

Present — The President, Adams, Appleton, Davis, Felt, Francis, R. Frothingham, Jr., Jenks, Lowell, Paige, Shattuck, Shurtleff, Sibley, Wheatland, Webb, Willard, and Young.

MONTHLY MEETING, JANUARY, 1849.

Thursday, Jan. 25, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

In the absence of the Secretary, NATHANIEL B. SHURTLEFF was chosen Recording Secretary *pro tem*.

The record of the last meeting was read.

The Librarian communicated donations from Hon. John Davis, of Worcester, Joel Munsell, of Albany, and from Messrs. Savage, Winthrop, Webb, Sears, and Shurtleff, of the Society.

The Corresponding Secretary communicated the acceptance of Payne Kenyon Kilbourn, of Litchfield, Connecticut, as Corresponding Member.

The Committee appointed at the last meeting to consider the expediency of preparing, in behalf of the Society, a memorial to the General Court on the subject of an amendment of the laws relating to the registration of births, marriages, and deaths, made a report, concluding, “that it is inexpedient for the Society at the present time to propose any specific changes in the law, or, as a body, to take any immediate action upon the subject.” Whereupon, it was

Voted, To accept the report.

The Committee on the Catalogue of the Library reported upon the necessity of a suitable printed catalogue, but that it was inexpedient at present to take any measures upon the subject, for the want of the necessary funds.

Mr. APPLETON, from the Committee on the "American Archives" appointed at the last meeting, reported that they had attended to the subject.

Voted, That Messrs. Francis C. Gray, Nathan Appleton, Alexander Young, Peleg W. Chandler, and Geo. W. Blagden be a committee to address a memorial to the General Court in relation to the statement recently made by the Secretary of State concerning certain papers in possession of this Society, and claimed as the property of the State, and to take such other measures in the premises as they may deem expedient.*

On motion of Dr. YOUNG,

Voted, That hereafter the price of the reprinted edition of "Hubbard's History" be three dollars when sold singly, and when sold in sets to be the same as heretofore.

* The statement referred to as recently made by the Secretary of State of Massachusetts, William B. Calhoun, was in his Report for Jan. 3, 1849, House Document No. 3. "It may not be inappropriate here to refer, as my predecessor heretofore has done, to 'certain writings called the Hutchinson Papers,' which were formerly in this office, but are now in the Library of the Massachusetts Historical Society. There is not to be found any sufficient authority by which a transfer of these papers was made. If the analytical index recommended should be authorized, it will be important to regain the possession of those papers."

In the late Secretary's (Dr. Palfrey's) Report for Jan. 5, 1848, House Document No. 2, p. 9, he had said: "Entertaining the opinion that certain writings called the 'Hutchinson Papers,' formerly in this office, and now in the Library of the Massachusetts Historical Society, were transferred to that collection through a mistake, I have made applications to the Society to have the subject considered, in order that, if my impression should prove to be well founded, the papers might be restored to the custody of the Commonwealth. I have received no reply to the applications, nor has any thing come to my knowledge to change my opinion on the subject. My views, and the manner of presenting them, are on record in the Letter-Book of this office, under dates of Jan. 1, 1846, and Jan. 19 and July 27, 1847."— Eds.

On motion of Mr. F. C. GRAY,

Voted, That the sixteen copies of "Hubbard's History" reserved and remaining in sheets be presented to Mr. W. T. Harris, who performed the duty of editor.*

Present — The President, Appleton, Blagden, Buckingham, Chandler, Davis, Felt, Francis, N. L. Frothingham, R. Frothingham, Jr., F. C. Gray, Lowell, Pierce, Shattuck, Shurtleff, Sibley, Webb, and Young.

MONTHLY MEETING.

Thursday, Feb. 22, 1849, 12 M. The Society held their meeting, — the President in the chair.

In the absence of the Recording Secretary, NATHANIEL B. SHURTLEFF was chosen Recording Secretary *pro tem*.

The record of the last meeting was read.

On motion of Mr. F. C. GRAY, the record of the last meeting was amended by inserting the words "with authority" before the words "to address a memorial," &c.

The Librarian communicated donations from Messrs. Josiah Quincy, Jr., James S. Loring, Frederic W. Holland, of Boston, Frederic T. Pease, of Albany, from the Virginia Historical and Philosophical Society, the

* Mr. William Thaddeus Harris, who edited for the Society the second edition of Hubbard's History of New England, with elaborate and learned notes, was a son of Dr. Thaddeus William Harris, late Librarian of Harvard College. He died in 1854, aged twenty-eight. For a sketch of his life, see the New England Historical and Genealogical Register, IX. 100. — EDS.

New Jersey Historical Society, and from Messrs. Webb, Austin, Adams, and Pierce, of the Society.

The Corresponding Secretary communicated a letter from the New Jersey Historical Society, accompanying the third volume of their Transactions.

Mr. George W. Pearson, of Boston, presented to the Society a pine tree shilling, 1652, of a distinct impression.

Mr. F. C. GRAY, from the Publishing Committee, reported progress in the index to the third series of the Society's Collections.

The Committee appointed at the last meeting in relation to the Hutchinson papers reported progress.

Mr. DAVIS, from the First Section, communicated a letter from Rev. Peter Thacher, of Boston, to Lieutenant-Governor Cushing, bearing date 1786; also, a letter from Edward Winslow, of Careswell, to Governor Winthrop, dated 1639; also, extracts from a letter written in 1762 by Mrs. Sarah Gill to her cousin, Mrs. Jane Robbins, relating to the introduction of the version of the Psalms by Tate and Brady into the Thursday Lecture.

Present — The President, Adams, Blagden, Davis, Ellis, Felt, Francis, R. Frothingham, Jr., F. C. Gray, Lowell, Lunt, Pierce, Quincy, Sears, Shurtleff, Sibley, Ticknor, Webb, White, and Young.

MONTHLY MEETING.

Thursday, March 29, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

The record of the last meeting was read.

The Librarian communicated donations from Rev. Dr. Parkman, Rev. Bishop Chase, of Illinois, Messrs. Charles J. F. Binney, John P. Bigelow, Martin Moore, Ephraim Eliot, Lucius M. Sargent, John H. Dexter, the Georgia Historical Society, Hon. John Davis, of Worcester, and from Messrs. Savage, Winthrop, Webb, and Willard, of the Society.

The Corresponding Secretary communicated a circular from Mr. Armstrong, Recording Secretary of the Pennsylvania Historical Society, relating to an intended publication by him of a genealogical history of families in Pennsylvania, Delaware, and Maryland, prior to the year 1830.

A letter from Mr. Pulsifer, in relation to his services on the index, &c., of the third decade of the Society's Collections, addressed to Mr. F. C. Gray, was referred to MESSRS. F. C. GRAY, ADAMS, and WINTHROP.

Dr. LOWELL, from the Second Section, read a long and interesting letter from William Tyng, son of Commodore Edward Tyng, dated "Boston, Aug. 10, 1775," addressed to Mr. Trail, then of the Custom House in Portsmouth, and afterward Collector at Bermuda, upon the news of that day.

Voted, That Rev. Dr. Lowell be a committee to address a letter to the heirs of the late Rev. Dr. Belknap, and to request of them a do-

nation of such papers left by Dr. Belknap as may be thought by them to be expedient to give to the Society.

The President nominated, for Corresponding Member, Miss F. M. Caulkins, of Norwich, Connecticut.

Messrs. DAVIS and SHURTLEFF were appointed a committee to examine the Treasurer's account, and to make report at the annual meeting.

Present—The President, Appleton, Austin, Davis, Felt, R. Frothingham, Jr., Jenks, Lamson, Lincoln, Lowell, Paige, Sears, Shurtleff, and Willard.

ANNUAL MEETING, APRIL, 1849.

Thursday, April 26, 1849, 12 M. The Society held their stated meeting,—the President in the chair.

The record of the last meeting was read.

The Librarian communicated donations from "An Alumnus of Harvard College," Dr. Charles T. Jackson, John Daggett, Esq., Miss Dorothy L. Dix, Dr. Danforth P. Wight, Dr. Edward Jarvis, Rev. J. Howard Temple, the Pennsylvania Historical Society, the New Jersey Historical Society, and from Messrs. Savage, Sears, Shurtleff, Wheatland, Webb, Sibley, and Bowen, of the Society.

The Corresponding Secretary communicated a letter from John Belknap, Esq., in behalf of the heirs of the late Rev. Dr. Belknap, declaring their intention "to retain as family memorials" the papers referred to by the Society; but that "they will be accessible to the

examination of persons engaged in historical research, and particularly to the members of this Society.”*

The Committee on the Treasurer's accounts made the following report, viz. : —

The undersigned, a Committee of the Massachusetts Historical Society appointed to examine the accounts of Richard Frothingham, Jr., Treasurer of the Society, have performed that duty, and report that the accounts are well kept, properly vouched, and correctly cast, and that there appears a balance due the Society of two hundred forty-seven dollars and eighty-nine cents.†

I. P. DAVIS,
NATHANIEL B. SHURTLEFF, } *Committee.*

The Treasurer presented his account of the fund subscribed by Nathan Appleton and others, with the expenditure thereof, and of which he was directed to keep a separate account. The same having been read,

Voted, To accept the same. (See files.)

Miss F. M. CAULKINS, of Norwich, Connecticut, was chosen Corresponding Member.

Rev. Dr. Lowell declined being a candidate for reelection to the office of Corresponding Secretary of the Society.

* All the papers of Dr. Belknap which remained in possession of his family were, in 1858, presented to the Society by Miss Elizabeth Belknap, his daughter, and sole surviving child. The gift also included many rare books and pamphlets. See the Proceedings for March, 1858, p. 285. — Eds.

† The aggregate amount of the receipts for the year was \$1,206.22. Of this sum \$597 were from the sale of six shares in the Western Railroad Corporation; \$48 from dividends; \$374.22 from sale of books from Aug. 25, 1846, to March 30, 1849; and \$187 from admission fees, assessments, and subscriptions. The payments amounted to \$1,072.19, — of which sum \$43.87 were for taxes; \$100 for services of the Librarian; \$657.14 for reprinting two volumes of the Collections; \$186.99 on account of cost of printing Vol. X. of the third series; and \$84.19 for miscellaneous expenses. — Eds.

On motion of **GEORGE TICKNOR, Esq.**, it was unanimously

Voted, That the thanks of the Society be given to the Rev. Charles Lowell, D.D., for his long and faithful services as its Corresponding Secretary.

The Society then proceeded to ballot for officers for the ensuing year, and Messrs. **LINCOLN** and **WHEATLAND** were appointed a committee to collect, assort, and count the votes, and they reported that the following named gentlemen were chosen, viz. : —

JAMES SAVAGE	PRESIDENT.
JOSEPH WILLARD	RECORDING SECRETARY.
ALEXANDER YOUNG	CORRESPONDING SECRETARY.
JOSEPH B. FELT	LIBRARIAN.
RICHARD FROTHINGHAM, JR.	TREASURER.
ISAAC P. DAVIS	CABINET-KEEPER.
FRANCIS C. GRAY	} STANDING COMMITTEE.
CONVERS FRANCIS	
ALEXANDER YOUNG	
GEORGE TICKNOR	
JOSEPH WILLARD	

Mr. **SAVAGE**, from the Third Section, read a letter from Hon. John P. Kennedy, of Baltimore, in relation to the origin of the bill for liberty of conscience in Maryland.

Present — The President, Austin, Davis, Everett, Felt, Francis, R. Frothingham, Jr., Hoar, Jenks, Lincoln, Lowell, Paige, Robbins, Shurtleff, Sibley, Ticknor, Webb, Wheatland, White, Willard, and Young.

JOSEPH WILLARD,
Recording Secretary.

[Two Resident Members died since the last annual meeting, — Mr. Benjamin R. Nichols and the Hon. N. M. Davis. Of the former no memoir has hitherto been published by the Society. A notice is here supplied. EDS.]

Notice of Benjamin R. Nichols.

Benjamin Ropes Nichols, son of Captain Ichabod and Lydia (Ropes) Nichols, of Salem, was born in Portsmouth, New Hampshire, May 18, 1786, — the family having resided a few years in Portsmouth at the time of his birth, — and died in Boston, April 30, 1848. He graduated at Harvard College in 1804; was Counsellor at law for many years in Salem, and, after 1824, at Boston, whither he then removed. He married, April 12, 1813, Mary, daughter of Colonel Timothy and Rebecca (White) Pickering, of Salem. She was born at Philadelphia, Nov. 21, 1793, during her father's official residence in that city, and died in West Roxbury, now Boston, March 22, 1863.

Mr. Nichols was distinguished at college and in after life for his assiduous application to his studies. He graduated with distinction, and maintained the reputation of a learned lawyer. He was a member of the Historical and other societies; was a skilful financier, and clerk of the Boston and Providence and Boston and Lowell Railroad Corporations. He had considerable taste as an antiquary; when clerk of the town of Salem he renovated the ancient records and put them in admirable order. He was also employed by the legislature of the State in putting in order the records of the Plymouth Colony, and that work speaks eloquently of his research and accuracy.

H. W.

MONTHLY MEETING.

Thursday, May 31, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

In the absence of the Recording Secretary, NATHANIEL B. SHURTLEFF was chosen Recording Secretary *pro tem*.

The record of the last meeting was read.

The Librarian communicated donations from Messrs. Henry Stevens, Morrison Harris, Alexis Poole, R. G. Johnson, E. B. Corwin, S. P. Hildreth, James S. Loring, and Samuel Hazard; also from the American Philosophical Society, and from Messrs. Adams, Winthrop, Webb, Shattuck, Appleton, and Shurtleff, of the Society.

Mr. FRANCIS C. GRAY, of the Publishing Committee, reported that two hundred and sixty dollars were due to Mr. Pulsifer for preparing the index to the third series of the Society's Collections, and recommended that this sum be now paid to him, and that the further sum of ninety dollars be paid to him on the completion of the tenth volume, for superintending the printing of the index.

The President presented, in the name of Samuel Hazard, of Philadelphia, a perpetual calendar by Dr. McIlvaine.

Mr. APPLETON, of the First Section, communicated to the Society a Royal Order regarding the binding of apprentices for the Plantations, issued in 1682.*

* This interesting document is a printed broadside, catalogued "Order in Council relating to the Hiring of Servants for Plantations in America, fol. pp. 2, 1682." — Eds.

Present — The President, Adams, Appleton, Austin, Chandler, Davis, Everett, Felt, R. Frothingham, Jr., F. C. Gray, Hillard, Lincoln, Minot, Quincy, Shattuck, Shaw, Shurtleff, Webb, Wheatland, Winthrop, and Young.

The meeting was then dissolved.

MONTHLY MEETING.

Thursday, June 28, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

The record of the last meeting was read.

The Librarian communicated donations from the Commonwealth of Massachusetts, Messrs. James S. Loring, Robert Purviance, and Samuel Hazard, Esqrs. ; from the City of Roxbury, and from Dr. Jesse Chickering, also from Messrs. Webb, Harris, Shattuck, Savage, and Greenleaf, of the Society.

Voted, That the Recording Secretary ascertain whether the vote including Yale College in the list of institutions to which the volumes of the Society's publications are to be presented has been rescinded; and that, if said vote be still in force, the Librarian be directed to state to the College that the volumes are in readiness at the rooms, to be delivered to its order.

On motion of Mr. F. C. GRAY,

Voted, That Messrs. Everett, F. C. Gray, and Adams be a committee to consider and report what rules should be adopted relative to the preservation and use of the manuscripts belonging to the Society.

Mr. PAIGE, from the Second Section, read a copy of the last will of Rev. Samuel Parris, proved in Middlesex, March 28, 1720.

Present — The President, Adams, Blagden, Buntington, Davis, Ellis, Felt, Francis, R. Frothingham, Jr., F. C. Gray, Greenleaf, Hillard, Hoar, Jenks, Lunt, Paige, Sears, Shattuck, Shurtleff, Webb, Wheatland, Willard, and Young.

MONTHLY MEETING.

Thursday, July 26, 1849, 12 M. The Society held their stated meeting.

In the absence of the President, Hon. Mr. HOAR was chosen President *pro tem*.

The record of the last meeting was read.

The Librarian communicated donations from Messrs. Francis Brinley, Reuben R. Dodge, Samuel Toppliff, William Maxwell, Esq., Rev. Dr. Parkman, the State of New York, the New Jersey Historical Society, Captain Josiah Sturgis, and from Messrs. Greenleaf, Sibley, Adams, Harris, Winthrop, Webb, and Bowen, of the Society.

Mr. ROBBINS, from the Third Section, deposited with the Society a portrait of Rev. Joshua Gee; also, a portrait of his second wife, Anna, widow of Samuel Appleton, of Boston, named in her first marriage Anna Gerrish.

Present — Blagden, Budington, Davis, Felt, R. Frothingham, Jr., Hoar, Jenks, Lunt, Robbins, Shurtleff, Webb, White, Willard, Worcester, and Young.

Voted, That this meeting be dissolved.

MONTHLY MEETING.

Tuesday, Aug. 30, 1849, 12 M. The Society held their stated meeting.

In the absence of the President and Recording Secretary, Hon. Mr. EVERETT was chosen President *pro tem.*, and Dr. SHURTLEFF, Recording Secretary *pro tem.*

The record of the last meeting was read.

The Librarian communicated donations from the Smithsonian Institute, the American Association for the Advancement of Science, Messrs. Justin Winsor, J. Munsell, William W. Greenough, Daniel Lancaster, and Miss Jane Thayer; also from Messrs. Sparks, Webb, Jarvis, Adams, Parsons, and Austin, of the Society.

Mr. EVERETT, from the Committee on manuscripts appointed at the last June meeting, reported that the Committee had not had a meeting, and that a valuable acquisition to the Society's collection of manuscripts would probably be made before the next stated meeting of the Society. Whereupon,

Voted, That the Committee on manuscripts be requested to take such measures in relation to the manuscripts of the late Dr. Pierce (which, it is generally understood, have been bequeathed to the Society) as they may deem proper.

Mr. AUSTIN, from the First Section, laid on the table an Order of Performance of the Pontifical College in Rome, 1844.

Voted, That Rev. Dr. Lowell be requested to prepare a memoir of the late Rev. Dr. Pierce for the next volume of the Society's Collections.*

Present — Austin, Bartlett, Davis, Everett, Felt, R. Frothingham, Jr., Jenks, Lunt, Minot, Paige, Robbins, and Shurtleff.

Voted, That this meeting be dissolved.

MONTHLY MEETING.

Thursday, Sept. 27, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

The record of the last meeting was read.

The Librarian communicated donations from Rev. Dr. Samuel Willard, Dr. S. P. Hildreth, Dr. Edward Jarvis, the American Academy of Arts and Sciences, the Maryland Historical Society, M. Jomard, B. V. French, Jr., Charles Bowen, Henry Onderdonk, Jr., the Cambridge School Committee, and from Messrs. Webb and Wheatland, of the Society.

Mr. EVERETT, from the Committee on the subject of the Society's manuscripts, reported sundry regulations, which, after some discussion and a modification of the

* Rev. John Pierce, D.D., elected in January, 1809, died Aug. 24, 1849. The memoir communicated, but not prepared, by Rev. Dr. Lowell is in 4 Collections, Vol. I. pp. 277-295. — Eds.

fifth proposed regulation, were adopted, and are recorded as follows, viz. :—

1. All manuscripts, of whatever nature, belonging to the Society, and now in the hands of individuals, shall be forthwith returned ; and it shall be the duty of the Librarian to transmit a copy of this regulation to each person having a manuscript in his possession belonging to the Society.

2. No manuscript shall hereafter be taken from the Society's rooms.

3. The manuscripts shall at all times be kept in a locked cabinet or cabinets, the key or keys of which to be in the custody of the Librarian, and never used but in his presence.

4. Members of the Society shall at all times have the right of consulting the manuscripts at the Society's rooms, to be delivered to them for that purpose by the Librarian.

5. Persons not belonging to the Society, and engaged in historical pursuits, may be allowed to consult the manuscripts belonging to the Society ; provided that application for this purpose, stating the objects of the inquiry, be made in writing to the Librarian, and approved by a member of the Standing Committee.

6. The Standing Committee shall keep a record book, in which all permissions to consult manuscripts shall be entered in full.

7. No manuscript nor part of a manuscript belonging to the Society shall be copied, except on permission granted by vote of the Society, on application in writing, specifying the manuscript or part thereof desired to be copied. If any manuscript belonging to the Society, and thus allowed in whole or in part to be copied, shall be published, the fact that it was obtained from the Society's collection shall be stated in the publication. Nothing in this article shall be construed to prevent the publication of names, dates, and

other chronological memoranda, without special permission obtained, as above required.

8. Manuscripts of a confidential nature may be retained in a place of special deposit by order of the Society, to be consulted under such regulations as may be prescribed by vote of the same.

9. The Librarian is authorized to cause all separate papers and files of an historical nature to be properly arranged, bound, and indexed; and all the indexes of the manuscript volumes of the Society shall be condensed as far as practicable into one.*

The Standing Committee nominated Charles Deane, Esq., of Cambridge, for Resident Member, *vice* Hon. Nathaniel Morton Davis, deceased.

The President communicated an interesting letter from Rev. Joseph Hunter, of London, containing a notice of Vincent, the author of the tract printed in Vol. VI., third series, of the Society's Collections, upon the "battell" "between the English and the Pequot Salvages."

Voted, To refer this communication to the Publishing Committee of Vol. I., fourth series.†

Present — The President, Adams, Appleton, Buntington, Ellis, Everett, Felt, Francis, R. Frothingham, Jr., Hillard, Hoar, Jenks, Paige, Robbins, Sears, Shurtleff, Webb, Willard, and Young.

* The above regulations respecting the Society's manuscripts may be seen, in a somewhat modified form, in the code of By-Laws adopted in February, 1853, and printed in 4 Collections, Vol. II., and in these Proceedings, further on. — Eds.

† Where this notice of Vincent may be found, at p. 86. — Eds.

MONTHLY MEETING.

Thursday, Oct. 25, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

In the absence of the Recording Secretary, NATHANIEL B. SHURTLEFF was chosen Recording Secretary *pro tem*.

The record of the last meeting was read.

The Librarian communicated donations from Messrs. Josiah Adams, William T. Harris, Edward W. Hooker, Edward C. Herrick, Rev. Joseph Tustin, James S. Loring, William Willis, the United States, the Commonwealth of Massachusetts, the City of Boston, Rev. Joseph Hunter, of London, Corresponding Member, and from Messrs. Adams, Bowen, Savage, Sibley, and Webb, Resident Members.

The Librarian communicated a letter from the executor of the will of the late Rev. Dr. John Pierce, accompanying a donation of the large collection of Election Sermons made by the deceased, and requesting that the manuscript volumes of Dr. Pierce, which were also bequeathed to the Society, may remain in the custody of Mrs. Pierce during her life, agreeably to the expressed wishes of the testator.* Whereupon,

Voted, That the whole subject in relation to the disposition of the valuable manuscripts of the late Dr. Pierce be indefinitely postponed.

Mr. F. C. GRAY, of the Committee on the Hutchinson

* Dr. Pierce's manuscript Diary is here referred to. — Eds.

Papers, made a final report, which was read and accepted.*

* The following is the report on the Hutchinson Papers:—

“MASSACHUSETTS HISTORICAL SOCIETY,
Oct. 25th, 1849.

“The Committee appointed with authority to address to the General Court a memorial in relation to the statement made by the Secretary of the Commonwealth concerning certain papers in possession of the Society, and claimed as the property of the State, and to take such other measures in the premises as they may deem expedient, respectfully submit the following report:—

“The Committee are entirely satisfied that it is not expedient to address any memorial to the General Court, since, notwithstanding the repeated representations and requests of the Secretaries of the Commonwealth, the General Court has not indicated the slightest intention of setting up any such claim as they recommend; and, therefore, it would seem superfluous, if not obtrusive, to trouble them with a refutation of it.

“Nor do your Committee think it necessary or expedient to adopt any other measure whatever, as they fully concur with your former Committee in the opinion that the open and undisputed possession of these papers by the Society as their own for more than a quarter of a century constitutes a title which cannot be impeached.¹ Considering that the Society holds these papers, from whomsoever received, not for any pecuniary emolument to itself or its members, but on the implied trust that they shall be kept and preserved by it for the purpose of historical investigation, it is, in the opinion of your Committee, the duty of the Society to maintain its title to them. And if any claim to them should hereafter emanate from competent authority, they recommend that it be resisted on the ground above stated.

“The Committee will now proceed to consider, for the purpose of information merely, and not as a part of their report, the ground, presented in the letters of the late Secretary of the Commonwealth, for the claim put forth by him. It is, in substance, that these papers are referred to in the record of the meeting of the Historical Society on the 27th January, 1820, as having been ‘presented to the Society by the permission of the Governor and Council,’ and that the Governor and Council had no right to give away the property of the State.

“Now this argument rests entirely on two assumptions, both of which are necessary to support it, yet neither of which is admissible. 1st. That these papers—*i. e.*, all of them, for all are claimed—are referred to in the record mentioned. 2d. That the papers, referred to in that record, were the property of the State.

“The record reads thus: ‘The additional letters found by Mr. Secretary Bradford among the papers of Governor Hutchinson, and presented to the Society by the permission of the Governor and Council, were referred to the Publishing Committee.’ *The additional letters*,—a very singular mode of ex-

¹ Revised Statutes, cap. 120, § 20.

The President nominated Thomas Donaldson, Esq., of Baltimore, as Corresponding Member.

pression, if intended to designate the whole miscellaneous contents of these three folio volumes. It seems hardly possible to look at those contents, consisting of from two to three hundred distinct documents, of the most various character (which were then not bound up together, but in loose files), not one-half of them letters, since, of the four hundred and sixty-six folios composing the collection, only one hundred and seventy are occupied by letters and their superscriptions, and to believe that it was intended to describe the whole collection by the words 'additional letters'; words plainly importing that they were an addition to papers of the same character already belonging to the Society.¹ Indeed, such a belief can be accounted for only by the fact that this gift from the Governor and Council was found recorded, but no record of the gift from any other quarter of the residue; and hence the late Secretary appears, perhaps not unnaturally, to have concluded, as other members may possibly have done, that this whole collection of papers was given at the same time; regarding them, after they were bound up under one title, as one thing.

"Fortunately, it so happens that we know precisely what were the papers actually presented by Mr. Bradford, and can clearly explain how the rest may have been previously given, without any entry on the record. At first, the donations of members of the Society were not acknowledged nor recorded, but merely those of strangers. Those of members were only mentioned in lists made out by them severally, and put on file, and the early files are lost.² Very soon, however, all donations were recorded and occasionally acknowledged; and, after the year 1813, complete lists of them all were regularly published by the Rev. Dr. Holmes, Corresponding Secretary. It was his custom to set against the name of each donor all the articles given by him since the making up of the last preceding list, whether given all together or at various times during the interval. The list published in 1822, comprising all donations made after the preceding list, published in 1819, enumerates several papers, which it describes particularly, and places together under the heading, 'Old Letters and Papers from Governor Hutchinson's Manuscript Collection,' stating them to have been given by 'Alden Bradford, Esq., Secretary of State.'³

¹ That the Society had already been in possession of papers once belonging to, or used by, Governor Hutchinson, is sufficiently evident. See Proceedings of the Society for August, 1868, pp. 321-325. But, by the words "additional letters," here used in the records of the Society, the Recording Secretary, Dr. Lowell, probably intended letters "additional" to those communicated by Secretary Bradford at the preceding meeting. See Proceedings, Vol. I. pp. 283 and 285. — Eds.

² 2 Historical Collections, Vol. II. p. 285, and Record of meeting, 9 April, 1791. [These lists have since been found, on file, and are printed in Proceedings, I. 6-22. — Eds.]

³ 2 Historical Collections, Vol. IX. p. 370. [Only fifteen several papers are there enumerated as given by the Secretary of State. — Eds.]

Voted, That the price of the tenth volume of the third series of the Society's Collections, just published, be fixed at two dollars.

“These are the only papers stated to have been given by him during this period, and, of course, are the papers presented by permission of the Governor and Council, and they are aptly enough designated by the language of the record.¹ The above heading must mean the collection *originally made* by Governor Hutchinson, for, of course, it was not then his, since all the property *really belonging to him at any time*, after April 19, 1775, became that of the State. The only ground assigned by the Secretary for considering the papers given by Mr. Bradford the property of the State is that they were given to the Society by the authority of the Governor and Council, which would rather seem to prove the contrary. May they not have been given for the very reason that they did not belong to the State. They certainly did not belong, where they are said to have been found, among the Hutchinson papers in the State House, with which they have not the most remote connection. Admitting that these papers had been seized and carried to the State House with those of Governor Hutchinson, it does not follow that they then belonged to him. He might have parted with the whole collection, and afterwards these particular papers might have been borrowed from it, or in many other ways have come into his possession, without being his property, in which case they would not become by confiscation the property of the State. And it might appear, upon the face of the papers themselves, or by some memorandum accompanying them, that they did not belong to him. This is a much more natural and proper supposition than that of gross ignorance or misconduct in the Governor and Council. Yet we are called upon to presume that they were totally ignorant of their duty in this respect, or that they wilfully violated it. Whereas, the natural and legal presumption is, until the contrary be clearly proved, that they knew their duty and fulfilled it. They knew, as well as we do, that they had no right to give away the property of the State; and they could have no disposition and no motive to give it away without right. The fact, then, that they did give away this parcel of papers, or permit it to be given, which is the same thing, instead of proving that it was the property of the State, proves that it was not so, and that they knew it.

“A brief account of the two collections — that of the State and that of the Society — may tend to throw some light on this matter, and to show that, instead of gross ignorance or fraud being imputable to anybody, the conduct of all concerned in the transaction was upright, intelligible, and consistent. The collection in the State House consists of four thick folio volumes, the first three of which contain about fifteen hundred letters to and from Governor Hutchinson, most of them from him, dated between 1761 and 1774, with a few brief accounts of legislative proceedings or popular commotions written by him, and absolutely nothing else. They are all in fair condition, and exhibit no appearance of injury from exposure to the weather. These volumes are very properly labelled ‘Hutchinson Correspondence.’ The other volume contains the manuscript of the first part of the second volume of his History, the draft of a long letter not addressed, copies of some documents relating to the witch

¹ But see 2 Collections, X. 181, note, and 3 Collections, I. 1-152. — Eds.

Voted, That a copy of the new volume be sent to Rev. Joseph Hunter, of London.

cases, and a copy of his commission as Governor, all but the last in his own handwriting. The copy of the History is much stained and torn, and soiled by mud. This volume is labelled 'Hutchinson's MS. History, Vol. II., etc.' The papers contained in these volumes are known to have been taken, after the battle of Lexington, from a garret in the house at Milton, where Governor Hutchinson had resided.¹ They were bound up, by order of the State, about eight years ago.

"The collection of the Historical Society is contained in three smaller volumes in folio, and is of the most miscellaneous character, consisting perhaps of two hundred and fifty papers. The earliest is a letter from Mr. Levett at Ashby to John Cotton at Boston in England, with a draft of Cotton's answer in his own hand on the same sheet, dated in 1625; the latest, one of Gideon Hawley, dated in 1770. A few appear to have been added to the collection after 1765. Those belonging to it before are, at least a large proportion of them, much stained and soiled, and some of them marked with the print in mud of a naked foot.

"These papers are undoubtedly a part of the collection of materials for the History of Massachusetts, stated by Governor Hutchinson in the preface to the first volume of his History to have been formed by him. The whole collection, together with the manuscript of part of the second volume of his History, was thrown into the street in the rain by the mob who plundered his house in 1765, as he tells us in the preface to his second volume; where he also states that a good portion of that manuscript was saved, 'by the care and pains of his good friend and neighbor, Rev. Mr. Eliot, who received into his house all the books and papers which were saved.' He states that this manuscript, though much injured, was so far legible, that he was able to supply the rest and transcribe it. For this purpose he must have taken it away from Mr. Eliot's house, and it is without doubt that now in the State House.

"It is not improbable, that either then or when he went to England in 1774, Governor Hutchinson may have given to his friend, who saved them, the papers remaining in his house; and if so, unless he differed entirely from all other collectors of manuscripts, it must have been with the injunction that they should never be separated.

"If it should be found that Mr. Eliot, or his son and successor John Eliot, who must have known all the circumstances, treated this collection or any part of it as *his own property*, this would be strong proof, in the absence of all other evidence, that such a gift was in fact made.

"Governor Hutchinson particularly mentions one work as an important part of the collection, and this may help to guide us to the whole; for where an important part of such a collection is found, there it is natural to look for the rest. The work is the *manuscript of Hubbard's History of New England*, of which it is well known that there was only one copy in America.

¹ Journals of Provincial Congress, p. 224, note.

CHARLES DEANE, Esq., was chosen Resident Member, in place of Hon. Nathaniel Morton Davis, deceased, — Messrs. SIBLEY and R. FROTHINGHAM, Jr., Scrutinizing Committee.

“Now as early as 1791, this manuscript belonged to the Historical Society.¹ It was given to it, ‘among other rich contributions,’ by the Rev. John Eliot, one of its founders.² The manuscript was certainly a part of the collection. Is it not highly probable that these *rich contributions* were the residue, namely the papers in question? Neither the manuscript of Hubbard nor the other papers are mentioned on the records of the Society, but they were no doubt included in the donor’s list among the lost files.³ These papers were arranged, indexed, and bound by the late B. R. Nichols, at the request of the Society, in 1822.

“It may be noted, that while the collection at the State House consists entirely of letters to Governor Hutchinson, and of letters and other manuscripts of his writing, — by far the greatest part of the whole collection being written by him, — that of the Society is of as miscellaneous a character as possible; and that while the earliest date at the State House is Dec. 14, 1761, there are but eleven papers in the Society’s collection of a later date than 1700, and only six later than 1724, not one among them being written by Governor Hutchinson, or having the most remote connection with the papers in the State House. Now the papers presented by Mr. Bradford have no connection with Governor Hutchinson’s affairs whatsoever, but are of the same miscellaneous character as the Society’s. All of them but one are dated before 1700, and that one in 1707. They are bound up with the other Hutchinson papers belonging to the Society; and on examination it is found that two-thirds of them are stained and mud-marked like so many of the papers saved by Mr. Eliot after the mob. It is impossible to read the list of them, as given by Dr. Holmes, without the suspicion that they originally belonged to this collection. Do not all these circumstances convert that suspicion into rational belief? Now supposing, and any not unreasonable supposition ought to be resorted to, in order to support so long a possession, and to shield the character of the Executive from the reproach which it is found necessary to cast upon it to maintain a pretence of claim to any of these papers, — supposing that Governor Hutchinson had given the collection to Mr. Eliot, and had afterwards borrowed these papers from it, or had taken them inadvertently when he took his manuscript History, and that the fact that they belonged to it appeared by some memorandum found among the papers themselves, which is by no means impossible; supposing also that Mr. Bradford, a member of

¹ 1 Historical Collections, Vol. I. p. 2.

² 2 Historical Collections, Vol. V., Prefatory Notice.

³ The only manuscripts that will be found included in Dr. Eliot’s list in Proceedings, I. 6, are “Hubbard’s MS. History” and “Letters between Governor Dudley and the Mathers.” — Eds.

The Standing Committee nominated George Livermore, Esq., of Cambridge, as Resident Member, in place of Rev. Dr. Pierce, deceased.

Present — The President, Adams, Appleton, Blagden, Chandler, Ellis, Everett, Felt, Francis, R. Frothingham, Jr., F. C. Gray, Hillard, Hoar, Jenks, Lamson, Shattuck, Shurtleff, Sibley, Webb, and Young ; and Messrs. Brodhead and Jarvis, Corresponding Members.

this Society, knew that the collection belonged here: then the Governor and Council, by permitting the papers to be given to the Society, were only restoring them to the true owners.

“However this may be, it is perfectly obvious that, upon the reasoning of the late Secretary of the Commonwealth himself, the State has not the shadow of a claim to the whole three volumes, but only to the papers given by Mr. Bradford with the permission of the Governor and Council. And even should it be admitted that these were the property of the State, and that the Governor and Council had no right to give them to the Society, yet, nevertheless, the open and undisturbed possession of a quarter of a century gives the Society a clear and unquestionable right to *hold* them. And, considering the long lapse of time, the death of the agent employed in the transaction, and the other circumstances of the case, it is the opinion of your Committee that it is the duty of the Society to set up the Statute of Limitations against any claim to them from any quarter. This indeed is one of those cases for which that beneficent statute was mainly intended to provide, and which eminently prove its equity and its wisdom.

“ F. C. GRAY, N. APPLETON, G. W. BLAGDEN, PELEG W. CHANDLER, ALEX. YOUNG,	}	<i>Committee.</i>
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“NOTE. — The entry of record April 9, 1791, referred to in a note on the fifth page of this manuscript [page 437 of this volume], is as follows: —

““The Committee who were appointed to inquire what collections could be made towards forming an Historical Library delivered in lists from each member as on file.”

“The other notes refer to works in print easily found.” — Eds.

MONTHLY MEETING.

Thursday, Nov. 22, 1849, 12 M. The Society held their November meeting this day, the annual Thanksgiving occurring on the day of the stated meeting, — the President in the chair.

The record of the last meeting was read.

Donations were communicated by the Librarian from the American Philosophical Society, Messrs. Justin Winsor, "A Friend," Henry M. Parker, Joseph Leonard, Joshua Leavitt, James S. Loring, Horatio Storer, Dr. Edward Jarvis, and from Messrs. Everett, Shurtleff, Winthrop, Webb, Shattuck, and Young, of the Society.

THOMAS DONALDSON, Esq., of Baltimore, was elected a Corresponding Member, — Messrs. MINOT and WHEATLAND, Scrutinizing Committee.

GEORGE LIVERMORE, Esq., of Cambridge, was elected a Resident Member, in place of Rev. Dr. Pierce, deceased, — Messrs. MINOT and WHEATLAND, Scrutinizing Committee.

The Corresponding Secretary communicated a letter from Charles Deane, Esq., accepting his election as a Resident Member of the Society.

Mr. DAVIS, from the First Section, read some extracts from a manuscript Journal kept for several years by the late Oakes Angier, Esq., giving an account of sundry public occurrences during the administration of Governor Bernard.*

* Probably neither the extracts nor the Journal were placed in the Society's Library. — Eds.

Mr. R. FROTHINGHAM, Jr., from the same Section, read a letter from Colonel William Prescott to the late President John Adams, containing some account of Bunker Hill battle; also, a letter from General Ward to President Adams, detailing some of the military occurrences in the summer of 1775, — both letters bearing date of that year.*

Dr. WEBB, in behalf of Colonel Peter Force, of Washington, presented a written request for liberty to copy or cause to be copied that portion of the Trumbull papers relating to the years 1780 and 1781, making such selections as may be suitable for the “*Documentary History of the United States,*” upon which work Mr. Force “has been for years engaged.” Whereupon,

Voted, That such liberty be granted on the conditions set forth in Article VII. of the Regulations for the preservation and use of the Society’s manuscripts, adopted at the September meeting, 1849.

Present — The President, Appleton, Davis, Felt, Francis, N. L. Frothingham, R. Frothingham, Jr., F. C. Gray, J. C. Gray, Jenks, Lincoln, Lunt, Minot, Robbins, Sears, Shurtleff, Ticknor, Wheatland, Willard, and Young.

MONTHLY MEETING.

Thursday, Dec. 27, 1849, 12 M. The Society held their stated meeting, — the President in the chair.

The record of the last meeting was read.

* See Frothingham’s *Siege of Boston*, pp. 295, 296. — Eds.

The Librarian communicated donations from Messrs. John Davis, "A Friend," Richard Hildreth, Rev. William R. Rogers, William Palfrey, Thomas Bridgman, Samuel A. Green, the State of New Jersey, Dr. L. V. Bell, and from Messrs. R. Frothingham, Jr., Webb, Shurtleff, Savage, Wheatland, Ticknor, and Sibley, of the Society.

A communication was received from Rev. Dr. Lowell, consenting to prepare a memoir of the late Rev. Dr. Pierce, pursuant to the vote of the Society.*

The President, in behalf of Mr. James S. Loring, presented a request, to be stated in writing, for leave to Mr. Loring to copy from Waller's Orderly Book of 1775 that part pertaining to the "Parole of the British in the Streets of Boston." Whereupon,

Voted, To grant the same, pursuant to the seventh Regulation concerning the Society's manuscripts, adopted at the September meeting, 1849.

Mr. R. FROTHINGHAM, Jr., having communicated the reception of a bequest of one hundred dollars left to the Society by the late Professor Dean, of Vermont, it was

Voted, That this sum be expended in the purchase of books, and that the Standing Committee be charged with the execution of this order.

Also, *voted*, That the Librarian prepare a suitable label for the inside cover of such books, designating the source whence they were obtained.

The Corresponding Secretary communicated a letter of acceptance of resident membership from Mr. George Livermore.

He also communicated a letter from Mr. Thomas E.

* See *ante*, p. 432, note. — Eds.

Sawin, of Wendell, Massachusetts, accompanying a brief manuscript History of that town, prepared by him.

Voted, To refer the letter and History to the Publishing Committee of Vol. I., fourth series.*

The Standing Committee nominated Rev. William Barry, of Lowell, for Resident Member, *vice* Hon. George Bancroft, who has removed from the State.

Present — Appleton, Bartlett, Budington, Davis, Deane, Felt, R. Frothingham, Jr., J. C. Gray, Hoar, Jenks, Paige, Robbins, Savage, Shurtleff, Sibley, Ticknor, Webb, Willard, Worcester, and Young.

MONTHLY MEETING, JANUARY, 1850.

Thursday, Jan. 31, 1850, 12 M. The Society held their stated meeting.

In the absence of the President and Recording Secretary, Hon. EDWARD EVERETT was chosen President *pro tem.*, and Dr. NATHANIEL B. SHURTLEFF, Recording Secretary *pro tem.*

The record of the last meeting was read.

The Librarian communicated donations from Messrs. James S. Loring, Albert G. Browne, Joseph Leonard, J. Ingersoll Bowditch, William Thaddeus Harris, Don Lucas Alaman, Rev. Louis Dwight, Rev. William R.

* This manuscript, of some twenty pages in small quarto, is entitled "Brief Chronology of Wendell, Massachusetts, from 1734 to 1800 inclusive." It was not printed in the Society's Collections. Mr. Sawin's letter states the circumstances under which the manuscript was written, and calls attention to some neglected sources of history. — Eds.