to get redress of Hutchinson, at Milton. He refused, and *at the doors of this House* the war-whoop was raised, the citizens disguised as savages led the way to the tea-ships, and the tea was destroyed.

*Here*, June 27, 1774, the tories attempted to capture a town-meeting in the interests of Gage and the Boston Port-



bill, censure *the Committee of Correspondence*, and nip the *Continental Congress* in the bud, and it sat for two days, ending in the triumph of the patriots and the sustaining of the Committee.

Here were delivered the series of orations from 1771 to 1775, commemorative of the Boston Massacre, by Lovell, Warren, Church, Hancock, and for the second time by Joseph Warren, three months before he was killed at Bunker Hill. He was introduced through a window in the rear of the pulpit, the aisles and steps of the pulpit being filled with British soldiers and officers.

Here, in 1775, by order of General Burgoyne, a riding school for British troops was established, pews and pulpits being torn away and broken up; and when Washington made his triumphal entry into Boston, in March, 1776, he paused, and entering *this building*, looked down from the eastern gallery on the scene of desolation.

Here, finally, for a long number of years, had been preached the annual election sermon before the governor and legislature of Massachusetts.

The ground where the Old South stands,—the *old meeting-house*, first built there, and the *present meeting-house*—have been the scene of some of the greatest crises, guided by some of the greatest men in our history. We want to keep *on this ground*, where such things happened, *this building*, in which such men worked.

WILLIAM EVERETT.

The preceding summary of events connected with this historic site was written in 1876 by William Everett when the Old South congregation proposed to sell this meeting-house for demolition so that they might profit by the increased value of the land upon which it stood. Although the region had become a business center during the nineteenth century, the congregation continued to worship here until the great fire of 1872. It was then determined to build the so-called New Old South Church on Boylston and Dartmouth Streets in



the Back Bay (completed in 1874), and the present meeting-house was leased to the United States Government to accommodate the Boston Post Office, whose building had been destroyed in the fire. When the government vacated the meeting-house, it was sold at auction on 8 June 1876 for \$1,350. The purchaser was allowed sixty days in which to remove it so that the land might be sold separately for \$400,000. The work of demolition had already begun when George W. Simmons bought the right to hold the meeting-house uninjured for seven days. During this brief respite energetic efforts to save the building were organized. A great public meeting called on 14 June, at which Wendell Phillips delivered one of his most spirited addresses, was the first of the many gatherings by which popular support was mustered and funds raised. A preservation committee succeeded in arousing sufficient interest to make possible the purchase of the meeting-house for the Old South Society for \$400,000 in October 1876. The gift of \$100,000 by Mrs. Augustus Hemenway was the decisive act, but the generosity of hundreds of lesser donors provided a similar sum, and mortgages were taken for the remainder. Thereupon the Old South Association in Boston was chartered to hold and preserve the property, and over a period of years, the mortgages were paid off.

The Association, in addition to maintaining the meeting-house, provides lectures on American history and publishes a series of Old South Leaflets, in which original texts elucidating the history of the United States are reprinted in convenient and inexpensive form. (A subject catalogue of the leaflets is available upon request.) Thus in undertaking to preserve the record of the stirring events that have taken place in this ancient building, the Association contributes to popular knowledge of American history.



THE  
OLD SOUTH ASSOCIATION  
IN BOSTON

LIST OF  
OFFICERS, MEMBERS, COMMITTEES

CHARTER, RESOLVE, BY-LAWS  
RULES OF MANAGERS, AND  
OTHER DOCUMENTS

BOSTON  
PRINTED FOR THE USE OF  
THE CORPORATION

1929  
FIRST PRINTED 1912



OFFICERS OF THE CORPORATION

PRESIDENT.

JAMES HARDY ROPES,  
13 Follen Street, Cambridge.

SECRETARY.

COURTENAY CROCKER,  
44 School Street, Boston.

TREASURER.

RICHARD W. HALE,  
60 State Street, Boston.

(All elected by the Board of Managers  
as required by the charter.)



## THE BOARD OF MANAGERS

THE GOVERNOR OF THE COMMONWEALTH.

THE MAYOR OF THE CITY OF BOSTON.

THE PRESIDENT OF HARVARD COLLEGE.

THE PRESIDENT OF THE MASSACHUSETTS HISTORICAL SOCIETY.

THE PRESIDENT OF THE AMERICAN ANTIQUARIAN SOCIETY.

THE PRESIDENT OF THE NEW ENGLAND HISTORIC-GENEALOGICAL SOCIETY.

TWO MEMBERS OF THE CITY COUNCIL OF THE CITY OF BOSTON DESIGNATED BY IT.

SEVENTEEN MEMBERS OF THE BOARD OF MANAGERS ELECTED AT ANNUAL MEETING FEBRUARY 27, 1929:

JAMES HARDY ROPES.

PROF. GEORGE GRAFTON WILSON.

RICHARD W. HALE.

COURTENAY CROCKER.

MRS. ROGER WOLCOTT.

MISS KATHARINE P. LORING.

GEORGE G. WOLKINS.

AUGUSTUS HEMENWAY.

HAROLD S. DAVIS.

MISS LUCY LOWELL.

GEORGE W. COLEMAN.

JOHN L. GRANDIN.

MAURICE M. OSBORNE.

CHARLES W. ELIOT, 2D.

RUSSELL HENRY STAFFORD.

OLIVER WOLCOTT.

*(Vacancy caused by the death of David A. Ellis.)*

The first eight *ex officio* under the charter.

The number of the remainder—fixed and then elected by the corporation—seventeen.



## THE EXECUTIVE COMMITTEE

ELECTED MAY 15, 1929.

(SEE ARTICLE II OF RULES, P. 18.)

THE PRESIDENT.

THE SECRETARY.

THE TREASURER.

MRS. ROGER WOLCOTT.

PROF. GEORGE GRAFTON WILSON.

MRS. LINCOLN P. SIBLEY.

GEORGE G. WOLKINS.

MISS LUCY LOWELL.

MAURICE M. OSBORNE.



# THE OLD SOUTH ASSOCIATION IN BOSTON

## MEMBERS OF THE CORPORATION

Corrected to May 1, 1929.

THE GOVERNOR OF THE COMMONWEALTH.

THE MAYOR OF THE CITY OF BOSTON.

THE PRESIDENT OF HARVARD COLLEGE, Cambridge, Mass.

THE PRESIDENT OF THE MASSACHUSETTS HISTORICAL SOCIETY,  
1154 Boylston Street.

THE PRESIDENT OF THE AMERICAN ANTIQUARIAN SOCIETY,  
Worcester, Mass.

THE PRESIDENT OF NEW ENGLAND HISTORIC-GENEALOGICAL SOCIETY,  
18 Somerset Street.

TWO PERSONS CHOSEN ANNUALLY BY THE CITY COUNCIL OF THE CITY  
OF BOSTON.

|                             |                                                     |
|-----------------------------|-----------------------------------------------------|
| CHARLES FRANCIS ADAMS, 2D,  | 84 State Street.                                    |
| MRS. GEORGE R. AGASSIZ,     | 76 Mt. Vernon Street.                               |
| JOHN C. S. ANDREW,          | 1799 Beacon Street, Brookline.                      |
| MISS ELEANOR W. ALLEN,      | 65 Commonwealth Avenue.                             |
| W. SUMNER APPLETON,         | 141 Cambridge Street.                               |
| EDWARD B. BAYLEY,           | 148 State Street.                                   |
| MRS. CONSTANTINE A. BELASH, | 5 Chestnut Street.                                  |
| HON. ELIAS B. BISHOP,       | Court House.                                        |
| JOSEPH T. BISHOP,           | 33 Broad Street.                                    |
| REV. ARCHIBALD BLACK,       | Old South Church, Copley Square.                    |
| J. A. LOWELL BLAKE,         | 37 Beacon Street.                                   |
| CHARLES K. BOLTON,          | Boston Athenaeum.                                   |
| DR. RICHARD C. CABOT,       | 101 Brattle Street, Cambridge.                      |
| MRS. RICHARD C. CABOT,      | 101 Brattle Street, Cambridge.                      |
| MISS J. M. CAMPBELL,        | Jones Memorial Library, Lynchburg, Va.              |
| PROF. EDWARD CHANNING,      | 417 Widener Library, Harvard University, Cambridge. |
| MRS. H. B. CHAPIN,          | Louder's Lane, Jamaica Plain.                       |
| ROBERT B. CHOATE,           | care of Boston Herald.                              |
| CLIFT ROGERS CLAPP,         | 50 Federal Street.                                  |



|                                 |                                                     |
|---------------------------------|-----------------------------------------------------|
| JULIAN CODMAN,                  | 31 Lime Street.                                     |
| GEORGE W. COLEMAN,              | Babson Park P.O., Wellesley.                        |
| MISS ELEANOR M. COLLETON,       | 36 Hampstead Road, Jamaica Plain.                   |
| FRANK D. COMERFORD,             | 89 Broad Street.                                    |
| HAROLD J. COOLIDGE,             | 82 Devonshire Street.                               |
| JOHN GARDNER COOLIDGE, 2D,      | 17 Brimmer Street.                                  |
| MRS. JOHN GARDNER COOLIDGE, 2D, | 17 Brimmer Street.                                  |
| CHARLES E. COTTING,             | 70 Federal Street.                                  |
| MISS MARY CAROLINE CRAWFORD,    | 127 Charles Street.                                 |
| COURTENAY CROCKER,              | 44 School Street.                                   |
| MRS. COURTENAY CROCKER,         | 44 West Cedar Street.                               |
| GEORGE GLOVER CROCKER,          | Milton.                                             |
| GRAFTON D. CUSHING,             | 717 Barristers Hall.                                |
| HAROLD S. DAVIS,                | 735 Exchange Building.                              |
| NATHAN B. DAY,                  | 27 School Street.                                   |
| EBEN S. DRAPER,                 | Hopedale.                                           |
| DR. FRANKLIN B. DYER,           |                                                     |
|                                 | 3437 Birch Avenue, Hyde Park, Cincinnati, Ohio.     |
| HERBERT B. EHLMANN,             | 80 Federal Street.                                  |
| CHARLES W. ELIOT, 2D,           | 9 Park Street.                                      |
| PROF. WILLIAM EMERSON,          |                                                     |
|                                 | Dept. of Architecture, M.I.T., 491 Boylston Street. |
| ROGER ERNST,                    | 50 Federal Street.                                  |
| FREDERIC A. EUSTIS,             | 131 State Street.                                   |
| MRS. AUGUSTUS H. EUSTIS,        | Canton Avenue, Readville.                           |
| SYDNEY FAIRBANKS,               | 1 Federal Street.                                   |
| MRS. LOUIS A. FROTHINGHAM,      | North Easton.                                       |
| REV. DR. GEO. A. GORDON,        | 83 Longwood Avenue, Brookline.                      |
| MRS. MARY ANTIN GRABAU,         | Gould Farm, Great Barrington.                       |
| JOHN L. GRANDIN,                | 54 Fenway.                                          |
| RICHARD W. HALE,                | 60 State Street.                                    |
| PROF. ALBERT BUSHNELL HART,     |                                                     |
|                                 | 775 Widener Library, Harvard University, Cambridge. |
| JOHN HEARD, JR.,                | 439 Marlboro Street.                                |
| AUGUSTUS HEMENWAY,              | 1 Federal Street, Room 911.                         |
| AUGUSTUS HEMENWAY, JR.,         | 60 State Street.                                    |
| ADAMS SHERMAN HILL,             | 17 Brimmer Street.                                  |
| ARTHUR DEHON HILL,              | 53 State Street.                                    |
| MRS. FRANCIS L. HIGGINSON,      | 274 Beacon Street.                                  |



MRS. CARLTON L. DeC. HINDS,  
 EDWARD J. HOLMES,  
 PROF. HENRY WYMAN HOLMES,  
 ROBERT HOMANS,  
 MRS. WILLIAM P. HOMANS,  
 MRS. ROLAND G. HOPKINS,  
 JAMES M. HUNNEWELL,  
 PROF. GEO. LYMAN KITTEDGE,  
 MRS. ROBERT W. KNOWLES,  
 CHARLES KROLL,  
 MISS AIMEE LAMB,  
 RT. REV. WILLIAM LAWRENCE,  
 JOSEPH LEE,  
 MISS KATHARINE P. LORING,  
 AUGUSTUS P. LORING, JR.,  
 CHARLES G. LORING,  
 MRS. CHARLES G. LORING,  
 PRES. A. LAWRENCE LOWELL,  
 JAMES A. LOWELL, JR.,  
 MISS LUCY LOWELL,  
 RALPH LOWELL,  
 MISS SUSAN LYMAN,  
 ALBERT MATTHEWS,  
 HARRISON MIFFLIN,  
 DR. SAMUEL ELIOT MORISON,  
 HORACE H. MORSE,  
 LEWIS KENNEDY MORSE,  
 MRS. LEWIS KENNEDY MORSE,  
 MRS. EVERETT MORSS,  
 JOHN W. MORSS,  
 KENNETH B. MURDOCK,  
 DAVID K. NILES,  
 MAURICE M. OSBORNE,  
 JOHN G. PALFREY,  
 FRANCIS PARKMAN,  
 HENRY PARKMAN,  
 W. RODMAN PEABODY,  
 ELLIOTT PERKINS,  
 MRS. ANDREW J. PETERS,

108 Beacon Street.  
 296 Beacon Street.  
 19 Hillside Avenue, Cambridge.  
 53 State Street.  
 2561 Washington Street, Canton.  
 142 Crafts Road, Chestnut Hill.  
 14 Chestnut Street.  
 8 Hilliard Street, Cambridge.  
 5 Longfellow Park, Cambridge.  
 37 Wormwood Street.  
 126 Beacon Street.  
 122 Commonwealth Avenue.  
 96 Mt. Vernon Street.  
 Prides Crossing.  
 81 Marlboro Street.  
 8 Otis Place.  
 8 Otis Place.  
 Harvard University, Cambridge.  
 517 Hammond Street, Chestnut Hill.  
 The Ludlow, St. James Avenue.  
 Dedham.  
 68 Marlboro Street.  
 19 St. Botolph Street.  
 4 Park Street.  
 44 Brimmer Street.  
 Mt. Hermon.  
 1 Gramercy Park, New York City.  
 1 Gramercy Park, New York City.  
 115 Commonwealth Avenue.  
 201 Devonshire Street.  
 37 Larch Road, Cambridge.  
 80 Boylston Street, Room 1242.  
 367 Beacon Street.  
 84 State Street.  
 2 Hubbard Park, Cambridge.  
 182 Beacon Street.  
 70 State Street  
 Southborough.  
 310 South Street, Jamaica Plain.



|                               |                                                                             |
|-------------------------------|-----------------------------------------------------------------------------|
| WALTER J. PHELAN,             | 14 Somerset Street.                                                         |
| WILLIAM PHILLIPS,             | State Department, Washington, D.C.                                          |
| ROGER PIERCE,                 | New England Trust Company, 135 Devonshire Street.                           |
| HERBERT PUTNAM,               | Congressional Library, Washington, D.C.                                     |
| GEORGE ROYAL PULSIFER,        | 412 Barristers Hall.                                                        |
| MRS. F. L. W. RICHARDSON,     | Laneside Farm, Charles River.                                               |
| PROF. JAMES HARDY ROPES,      | 13 Follen Street, Cambridge.                                                |
| MRS. WILLIAM ELLERY SEDGWICK, | 983 Memorial Drive, Cambridge.                                              |
| HENRY L. SHATTUCK,            | 50 Federal Street.                                                          |
| MRS. ALICE DeV. SHAW,         | 95 Mt. Vernon Street.                                                       |
| FRANCIS SHAW,                 | Wayland.                                                                    |
| G. HOWLAND SHAW,              | Dept. of State, Washington, D.C.                                            |
| PROF. ARTHUR M. SCHLESINGER,  | 19 Gray Gardens, Cambridge.                                                 |
| MRS. LINCOLN P. SIBLEY,       | 21 Holland Road, Melrose.                                                   |
| REV. CLARENCE R. SKINNER,     | Tufts College P.O.                                                          |
| WM. D. SOHIER,                | 53 State Street.                                                            |
| W. DAVIES SOHIER, JR.,        | Old Colony Trust Company, Court Street.                                     |
| HENRY L. SOUTHWICK,           | 454 Huntington Avenue.                                                      |
| J. ARTHUR SPARROW,            | 380 Highland Avenue, Wollaston.                                             |
| MRS. HENRY H. SPRAGUE,        | 33 Fairfield Street.                                                        |
| RUSSELL HENRY STAFFORD,       | Old South Church, Copley Square.                                            |
| MRS. NATHANIEL THAYER,        | 22 Fairfield Street.                                                        |
| WILLIAM ROSCOE THAYER,        | 8 Berkeley Street, Cambridge.                                               |
| R. AMORY THORNDIKE,           | 73 Tremont Street.                                                          |
| GEORGE W. TUPPER,             | 120 Babcock Street, Brookline.                                              |
| SAMUEL VAUGHAN,               | Beverly Farms.                                                              |
| ELIOT WADSWORTH,              | 180 Marlboro Street.                                                        |
| JOSEPH WARREN,                | University Hall, Cambridge.                                                 |
| MISS MARGARET WARREN,         | 725 High Street, Dedham.                                                    |
| HON. WINSLOW WARREN,          | High Street, Dedham.                                                        |
| BARRETT WENDELL, JR.,         | care of Lee, Higginson & Company,<br>209 So. La Salle Street, Chicago, Ill. |
| MRS. BARRETT WENDELL,         | 358 Marlboro Street.                                                        |
| ALEXANDER WHITESIDE,          | 30 State Street.                                                            |
| MRS. WILLIAM WHITMAN, JR.,    | 17 Commonwealth Avenue.                                                     |
| GEORGE WIGGLESWORTH,          | 40 Central Street.                                                          |
| MRS. DELANO WIGHT,            | 44 Sumner Road, Brookline.                                                  |
| PROF. GEO. GRAFTON WILSON,    | 6 Acacia Street, Cambridge.                                                 |
| GRAFTON L. WILSON,            | 245 Clinton Road, Brookline.                                                |



GEORGE P. WINSHIP,

Librarian, Harvard Library,  
Harvard University, Cambridge.

ROGER WOLCOTT,

60 State Street.

MRS. ROGER WOLCOTT (SENIOR),

Readville.

OLIVER WOLCOTT,

17 Court Street.

GEORGE G. WOLKINS,

50 Congress Street.

B. LORING YOUNG,

50 Federal Street.



## CHARTER

## ACTS OF 1877, CHAPTER 222.

AN ACT to incorporate the Old South Association in Boston, and to provide for the Preservation of the Old South Meeting-House. Chap. 222

*Be it enacted, etc., as follows:*

SECTION 1. The governor of the Commonwealth, the mayor of the city of Boston, the president of Harvard College, the president of the Massachusetts Historical Society, the president of the American Antiquarian Society, and the president of the New England Historical-Genealogical Society, *ex officio*, and William Gaston, John Lowell, Samuel E. Sewall, Edmund Quincy, Samuel A. Green, Henry Lee, Martin Brimmer and John D. Long, and their associates and successors, are hereby made a body corporate by the name of the Old South Association in Boston, for the purpose of acquiring and holding the Old South Meeting-House in Boston and the land under and adjacent to the same upon the corner of Milk Street and Washington Street in said city, for public, historical, memorial, educational, charitable and religious uses and none other, with all the powers and privileges, and subject to all the duties, liabilities and restrictions set forth in chapter sixty-eight of the General Statutes and acts in addition thereto. Said corporation shall have the power to take and appropriate to the uses of said corporation, said meeting-house and land or any interest therein: *provided*, that in case it shall exercise said power, it shall within sixty days from the time of said taking and appropriation, file in the registry of deeds for the county of Suffolk a description of the premises so taken as certain as is required in a common deed of conveyance of land; and any party aggrieved thereby shall have the right to apply for a jury to assess the damages sustained by him, in the manner and with the effect provided in the seventy-ninth section of chapter forty-three of the General Statutes, and upon the payment of all damages so assessed to the parties entitled thereto, or upon the failure to apply for a jury during the time limited by law, the title to said meeting-house and land shall vest in said corporation. And said corporation shall also have power, until the foregoing powers are exercised, to take

Corporators.

Name and purpose.

Powers and duties.

To file in registry of deeds a description of the land taken.



a lease of said meeting-house and land, or the interest so taken, and hold the same thereunder for the purposes aforesaid.

Board of  
managers.

SECTION 2. The officers of said corporation shall consist of a board of managers, the number of which shall be fixed by the by-laws, and of which the six first named in this act shall be members *ex officio*, and two shall be elected annually by the city council of the city of Boston, and the rest shall be elected by the members of the corporation; and said managers shall elect one of their number president, and shall also elect a secretary and a treasurer. All officers shall hold over until others are chosen in their stead. New members may be admitted in such manner as the by-laws shall provide.

Admission of  
members.

SECTION 3. Said corporation may make contracts with the Commonwealth for the use of said meeting-house for the annual election sermon, and with the Commonwealth or the city of Boston for its use for any public purposes not inconsistent with the provisions of this act.

Building may  
be used for  
certain public  
purposes.

SECTION 4. Said meeting-house and land shall be exempt from taxation while said meeting-house shall be used for any of the purposes aforesaid, and shall be exempt from any tax for the year eighteen hundred and seventy-seven.

To be exempt  
from taxation.

SECTION 5. This act shall take effect upon its passage.

*Approved May 11, 1877.*



## RESOLVE IN FAVOR OF THE CORPORATION

## RESOLVES OF 1878, CHAPTER 26.

RESOLVE IN FAVOR OF THE OLD SOUTH ASSOCIATION IN BOSTON.

Chap. 26

*Resolved*, That there be allowed and paid out of the treasury of the Commonwealth, to the Old South Association in Boston, incorporated by chapter two hundred and twenty-two of the acts of the year eighteen hundred and seventy-seven, the sum of ten thousand dollars; the same to be used and applied for the preservation of the Old South Meeting House in Boston; payable only on satisfactory evidence furnished to the governor and council that a sum has been received from other sources which together with this amount shall be sufficient to give to this association a complete title to said meeting house and the land connected therewith, free from all debt or incumbrance. This grant is made upon condition that the free use of said meeting house shall be given to the legislature whenever requested for the preaching of the annual election sermon.

Allowance to  
Old South As-  
sociation in  
Boston.

*Approved May 4, 1878.*

(The \$10,000 thus granted was received by the Treasurer in September, 1917, having been appropriated by chapter 367 of the Acts of 1916.)



# BY-LAWS

## OF

### THE OLD SOUTH ASSOCIATION IN BOSTON

The following are references to the records of By-Laws of the Association prior to 1909:

|                  |                                                                                                                       |                                              |
|------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| Apr. 8<br>1879.  | First By-Laws adopted at first meeting of Association on motion of Charles W. Eliot.                                  | Old South<br>Record Book,<br>vol. 1, p. 3.   |
| Jan. 23<br>1895. | Article II of By-Laws amended to make Board of Managers sole committee for nominating new members of the Association. | Old South<br>Record Book,<br>vol. 1, p. 46.  |
| Jan. 24<br>1906. | By-Laws amended to increase number of elective members of Board of Managers from seven to nine.                       | Old South<br>Record Book,<br>vol. 1, p. 101. |

At the Annual Meeting of the Association, January 27, 1909, the late Judge Robert R. Bishop presented, on behalf of a committee of which he was chairman, a draft of By-Laws for the Association, and a draft of Rules and Regulations for the Board of Managers. The draft of By-Laws was read, considered, perfected, and adopted at that meeting.

The draft of Rules of the Board of Managers was adopted at a meeting of the Board, February 13, 1909.



## BY-LAWS

(ADOPTED JANUARY 27, 1909, REVISED TO MAY 15, 1929.)

The Old South Association in Boston is made a body corporate by chapter 222 of the Acts of the year 1877.

## ARTICLE I.

## OFFICERS.

As provided by said Act the officers of said Association shall consist of a Board of Managers, a President, Secretary, and Treasurer; and all officers shall hold office until others are chosen in their stead.

There shall also be a Vice-President chosen from among the Managers, who shall, in the absence or disability of the President, perform all of the duties of the latter.

## ARTICLE II.

## BOARD OF MANAGERS.

As provided by said Act the Board of Managers shall be the Governor of the Commonwealth, the Mayor of the City of Boston, the President of Harvard College, the President of the Massachusetts Historical Society, the President of the American Antiquarian Society, the President of the New England Historic-Genealogical Society, *ex officio*, and two persons elected annually by the City Council of the City of Boston, and the rest shall be elected by the members of the corporation, and the number of the Board of Managers shall be fixed by the By-Laws.

It is hereby provided that the number of members to be so elected shall be seventeen.

The Board of Managers may determine what number of its members shall constitute a quorum.

## ARTICLE III.

POWERS AND DUTIES OF THE CORPORATION AND OF THE  
BOARD OF MANAGERS.

The scope of the work to be carried on within the Charter, and the general policy to be pursued in regard to the same, are to be determined



by the corporation; but the work itself in its various departments and the ordinary business affairs of the corporation are to be transacted by the Board of Managers in the exercise of its administrative power. (See Report of Committee, and authorities cited.)

#### ARTICLE IV.

##### PRESIDENT.

As provided by said Act, the Board of Managers shall elect one of its number President, and one of its number Vice-President.

#### ARTICLE V.

##### SECRETARY.

As provided by said Act, the Board of Managers shall elect a Secretary.

#### ARTICLE VI.

##### TREASURER.

As provided by said Act, the Board of Managers shall elect a Treasurer.

It is hereby provided that the Treasurer shall have charge of all the moneys and funds of the corporation under the direction of the Board of Managers, and shall report to the Board of Managers or to such committee as said Board shall appoint.

#### ARTICLE VII.

##### NEW MEMBERS OF THE CORPORATION.

As provided by said Act, new members of the corporation may be admitted in such manner as the By-Laws shall provide.

It is hereby provided that the Board of Managers shall be a committee on the nomination of members of the corporation, and that upon such nomination, but not otherwise, new members may be admitted at any meeting of the corporation by ballot, by a vote of two thirds of the members present.



## ARTICLE VIII.

## MEETINGS OF THE CORPORATION.

The Annual Meeting of the corporation shall be held in Boston on Wednesday of the week following that in which February 22d falls at such hour and place as the Board of Managers may order.

Meetings of the corporation shall be called when ordered by vote of the Board of Managers, or upon request in writing to the President, Vice-President, Secretary, or Assistant Secretary, and signed by at least five members of the corporation.

Notice of meetings shall be mailed to each member of the corporation at his last known post-office address at least three days in advance.

Seven members shall constitute a quorum at meetings of the corporation.

## ARTICLE IX.

## AMENDMENT OR REPEAL OF BY-LAWS.

These By-Laws may be amended or repealed at any annual meeting by a vote of two thirds of the members present. They may also be amended or repealed by the like vote at any meeting in the call for which notice is given of such proposed amendment or repeal. A unanimous vote shall be necessary to suspend any By-Law.



## RULES OF THE BOARD OF MANAGERS

(ADOPTED FEBRUARY 13, 1909, REVISED TO MAY 15, 1929.)

The Board of Managers of the Old South Association in Boston, acting in accordance with the statement of its duties and powers set forth in the By-Laws of said Association, hereby adopts the following Rules for the conduct of the business committed to it:

### ARTICLE I.

#### MEETINGS.

It shall be the duty of the Secretary, subject to the instructions, if any, of the Board, to call three meetings of the Board in each year, and additional meetings may be called at any time upon the request of the President, or of at least three members of the Board. Notices of meetings shall be mailed by the Secretary to each member at his last known post-office address at least three days in advance.

Five members shall constitute a quorum at meetings of the Board.

### ARTICLE II.

#### EXECUTIVE COMMITTEE.

There shall be a committee consisting of the President, Treasurer, and Secretary, *ex officio* and six appointed members which shall be called the Executive Committee. This Committee shall have charge, subject to the control of the Board, of all the divisions of the work of said Board undertaken or which shall be undertaken by the corporation, relating to the public, historical, memorial, educational, charitable, and religious uses stated in chapter 222 of the Acts of the year 1877. It shall also have general charge of the real estate, buildings, and financial interests of the corporation.

This Committee shall make report to the Board at its meetings.

Any member of the corporation may be appointed to serve on the Executive Committee. Four members shall constitute a quorum.



## ARTICLE III.

## SUB-COMMITTEES.

For greater convenience the Executive Committee may appoint sub-committees to take charge of divisions or departments of work within the scope of its duties.

Any member of the corporation may be appointed to serve on these sub-committees.

## ARTICLE IV.

## DUTIES OF THE SECRETARY.

The Secretary shall be sworn to the faithful discharge of his duties. It shall be his duty to call meetings of the Board as provided in Article I.

He shall promptly deposit with the Treasurer such title-deeds, agreements, and contracts as from time to time may come into his hands, and the Treasurer shall give him receipts therefor.

He shall have power to appoint and discharge one or more Assistant Secretaries, for whom he shall be responsible. Each shall be sworn to the faithful discharge of his duties and shall exercise such of the power of the Secretary as the latter shall specify in the instrument of appointment. Prior to June 1, 1926, an Assistant Secretary shall be elected by the Managers and in the absence of the Secretary shall have and exercise all the powers of the latter.

## ARTICLE V.

## DUTIES OF THE TREASURER.

The Treasurer shall have custody of all the moneys, securities, title-deeds, and contracts of the corporation, except such moneys as may be in charge of any committee. He shall collect all moneys due to the corporation, and pay all bills against the corporation, when approved by the Board, or by or under the authority of the committee authorized to incur such bills.

He shall have power to transfer stocks and securities on the written approval of two members of the Executive Committee, and to assign and discharge mortgages held by the corporation on payment of the same on the same approval in writing.



He shall have power to make investments with the written consent of two members of the Executive Committee.

He shall have power to appoint and discharge one or more Assistant Treasurers for whom he shall be responsible, and who may sign and indorse checks as authorized by him.

He shall execute all deeds, leases, and other instruments authorized by the corporation or by any duly authorized committee, unless some other specific provision is made in the vote authorizing the same.

His account shall be audited yearly or oftener by an accountant appointed by the Executive Committee.

He shall give bond with corporate surety in such sum as the Executive Committee may determine.

## ARTICLE VI.

### AMENDMENT OF RULES.

By a vote of two thirds of the members present these Rules may be amended at any meeting of the Board in the call for which notice is given of such proposed amendment. A unanimous vote shall be necessary to suspend any Rule.



EXTRACT FROM THE WILL OF  
MARY HEMENWAY

The residue is given in trust for fifteen years —

“to and for such one or more of the various objects and undertakings hereinafter provided for, or other like public objects, selected and adjudged best by said Trustees in such sums and proportions and in such manner as said Trustees shall deem best, subject to any positive order or direction herein given, but always and only for such charitable uses for the public benefit as are allowed and can be sustained by law, of the general character and objects herein described as authorized.

“Among the undertakings which I am interested in are,—

“2. The historical and educational work connected with the Old South Meeting House by lectures, leaflets, and other publications which has been heretofore carried on or assisted by me.”

[Will proved in Norfolk County, Probate Docket No. 30198, April 4, 1894. Testatrix died March 6, 1894.]



EXECUTORS OF MARY HEMENWAY  
PETITIONERS FOR INSTRUCTIONS

V.

WELLESLEY COLLEGE ET AL.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

SUPREME JUDICIAL COURT.

IN EQUITY.

AUGUSTUS HEMENWAY, of Canton, HORATIO A. LAMB, of Milton, both in the County of Norfolk, and MORRIS GRAY, of Newton, in the County of Middlesex, as they are Trustees of the estate given in trust under the last will and testament of Mary Hemenway, late of Milton, in the County of Norfolk; Plaintiffs,

V.

WELLESLEY COLLEGE, an educational corporation, duly established under the laws of said Commonwealth, OLD SOUTH ASSOCIATION in Boston, a corporation duly established under an Act of the Commonwealth of Massachusetts, approved May 11, 1877, PRESIDENT AND FELLOWS OF HARVARD COLLEGE, an educational corporation, duly established under the laws of said Commonwealth, and the ATTORNEY GENERAL of said Commonwealth; Defendants.

(Suffolk County Supreme Judicial Court No. 12908.)

COPY OF PART OF DECREE.

This cause came on to be heard upon bill and answer of all defendants, and thereupon, with the consent of counsel representing all parties, it is ordered, adjudged and decreed,

(c) That the bill of complaint be retained without prejudice for such further order and decree as to the Court may seem proper pertaining to the matters as alleged therein of appropriating and paying out of the accumulated income derived from said trust estate, a sum approximating fifteen to twenty thousand dollars (\$15,000.00—



\$20,000.00), to the Old South Association in Boston, a corporation duly established under the laws of said commonwealth.

Decree entered Sept. 17, 1908.

#### FINAL DECREE.

This cause came on to be further heard, and, it appearing that an interlocutory decree was entered on the seventeenth day of September, A.D., 1908, directing the plaintiffs to appropriate and pay over certain portions of the accumulated income derived from said trust estate to Wellesley College and to the President and Fellows of Harvard College, educational corporations, duly established under the laws of said Commonwealth and retaining the case for further order and decree as to the matters concerning the Old South Association in Boston, a corporation duly established under the laws of said Commonwealth, thereupon, upon consideration, it is, ordered, adjudged and decreed, that the terms of said interlocutory decree be, and they are hereby, adopted and made a part hereof, and, further, that the plaintiffs are authorized under the terms of the will of said Mary Hemenway :

To appropriate and pay over, out of the accumulated income derived from said trust estate, a sum approximating Fifteen to Twenty Thousand Dollars (\$15,000.00 – \$20,000.00) to the Old South Association in Boston, a corporation duly established under the laws of said Commonwealth, the same to be held and managed solely by said Association and known as “The Mary Hemenway Fund for Old South Work,” and the income derived therefrom to be applied by said Association for the purpose of carrying on the Old South Work, as carried on and approved by the said Mary Hemenway, or in some normal or natural development thereof; said fund is also to be held by said Association, subject to the condition that in case said Association shall ever, for any reason cease to use the income of the fund so given to it towards carrying on the Old South Work, as aforesaid, it shall thereupon transfer and pay over said fund as it shall then exist, together with any accumulated income, to the President and Fellows of Harvard College, an educational corporation, duly established under the laws of said Commonwealth, to be managed solely by said last named corporation and the income therefrom applied by it to the teaching of American history, with a view to developing the best citizenship. As a condition precedent to the receipt of said fund, said Association shall



obligate itself to appropriate, for the period of three years from and after March 6, 1909, a sum not less than the income that shall be realized from said gift during such three year period and to apply the same for the purpose of carrying on the Old South Work, as carried on and approved by the said Mary Hemenway, or in some normal or natural development thereof.

JOHN W. HAMMOND

Justice Supreme Judicial Court.

Dec. 5, 1908

ROPES GRAY & GORHAM

for HARVARD COLLEGE

Assented to:

RICHARD W. HALE.

for OLD SOUTH ASSOCIATION.

I do not care to be heard on the above decree,

DANA MALONE, Attorney General

by FRED T. FIELD,

Asst. Attorney General.



## MARY HEMENWAY'S TRUSTEES WITH OLD SOUTH ASSOCIATION

(INDENTURE AUTHORIZED BY FOREGOING DECREE.)

INDENTURE made this twelfth day of December, A.D. 1908, by and between AUGUSTUS HEMENWAY, HORATIO A. LAMB, and MORRIS GRAY, Trustees under the will of Mary Hemenway, late of Milton, in the County of Norfolk and Commonwealth of Massachusetts, deceased, testate, (hereinafter called the Trustees) of the FIRST PART, and the OLD SOUTH ASSOCIATION IN BOSTON, a corporation duly established under an Act of the Commonwealth of Massachusetts, approved May 11, A.D. 1877, of the SECOND PART (hereinafter called the Corporation) WITNESSETH:

WHEREAS the said Mary Hemenway who died on the sixth day of March 1894 by her will, duly proved and allowed at a Probate Court holden at Dedham within and for the County of Norfolk on the fourth day of April 1894, gave all the residue of her property to Trustees, to hold for the period of fifteen (15) years from and after her decease and to appropriate, pay over, expend and dispose of the nett income thereof for such one or more of the various objects and undertakings in said will provided for, or other like public objects selected and adjudged best by said Trustees in such sums and proportions and in such manner as said Trustees shall deem best, subject to any positive order or direction therein given but always and only for such charitable uses for the public benefit as are allowed and can be sustained by law of the general character and objects therein described or authorized.

And WHEREAS the testatrix was as specified in her will, much interested in "the Historical and Educational Work connected with the Old South Meeting House by lectures, leaflets and other publications which has been . . . before the making of said WILL carried on or assisted by" her and

WHEREAS the said Trustees have since the death of Mrs. Hemenway been carrying on the Old South Work to a great extent as specified in said Will, and



WHEREAS the Trustees believed that the testatrix hoped that such work would be permanently carried on even after the expiration of said fifteen years from the date of her death, and

WHEREAS the Trustees with this in view have laid aside from the income of the trust estate in their possession the sum of Twenty thousand dollars (\$20,000 — and

WHEREAS the said Corporation is willing to accept the said sum of Twenty thousand dollars (\$20,000) to be held as a separate fund and known as "The Mary Hemenway Fund for Old South Work" and the income only therefrom to be applied by said Association for the purpose of carrying on the Old South Work as carried on and approved by said Mary Hemenway or in some normal and natural development,

NOW BE IT KNOWN that the Trustees in consideration of the premises and acting by virtue and in execution of a decree of the Supreme Judicial Court sitting in Equity within and for the County of Suffolk entered in the case of Augustus Hemenway and others against Wellesley College and others, dated December 5, 1908 do intend on or before March 1, 1909 to assign, transfer and set over unto the said Old South Association, in Boston, the said sum of Twenty thousand dollars (\$20,000)

And the Old South Association in Boston, in consideration of the premises agrees to accept said sum and agrees when received, to hold, invest and re-invest the same as a separate fund to be known as "THE MARY HEMENWAY FUND FOR OLD SOUTH WORK" and to apply the income thereof only from time to time for the purpose of carrying on the Old South Work as carried on and approved by the said Mary Hemenway or in some normal or natural development thereof.

And for the consideration aforesaid the said Corporation further covenants and agrees to and with the said Trustees and their successors in office and to and with each of the descendants of the said Mary Hemenway that it will for the period of three years from and after March 1, 1909, appropriate from its property other than the above gift of Twenty thousand dollars (\$20,000) and its income a sum not less than the income that shall be received from said gift from said Trustees, during such three year period and will apply the same in addition to the income so received from said gift from said Trustees, for the purpose of carrying on the Old South Work as carried on and approved by the said Mary Hemenway or in some normal or natural development thereof.



And it further covenants and agrees to and with the said Trustees and their successors and with the said descendants of the said Mary Hemenway and with the President and Fellows of Harvard College hereinafter named that if it shall ever after the expiration of said three years, for any reason cease to use the income of the fund so given to it towards carrying on the Old South Work as aforesaid it shall thereupon transfer and pay over the principal of said fund as it shall then exist together with any accumulated income to the President and Fellows of Harvard College an educational corporation duly established under the laws of said Commonwealth to be managed solely by said last named corporation and the income therefrom applied by it to the teaching of American History, with a view to developing the best citizenship.

IN WITNESS WHEREOF, the said Augustus Hemenway, Horatio A. Lamb and Morris Gray, Trustees as aforesaid have hereto set their hands and seals and the Old South Association in Boston has caused its corporate seal to be hereto affixed and these presents to be signed, sealed, acknowledged and delivered in its name and behalf by Charles W. Eliot, George A. Goddard and Richard W. Hale a Committee thereto duly authorized the day and year first above written.

|                    |        |
|--------------------|--------|
| AUGUSTUS HEMENWAY, | [SEAL] |
| HORATIO A. LAMB,   | [SEAL] |
| MORRIS GRAY,       | [SEAL] |

Trustees as aforesaid.

OLD SOUTH ASSOCIATION IN BOSTON,

By CHARLES W. ELIOT,  
 GEORGE A. GODDARD,  
 RICHARD W. HALE,  
 Committee.

[SEAL OF OLD SOUTH ASSOCIATION IN BOSTON.  
 INCORPORATED MAY 11, 1877.]



EXTRACT FROM THE WILL OF  
CHARLES E. FRENCH

Will proved Suffolk County Probates, Docket No. 129,002. Testator died November 28, 1904. Petition for probate filed December 22, 1904. Will and codicils allowed: January 5, 1905.

"I give to the trustees of the Old South Meeting House Preservation Society, Milk St. Boston Three Thousand Dollars (\$3,000) in trust, the income to be expended in repairs on the building — also (outright) the iron fire back from the Old Hancock House and the Two pew seats from the Brattle Square Church, now in the loan collection, —"



## OLD SOUTH ASSOCIATION WITH OLD SOUTH BUILDING TRUSTEES

### (AGREEMENT.)

THIS INDENTURE made this twentieth day of December 1902 between the "Old South Association in Boston" a corporation organized in the Commonwealth of Massachusetts under Chapter 222 of the Acts of the year 1877 party of the first part and Richard Olney of Boston and Moorfield Storey of Lincoln in said Commonwealth, Trustees of the Old South Building Trust under an Indenture of Trust dated the first day of March 1902 and recorded in the Suffolk Registry Book 2823 page 17 party of the second part,

WITNESSETH: —

That the said party of the first part doth hereby grant unto the said party of the second part an easement of uninterrupted light and air over the premises hereinafter described above the level of the grass plot on the northerly side of the tower of the Old South Meeting House and the right to project over not exceeding five feet of said premises and to maintain thereover cornices window-sills, blinds, shutters, window-sashes, awnings and like projections on and from the southerly wall of a building on Washington street in said Boston now in the course of construction for the party of the second part.

The premises above referred to and over which said easements are granted are situated in said Boston and bounded as follows: Westerly on Washington Street; northerly by land held by the party of the second part for a term of years under said Indenture of Trust ninety-seven and 3/10 (97.3) feet; easterly by the same and southerly by a line coincident with the northerly face of the northerly side wall of the Meeting House extended in a straight line to said Washington Street. The right to maintain eaves, cornices and other ordinary projections of said side wall and to use blinds, shutters and awnings thereon is reserved.

The easements and rights above granted are to begin on the first day of April 1903 and are to continue until the first day of May 1977 provided however that if during the period of this grant the said Meeting House shall be damaged or destroyed in any manner or by



any cause whatever or shall be in whole or part taken by right of eminent domain, or under any exercise of "police power" so-called, so that said Association shall determine that it is not expedient longer to continue the use of the same for the purposes prescribed by its charter and that it is expedient to make a use of the servient premises under its charter inconsistent with their remaining open as herein provided or to sell the same, this agreement may then be terminated by an appropriate notice in writing served by the party of the first part upon the party of the second part and fixing the day for such termination at a date not less than three months from the time of such service.

And in consideration of said grant the party of the second part pursuant to the authority given it by the provisions of said Indenture of Trust hereby agrees to pay to the party of the first part and its successors or assigns the sum of Six thousand dollars yearly in quarterly payments, the first payment to be made on the first day of July 1903, and at the same rate for any part of a quarter unexpired at the legal termination of this lease, without any reduction on account of any future taking of part of the above mentioned premises by the City of Boston or other public authority for any purpose, or on account of any release or conveyance by the party of the first part of any part thereof for the widening of Washington Street, and it hereby assigns to the party of first part any claim and right of action which it may hereafter have against said city or other public authority for any such taking and any right and title to the land so released or conveyed and any claim to compensation therefor, but if the whole of the premises over which the said easements are hereby extended, or the major part thereof, is taken by the city of Boston or other public authority, or if the substantial enjoyment of the easements hereby created be impaired either by any structure placed on any portion of said premises taken by the city or other public authority pursuant to and in connection with such taking or otherwise, the party of the second part shall have the right at its option either to terminate this agreement upon assigning to the party of the first part any claim and right of action which it may have growing out of such taking, or upon executing such assignment to demand and receive a reasonable reduction in the annual payment thereafter to be made hereunder, such reduction to be fixed by arbitration if the parties are unable to agree upon the same.



The party of the second part further agrees that after April first and not later than July first 1903 it will tear down the building now standing on said premises and suitably repair, make whole and re-finish the northerly side wall of said Meeting House where said building abuts upon or is built into the same and for a distance of sixty-nine (69) feet from the present line of Washington Street will suitably fill in, grade and sod said premises to the level of said grass plot on the northerly side of the tower of said Meeting House and will build a fence in front of said premises joining and conforming to the fence now enclosing said grass plot.

It is hereby further stipulated that any claim for debt or damages under the reservation of payment or any of the covenants on the part of the party of the second part herein contained shall be a charge upon and shall be enforceable against the property and effects subject to the trusts of the said Indenture at the time of proceedings to enforce the same, but neither said Richard Olney nor said Moorfield Storey, nor any trustee or shareholder present or future under the Old South Building Trust shall be held to any personal liability under or by reason of this instrument, and that the party of the first part shall look only to the funds and property of the Old South Building Trust for the payment of any and all claims under this instrument or for the payment of any damage, judgment, or decree, or of any money that may otherwise become due or payable to the party of the first part from the party of the second part, so that neither the party of the second part, nor any successors or successor in said trust, nor any shareholder thereunder, present or future, shall be personally liable therefor.

IN WITNESS WHEREOF the Old South Association in Boston has caused this instrument (being in duplicate) to be signed and sealed in its name and behalf by Reginald Gray, its Treasurer, and the said Trustees have hereunto set their hands and seals on the day and year first above mentioned.

THE OLD SOUTH ASSOCIATION

IN BOSTON [SEAL]

By REGINALD GRAY Treasurer [SEAL]

RICHARD OLNEY [SEAL]

MOORFIELD STOREY [SEAL]



## COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

BOSTON.

On this twenty-third day of December 1902, before me appeared Reginald Gray to me personally known who being by me duly sworn did say that he is the Treasurer of the Old South Association in Boston and that the foregoing instrument was signed and sealed by him in behalf of said Corporation pursuant to its authority and said Reginald Gray acknowledged said instrument to be the free act and deed of said Corporation.

GEORGE GLOVER CROCKER, JR.

Justice of the Peace.

## COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

BOSTON, Dec. 22, 1902

On this 22d day of December 1902, before me appeared Richard Olney to me personally known who acknowledged the foregoing Indenture to be his free act and deed.

FELIX RACKEMANN

Justice of the Peace.

We the undersigned approve the foregoing Indenture.

CHARLES W. ELIOT President

REGINALD GRAY Treasurer

GEORGE A. GODDARD

ROBERT R. BISHOP

GEORGE G. CROCKER

At a duly called meeting of the Old South Association in Boston, held on November fourth 1902, a quorum being present the following motion was adopted:—

That the Treasurer be and he hereby is authorized to sign, seal, acknowledge and deliver on behalf of the Old South Association in Boston, an instrument or instruments granting rights of light and air over land of the Association for the building to be erected by the Trustees of the Old South Building Trust together with the right to maintain certain projections from the said building until the first day of May in the year nineteen hundred seventy-seven (1977) in such form



and subject to such limitations, conditions, provisions and terms as may be approved by the building committee of the Association or a majority thereof, at a yearly payment of not less than six thousand dollars.

The Committee on the Buildng consists of the President, Charles W. Eliot, — the Treasurer, Reginald Gray, — the Secretary, George A. Goddard, and Messrs. Robert R. Bishop and George G. Crocker.

Attest: GEORGE A. GODDARD

Secretary.

BOSTON, December 24, 1902 at 12 o'clock and 57 minutes P.M. Received and Entered with Suffolk Deeds. Libro 2872 Page 107

Attest: THOS. F. TEMPLE

Register



## SUBWAY TAKING OF 1907

WHEREAS, George G. Crocker, Thomas J. Gargan, George F. Swain, Horace G. Allen and Josiah Quincy, constitute the Boston Transit Commission, and said Commission at regular meeting held this twenty-sixth day of February, 1907, at which meeting a quorum was present, by vote adopted the following motion:

"The Boston Transit Commission deems that it is necessary for the purposes set forth in chapter 534 of the acts of the Legislature of the Commonwealth of Massachusetts for the year 1902, being 'An act to provide for the construction of additional tunnels and subways in the city of Boston,' to take in fee for the city of Boston portions or sections of real estate in said city, bounded by vertical and horizontal planes as hereinafter described.

"The exterior vertical planes are those which contain the lines of a traverse hereinafter described and which are shown on plan entitled 'Plan and section showing taking for a portion of the Boston Tunnel and Subway,' dated February 26, 1907, signed by a majority of the Commission, and H. A. Carson, the Chief Engineer of the Commission, numbered 8112, and to be recorded herewith in the Registry of Deeds for the County of Suffolk.

"The traverse is described as follows: Beginning at a point 'A' in the southeasterly line of Washington street at the intersection of said line with the northeasterly building line of the tower of the Old South Meeting House, so-called; thence running southeasterly along the line 'AB' which line forms said northeasterly building line of the tower of the Old South Meeting House, so-called, sixteen and ninety one-hundredths (16.90) feet to a point 'B;' thence running northeasterly along the line 'BC,' which line forms the northwesterly building line of the Old South Meeting House, so-called, twenty-three and ninety one-hundredths (23.90) feet to a point 'C;' thence running southeasterly along the line 'CD,' which line forms the northeasterly building line of said Old South Meeting House, so-called, about seventy-eight and seventy three one-hundredths (78.73) feet to a point 'D;' thence running northeasterly along the line 'DE,' which line forms, with said line 'CD,' an angle of ninety-six (96) degrees, forty (40) minutes, forty-five (45) seconds, about fourteen and fortyfour one-hundredths (14.44) feet to a point 'E' in the southwesterly building line of said Old South Building, so-called; thence running northwesterly along



the line 'EF,' which line forms, as far as the point 'e<sub>15</sub>,' the south-westerly building line of said Old South Building so called, about ninety and fortyseven one-hundredths (90.47) feet to a point 'F' in said southeasterly line of Washington street; thence running south-westerly along said southeasterly line of Washington street, forty-nine and thirtyseven one-hundredths (49.37) feet to the point of beginning.

"Within the said exterior vertical planes the respective portions or sections are bounded by vertical planes containing the lines:

|                                 |                                 |                                 |
|---------------------------------|---------------------------------|---------------------------------|
| a <sub>1</sub> -b <sub>1</sub>  | c <sub>5</sub> -e <sub>10</sub> | c <sub>11</sub> -e <sub>4</sub> |
| C-h                             | c <sub>6</sub> -e <sub>9</sub>  | c <sub>12</sub> -e <sub>3</sub> |
| c <sub>1</sub> -e <sub>14</sub> | c <sub>7</sub> -e <sub>8</sub>  | c <sub>13</sub> -e <sub>2</sub> |
| c <sub>2</sub> -e <sub>13</sub> | c <sub>8</sub> -e <sub>7</sub>  | c <sub>14</sub> -e <sub>1</sub> |
| c <sub>3</sub> -e <sub>12</sub> | c <sub>9</sub> -e <sub>6</sub>  | f <sub>1</sub> -i               |
| c <sub>4</sub> -e <sub>11</sub> | c <sub>10</sub> -e <sub>5</sub> | f <sub>2</sub> -b <sub>1</sub>  |

as shown on said plan.

"Said respective portions or sections are confined between lower and upper horizontal planes whose respective boundaries and levels are shown in the following table, the elevations of said levels being referred to a datum one hundred feet below Boston base, so-called:

| Prism designated by                                              | Lower Plane | Upper Plane |
|------------------------------------------------------------------|-------------|-------------|
| a <sub>1</sub> -B-b <sub>1</sub>                                 | 113.00      | 138.50      |
| A-a <sub>1</sub> -b <sub>1</sub> -f <sub>2</sub>                 | 101.50      | 148.50      |
| f <sub>2</sub> -b <sub>1</sub> -C-h-f <sub>1</sub>               | 98.50       | 148.50      |
| f <sub>1</sub> -i-e <sub>14</sub> -F                             | 102.90      | 148.50      |
| C-c <sub>1</sub> -i-h                                            | 102.00      | 148.50      |
| c <sub>1</sub> -c <sub>2</sub> -e <sub>13</sub> -e <sub>14</sub> | 103.35      | 148.50      |
| c <sub>2</sub> -c <sub>3</sub> -e <sub>12</sub> -e <sub>13</sub> | 103.79      | 148.50      |
| c <sub>3</sub> -c <sub>4</sub> -e <sub>11</sub> -e <sub>12</sub> | 104.24      | 148.50      |
| c <sub>4</sub> -c <sub>5</sub> -e <sub>10</sub> -e <sub>11</sub> | 104.68      | 148.50      |
| c <sub>5</sub> -c <sub>6</sub> -e <sub>9</sub> -e <sub>10</sub>  | 105.13      | 148.50      |
| c <sub>6</sub> -c <sub>7</sub> -e <sub>8</sub> -e <sub>9</sub>   | 105.57      | 148.50      |
| c <sub>7</sub> -c <sub>8</sub> -e <sub>7</sub> -e <sub>8</sub>   | 106.02      | 148.50      |
| c <sub>8</sub> -c <sub>9</sub> -e <sub>6</sub> -e <sub>7</sub>   | 106.46      | 148.50      |
| c <sub>9</sub> -c <sub>10</sub> -e <sub>5</sub> -e <sub>6</sub>  | 106.91      | 148.50      |
| c <sub>10</sub> -c <sub>11</sub> -e <sub>4</sub> -e <sub>5</sub> | 107.35      | 148.50      |
| c <sub>11</sub> -c <sub>12</sub> -e <sub>3</sub> -e <sub>4</sub> | 107.35      | 142.60      |
| c <sub>12</sub> -c <sub>13</sub> -e <sub>2</sub> -e <sub>3</sub> | 114.75      | 142.60      |
| c <sub>13</sub> -c <sub>14</sub> -e <sub>1</sub> -e <sub>2</sub> | 116.25      | 142.60      |
| c <sub>14</sub> -D-E-e <sub>1</sub>                              | 118.50      | 142.60      |



"Said Commission also deems that it is necessary for the purposes set forth in said act to take in fee for said city an easement or right to suitable support below said lower levels by the soil or otherwise of the structures which may be placed within said portions or sections, but reserving to the owner of said premises within which this easement is taken, its heirs and assigns,

"First. The right to the exclusive use of the area  $a_1$ -B- $b_1$  at or above elevation 138.50

"Second. The right to use such portions of  $a_1$ -B- $b_1$  below elevation 138.50 as may be necessary to obtain entrance to the basement of the adjoining premises, any alterations in the structure erected by said Commission in the premises hereby taken to be made by the owner of said premises in such manner as shall be approved by said Commission, or, in the event of the termination of the existence of said Commission, by the Mayor, City Engineer and City Treasurer of Boston, or such other officers as the City Council may prescribe.

"Third. The right to use in common with others as a foot passage the area A- $a_1$ - $b_1$ -c-M- $m_1$   $m_2$ -N-F between the top of said structure at about elevation 138.50 and elevation 148.50, except such portions thereof as are to be used for stairways and their coverings, approximately as indicated on said plan.

"Fourth. The right to the exclusive use at or above elevation 138.50 of the area M- $c_{10}$ - $e_5$ -N- $m_2$ - $m_1$ , together with the right to support stairways or other overhead structures upon the roof of the structure to be erected within this area below elevation 138.50 so far as such support will not injure such structure, subject only to the right of said Commission or said city, or its successors or assigns, to enter upon said area from time to time as may be necessary for the original construction or repair of the structure and its appurtenances erected in this taking.

"Fifth. The right to use in common with others as a foot passage the area  $c_{13}$ -D-E- $e_2$  between the top of said structure at about elevation 132.60 and elevation 142.60, except such portions thereof as are to be used for stairways and their coverings and air duct, approximately as indicated on said plan.

"Sixth. The right to the exclusive use below elevation 131.50 and above elevation 122.83 of the area R-D- $d_1$ - $r_1$  without injury to or interference with the use and support of said area at or above elevation 131.50; subject to the right of said Commission or said city, or its successors or assigns to maintain a pipe therein not exceeding twelve



(12) inches in diameter and not going below elevation 129 in said area, and to the right of said Commission or said city, or its successors or assigns to enter upon said area from time to time as may be necessary for the original construction or repair of the structure and its appurtenances erected in this taking.

"Seventh. The right, within the area  $d_2$ - $d_1$ -E- $d_3$  and approximately at the elevation shown on said plan, within the space provided therefor by said Commission, to install and use a pipe or conduit at least two (2) feet in diameter.

"Eighth. The right to enter the adjoining buildings from any part of the area included in said traverse, except such portions thereof as are to be used for stairways and their coverings and air duct, approximately as indicated on said plan.

"Ninth. The right to cover the area A- $a_1$ - $b_1$ -C- $c_{11}$ - $e_4$ -F at or above elevation 148.50.

"Tenth. The right to cover the area  $c_{11}$ -D-E- $e_4$  at or above elevation 142.60.

"Eleventh. The right to suitable support on the top of the north-easterly wall of said structure from the point 'E' to the point ' $e_{15}$ ' for buildings hereafter altered or erected in conformity with law and with the ordinances and requirements of said city, or to the equivalent of such support, provided that there shall be no obstruction or interference with the use of said portions or sections as herein taken, or unnecessary injury to said structures.

"Twelfth. The right to suitable support at elevation 148.50 near the points 'F' and ' $f_2$ ' on posts to be erected whenever necessary by said Commission or its successors, as aforesaid, or to the equivalent of such support, provided that there shall be no other obstruction or interference with the use of said portions or sections as herein taken, or unnecessary injury to said structures.

"The owner of the real estate in and through which said easements and rights are located is supposed to be The Old South Association in Boston.

"WHEREFORE, said estate, easements and rights are hereby taken in fee for the city of Boston in part execution of the authority conferred by said chapter 534 of the acts of the year 1902 and of every other power and authority said Boston Transit Commission hereto enabling."

Now, therefore, the Boston Transit Commission in accordance with the foregoing vote and pursuant to the act therein referred to hereby



certifies and states that under and by virtue of the authority conferred by said act, and in part execution thereof, and for the reasons therein set forth, and by virtue of every other power and authority it hereto enabling, the estate, easements and rights above described are taken by it in fee for the city of Boston.

IN WITNESS WHEREOF, We, the undersigned constituting a majority of the Boston Transit Commission hereto set our hands this twenty-sixth day of February in the year nineteen hundred and seven.

|                 |                                 |
|-----------------|---------------------------------|
| GEORGE F. SWAIN | } Boston Transit<br>Commission. |
| HORACE G. ALLEN |                                 |
| JOSIAH QUINCY   |                                 |

Among the reservations in the foregoing taking that numbered "Second" provides for access to the basement of the meeting house. In 1928 doorways were cut from the basement to the area covered by the taking. This was not entirely within the scope of the reservation. The following agreement was made authorizing it:

THIS AGREEMENT made this 24th day of May A. D. 1928, between the Boston Elevated Railway Company, a Massachusetts corporation, hereinafter called the Licensor, which term shall include its successors and assigns wherever applicable, and Old South Association in Boston, a Massachusetts charitable corporation, hereinafter called the Licensee, which term shall include its successors and assigns wherever applicable, WITNESSETH

That the Licensor does hereby grant a license to the Licensee to maintain and use a doorway or opening in the wall of the Washington Street Tunnel at Milk Station in the City of Boston, as an entrance and exit to and from the store underneath the Old South Meeting House, now known as Goodspeed's Book Store, in land of the Licensee, from and to the space which is part of the platform in Milk Station at the foot of the entrance stairs on the north side of the church, all as shown upon two plans hereto attached, made by Bigelow, Wadsworth, Hubbard & Smith, Job No. 1097, Drawings Nos. 1 and 2, but no privilege or license is granted by this instrument which shall give to any person access to the part of the platform of the Milk Sta-



tion used by passengers who have paid their fares at the fare collection booths or apparatus. Also the privilege of maintaining book shelves of fireproof material, with glass doors, in said doorway or opening in positions indicated on said plan, for book display only, but this privilege may be terminated by the Licensor at any time on two days' notice.

The Licensor AGREES that it will construct the opening through the wall of said tunnel, after the cost thereof, as estimated by the General Manager of the Licensor, shall have been deposited by the Licensee with the Treasurer of the Licensor, and after said changes and use of the tunnel premises shall have been approved by all necessary public authority. Said deposit shall be applied to paying the cost of constructing said opening or doorway, and any balance left over, after said work has been completed, shall be returned by the Licensor to the Licensee; and, if the amount of said deposit shall be insufficient to pay the cost of constructing said opening, the Licensee shall forthwith pay the amount of any deficit.

The Licensee AGREES to make the necessary opening through the wall of its building to be used in connection with the doorway in the tunnel wall, and to make all changes outside the tunnel wall necessary to provide a complete and convenient approach to said doorway at its own expense, and to install and maintain at the points in the Licensee's property as shown on said plan, an automatic guillotine fire and smoke prevention door, with a fusible plug, and an additional fire and smoke prevention door, of a design approved by the Licensor, hung as shown on said plan, in an alcove of fireproof material, constructed and maintained as shown on said plan; and to maintain said doorway openings, alcove and other structures in good working condition, and not to permit or suffer to be placed in said alcove any commodity or other article, except suitable lighting fixtures and books in said book shelves; and to keep the said doorway openings, alcove and other structures and the approaches to said doorway and alcove in good repair, order and condition and free from obstruction, except the approaches from the tunnel premises.

The within privilege is granted in lieu of a privilege claimed as of right under agreements between the Old South Association and the City of Boston for an opening or doorway at another place. The said rights of the Old South Association shall not be deemed to be waived



by this agreement, except during the period of time it shall enjoy the doorway and opening provided for in this agreement.

To HAVE AND TO HOLD the privilege licensed unto the Licensee, its successors and assigns for a term beginning when the use shall begin; but the Licensee shall not be entitled to begin the use until all necessary approval of public authorities to said changes and use has been obtained; the term shall extend to July 1, 1936, and thereafter until terminated by notice of either Licensor or Licensee. Such notice may be given by either party to any official of the other or by posting the same on the wall in said alcove.

No rent is payable under this indenture, and the exercise of rights or privileges in regard to said doorway or opening by the Licensee and those claiming through it shall not be deemed adverse, even though beyond the rights or privileges granted by this indenture.

The Licensee covenants with the Licensor, that the Licensee will furnish its bond without surety in the sum of twenty thousand (\$20,000) dollars, conditioned to save the Licensor harmless from all loss, cost, damage and expense arising from any and all claims for damages alleged to be due in whole or in part to the construction or maintenance of said opening or doorway and the approaches thereto, including the said alcove and opening from the Licensee's store; or from any negligence with regard thereto or any obstruction therein.

Provided however, and these presents are upon this condition, that if the Licensee do or shall neglect or fail to perform or observe any of the covenants herein contained and on its part to be performed or observed, or if the rights or privileges hereby licensed shall be taken on execution or by other process of law, or if the Licensee shall be declared bankrupt or insolvent according to law, or if any assignment shall be made of its property for the benefit of creditors or if a general receiver shall be appointed for its property, then and in any of the said cases, notwithstanding any license of any former breach of covenant or waiver of the benefit hereof or consent in a former instance, the Lessor lawfully may, immediately or at any time hereafter and without demand or notice terminate this agreement at its or their election, and may close up said opening in said tunnel wall or in the building wall of the Licensee, or both.

All signs or printed or written matter in or about said doorway, opening and alcove shall be subject to the approval of the General Manager of the Railway.



This agreement shall not take effect until the use herein provided for has been approved by the Department of Public Utilities under the provisions of the contract for the use of the Washington Street Tunnel by the Railway Company, as follows:

“To the extent of the power of the company so to do and the power of the commission to contract therefor, the company may place and maintain in the (tunnel) premises booths for the sale of newspapers, magazines, periodicals and books, and in places specially adapted therefor may place or admit unobjectionable advertisements, and may make such other uses of the premises, not impairing the use for transportation of passengers, as the board may from time to time approve;”

nor shall this agreement take effect until the alterations and additions to the premises herein provided for shall have been approved by the Transit Department of the City of Boston, in accordance with the provision of said contract, as follows:—

“The company within the limitations of the act may make such alterations in or additions to the premises as may be approved by the Commission,”

nor until the said work and use have been approved by any other public authority having jurisdiction in the matter. And the rights hereby licensed shall at all times be subject to any valid order of said Department of Public Utilities or any other public authority having jurisdiction of the matter, and if in the opinion of the Licensor or said Department or any public board exercising its duties, it is necessary to make changes in said opening or doorway, or said alcove or access thereto, the same may be changed by the Licensor, its successors or assigns or by any public board or officer having jurisdiction in the premises, free of expense to the Licensee, and in case changes are required and it is not practicable at a reasonable expense to provide a substitute for said doorway and opening, this agreement may be cancelled by the Licensee or by the Licensor.

It is further AGREED that if and when the contract for the use of the Washington Street Tunnel by the Licensor terminates, prior to the expiration or earlier termination of this license, the term of this agreement shall terminate at the same time.



The covenants herein contained on the part of the Licensee shall bind the land upon which said Old South Meeting House is built and shall run with the land.

IN WITNESS WHEREOF the Boston Elevated Railway Company has caused its name to be signed and its corporate seal to be hereto affixed by Edward Dana, its General Manager, and the Old South Association in Boston has caused its name to be signed by Richard W. Hale, its Treasurer, and Courtenay Crocker, its Secretary, hereto duly authorized and its corporate seal to be hereto affixed by Richard W. Hale, its Treasurer, and Courtenay Crocker, its Secretary, all thereto duly authorized, the day and year first above written, all in duplicate.

BOSTON ELEVATED RAILWAY COMPANY,

By EDWARD DANA,

General Manager.

OLD SOUTH ASSOCIATION IN BOSTON,

(Old South Association seal)

By RICHARD W. HALE, Treasurer, and  
COURTENAY CROCKER, Secretary.

Approved as to form

H W BARNUM ABG. Gen. Counsel.



## DEED OF BUILDING, 1876

This Indenture made this eleventh day of October, in the year of our Lord eighteen hundred and seventy six, by and between the Old South Society in Boston, a corporation duly established by law, in Boston, in the County of Suffolk and Commonwealth of Massachusetts, party of the first part, said corporation acting by virtue and in pursuance of a decree of the Supreme Judicial Court, a copy of which is recorded with Suffolk Deeds, Lib. 1333, fol. 53, and of every right and power it enabling, and Royal M. Pulsifer of Newton, in the County of Middlesex and Commonwealth of Massachusetts, party of the second part.

Witnesseth:

That said corporation in consideration of one dollar and other valuable consideration to it paid by said party of the second part, the receipt whereof is hereby acknowledged, does hereby sell, convey and transfer unto said Royal M. Pulsifer, party of the second part, the building formerly known as the Old South Meeting House, now situated on the lot of land at the corner of Milk and Washington Streets in said Boston, which lot of land has been this day conveyed by said corporation to said party of the second part, by deed of even date and to be recorded herewith.

Provided, Nevertheless, and this conveyance of said edifice is upon the express condition, that said building shall not at any time during the period of thirty years from the date of this Indenture, be used for any business or commercial purpose, and shall be used during said period for historical and memorial purposes only, and that it shall not at any time during said period, be used for any purpose whatever on Sunday, except so far as necessary for the care and preservation of said building and contents.

And in case of breach of the foregoing conditions or any of them, said building shall be forfeited to said Old South Society in Boston, and said Old South Society in Boston reserves the right to enter for breach of condition and enforce said forfeiture and take down and remove said building, but such entry shall not be made till after ninety days notice in writing, such notice to be given within sixty days of the breach, and if for any reason personal notice to the owner



cannot be conveniently given because of the absence of such owner, or other impediment, notice posted on the front of the building shall suffice, and proof of having so posted such notice ninety days before the entry, shall constitute proof of ninety days notice, unless it is shown that such notice was during said period, taken down by said Society or its authorized agent, and no failure to enforce the forfeiture for any breach, shall be construed a waiver of the condition, or impair the right to forfeiture for any subsequent breach.

It is distinctly understood that at any time before breach of condition, the building may be removed by its owners to any other locality, and that the building in any other locality may be used for any purpose its owners may see fit.

When the present edifice is torn down, whether under such circumstances that the whole thereof belongs to the Old South Society in Boston or not, said Society is to have the corner stones and any memorials under the same.

It is further understood that the foregoing provisions shall not in any manner constitute a waiver of the grantor's right to enforce the above conditions by way of injunction or otherwise, as it may deem most effectual, in addition to the remedy by entry and forfeiture above provided.

To Have and to Hold the said edifice to the said party of the second part, his heirs, executors, administrators and assigns, subject to the foregoing conditions.

The said party of the second part joins herein in token of his acknowledgment that the above conditions and the observance thereof, according to their true intent, constitute an essential part of the consideration of this conveyance.

In witness whereof, said Old South Society in Boston, has caused its corporate seal to be hereto affixed, and these presents to be signed in its behalf by Charles Blake its Treasurer, and to be countersigned by a majority of its Standing Committee, said Committee consisting of the following persons, Samuel Johnson Avery Plumer Joshua B. Kimball William Hilton Thomas J. Hadley Charles A. Morss Samuel R. Payson Frederick D. Allen and Charles L. Pitkin said Treasurer and Committee being hereto duly authorized by vote of said Society, a copy of which is contained in the decree a copy of which decree is recorded as aforesaid with Suffolk Deeds Lib. 1333 fol. 53, and



said party of the second part has hereunto set his hand and seal,  
the day and year first above written.

THE OLD SOUTH SOCIETY IN BOSTON

by CHARLES BLAKE Treasurer [OLD SOUTH SEAL]

Countersigned and approved

SAMUEL JOHNSON  
JOSHUA B. KIMBALL  
WILLIAM HILTON  
AVERY PLUMER  
THOMAS J. HADLEY  
CHARLES A. MORSS  
ROYAL M. PULSIFER

Majority of standing Committee [SEAL]

words "hereto annexed" erased and words "contained in the decree  
a copy of which decree is recorded as aforesaid with Suffolk Deeds  
Lib 1333 fol 53" written in

Signed, sealed and delivered in presence of

F. V. BALCH to C.B. S.J. J.B.K. W.H. A.P. T.J.H. and C.A.M.  
and R.M.P.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS:

BOSTON, October 11th 1876.

Then personally appeared the Old South Society in Boston, by  
Charles Blake its Treasurer, and acknowledged the above instrument  
to be its free act and deed.

Before me,

FRANCIS V. BALCH  
Justice of the Peace.

BOSTON, October 18, 1876 at 1 o'clock P.M. Received & Entered with  
Suffolk Deeds, Lib. 1350, Fol 59

Attest THOS. F. TEMPLE Reg.



## DEED OF LAND, 1876

Know all men by these Presents, that the Old South Society in Boston, a corporation duly established by law in Boston, in the County of Suffolk and Commonwealth of Massachusetts, acting by virtue and in pursuance of a decree of the Supreme Judicial Court, dated May 31, 1876, in the cause Old South Society *versus* Uriel Crocker *et al* In Equity, Suffolk County, April Term 1876, a copy of which decree is recorded Lib. 1333, fol 53, of Suffolk Deeds, and of every other right, power and authority said Society enabling, and in consideration of Four hundred thousand dollars paid by Royal M. Pulsifer of Newton, in the County of Middlesex and Commonwealth of Massachusetts, the receipt whereof is hereby acknowledged, does hereby bargain, sell, remise, release and forever quitclaim unto the said Royal M. Pulsifer, his heirs and assigns, all that parcel of land situate at the corner of Washington and Milk Streets in said Boston, but without the buildings thereon, said premises being bounded and described as follows, viz: — Beginning at the corner of Milk Street and of Washington Street, and running a little East of North along said Washington Street twenty-four (24) feet to the side wall of the porch or front entrance of the church edifice now upon the premises; thence turning and running a little North of West still along said Washington Street two and one-half ( $2\frac{1}{2}$ ) inches; thence turning and running again a little East of North, still along said Washington Street in front of said porch nineteen (19) feet, one and one half ( $1\frac{1}{2}$ ) inches; thence turning and running a little South of East still along said Washington Street two and one-half ( $2\frac{1}{2}$ ) inches; thence turning and running North Easterly still along said Washington Street forty nine (49) feet, seven and one-half ( $7\frac{1}{2}$ ) inches, to the Southerly face of the Southerly brick wall of the Southerly store of the block of stores on Washington Street belonging to said Grantor, at a point three and one-quarter ( $3\frac{1}{4}$ ) inches from the front of said store; thence turning and running a little South of East along said face of said brick wall and the same line produced, in all ninety seven and three tenths ( $97\frac{3}{10}$ ) feet, more or less, to the space indicated as a passageway, on the plan hereinafter mentioned, at a point distant thirteen and seventy-hun-



dredths ( $13 \frac{70}{100}$ ) feet (along the same line produced) from the Westerly face of the Westerly wall of the Westerly store of the block of stores belonging to the Grantor, on Milk Street; thence turning and running a little East of South along the Westerly side of said space indicated as a passageway forty five and twenty-hundredths ( $45 \frac{20}{100}$ ) feet to a point where said space indicated as a passageway is ten and twenty-seven hundredths ( $10 \frac{27}{100}$ ) feet wide, measuring perpendicularly from said Westerly face of said Westerly wall of said Milk Street store, thence turning and running more Southerly a little West of South still along the Westerly side of said space indicated as a passageway thirty-six (36) feet to said Milk Street at a point distant fifteen and sixteen one hundredths ( $15 \frac{16}{100}$ ) feet Westerly from said Westerly face of said Westerly wall of said Milk Street store measuring along said Milk Street; thence turning and running Westerly, a little Northerly along said Milk Street seventeen and eleven hundredths ( $17 \frac{11}{100}$ ) feet, more or less; thence turning and running Westerly, a little more Northerly, along said Milk Street seven (7) feet, one (1) inch to the rear wall of said church; thence turning South Westerly still on said Milk Street six (6) inches; thence turning and running North Westerly along said Milk Street twenty-six (26) feet, six (6) inches; thence turning and running nearly Westerly along said Milk Street fourteen (14) feet, ten (10) inches; thence turning and running North Westerly along said Milk Street twelve (12) feet, four and one-half ( $4 \frac{1}{2}$ ) inches; thence turning and running North Westerly but more Northerly than before, fourteen (14) feet, ten (10) inches along said Milk Street; thence turning and running North Westerly again, but more Westerly twenty-six (26) feet along said Milk Street; thence turning and running along said Milk Street North Easterly six and one-half ( $6 \frac{1}{2}$ ) inches; thence turning and running North Westerly again along said Milk Street seventeen (17) feet, five (5) inches to point of beginning. Being the lot marked A B C D E F G H I A on a plan to be recorded herewith, being a copy of a plan, of Alexander Wadsworth, Surveyor dated Boston, Dec. 13, 1866, made by Fuller and Whitney, Sept. 22, 1876; and containing according to said plan Ten thousand two hundred and ninety five and sixty-six hundredths ( $10295 \frac{66}{100}$ ) square feet of land, reference to said plan being hereby had for a more particular description, or however otherwise said premises may be bounded or described, and be all or any of said measures and said contents more



or less. Said premises are the same described in the decree aforesaid, and the plan thereto annexed, except that said space indicated as a passageway which is included in the description in said decree and the plan thereto annexed is not hereby conveyed.

Said space indicated as a passageway, is shown on said plan and is described as follows, reference being had to said plan, namely:— Southerly on Milk Street fifteen and sixteen hundredths ( $15\frac{16}{100}$ ) feet; North Easterly by land of the Grantor thirteen and seventy-hundredths ( $13\frac{70}{100}$ ) feet, on a line which is a continuation of a line along the Southerly face of the Southerly brick wall of the Southerly store of the block of stores belonging to Grantor on Washington Street, on the East by land of the Grantor by a line along the Westerly face of the Westerly wall of the Westerly store in the block of stores belonging to the Grantor on Milk Street seventy five and eighty-three hundredths ( $75\frac{83}{100}$ ) feet and Westerly by the premises hereby conveyed and above described on two lines forty five and twenty-hundredths ( $45\frac{20}{100}$ ) feet and thirty six (36) feet respectively.

The premises are conveyed with a right of light and air over said space indicated as a passageway; and with the right if and so long as the owners of the land are owners of the present edifice thereon, to maintain the same projecting over a part of said passageway as it now is, but with no other right or easement therein.

It is understood and agreed that the two doors in the basement of said edifice, in the rear thereof, whether opening towards the said space indicated as a passageway or towards the space in the rear of the Washington Street stores, are to be closed by the owners of said edifice if it remains on the premises, also that if in erecting a permanent building upon the granted premises a wall shall be built upon the land immediately adjacent to the Southerly Washington Street store before said Old South Society in Boston, or its assigns rebuild the said Southerly Washington Street store, then the grantee herein is to remove the present foundations of the Southerly brick wall thereof and rebuild them upon the land now occupied by said store, entering thereon to rebuild them and protect the walls of said corporation, doing the work in a proper and workmanlike manner, and without expense to the Old South Society in Boston, its successors or the then owners of said store.



The corner stones and any memorials under them shall revert to the Old South Society in Boston, when the present church building is torn down, irrespective of its right to the remainder of the edifice.

The taxes of the present year are to be paid by the purchaser.

The grantor reserves to itself and its successors, the right to enter upon the premises and to take down and remove the church edifice now on the premises and which has been this day conveyed to the Grantee by said Grantor by an Indenture of even date herewith (and which is hereby referred to and which is to be recorded herewith) in case any condition of said Indenture should be broken, this reservation to be so construed as to include all rights necessary to effectually enforce the provisions and true intent of said Indenture.

And all the above provisions form part of the consideration of this conveyance.

To Have and to Hold the above conveyed premises to said Royal M. Pulsifer, his heirs and assigns, to his and their own use and behoof forever.

And the Grantor for itself, its successors and assigns, covenants to and with said Grantee, his heirs and assigns, that said premises are free from all incumbrances by it made, except as aforesaid, and that it will and its successor shall warrant and defend the same to said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through or under the Grantor, but against none other and except as aforesaid.

In Witness whereof said Old South Society in Boston, has caused its corporate seal to be hereto affixed and these presents to be signed in its behalf by Charles Blake, its Treasurer, and countersigned by a majority of its Standing Committee, said Committee consisting of the following persons, namely: Samuel Johnson Avery Plumer Joshua B. Kimball William Hilton Thomas J. Hadley Charles A. Morss Samuel R. Payson Frederick D. Allen and Charles L. Pitkin all duly authorized by vote, a copy of which is contained in the decree a copy of which decree is recorded as aforesaid with Suffolk Deeds Lib. 1333 fol. 53, this eleventh day of October, A.D. Eighteen hundred and seventy six.

THE OLD SOUTH SOCIETY IN BOSTON

by CHARLES BLAKE Treasurer [SEAL]



Countersigned and approved

SAMUEL JOHNSON  
 WILLIAM HILTON  
 JOSHUA B. KIMBALL  
 AVERY PLUMER  
 THOMAS J. HADLEY  
 CHAS. A. MORSS

Majority of Standing Committee of the  
 Old South Society in Boston

words "hereto annexed" erased and words "contained in the decree a copy of which decree is recorded as aforesaid with Suffolk Deeds Lib 1333 fol 53" written in

Signed, sealed and delivered in presence of

F. V. BALCH to C.B. S.J. W.H. J.B.K. A.P. T.J.H. and C.A.M.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON, October 11th, 1876.

Then personally appeared the above named Old South Society in Boston, by Charles Blake its Treasurer, and acknowledged the above instrument to be its free act and deed. Before me,

FRANCIS V. BALCH

Justice of the Peace.

BOSTON, Oct 18, 1876 at 1, o'clock P M. Received & Entered with Suffolk Deeds, Lib 1350, Fol 57

Attest THOS. F. TEMPLE Reg.



# OLD SOUTH ASSOCIATION IN BOSTON

## V.

### CITY OF BOSTON

(Opinion of the Supreme Judicial Court. See 212 Mass. 299.)

Petition, filed on September 6, 1907, under St. 1902, c. 534, § 8, for the assessment of damages sustained by the taking of land lying north of the Old South Meeting House in Boston for the purpose of making an entrance to and an exit from the Washington Street tunnel.

. . . . .

In the Superior Court the case was tried before *Fessenden, J.* After the jury had taken a view and before any evidence was introduced, the petitioner asked for the following rulings:

1. "That the petitioner had a right under its charter to use the land adjacent to the meeting house in the most profitable manner whenever it saw fit to do so for the purpose of producing income to preserve the meeting house and to carry out its other charter purposes and that the jury should assess damages accordingly."

2. "That in addition to the damages which would be awarded to an ordinary petitioner this petitioner is entitled to such a sum as will in the opinion of the jury compensate it for that feature or special damage contained in its loss by the taking which is created by the charter exemption from taxation of the space taken."

The judge gave the first ruling and refused the second. The trial then proceeded, and the jury returned a special finding of \$100,000, representing the petitioner's damage without interest, it having been agreed that interest from the date of the taking should be computed and added by the judge; and, it appearing that that sum had been paid to the petitioner by the respondent, a verdict was ordered for the respondent subject to an exception by the petitioner; and the case was reported for determination by this court, it being agreed that, if the first ruling above quoted was given rightly without the second, the verdict ordered was to stand, but that, if the second ruling should



have been given, judgment was to be entered for the petitioner for the sum of \$25,000, with interest from the date of the taking.

. . . . .

RUGG, C.J. The petitioner was organized under St. 1877, c. 222, "for the purpose of acquiring and holding the Old South Meeting-House in Boston and the land under and adjacent to the same upon the corner of Milk Street and Washington Street in said city, for public, historical, memorial, educational, charitable and religious uses and none other." Before 1877 the Old South Meeting-House had been given up as a place of worship by the religious society which had occupied it since its erection in 1729. Pursuant to the power conferred by this statute the petitioner acquired title to the real estate thus described.

This petition is brought for the assessment of damages occasioned by the taking of a part of the land lying north of the Meeting House for an entrance to the subway. The case was submitted to the jury with instructions under which recovery was permitted on the ground that the petitioner "had a right . . . to use the land adjacent to the Meeting House in the most profitable manner, whenever it saw fit to do so for the purpose of producing income to preserve the Meeting House." The petitioner contends that it should have been allowed to recover in addition such sum as would "compensate it for that feature or special damage contained in its loss by the taking which is created by the charter exemption from taxation of the space taken."

The charter of the petitioner contains in § 4 a special exemption from taxation in these words: "Said meeting-house and land shall be exempt from taxation while said meeting-house shall be used for any of the purposes aforesaid and shall be exempt from any tax for the year eighteen hundred and seventy-seven." This exemption from taxation is materially different from that found in the general law at the time it was passed or at any time since. Gen. Sts. c. 11, § 5, cl. 3, as affected by St. 1874, c. 375, § 8 (now St. 1909, c. 490, Part I, § 5, cl. 3). It is plain that the contention of the defendant would be unanswerable, if the rights of the petitioner depended upon the general law. Real estate held by the ordinary educational, charitable or religious institution is exempt from taxation only to the extent that it is appropriated to their distinctive uses. *Amherst College v. Amherst*, 193 Mass. 168. *Evangelical Baptist Society v. Boston*, 204 Mass. 28. If the Legislature had intended only this exemption,



no special provision touching taxation would have been required. But the Legislature meant something more than the general exemption granted to kindred societies. St. 1877, c. 222, took effect on May 11 of that year. Before then the meeting-house itself, by special permission of the Legislature, had been leased to the United States for a post-office and utterly abandoned as a place of religious worship, and hence together with the adjacent unoccupied land had become subject to taxation. *Old South Society v. Boston*, 127 Mass. 378. Taxes for the year 1877 had accrued before the enactment of the petitioner's act of incorporation. Yet the whole property was exempted expressly from taxation for that year. It is apparent from this, as well as from the provision of § 1 to the effect that the petitioner might lease the meeting-house and land before acquiring title thereto, that the exemption from taxation is not grounded upon ownership by a charitable organization, but upon other considerations. The manifold historic incidents connected with the Old South Meeting House and the stirring scenes enacted within its walls have made it a shrine precious beyond price to every lover of the Commonwealth and to all who cherish the traditions of liberty under government upon this continent. For reasons of its own the religious society which had owned the building had sold it. It was on the point of being torn down and the land devoted to commercial uses, for which it had become exceedingly valuable. Public spirited citizens desiring to preserve it as a fountain of patriotic inspiration for future generations raised by subscription a sum of money large in itself, but small compared with the market value of the property. To this end title was taken in the name of Royal M. Pulsifer, and mortgages to the amount of \$300,000 were given to secure the balance of the purchase price. It is obvious that the preservation, care and repair of the meeting-house as a historical monument under this burden of indebtedness would present a difficult problem.

The extraordinary public interest and popular character of this plan for the preservation of the Meeting House is demonstrated by the provision of §§ 1 and 2 to the effect that the Governor of the Commonwealth, the Mayor of the City of Boston, and the presidents of four learned institutions are named among the incorporators, and these, with two elected by the city council of Boston and others chosen by the petitioner, constitute a board of managers; and by the appropriation of \$10,000 to the petitioner from the treasury of the Commonwealth, by c. 26 of the Resolves of 1878.



The inference from the grammatical construction of the tax exemption section quoted above is that the property to be acquired by the petitioner is a unit. It is referred to as "said Meeting-House and land." This evidently means the land more particularly described in § 1 as that "under and adjacent to the same [the Meeting House] upon the corner of Milk Street and Washington Street." The exemption is of this unit, but the condition upon which the exemption springs into being and the period for which it endures is "while said meeting-house shall be used" for the charitable purposes set forth in this act, and not while the entire estate shall be so used. Some light is thrown upon the meaning of the tax-exemption clause by its course in the two branches of the General Court as manifested by their records. Although the plain meaning of a statute cannot be affected by resort to the proceedings incident to its passage (*Boston & Providence Railroad v. Midland Railroad*, 1 Gray, 340, 366; *Browne v. Turner*, 174 Mass. 150, 159; *Boston v. Talbot*, 206 Mass. 82, 91), it is permissible to examine records of legislative proceedings to illumine language of doubtful import. *Gardner v. The Collector*, 6 Wall. 499. *Blake v. National Banks*, 23 Wall. 307, 317, 320. *Holy Trinity Church v. United States*, 143 U.S. 457, 463. *Buttfield v. Stranahan*, 192 U.S. 470. The original draft of this clause as reported by a committee of the House provided that "said meeting-house and land shall be exempted from taxation;" an amendment added the words "while used for any of the purposes aforesaid," and subsequent amendments inserted after "while" the words "said meeting-house shall be" and appended the special tax exemption for the year 1877. This development of legislative intent shows that a general tax exemption, whether the property was preserved in its original form or not, was not desired, nor was an appropriation of the entire property *in specie* to the purposes of the act thought necessary, but the exemption from taxation of the property, including land and meeting-house, was made dependent upon use of the Meeting House for the general purpose of the act. The conclusion seems to follow that the tax exemption of the entire property unit persists so long as the Meeting-House itself is preserved and used for the purposes of the act, but that so long as this dominant design is executed, the adjacent land may be put to other uses not inconsistent therewith, which by yielding revenue may promote the general beneficent end to be accomplished by the act.



A forceful argument against this interpretation is found in the grant of power to the petitioner in § 1, to the effect that the property may be acquired and held "for public, historical, memorial, educational, charitable and religious uses and none other." In other connections this prohibition against any other use than those specified might be words of specific limitation. But it was held in *Burr v. Boston*, 208 Mass. 537, (where an essential feature was title in the municipality) that physical appropriation of property to public uses was not essential to exemption from taxation, and that still it might be so stamped with a public purpose as to be exempt from taxation under general principles of tax law, although directly put to a private use, so long as the income was applied to the public use.

The governing feature of this statute is expressed in the title to be "to provide for the preservation of the Old South Meeting House." That the Meeting-House is the central object of the act appears not only from all the attendant circumstances, but also from each section of the act, and especially from § 3, which authorizes its use by the Commonwealth "for the annual election sermon." The financial difficulties in the way of its preservation were acute. This is apparent from the fact that the ten thousand dollars allowed to the petitioner by c. 26 of the Resolves of 1878, "for the preservation of the Old South Meeting House" when it shall have acquired enough money from other sources to give it with that sum "complete title to said meeting house and the land connected therewith, free from all debt or incumbrance," has not yet become available for the reason that the estate is subject still to mortgage indebtedness. Although a unit of property is described as the subject of acquisition, its exemption from taxation is based upon use of the meeting-house alone for the memorial and other purposes. These considerations incline us to the view that the language quoted from § 1 means that although the property acquired must all be devoted to the uses there specified and to none other, yet the meeting-house being kept and physically appropriated as a public historical memorial, such of the adjacent land as is not reasonably necessary for the preservation of the edifice may be put corporeally to other rational uses not inconsistent with the main purpose provided its income is strictly applied to the charitable ends set forth in the act.

The petitioner contends that the land adjacent to the meeting-house would be exempt from taxation in the hands of a purchaser.



But this is untenable. The building and land under and adjacent is treated as a unit. It must be retained as a unit in order to remain the subject of all the benefits and immunities conferred by the statute. It is not of much consequence in this connection that it was in private ownership in 1877 and continued to be so until 1890. It was a unit, nevertheless, held for the single regnant purpose of a historical and educational institution and monument.

It follows that the petitioner's third request should have been given. In accordance with the terms of the report, let the entry be

*Judgment for the petitioner for \$25,000 with  
interest from February 26, 1907.*



## DATES, REFERENCES TO DEEDS, ETC.

References are to book and page of Suffolk Registry of Deeds; statutes of year named, and chapter; volume of Massachusetts reports and page; except as otherwise given in full.

| CALENDAR<br>DATE  | TITLE OF INSTRUMENT<br>OR MATTER                                                               | REFERENCE         |
|-------------------|------------------------------------------------------------------------------------------------|-------------------|
| Mar. 12, 1669.    | Old South or Third Church<br>and Parish formed.                                                |                   |
| 1669.             | First meeting house built.                                                                     |                   |
| Apr. 1, 1669.     | Present location acquired.                                                                     | Book 6, p. 26.    |
| Mar. 31, 1729.    | Present meeting house corner-stone.                                                            |                   |
| Mar. 26, 1845.    | Old South Church incorporated.                                                                 | 1845; c. 229.     |
| Mar. 7, 1859.     | Name changed to Old<br>South Society.                                                          | 1859; c. 88.      |
| 1871.             | French <i>v.</i> Old South Society.                                                            | 106 Mass. 479.    |
| 1871.             | Crocker <i>v.</i> Old South Society.                                                           | 106 Mass. 489.    |
| Nov. 9, 10, 1872. | Boston fire.                                                                                   |                   |
| Dec. 12, 1872.    | Power granted to lease real<br>estate.                                                         | 1872; c. 368      |
| May 26, 1874.     | Meeting house not to be<br>leased or sold without<br>authority from Supreme<br>Judicial Court. | 1874; c. 270.     |
| 1875.             | Old South Society <i>v.</i><br>Crocker.                                                        | 119 Mass. 1.      |
| May 31, 1876.     | Decree in Old South Society<br><i>v.</i> Crocker.                                              | Book 1333, p. 53. |
| Oct. 11, 1876.    | Deed of land ( <i>ante</i> , p. 46).                                                           | Book 1350, p. 57. |
| Oct. 11, 1876.    | Deed of building ( <i>ante</i> , p.<br>43).                                                    | Book 1350, p. 59. |
| Oct. 11, 1876.    | Mortgage to N.E. Mutual<br>Life.                                                               | Book 1350, p. 60. |
| Oct. 11, 1876.    | Mortgage to Henry Lee.                                                                         | Book 1350, p. 62. |



|                 |                                                                                     |                    |
|-----------------|-------------------------------------------------------------------------------------|--------------------|
| Oct. 11, 1876.  | Declaration of trust, Pulsifer.                                                     | Book 1350, p. 64.  |
| May 11, 1877.   | Old South Association incorporated by statute.                                      | 1877; c. 222.      |
| 1879.           | Old South Society <i>v.</i> Boston.                                                 | 127 Mass. 378.     |
| 1881.           | Viaux <i>v.</i> Old South Society.                                                  | 133 Mass. 1.       |
| Feb. 26, 1890.  | Pulsifer to Old South Association.                                                  | Book 1931, p. 405. |
| Feb. 26, 1890.  | Mortgage extended.                                                                  | Book 1931, p. 407. |
| Aug. 2-7, 1897. | Notice to prevent Easements.                                                        | Book 2464, p. 112. |
| Dec. 20, 1902.  | Old South Association with Trustees Old South Building (easement of light and air). | Book 2872, p. 107. |
| 1911-1912.      | Old South Association <i>v.</i> Codman.                                             | 211 Mass. 211.     |
| 1911-1912       | Old South Association <i>v.</i> Boston.                                             | 212 Mass. 299.     |

This is not intended to be an exhaustive list. For other dates and facts see "History of the Old South Church," published for the benefit of the Old South fund, 1898, p. 73; "History of the Old South Church," by Hamilton Andrews Hill, published by Houghton, Mifflin & Company, 1890.

#### AREA AND STREET LINES.

A special report on these by G. G. Wolkins, 1908, is in the possession of the Treasurer.

#### PLANS.

The Treasurer has the following plans.

| SURVEYOR OR MAKER                                       | SUBJECT                                        | REMARKS                                                    |
|---------------------------------------------------------|------------------------------------------------|------------------------------------------------------------|
|                                                         | OLD SOUTH MEETING HOUSE.                       |                                                            |
| Alex. Wadsworth.<br>Copied 1876 by Fuller<br>& Whitney. | 1. Plan of 1866, showing building and grounds. | Plan referred to in deed of Old South Society to Pulsifer, |



Copied (in part) 1902  
by L. L. Howe.

Oct. 11, 1876 (see  
Suffolk Deeds, Lib.  
1350; end). The  
Treasurer has only  
copies, not the orig-  
inal plan.

Erickson Electric  
Equipment Co.

2. Part of elevation.
3. Floor plan.
4. Lighting plans:
  - a. First floor.
  - b. Gallery and ceil-  
ing.

Showing grades, etc.  
Showing supports.

Cleghorn Co.

5. Heating plans:
  - a. Basement.
  - b. First floor.

Bigelow & Wads-  
worth.

6. New toilet room.
7. Sketch of screen  
on Washington  
Street side.

#### OLD SOUTH BUILDING.

Clinton J. Warren.

1. Cantilever foun-  
dations.
2. Detail showing  
wall between Old  
South and C. B. &  
Q. buildings.
3. Sketch—basement  
plan, eleven floor  
plans, typical un-  
divided floor plan.

Showing wall of ad-  
joining building.

Shepley, Rutan &  
Coolidge, super-  
vising architects.

BOSTON TRANSIT  
COMMISSION.

WASHINGTON STREET  
TUNNEL.

1. Plans of entrance  
and exit at Old  
South Meeting  
House.

Dated Oct. 3 and Nov.  
1, 1905.



- |                               |                                                                                     |                                                                                                                                                                                    |
|-------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                               | 2. Study for entrance and exit through basement of Old South Meeting House.         | Dated Oct. 10, 1905.                                                                                                                                                               |
| H. A. Carson, chief engineer. | 3. Entrance near Old South Meeting House.                                           | Dated Feb. 8, 1906.                                                                                                                                                                |
| H. A. Carson, chief engineer. | 4. Entrances and exits near Old South Meeting House.                                | Nine plans, dated Jan. 19 and Feb. 6, 1907, showing street and platform levels; elevation, north side; cross sections; detail of re-enforced concrete construction and steel work. |
|                               | 5. Plans showing posts (existing and projected) at Old South Meeting House Station. | Dated March 24 and 28, 1906.                                                                                                                                                       |
| H. A. Carson, chief engineer. | 6. Taking at Old South Meeting House:                                               |                                                                                                                                                                                    |
|                               | a. Plan and section.                                                                | Official plan, 1907.                                                                                                                                                               |
|                               | b. Plan and section.                                                                | Official plan with explanatory additions made Dec. 13, 1910, by Aspinwall & Lincoln.                                                                                               |

WIDENING OF WASHINGTON STREET.

- |                                 |                            |                                                            |
|---------------------------------|----------------------------|------------------------------------------------------------|
| William Jackson, city engineer. | 1. Plan of July 9, 1902.   | Widening as done in front of Old South Building.           |
| William Jackson, city engineer. | 2. Plan of Sept. 21, 1903. | Widening as projected in front of Old South Meeting House. |



Careful plans of the building have been made by Messrs. Bigelow & Wadsworth and copies have been placed with the Massachusetts Historical Society and the American Antiquarian Society in Worcester.

Copies of records of the Corporation up to Sept. 25, 1912, have been similarly made and placed.

The former owner of the Meeting House was the Third Church in Boston, also known as the Old South Society. Its records have been photostated as follows:

“Church and Congregation, 1735-1819”

(Includes certain Society minutes prior to 1769)

“Church and Congregation, 1787-1823”

(Includes minutes of the Standing Committee for certain periods.

Both the foregoing volumes were used concurrently for the period 1787-1819)

“Church and Congregation, 1819-1844”

“Society Minutes, 1769-1802”

The original records are kept in safe deposit by the Old South Society, but they and we have the above photostatic copies. Our set is at the Meeting House.



Senator BIBLE. Our next witness will be Richard Berenson of the Freedom Trail, speaking for the chamber of commerce.  
Mr. Berenson.

### STATEMENT OF RICHARD BERENSON, FREEDOM TRAIL, CHAMBER OF COMMERCE

Mr. BERENSON. Senator, have you seen one of these brochures?

Senator BIBLE. No, I have not.

Please proceed.

Mr. BERENSON. The Greater Boston Chamber of Commerce wholeheartedly endorses Senate bill S. 210 to create a Boston National Historical Park, as introduced by the Honorable Edward M. Kennedy.

I would like to quote briefly from our brochure.

Physically, the Freedom Trail—on New England's Heritage Trail—runs from the Common to the U.S.S. *Constitution*.

Historically it runs from the Mayflower Compact and the Charter of 1628, past the spire where Paul Revere's lanterns hung at the Old North Church, through and beyond the great anti-slavery speeches of the abolitionists Garrison and Sumner at Park Street Church.

During this span, Boston has won much for freedom. In Boston, the Charter of Massachusetts Bay Company was transformed from that of a business organization to that of a working democracy.

As the focal point of the American Revolution, Boston was foremost in protesting the tyranny of the British Crown, until it finally became necessary to take arms.

On April 16, 1775, Joseph Warren, a Revolutionary leader, sent out the call to action.

Revere and others carried it, and the fighting part of the American Revolution began. Most are aware of how Warren died at Bunker Hill, how Henry Knox brought the cannon from Ticonderoga and how George Washington had them put on Dorchester Heights—now South Boston—to drive the British away. And since those days, Boston has always remained a monument to freedom.

This endorsement reflects the chamber's longstanding appreciation for and commitment to the rich historic heritage of the Greater Boston area, as well as to its economic well-being.

It is our feeling that establishment of such a park would be a great step toward guaranteeing the permanent preservation of these peerless monuments to our history, and at the same time we recognize the vital stimulation that they provide for Boston's convention and tourism industry.

The chamber has always been intimately involved with Boston's historic sites, and is one of the original sponsors of the Freedom Trail Foundation.

Our convention and visitors' bureau has acted as a liaison agent and a handmaiden for the organizations running the sites, and has become thoroughly familiar with their strength and their problems.

This experience has served not only to underline the importance of these landmarks to the hundreds of thousands of American citizens and foreign tourists visiting Boston each year, but also the urgency of maintaining them in a manner befitting the vital roles they have played in our nation's history.

Aside from these rather general considerations, there are some very important and tangible arguments for approving of this measure.



One, the deteriorated condition of many of the sites on the Freedom Trail. Over the past 20 years there has been an ever increasing flood of visitors which has taken its toll on these beautiful old buildings and sites.

Flooring, stairways, supports, windows—all have suffered from this heavy use for which they were never intended.

And by their own statements and admission, spokesmen for these various sites have indicated that they do not have the financial means to undertake the necessary major repairs and improvements without substantial outside help.

S. 210 would be of immeasurable assistance in providing this aid.

Two, the public demand for longer visiting hours at these historic sites. Since the Freedom Trail was inaugurated over 20 years ago, it has become increasingly apparent that the public is unhappy with the very limited opening hours of the various sites.

Many of them are open for only a few hours each day, and some are closed on Sundays and holidays.

This is not from lack of interest or concern but purely from lack of funds. The volunteer organizations which have administered the sites in such a highly dedicated manner have had to rely on volunteer and part-time help because of this.

More important is the fact that there must be capable and reliable supervision of the sites at all times, and available funds simply does not permit payment for more than one such person.

Many of these executives work long hours overtime, but manifestly it is impossible to expect them to be on the job 7 days a week for 9 or 10 hours.

Should any of the sites become a part of the national park system, it would clearly be a tremendous advantage, because the service is well known for the excellence of its staff, its management capabilities, and its knowledge and understanding of time scheduling.

Three, there is a need for a more effective method of linking the sites on the Freedom Trail together.

The present brochure, while colorful and attractive, is small and hardly adequate to give a complete interpretation of the significance of the Boston historical sites, to our basic national concept of the freedom and dignity of the individual.

In addition to descriptive material, if the Freedom Trail is to be a meaningful and vivid experience for the visitor, there is a need for modern, historically-accurate interpretive centers which could make the sites and their significance come alive.

S. 210 provides for such centers, an added dimension, as typified by the Minuteman National Historical Park in Lexington, which is sorely needed along Boston's Freedom Trail.

Four, there is a crying need for more effective and dramatic marking and lighting.

The city's traffic commission make a valiant attempt to provide signs, and the department of public works has devised an effective brick pathway along the trail.

However, the first-class job done by the Park Service everywhere in the country suggests that it would bring a vast improvement to the Freedom Trail, and the surrounding area.

Five, spokesman for the sites themselves favor the bill.



From the point of view of those highly patriotic and loyal people who are presently responsible for the care and maintenance of these sites, one of the most attractive features of S. 210 is its flexibility, whereby there will be no provision for the power of eminent domain, but rather any takeover would be either on a voluntary or co-operative basis, with the present organizations retaining their autonomy to the full extent of their desires.

Such stipulation will go far toward promoting a spirit of cooperation and mutual understanding among all parties involved, and to continue the present commendable dedication on the part of all participants.

In sum, our historical sites and adjacent areas could only stand to benefit from the creation of a Boston national park.

The Nation's rich historical heritage, embodied in these edifices, would be properly maintained and made more readily accessible to American and foreign visitors alike.

Much needed refurbishing would be accomplished, to preserve the majesty of these landmarks for future generations. Boston is proud indeed to have been holding these sacred shrines in trust for all the world to come and see. Here is where the first true revolution took place, here is the birthplace of our ideals, and our national goals of the right to life, liberty and the pursuit of happiness.

It is with these considerations in mind that we respectfully urge the subcommittee's favorable action on S. 210.

Senator BIBLE. That is a splendid statement, I commend you for it.

I have been told by many, many people of the terrific work that you have done on this whole Freedom Trail area. So, this is a valuable contribution.

Senator KENNEDY. I just echo what Senator Bible has mentioned. I have known Mr. Berenson, Mr. Chairman, for a number of years, as my brothers have before me.

He has been an able president of the chamber, he has been a good citizen of this community. He has been active in so many other civic and cultural, as well as religious activities, and he is very devoted to this city and to its people.

He has been, as you pointed out, one of the real spearheads behind the development of the Freedom Trail. So, having his support for this legislation, I find it very reassuring.

He understands what we are attempting to do with it, so his strong support is very reassuring.

I want to commend him and thank him for appearing.

Senator BIBLE. Thank you very much, Mr. Berenson.

Our next witness will be Mr. Robert Rettig of the Massachusetts Historical Commission.

#### **STATEMENT OF ROBERT RETTIG, MASSACHUSETTS HISTORICAL COMMISSION**

Mr. RETTIG. Senator Bible, the Massachusetts Historical Commission strongly endorses S. 210, a bill authorizing the establishment of the Boston National Historical Park.



The Commission is the official State historic preservation agency under the National Historic Preservation Act and under State law.

As such, it is vitally concerned about the preservation, maintenance, and interpretation of the State's historic properties.

When such properties are of outstanding national significance, as is the case with those named in the bill, the Commission believes that the Federal Government has a responsibility to bear some of the burden of preservation, maintenance, and interpretation, rather than leaving the entire load on the shoulders of State and local government and private preservation organizations.

S. 210 proposes a method by which the Federal Government, through the National Park Service, may assume its rightful responsibility for some of Boston's historic treasures, without sacrificing the distinctive character of the various ownerships that have preserved these buildings up to this point in time.

Preservation and restoration of historic properties may be aided by Federal matching grants under the National Register program authorized by the National Historic Preservation Act.

Such grants are administered in this State by the Massachusetts Historical Commission. Although both regular and special bicentennial grants are expected to be available in the current fiscal year, and although some of the properties named in S. 210 may be eligible, the program if funded at such a low level, and the needs statewide are so great, that the existing Federal historic preservation program is not adequate to solve the problems and serve the needs of Boston's major historic properties.

The Boston National Historic Park, if properly funded, would be adequate for such purposes, and in addition, the Federal Government would be able to participate not only in preservation and restoration but also in maintenance and interpretation of the properties involved.

The approaching bicentennial, which begins in Massachusetts in less than 2 years, causes us to focus our attention on our historic properties and to do what we can to put them in shape for the celebration, with its attendant crowds of visitors from all over the Nation and the world.

Yet we must look beyond the bicentennial and realize that we are not preserving these properties just for a 2-year celebration but for all time.

The Boston National Historical Park bill offers a permanent yet flexible solution to the problems of preserving, maintaining, and interpreting Boston's major historic landmarks of national significance.

The Massachusetts Historical Commission urges passage and implementation of S. 210 as soon as possible.

Senator BIBLE. That is a very fine statement. I am glad to have your contribution.

Senator Kennedy.

Senator KENNEDY. I just want to thank Mr. Rettig for his statement. He has been extremely helpful, as the Commission, has, in helping us develop this legislation and we rely very heavily on his guidance.



Would you tell us what you received from the Massachusetts Legislature?

Mr. RETTIG. Our Commission is woefully undersupported by the State legislature. Our budget for fiscal 1973 was \$39,000 and for fiscal 1974 it is \$49,000.

Without the help of the National Park Service, the National Register program, I wouldn't be here and half the staff wouldn't be here because already the State is now at this moment supporting its own State Preservation Office as much as the Federal Government is.

And this is true, really, across the board. If it weren't for the private preservation organizations that are represented here, we wouldn't be getting the job done in Massachusetts and I think it is about time for the public sector to begin to take a fair share as well.

Senator KENNEDY. Do you have any estimate as to what it would cost in terms of restoration of some of these historic areas in Boston and the rest of the State? Do you have sort of a master plan?

Mr. RETTIG. We haven't got a master plan as such, what we have done is prepare applications to the National Park Service for the regular and special bicentennial grants that are going through the appropriations stage right now in your Senate's committees.

The amounts that we submitted for funds for preservation for fiscal year 1972 for Massachusetts totaled \$18 million for 1 year. This is statewide of course.

But, a great portion of that came for the Boston area because of the bicentennial needs. I think the total amount that could be expected to be needed would be considerably more but a lot of these of course are one time expenditures and then the annual cost of maintaining the program such as this would be considerably less.

Senator KENNEDY. What do you estimate as the amount that is being spent in terms of either restoration or preservation or interpretation by private groups in the state each year? Do you have any rough estimate on that?

Mr. RETTIG. I think I would just be pulling a figure out of my head if I were to say that, especially if you include the interpretation of these properties because as Mr. Berenson said, so much of this interpretation is being done on a voluntary basis, it is being done out of the goodness of people's hearts, and financial figures just wouldn't reflect the value at this time that is being spent.

I think an actual survey would have to be made of what this entails.

Senator KENNEDY. Let me ask, what is being done, with the indulgence of the chairman, if I could — what is being done to try to interest schools and groups in historic preservation and encourage the visitation of the places of historic importance?

I am just mindful I have a number of nieces and nephews going to schools, a number of them in Massachusetts, as a matter of fact. Over the course of the summer my mother was inquiring whether they had any tours to any of these historic places and finding out that they did not, she called up the headmasters and headmistresses of these schools to find out, and to her rather great dismay the



teachers had indicated that there wasn't quite the interest of young people in the historic sites.

That perhaps was there even when I was in school but I can remember my grandfather taking me personally on Sunday afternoons to visit different kinds of places around the city of Boston.

Is there anything that your group is doing or can do with schools or other kinds of youth groups to try and stimulate this interest?

Certainly we expect a good deal as we come towards 1976 but do you try and work with these groups?

Mr. RETTIG. Public education generally is a vital part of the State historic preservation program and I am sure you can appreciate our problems of operating with a budget of \$30,000 to \$40,000 a year.

As far as the interest of young people in historic matters is concerned, I think it is there, whatever the headmasters say. It has to be brought out.

Senator Bible brought out knowing about the Boston Tea Party from his school days in Nevada. I think every child in the country is aware of these historical places and the ones in this area certainly ought to have a chance to visit them.

I know that Mrs. Cabot, from the Bostonian Society, who is in charge of this building, has a good deal of experience with school groups.

Mrs. CABOT. Could I speak to the figures on that? I have the latest figures for last year and we had 528 groups of school children which meant, I think it is 13,003 children. And the ones that ask we speak to but we can't speak to all of them.

Senator KENNEDY. How does that vary over the last year?

Mrs. CABOT. Before we charged admission or before we could control it we had 200 kids at a time in this room and you just can't do that.

Now that we can control them we won't allow more than 40 at a time because you can't see anything. But, the result is you have a great many occasions when myself and my assistants are running up and down stairs all day because you can't count on them coming when you expect them, and these are public schools. There are very few private schools. No Boston schools.

Senator KENNEDY. No Boston schools?

Mrs. CABOT. That is right.

Mr. RETTIG. That clearly has to be rectified.

Mrs. CABOT. I can't take care of it which is why I haven't pushed it because we haven't got the staff.

Mr. RETTIG. It seems to me that one of the values of this Boston National Historical Park bill is that it will be able to provide the facilities for interpretation to handle the load that the Bostonian Society and the other groups can't handle by themselves, and it also will enable these scattered historic sites to be interpreted and administered in a meaningful and coordinated way.

Whereas right now it is a visit to one and then to the other and except for the Freedom Trail which ties them together there isn't too much sort of mutual explanation.

Senator KENNEDY. Even as it applies to other places in the State up in Salem and Concord?



Mr. RETTIG. Absolutely.

We have great ideas, we just need this support to get them.

Senator KENNEDY. It is rather tragic because you can't go out and promote this even in the schools of Boston because you haven't got the resources to handle it. That is really a sad day, indeed it is a sad day for the city and I think it is sad in relation to the country. These types of things obviously ought to be supported and we intend to.

Mrs. CABOT. We get busses from California, from Indiana, from all over the country but we don't get—the Boston School System obviously has no bus system.

Senator BIBLE. Mr. Berenson indicated he wanted to say something. Mr. Berenson?

Mr. BERENSON. May I just add this, sir?

We sent out a notice to the State department of education this year asking them to communicate with the area sites and advise them when they wanted to visit. We get countless requests.

Senator BIBLE. Who does this, the Freedom Trail Association?

Mr. BERENSON. Through the chamber of commerce. We ask them to try to check and make sure they don't all flood in at one time otherwise we would be simply overwhelmed.

We have, the Boy Scouts give out to everyone a special award to everyone who travels the Freedom Trail.

Senator KENNEDY. But there is no reason that they shouldn't do that for the students in the Boston city schools as well.

Mr. BERENSON. We were in very close touch with the school committee and superintendent 3 or 4 years back but our liaison has not been too good the last few years.

Senator BIBLE. We hope that will improve but it seems to me unusual that students are right here at their back door and they don't come around, I don't understand that.

Senator KENNEDY. I was talking to Mrs. Gereau of the staff of the subcommittee here, about involving the NEA—the National Education Association and the Teachers Association. It seems to me obviously cannot accommodate at once hundreds of thousands of kids but this is obviously a very great and significant vacuum and we are spending large amounts of resources on a variety of undertakings. I doubt seriously if they are of the value of the kinds of things we are talking about here.

I think it is up to us to try to stimulate some interest as well as the association. I have two nieces in school in Concord, in Middlesex School and my mother was talking to them about whether they had gone to Concord Bridge which is a stones throw and neither of them had been out there.

She called up the headmaster of both of them.

Senator BIBLE. And they went after that?

Senator KENNEDY. They would be in the summer, you can be sure of that.

Senator BIBLE. We will make this the last tour.

Mrs. Cabot, tell me, Senator Kennedy's observation about the bill was shaken a bit by the subway, how sound is this building?

Mrs. CABOT. It was perfect as of 1969. I am sorry Mr. Pare isn't here. There is a great deal of work to be done to this building.



For instance, the stairs.

Senator BIBLE. We noticed the stairs but how about the underpinning?

Senator KENNEDY. How about the foundations?

Mrs. CABOT. I think the foundations are probably solid because of the subway. I am talking through my hat.

Senator BIBLE. Why don't you give us a written report after you have consulted with this gentleman that you have talked to? Because one of the things—we are duty bound, it is our responsibility to see as this bill moves forward, as I certainly hope it will, how much will it cost?

Mrs. CABOT. I think they have a figure for that.

Senator BIBLE. Will you supply that for us? The record will be kept open for 2 weeks.

Thank you very much.

Our next witness will be Byron Rushing, Museum of Afro-American History.

#### STATEMENT OF BYRON RUSHING, MUSEUM OF AFRO-AMERICAN HISTORY

Mr. RUSHING. Senator Bible, Senator Kennedy, on behalf of the executive committee of the Museum of Afro-American History we certainly endorse the concept of the bill to establish a national Boston Historical Park and I agree that the sites noted in the proposed legislation should be included in the park if the respected members agree.

However, I would like to use the rest of this testimony to discuss two ways in which I think the bill can be strengthened.

First I think it is appropriate that the original sites designated for the park be several that are associated with the American Revolution.

As you know, Senator Kennedy, what is now the city of Boston was in the 18th century several towns that surrounded the Boston Harbor and each of these towns played an integral part in the events leading up to and through the Revolution.

The legislation recognizes this fact with the inclusion of sites in Charlestown, the authorization for the study of Dorchester Heights for inclusion.

Another town as significant for this period as any of the others was the home of Joseph Warren of the town of Roxbury.

And when Paul Revere, of course, rode from Charlestown, William Dawes rode from Roxbury. You could just go down the list of things that happened in Roxbury.

Roxbury, of course, like south Boston, is part now of the city of Boston and we feel that there are a number of sites in Roxbury that should be included in this legislation, at least included in this section explicitly stating areas and sites which should be studied.

We would include in that list Shirley Eustis House which was the home of the last colonial governor of Massachusetts in the day when governors of Massachusetts lived in Roxbury, that is owned now by a private association, the Roxbury High Ford; the Dillaway Thomas



House and the Eustis Street Burying Ground, all of which are owned by the city and perhaps the first church in Roxbury in John Elliott Square.

It is not without added importance that all of these sites I have just mentioned are surrounded by Spanish-speaking or black communities.

I think it again becomes important considering the reputation that the city has had and has neglected those areas that any kind of added amount of support for the improvement of those areas through this legislation along with a number of other things happened.

Senator BIBLE. How large a black community is there in Boston in the metropolitan area?

Mr. RUSHING. In the city of Boston it runs around 18 to 20 percent.

Senator BIBLE. Eighteen to 20 percent, is that true of the entire metropolitan area?

Mr. RUSHING. It gets smaller as you go out, it is 3 percent in the State.

Senator BIBLE. All right, in the city of Boston it runs as high as 18 percent.

Senator KENNEDY. Thirty-three percent of the school children of course are black and 18 percent in the city and 3 percent in the total state.

Senator BIBLE. You have a large Puerto Rican community here in Boston?

Mr. RUSHING. From 1960 to 1970 the Puerto Rican community increased considerably, it is probably I suspect around 4 or 5 percent now.

Senator BIBLE. Other so-called minority groups?

Mr. RUSHING. There are a number of other Spanish-speaking groups here, Cubans and Dominicans and there is now a growing community of Haitians moving into Boston who are now located in Roxbury Dorchester.

Senator KENNEDY. We have 22 second generation ethnic groups of 5,000 people or more in the Greater Boston area starting off with Lithuanians, all of whom have had direct kind of ties.

Senator BIBLE. You are more of a melting pot than New York City.

Senator KENNEDY. We probably are in this respect, we have obviously got the traditional Irish, Italian, Greek, Polish, Lebanese, and all of the other black and Spanish-speaking groups but we have had an enormous kind of diversity in this city. Spanish-speaking communities have been growing the most rapidly in recent times.

It has come pretty close to leveling off to 5 or 6 percent as I understand it.

Senator BIBLE. Thank you.

You may proceed.

Mr. RUSHING. That would be the first addition that I would suggest for this legislation, that the Roxbury sites be included.

Senator BIBLE. At least they should be studied.

Mr. RUSHING. In the study section of the bill and they should be listed.

Senator BIBLE. I don't think you should burden this bill with more than it can carry and we are anxious to make progress so we can get



this bill through in time to get the money to go with it so you can do something I guess really in 1975 rather than 1976.

I don't want to load it up too much, but maybe these are things that could be studied. I would not have an opinion on it, I simply don't know.

But anyway, we will certainly consider that.

Mr. RUSHING. The second point I would like to make is that as I said it is appropriate that we begin with the American Revolution but I think we should be very careful about how we see the cutoff date for the American Revolution, when did the American Revolution? The American Revolution ended at different times for different people in this country.

A number of people who fought in the American Revolution, say Afro-Americans, benefited very little from the American Revolution. Africans, to gain their freedom, it took almost another 100 years and another war and what we should be thinking about in the terms of this park is how do we best display the American Revolution.

I would suggest, Senator Kennedy, that one of the things you do is not have a cutoff date for the American Revolution and to include in the site and in the interpretation of the history of Boston the idea that various people received the benefits from the Revolution at various times and to see movements like the abolitionist movement as the continuation of the ideals of the American Revolution and see movements like the movement for women's rights as a continuation of the techniques of the American Revolution, and that we should find, and this is again not to be listed explicitly in the bill, but the talks should be open to expanding to include sites in Boston that take in these continuations of the American Revolution.

Now, let me just say in closing—

Senator KENNEDY. That is a very original idea, one we had not come up with or heard before but I think it is an excellent idea.

Senator BIBLE. It has a lot of merit.

You may proceed.

Mr. RUSHING. Let me say in closing that when anybody who has worked in a black community or any poor community and has worked with groups attempting to get them more interested in their history, when you look at the various organizations in the United States, official organizations, governmental organizations, they certainly would look more to the Federal Government for support than local government.

It is interesting to hear the descriptions from this morning of government officials about the State and the city and how much they have done for protecting the history of various people in Boston. I would have some disagreements with that but this is not the time to go into that.

Certainly one of the places we would is the National Park Service and that makes a lot of sense, the National Park Service has an excellent reputation in the Nation in preserving and protecting and interpreting sites, not only historical sites but natural sites.

I would like to point out two things about the National Park Service that they could certainly improve on. The National Park Service in 1970 had about 160 historic sites.



Of those 160, only three related to Afro-American history, and I think that one of the things—if you count Harpers Ferry, you have got four. So, it becomes important when we understand that the National Park Service would be administering this bill, we have to understand that at some point we are going to have to talk to them about how they interpret Afro-American history based on their reputation in the past.

The other interesting thing about the National Park Service is that this is going to be an urban park and for the National Park Service urban parks are new. This is not something that they have had a long tradition with.

They have a number, a relatively small number, but a number of sites in urban areas like New York City and the ones that they have that are in black communities are notorious for bad representation, bad interpretation.

An example that comes to mind is the Alexander Hamilton House which is in Harlem which has no furniture in it. When the community turned black they moved everything out of the building, the National Park Service.

This is interesting. New York City's Council on the Environment did a study of the various sites the National Park Service had in New York called "Responding to the Urban Challenge," a big thick book dealing with these problems.

Again I am saying that on the whole the National Park Service is probably the best outfit there is in terms of this but in terms of improvement this is something that you need to keep an eye on, certainly after the bill is passed, in both how they deal with the interpretation of ethnic history and how they deal with the problems, the very real problems of a park in a city and urban situation.

Thank you.

Senator BIBLE. Very fine. Thank you, I think you made a splendid statement.

Senator KENNEDY. I am glad we got this testimony. We haven't had that kind of a comment and as you may know the Interior did some studying in 1960 on a number of sites that you have mentioned here.

We mentioned the six major sites in the bill and a number of study areas but I would be glad to work with you so that any kind of study of additional areas ought to include sites you have mentioned here.

I think it makes a good deal of sense. We would be glad to work with you.

I want to thank you for your statement, it is very helpful.

Senator BIBLE. That concludes our hearings. Is there anyone else here who has something here they want to furnish or want to say?

Yes, sir?

#### STATEMENT OF DOUGLAS P. ADAMS, PROFESSOR, MECHANICAL ENGINEERING DEPARTMENT, MIT

Mr. ADAMS. My name is Douglas Adams.

Senator BIBLE. I don't have you on the list but I am very happy to hear from you.



Mr. ADAMS. I would like to refer to one item that I don't believe has been formally included.

Senator BIBLE. Why don't you sit down there, Mr. Adams? Why don't you identify yourself?

Mr. ADAMS. I am a professor of mechanical engineering at MIT but I have a deep interest in history and am a member of the Bicentennial Commission.

I was the founder of the Charlestown Preservation Society and am the president of the Middlesex Canal Association, and I mentioned these to indicate that a mechanical engineer can at times have a deep interest, an abiding interest, and a working interest in historical matters.

That is probably enough—I live in Charlestown at this time, Senators, and I was born there and I came back to the hills of home 3 or 4 years ago when it was clear that Charlestown was going to have a future.

I have been very much interested in developing the historical significance of the monuments there. I would like to refer to the Phipps Street Cemetery in Charlestown because I don't seem to have seen that included in any of your lists.

But, on the Freedom Trail you have three cemeteries which presumably are included. Now, the Phipps Street Cemetery is older than all of these except King's Chapel and it contains very illustrious persons, the signer of the Declaration of Independence, and numerous famous persons in the arts and music, in particular John Harvard has a monument to him there.

The first cemetery in Charlestown was destroyed when the British burned the city but this one lay outside, it was an unusual cemetery in that respect, it lay outside this wonderful little town and so was not destroyed and we have it today.

Its earliest tombstone at the moment is 1653. Of 1,500 stones in this remarkable cemetery over 300, or about 300, are dated earlier than 1700 and 1,000 are dated prior to 1800. So, you can see it is an extremely old and venerable cemetery.

Now, with respect to such things as the interest of youth and so forth, I think we have been somewhat successful there. We work on this cemetery personally, the people in Charlestown do, and we have had Federal support for 2 years to work there and built this up a great deal.

Its condition at the moment is not as good as we would hope, but a provision for fencing has already been made and worked out with the city that with us did see the need of establishing a good fence, a suitable fence around this area.

The area has now been freed of all of the undesirable buildings that it had a few years ago. The Bunker Hill College is directly across the way. They are very much interested in this.

They have agreed with me that it would be desirable for me to present them with a syllabus on cemetery upkeep and we can use this cemetery for an example of this and their own students can go over there, if suitably arranged for, and do that kind of work in the cemetery.



This has become a very living thing in Charlestown. We have had occasions there, the Preservation Society has, where that was used as a base we found out there, for some of the rather well known visits to homes in Charlestown that have developed lately.

And so, I would like to suggest that since this is a very natural one to include with the others, and it is within a stone's throw of the monument, that this one should not—Bunker Hill Monument yes—but this should not be excluded from the list.

Senator BIBLE. Why don't we take a look at that, Professor?

You have furnished me a whole series of maps here which I will have to examine and I will discuss this with Senator Kennedy and I think it might probably be included in the study area.

But, why don't you let us take a look at it for you?

Mr. ADAMS. I can send you another statement, a supporting statement. What these maps show here is the relationship of the cemetery to the community over all the years from some of the earliest dates on.

Senator BIBLE. Why don't you send us that statement and you will have 2 weeks to do it.

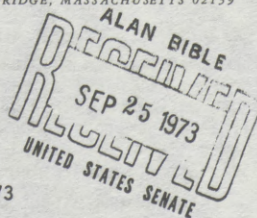
Mr. ADAMS. Thank you.

Senator BIBLE. This will be made a part of the record, the record will be kept open for 2 weeks from today.

[Subsequent to the hearings Mr. Adams submitted the following:]



MASSACHUSETTS INSTITUTE OF TECHNOLOGY CAMBRIDGE, MASSACHUSETTS 02139



September 20, 1973

Senator Alan Bible, Chairman  
 Subcommittee on Parks and Recreation  
 Old Senate Office Building  
 Washington, D.C. 20510

Dear Senator Bible:

I was privileged to address you briefly on the inclusion of the Phipps Street Cemetery in Charlestown in the Boston National Historic Park, last Monday afternoon, September 10 at your meeting in the Old State House in Boston. That being Registration Day for the Fall Term at M.I.T., my remarks had to be so brief that I requested an opportunity to provide documentation, which you recommended.

The Phipps Street Cemetery in Charlestown merits attention standing alone, or as a member of a group of national shrines such as proposed for the Boston National Park, or it might appropriately be included in a chain of parks extending from Boston to Lowell thru historic areas in the Olmsted tradition.

In evaluating the Cemetery for all such purposes, it is helpful to keep in mind that Charlestown (1629) was founded before Boston (1630), as a result of an overland march of settlers early discouraged by the bleakness of the local Salem area (1628) from which the glaciers had removed most of the topsoil.

The first cemetery of Charlestown, on the Town Hill slope facing eastward, was affiliated conventionally with the local church organization and edifice. It was damaged beyond recognition by the burning of the town by the British at the Battle of Bunker Hill, was never exhumed as a cemetery, and was immediately built over by the later town. An early casualty of this severe clime, John Harvard, was presumably buried there. The Phipps Street Cemetery, in use earlier than Copps Hill, Granary or the Central Cemetery and specifically dated by a 1653 tomb, was not associated with any church structure, was actually a "suburban" cemetery, and was in such respects a unique development for the times.

Of the fifteen hundred stones in this cemetery, fully three hundred antedate the year 1700, and a thousand antedate 1800. There is buried here a signer of the Declaration of Independence, many prominent citizens such as Oliver Holden (composer of "Coronation"), while the central commanding shaft is to John Harvard (donated in 1838 by Harvard students).

Charlestown was the jewel of the towns surrounding Boston--quaint and



wonderfully beautiful before its tragic destruction. It supplied many Harvard professors (with special emphasis on the ecclesiastical) and even a president or two. It eventually supplied Massachusetts governors as well, politicians such as Edward Everett and consistently many prominent figures. The family lines of numerous famous New Englanders started in Charlestown and their forbears lie in the Phipps Street Cemetery. Today, a steady stream of visitors is constantly searching for ancestral stones there.

An unusual aspect of this Charlestown cemetery's renown and influence lay in its funerary stonecutters. The philosophy of puritan funerary procedures, their doctrines in eschatology, is now assuming considerable stature as it becomes clear that deep rooted psychological forces were operative to make these challenging, puzzling ancestors something much more human than has been the prevalent view. The Phipps Street Cemetery is a leading example in the country for funerary designs and inscriptions not alone for the variety, age and style of the spectrum of stones, but also because it has now become clear that there was true authorship in the patterns of those early days. It has been shown that individual stone cutters' "styles" spread thruout the country-side (indeed the country) as these artisans, like iron-fabricators or furniture-makers, popularised their "wares." Several of these craftsmen, especially the Lamsons (whose own tombstones still stand there in profusion) used this as home base, whence their symbolisms and designs spread like ripples in a pond timewise across the countryside. Such basic treatments as Allan I. Ludwig "Graven Images," Wesleyan University Press, Middletown, Connecticut, 1966, and Harriette M. Forbes, "Gravestones of Early New England" Houghton Mifflin, Boston 1927, refer to and illustrate profusely from the Charlestown Cemetery.

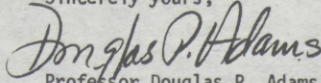
It is important today that the Cemetery has had good care over the years--for two centuries from Charlestown and for one century from the city of Boston. The capstones of walls have been carefully maintained. In the pattern of urban renewal which presently and for the foreseeable future dominates Charlestown, the importance of this endeared spot is now well established. The Charlestown Preservation Society prevailed upon the BRA to assure two contiguous park areas. The Friends of Historic Boston Cemeteries joined with other Boston groups to enunciate and clarify the need for better care and safeguarding of this precious heritage. Mayor White appointed a special task force to investigate the sixteen historic cemeteries in Boston. He also granted the Friends a special hearing on the subject of proper fencing for the Phipps Street Cemetery. The Boston City Council similarly granted a special evening hour for the story of this cemetery. Funding was found by the City, largely derived from Federal sources, to insert a water-line, to erect a suitable, handsome fence around these grounds and to landscape the cemetery to some extent. This work is already started. It will thus fit handsomely into its new surroundings, for the new college and a splendid housing project are also contiguous to the cemetery. More than King's Chapel, Copp's Hill or Granary Cemeteries, this lovely little glacial knoll cemetery has captured the hearts of its community, for many now know the treasure it holds. They have done a lot of work spreading earth and planting trees there toward forwarding acceptance of the cemetery as a National Historic Site, for which the papers have already been submitted to the proper state agency.



-3-

This cemetery would be a completely appropriate and splendid member for the Boston National Historic Park.

Sincerely yours,



Professor Douglas P. Adams

Mechanical Engineering Department, M.I.T.

Undergraduate Seminar (1961 - 1974), "The Birth and Care of a City"

"The Battle of Bunker Hill"--Author

Massachusetts Revolutionary War Bicentennial Commission, Member

Charlestown Preservation Society, Past (Founding) President and current Board Member

Charlestown Historical Society, Historian

The Old North Church, Corporation Member

Freedom Trail (Boston), Adviser

Middlesex Canal Association, President

Friends of Historic Boston Cemeteries, Chairman

A dozen historical societies - member

CC: Senator Kennedy



## CAMBRIDGE HIGHWAYS

AS EXISTING IN THE YEAR 1700

Compiled by L.M.Hastings.  
1919.



7. Hills Stones set by Paul Dudley in 1729.

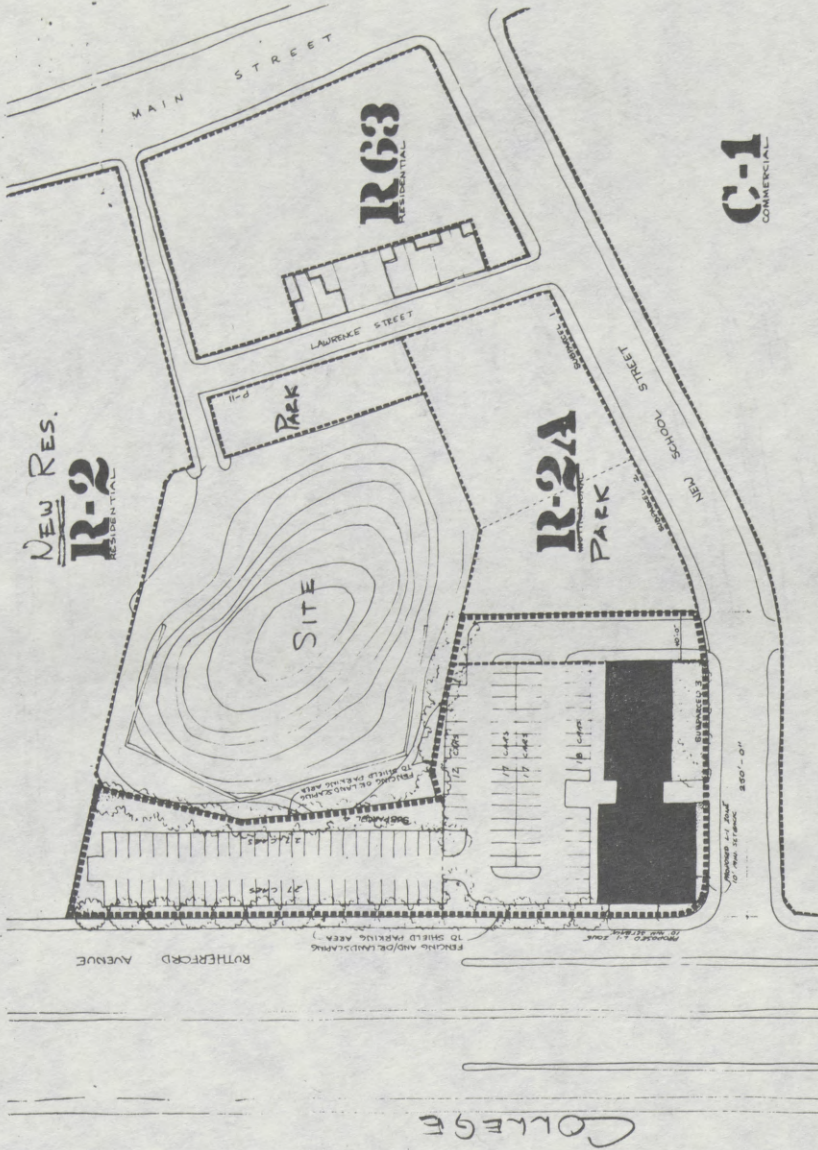












**R-2A KOF-C**  
BOSTON REDEVELOPMENT AUTHORITY

**C-1**  
COMMERCIAL

**NEW RES. R-2 RESIDENTIAL**

**R-63 RESIDENTIAL**

**R-2A PARK**

**SCHOOL STREET**

**LAURENCE STREET**

**MAIN STREET**

**RUTHERFORD AVENUE**

**COLLEGE**

**PROJECT AREA CHARACTERISTICS R-2A**

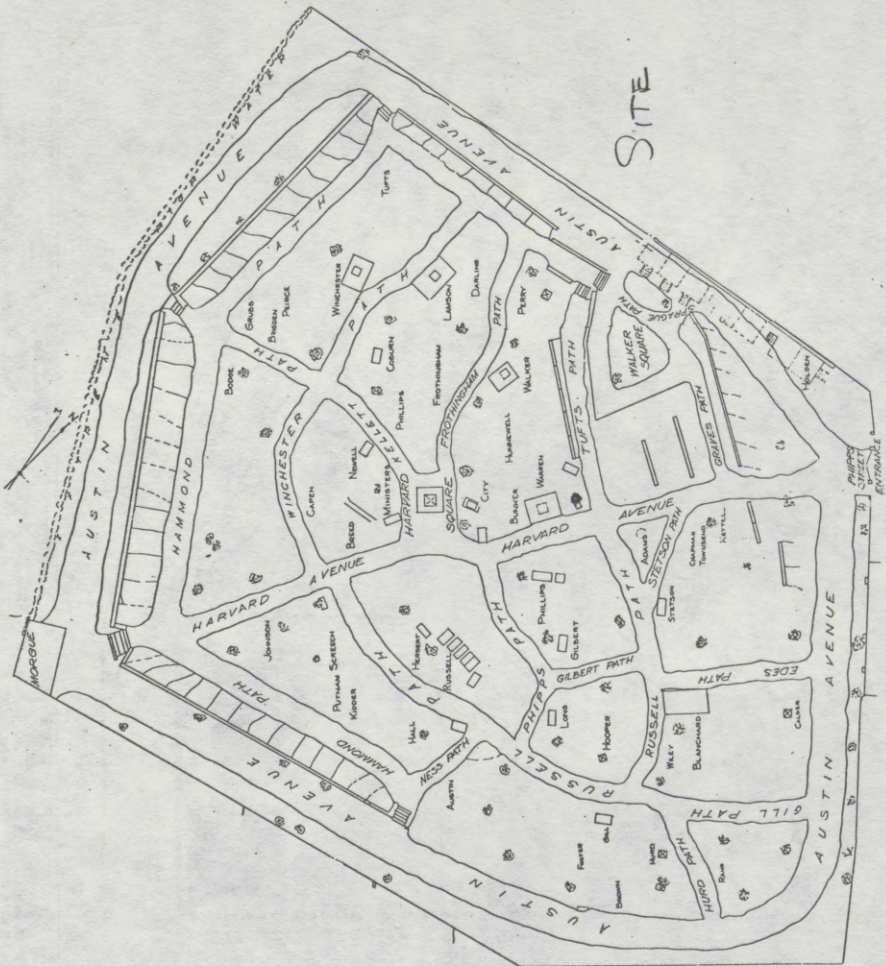
APPROX. 48,000 SQ. FT.  
(AREA OF ACCESS ROAD NOT INCLUDED)

APPROX. 1" = 400' - 0"

DATE: 15 JULY 1968

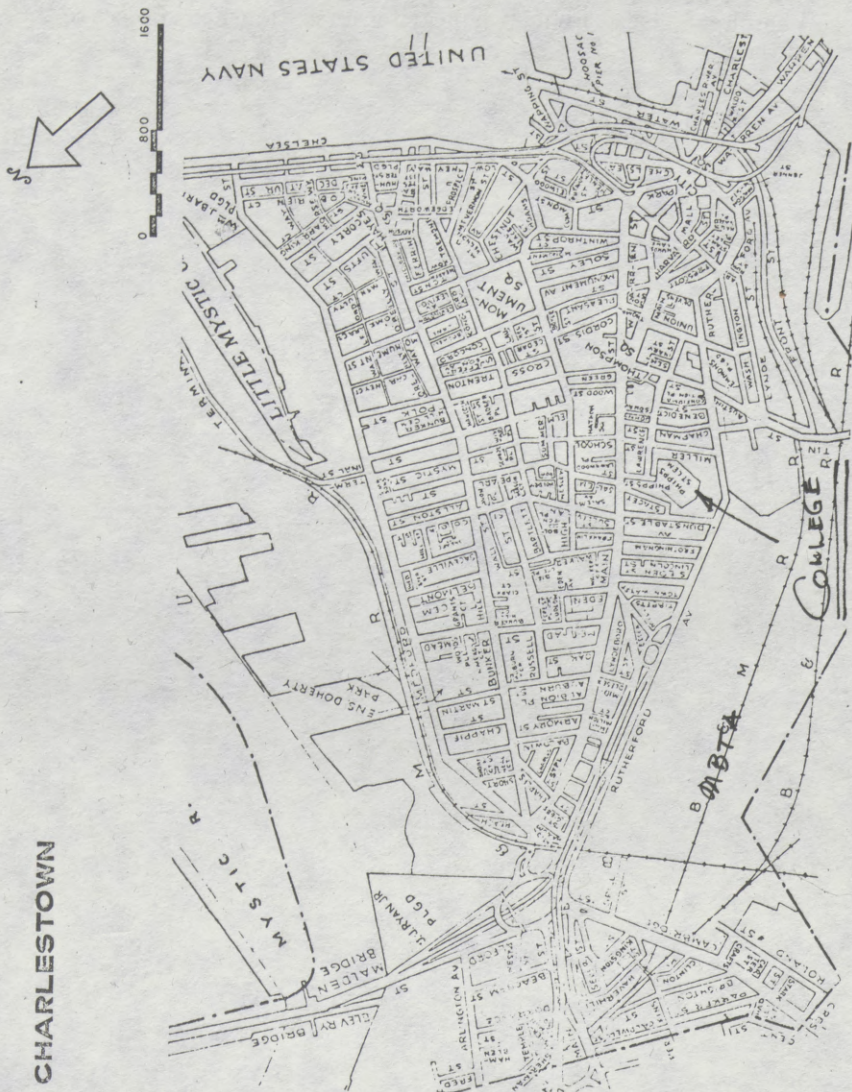
**URBAN DESIGN DEPARTMENT**







CHARLESTOWN





Senator BIBLE. The hearing is adjourned.  
[Whereupon, at 3:25 p.m., the hearing was adjourned subject to the  
call of the Chair.]

