

18th Century Deeds

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A packet of six 18th century deeds was given to the Falmouth Historical Society in 1999. These deeds are an important addition to our archives. They had been preserved by Mildred Hatch, daughter and granddaughter of two of Falmouth's first selectmen and a descendant of Jonathan Hatch, one of the group of 13 families who first settled the town in the 1660s. Mildred was born in 1899, daughter of Eugene and Mary (Clark) Hatch. She taught school in Falmouth's schools and was postmistress of the Hatchville post office until she retired at the age of 70.

Her collection came to us in a strange way. In 1998, Mildred's aunt, Mrs. Weaver, wrote from Vermont to offer us a military roll call of 1823 and a number of books. The books were Annual Reports. We knew we could use some of them and the public library might need a few to fill out their set - and that roll call sounded interesting. We encouraged Mrs. Weaver to bring them when convenient. She brought them to the office in July 1999.

Ann Sears and I sat together to unroll the ancient papers which were wrapped around a wooden spool about a foot long with knobs on each end. One of us held the spool while the other carefully unwound five tender pages. We were delighted to find they were the original record listing commissioned officers and privates of the 1st regiment of the infantry, 3rd brigade, 5th division, under the command of Francis Nye, Capt., 1st Tuesday, May, 1823.

But the spool had something more. There were thinner papers, wrapped together around the spool and they were very brittle.

Very tenderly we unrolled an inch at a time until the top of the pages could be separated revealing six deeds. Dates were in the 1700s and we could read the names Hatch, Dimmock and Weeks. We didn't dare to go further.

We very carefully rewound the delicate pages, wrapped the spool and called Talin Bookbindery, a firm we knew could encapsulate the pages so they could be handled safely. We wrote to Mrs. Weaver, advising her of what we had found and what we were doing.

A representative from Talin Bookbindery picked up the spool the following week and assured us of prompt attention. However, the process to preserve the delicate papers would take time. While waiting, I referred to some proprietors records we had in our library and found names mentioned on the deeds were among those mentioned as proprietors with acreage.

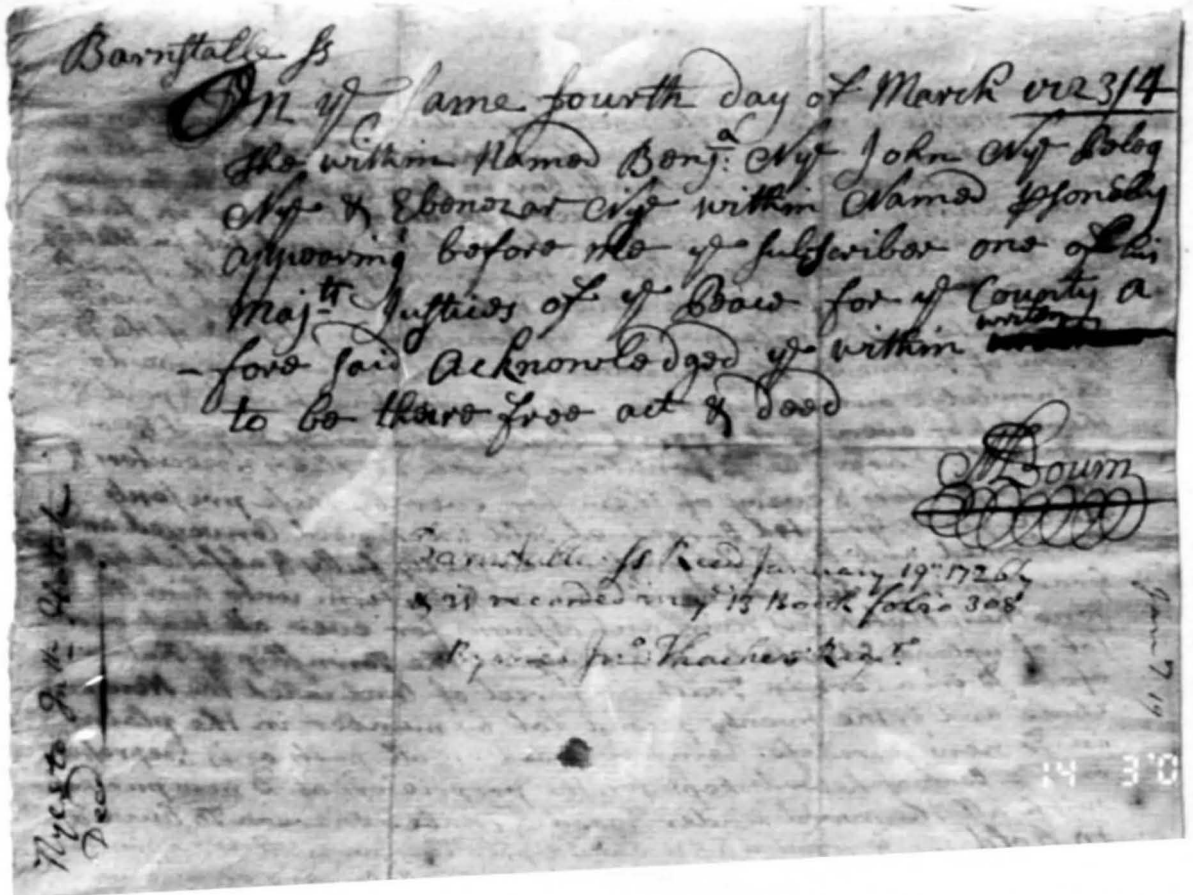
I hoped descriptions of land on the deeds would be clearer than the archaic description of acreage in the proprietors records which used rocks, streams, trees and perhaps an abutting owner's fence as boundaries.

When the deeds were returned three weeks later, Bill Dunkle brought a light box for me to use to enhance the script and I was pleased to find that the land in the deeds was identified as lots in the New Purchase. By that time, I thought the proprietors must have made a map - but there was none to be found.

I had a copy of the first map sent to the Commonwealth outlining the town of FALMOUTH signed by Falmouth Selectmen Nat Shiverick, Joseph Hatch

and Paul Swift. Charles White, a former Town Engineer, had marked a copy of that map to show the area which the proprietors described as the New Purchase. This was helpful, but no latitude nor longitude had been used, and no lots were shown.

After spending hours at the Town Hall poring over the more complete book of proprietors records, I was rewarded by finding a record of the lotting of the New Purchase. Having had experience with maps in a career in Planning and Zoning, I accepted the



First of two examples of the six 18th Century deeds given to the Falmouth Historical Society in 1999. What looks like background writing is actually showing through the thin parchment from the other side. Photo by Paul Ferris Smith. Courtesy Falmouth Historical Society.

challenge to map the lots as described by the proprietors and the deeds. This is my report of that project.

In 1660 a group was given permission by the Colony Court to buy land from the Indians who lived here. Several individuals, including Jonathan Hatch, had already received land from Indian friends in the area of Woods Hole and Quissett.

In 1661 the proprietors allotted sections to each of their 14 members. The southern line of the sections ran along the shore from Nobska to Five Mile River (Coonamesset River); the northern line was "the woods."

About 1677, after some exchanges had taken place, those sections were identified by lot numbers with small references to landmarks such as ponds, swamps, heaps of stones and marked trees. Each lot was provided with a way to fresh water.

Between 1679 and 1712 the whole area was laid out in lots; each section beginning with Lot #1. Thereafter similarly numbered lots were used in areas of Woods Hole, Sippewissett, the Hills and Woodland of the original purchase, and the Hills and Plains of the "New Purchase" of 1681.

The Proprietors Record Book states:

The Court grants that the dividing line between the Township of Sandwich and Suckanessett Village be a place commonly called Hope Spring, a little to the Southward of Pocasset Neck, and thence Easterly a straight square line into the Woods being Suckanessett's Northerly bounds and Easterly bounds of sd Suckanessett to be the bounds of the Christian Indian lands, and those within the sd bounds liable to

do such duty at Suckanessett as is requisite to be performed for the good of that Society there.

A true copy of the	Plymouth, the 13th
Court Record entered	July 1681
in the Book of Records	By order of the Court
of Suckanessett	Nathaniel Morton
	Secretary

In ensuing years, land was allotted and exchanged, but it isn't until 1712 that it is reported:

At the same meeting (3rd day of June 1712) the Proprietors of the New Purchase voted and ordered that the said New Purchase shall be laid out as soon as it conveniently can be.

A committee was formed to divide acreage into lots. On the 10th day of April 1713, Thomas Bowerman, Philip Dexter and Samuel Jennings submitted their Report Of Lotting Of The Hills In The New Purchase. (A rod is 16 1/2 feet long.)

And first we run a range through the purchase about North West and by north and South West and by South, beginning to the Westward of a little swamp near the line that divides the Old Purchase from the New Purchase and so runs North West and by North to the Sandwich line this above range is the Westerly bounds of a vacancy of three rods wide left for a way for the Proprietors use and this way divides the purchase into two parts, one of which is a particular allotment and that allotment on the west-erly side of sd. way we denominate the Hill lots and the other the Plain lots. We began to lay out lots near the line between Sand-

To all people to whom these presents shall come greeting know ye
 that we Benjamin Nye of Falmouth in the County of Lincoln in
 the Province of the Massachusetts Bay in New England the said
 and John Nye Deacy Nye & Ebenezer Nye all of Sandwich in said
 County yeomen for & in Consideration of the second lot in Hatch
 in the New purchase so called in the Town of Falmouth aforesaid
 which is to us in Exchange given & secured by a deed bearing
 date with these presents by Jonathan Hatch of the
 Town of Falmouth Husbandman whereby & whereunto we do
 acknowledge our selves to be fully satisfied Contented & paid &
 thereof & of every part & parcel thereof do clearly acquit Exoner-
 ate & discharge the said Jonathan Hatch his Heirs Executors &
 Administrators & every of them for ever by these presents
 Have Given Granted Bargained Sold Exchanged Conveyed and
 Confirmed and by these presents do fully & absolutely give
 Grant Bargain Sell Exchange Convey & Confirm unto him the
 Jonathan Hatch his Heirs and assigns for ever all that our
 lot of upland Situate lying & being in the Township of Falmouth
 aforesaid in a certain Tract or parcel of land called the New pur-
 chase and is the twenty second lot by number in the plan
 in the new purchase being bounded on all parts as is described
 on the book of Records kept for the proprietors of the new purchase
 with all the wood under wood & Timber thereon to have &
 to hold the said Granted & Exchanged premises with all the appurte-
 nances privileges & Commodities to the same belonging or in any
 wise appertaining unto him the said Jonathan Hatch his Heirs and
 assigns for ever to his & their only proper use benefit & behoof for
 use for our selves our heirs Executors & Administrators do Grant
 & Grant to and with him the said Jonathan Hatch his Heirs & assigns
 that at & before the sealing & delivery of these presents we are the
 true sole & lawful owners of the above conveyed premises and have
 good Right & lawful Authority to sell & convey the same in manner
 and form aforesaid And that the said Jonathan Hatch his Heirs & assigns
 shall & may at all times hereafter by force & virtue of these presents
 lawfully peaceably & quietly have hold use & enjoy the above granted
 & Exchanged premises free & clear & clearly discharged & discharged
 & from all other & former Gifts Grants Bargains Sales Exchanges
 Leases Mortgages Conveyances & Incumbrances whatsoever hereby
 warranting the Title & Tenure thereof unto him the said Jonathan
 Hatch his Heirs & assigns against the lawful claims & demands of
 any person or persons whatsoever in Witness whereof we have
 hereunto set our hands & seals the fourth Day of March Anno
 Domini one thousand seven hundred & thirty three also four
 Signed sealed & Delivered
 in the presence of

John Briggs
 Samuel Jennings
 Elias Brown witnesses to Benjamin Nye

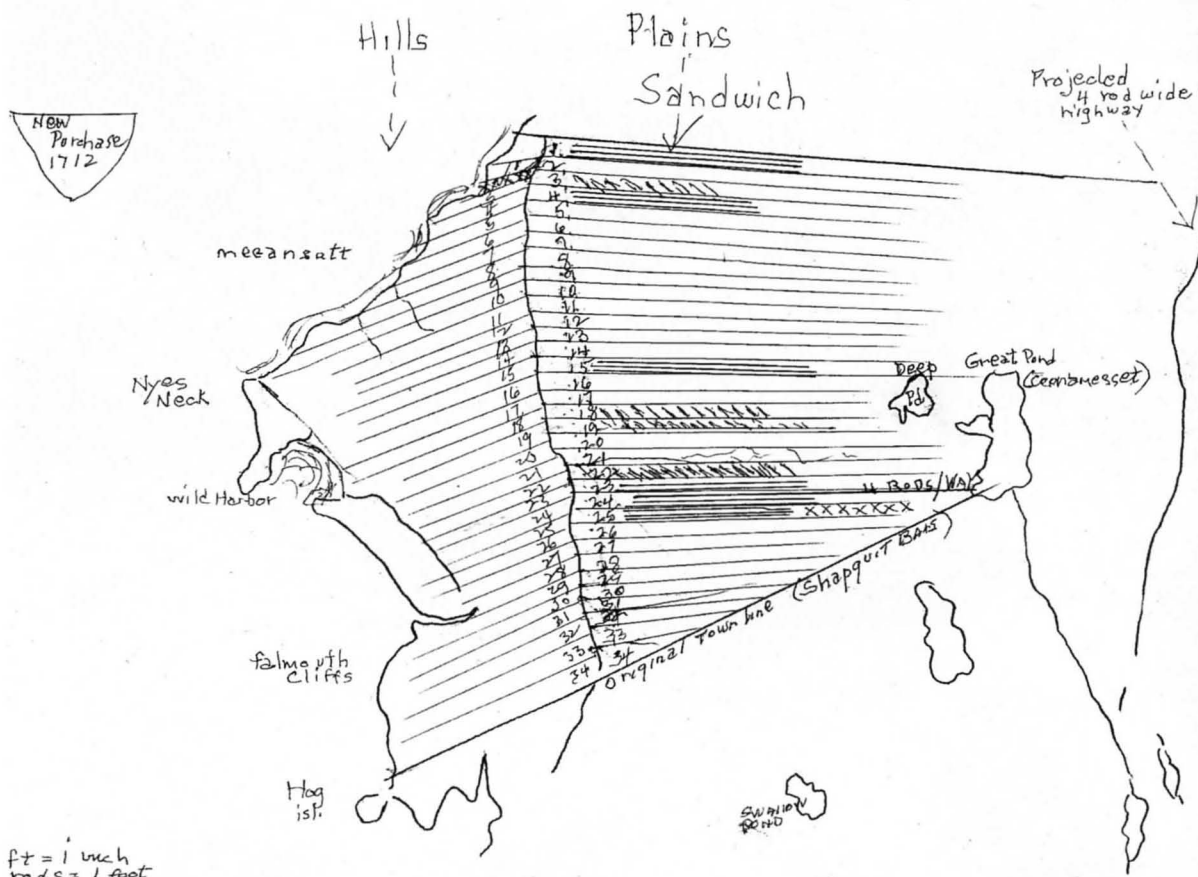
Benjamin Nye
 John 7147
 Ebenezer Nye
 Deacy Nye

wich and Falmouth, butting the easterly ends of them all upon the aforesaid way and the westerly ends to extend to the utmost bounds of the Purchase. The ranges of all these Hill lots run lengthwise West North West from the aforesaid way down toward the Bay or salt water.

Then follows the laying out of 34 lots, using similar language, of which we will quote two:

Nathan Rowley the first lot

For the Northerly bound we set a pine stump marked 1 and in the aforesaid range near Sandwich line. And then set off twenty seven rods towards the Southward in sd. range and set a pine stump marked 11 for the southerly bound of the first lot and the northerly bound of the second. Then we measured off twenty seven rods for the second lot and set a pine stake marked 111



Map of the lots as described by the proprietors and the ancient deeds. Map drawn by Dorothy S. Svenning. Courtesy Falmouth Historical Society.

THE NEW PURCHASE

Lotting in The Hills

- 1 Nathan Rowley
- 2 Jonathan Hatch, Jr.
- 3 Jonathan Hatch, Jr.
- 4 John Gifford
- 5 Thomas Crocker
- 6 Stephen Harper
- 7 Joseph Bourne
- 8 Joseph Bourne
- 9 Thomas Parker
- 10 Thomas Bowman
- 11 William Gifford
- 12 William Gifford
- 13 Ezra Bourne
- 14 Richard Landers
- 15 Isaac Green
- 16 John Weeks
- 17 Ebenezer Nye
- 18 Joseph Parker
- 19 John Nye
- 20 John Dimmick
- 21 Moses Hatch
- 22 Jonathan Hatch (dec'd)
- 23 Benjamin Nye
- (4 rods for a way between lots 23 and 24)
- 24 Nathan Fish
- 25 Judah Butler (heirs of)
- 26 Benjamin Hatch
- 27 Philip Dexter
- 28 Benjamin Burgess
- 29 John Jenkins
- 30 John Otis
- 31 John Otis
- 32 Jonathan Hatch
- 33 William Johnson
- 34

Lotting in The Plains

- 1 Benjamin Hatch
- 2 Nathan Fish
- 3 John Dimmick
- 4 Jonathan Hatch
- 5 Ebenezer Nye
- 6 Thomas Parker
- 7 John Otis
- 8 John Otis
- 9 Thomas Bowman
- 10 Joseph Bourne
- 11 Joseph Bourne
- 12 Philip Dexter
- 13 Stephen Harper
- 14 Ezra Bourne
- 15 Jonathan Hatch
- 16 William Gifford
- 17 William Gifford
- 18 John Weeks
- 19 John Jenkins
- 20 Benjamin Burgess
- 21 Nathan Rowley
- 22 John Nye
- 23 Jonathan Hatch
- 24 Jonathan Hatch (heirs of)
- 25 Moses Hatch
- 26 Benjamin Nye
- 27 John Gifford
- 28 William Johnson
- 29 Joseph Parker
- 30 Judah Butler (Heirs of)
- 31 Isaac Green
- 32 Richard Landers
- 33 Thomas Crocker
- 34

Only the numbered lots are shown on the map. Names would be illegible on so small a map. However, since the deeds we traced are Hatch deeds, their holdings are marked:

=====

XXXXXXXXXXXXXX

Lots assigned by proprietors
 Lots acquired by deeds
 Lots sold or exchanged by deeds

for sd bounds between the second and third lots - 2nd lot Jonathan Hatch, Jr.

They then divided the land in the section called The Plains, which lay to the East of the way reserved for the Proprietors' use.

Then we proceeded to lay out the Plain allotment in the manner following, that is to say, first we left a way for the Proprietors use to begin at the eastern end of a gore of land that lies between the thirty fourth of the Plain lots and the line that divides the Old Purchase from the New, and to extend easterly along said line four rods wide to a pond then to go round the Northerly end of the Pond till it comes with sd line again, then to go along sd line till it comes to the head of the river and thence to extend in the most convenient place for a cart way near Isaac Robinson's land till it comes to a branch of the Great Pond then to go round sd branch to sd Great Pond, then to extend along still four rods wide in the most convenient place by sd Pond till it come to Joseph Robinson, Jr. land and then along by sd Joseph Robinson and John Davises land, till it comes to the Queens Road.

These Plain lots abut at the Easterly ends part of them upon the above specified way (but it is to be understood they are not to stop at a crook in sd way when there is part of the Purchase to the eastward within their way) and the other part of them but upon the country road. And the westerly ends of all those Plain lots upon the way that runs across the Purchase.

We began to set off these at that end of the last mentioned way next to Sandwich line and set them off along near sd way towards the Southward

Then follows the laid out lots, using similar language for each, of which we quote two:

For the Northerly bounds of the first lot we set a pine stake marked 1 near Sandwich line and then measured 26 rods for the second lot & set a stake marked 111 for the bounds between the second and third lots. The 2nd lot is Nathaniel Fishes.

The new purchase was lotted in 1712. Since our 18th century deeds refer to obsolete lot numbers and other archaic landmarks, and no map was found which shows the original divisions, we prepared a rough draft of the 1681 New Purchase.

We were encouraged to attempt this project when we found later records of proprietors meetings at which committees were appointed to review the lotting and resolve problems of rights, ways and bounds. The original lotting was done expeditiously for the purpose of establishing a basis for equitable taxation, with the expectation that corrections could be made.

Two such corrections were authorized at a Proprietors Meeting in Falmouth on June 7, 1716:

The Old Purchase did make choice of Col. Otis and John Jenkins of Barnstable and Capt. Lothrop of the town to settle and prefix bounds at the head of the River and also to settle a bound at Teaticket.

Other corrections were authorized three weeks later:

At a Meeting of the Old Proprietors and of the New (so-called) lands within the town of Falmouth, holden at Falmouth the 28th of June 1716, Rev. Joseph Metcalf, chosen moderator, Moses Hatch, Thomas Bowman and Isaac Greene, chosen to settle all bounds between the divided and undivided lands in the Old and New Purchases, so called in this town.

At the same Meeting, the same persons were chosen to make and settle bounds at the Northerly ends of the Hill lots and at the Southerly end of the Plain lots in the New Purchase and likewise across the Middle of sd. lots or thereabouts.

In 1984, Charles White, a former Town engineer, copied an early rough draft of the New Purchase which referred to a periphery map of 1724. However, we decided to use a later periphery map of the Town surveyed by Jesse Boyden in 1841 because it provided accurate measurements.

Following the example of the Proprietors, our mapping was done expeditiously to serve our purpose. We figured all lots at approximately 26 to 27 rods wide @ 16.5 feet per rod, and used a map scaled one inch to 3000 feet.

Significant excerpts of the deeds are included here to describe the transactions traced on the map.

1. Deed 1713/14

Ebenezer Morton of the Town of Plymouth, County of Plymouth, Massachusetts Bay in New England—in consideration of—

eight pounds—well and truly paid by Jonathan Hatch, Jr. of the Town of Falmouth in the City of Barnstable—grant and convey my one share of lott in that tract called New Purchase in the Town of Falmouth afsrd.

This deed shows no lot number and refers to a share. John Jenkins owned lot 19 with an unnamed partner. We found no land owned by Ebenezer Morton. It therefore seems likely that Ebenezer was John Jenkins' partner in lot 19. A share of lot 19 is shown as sold to Jonathan Hatch, Jr. as of deed 1713/14 and is marked to indicate that thus: =====

2. Deed dated January 17, 1714/15

To all people to whom these presents shall come, I, Moses Hatch of Falmouth in the County of Barnstable, in the Province of Massachusetts in New England, Yeoman—for and in consideration of the sum of fifty pounds in current money of New England—fully paid by Nathan Rowlee of Falmouth afsrd., weaver, wherewith I acknowledge myself fully satisfied—do freely give, grant & confirm unto Nathan Rowlee—a certain parcel—being in Falmouth afsrd., lying westerly from the dwelling house of William Johnson, containing by estimation, about 50 acres more or less, butted at the easterly corner by land of William Johnson and northerly by land of J. Hatch—.

This deed did not mention a lot number, but the description of the land agrees with lot 25 which was allotted to Moses Hatch and already marked: =====
By this deed it was sold to Rowlee and has been marked to indicate that: XXXXXX

This land appears to be a family transaction. Moses' parents were Jonathan Hatch and Sarah Rowlee Hatch. Moses' sister Marcy had married this cousin, Nathan Rowlee.

3. Deed dated March 4, 1723/4

To all people—we, Benjamin Nye of Falmouth, John, Peleg and Ebenezer Nye, all of Sandwich—yeomen, for and in consideration of the SECOND lot in the HILLS section which is to us in exchange given and secured by a deed bearing even date with these presents, by Jonathan Hatch, Jr.—have given, granted, bargained, sold, exchanged, convey and confirm unto him, the said Jonathan Hatch, Jr.—all that our lot of upland, situate, lying and being in the Township of Falmouth afsd. in a certain tract or parcel of land called the New Purchase and is the twenty second lot by number in the Plains in the New Purchase being bounded on all parts as is expressed in the Book of Records kept for the proprietors of the New Purchase, with all the wood, underwood and timber thereon—

Jonathan acquired lot 22 by this deed of 1723/24 and it is marked on the map thus: \\\

4. Deed dated May 5, 1724

To all people—come I, John Weeks, Jr. in the Town of Falmouth, County of Barnstable Province of Massachusetts Bay in New England, Husbandman—in consideration of the sum of nine pounds—by Jonathan Hatch, Jr. in Falmouth—afsd., do give, grant and convey—to him, sd Jonathan Hatch, Jr.,—my one lot of land lying in the Plains, which is the eighteenth

lot in the New Purchase—with wood, trees, underwood, swamps and swampy ground.—

Jonathan Hatch, Jr. acquired lot 18 as of this deed of 1724. It is marked thus: \\\

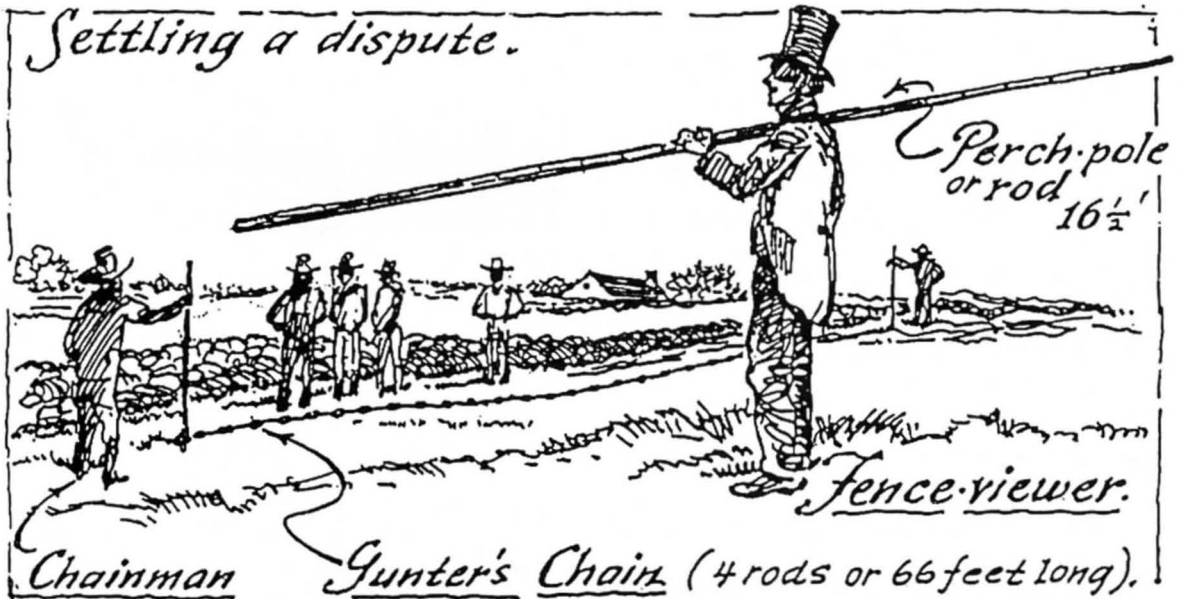
5. Deed dated 1727

To all people—Benjamin Bing of Falmouth in the County of Barnstable in the Province of Massachusetts Bay in New England, yeoman—for and in consideration of full and just sum of eleven pounds current money of New England—paid by Jonathan Hatch, Jr. in Falmouth afsd. yeoman—do fully, freely convey & confirm unto said Jonathan Hatch, Jr.—a certain tract or parcel of land situate in Falmouth—that is to say, my lot in the allotment of the Plains in the New Purchase, that is to say the twentieth lot in number.

6. Partial document - torn

Deed signed 1746 - registered 1748

To all people—Ebenezer Dimmick—County of Barnstable, Province of Massachusetts Bay in New England, yeoman, in consideration of the sum of sixty—in good bills of Credit in hand—truly paid by Nathan Hatch of Falmouth—and by these presents to grant—to Nathan Hatch—a certain piece and parcel of land being in the Township of Falmouth, bounded—Begin—marked II in the crotch of a tree & near Joseph Crolle—thence to a red oak marked III, easterly to a crotched tree and a pond so-called, marked V then east northerly to a large swamp and to the end of the swamp and southerly to an old mill farm so-called—then southerly to land—to the road



If your neighbor put his fence on what you thought was your property, you called neither the policeman nor the surveyor, but the town fence-viewer. When he was on duty, the fence-viewer usually had two chainmen who carried the "Gunter's Chain" for measuring land distances, and he also worked closely with the hayward. The hayward was the man who impounded stray cattle and fined the owner.

Drawing and text from *American Yesterday* by Eric Sloane, 1956.

that leads to Sandwich—then running westerly then northerly to—Robinson, then ranges due east to an oak marked II with crotch as aforementioned—of that tract of land that Ebenezer Dimmick & Jonathan—of Solomon Brant, Indian minister of the City of Barnstable under the hand and seal of said Brant, April 17, 1744—by the grantor and grantee, that we, alone, said Ebenezer Dimmick—and of said land on boundary of the same, to have—granted and bargained previously - of land above—Belonging or give any wright to him, the said Nathan Hatch, his heirs—forever, as sole proprietor—on behalf for

Ebenezer Dimmick

At this late date, with no lot number given, it seems likely that the numbers were changed after the lots were reviewed. Since Ebenezer Dimmick was the son of John Dimmick to whom lot 3 was allotted, sale of lot 3 to Nathan Hatch is indicated on the map thus: \\\\\\\\\\\\\\\\\\\

As this project progressed, it was impressive to see how each single document led to information greater than itself. Members of the Hatch family came together, forming a family compound which became the Village of Hatchville.

One wonders if they and their fellow proprietors knew the legacy they were leaving. They not only

explored and settled; they also civilized this small part of our country, one section at a time, with church, cemetery, roads and a representative government to support it. It is something to be nurtured for generations to come. As Mr. Deyo commented, "Taxation begins with civilization and only ends with the millenium."¹

Note: There is a complete copy (script) of the Proprietors Record Book in our library at the Falmouth Historical Society to help anyone interested in tracing the early development of other sections of Falmouth.

1. History of Barnstable County, Massachusetts by Simeon L. Deyo pub. 1890. p.636.

Dorothy Svenning and her family made a pleasant transition to Falmouth from Darien, Connecticut in 1969. In Darien she had worked for the Planning and Zoning Commission and in Falmouth she continued this tradition, becoming the Planning Board administrator. After retirement in 1979 she volunteered as a guide, assisted the archivist, supervised the docent program and did publicity for the Falmouth Historical Society. In 1999 she published a book, *The Purpose*. She is currently the archivist at the Falmouth Historical Society, having been appointed to succeed Charlotte Price in 1987.

FIRST SETTLEMENT 1660

ON THE "NECKE OF LAND LYING BY THE HERING BROKE" ISAAC ROBINSON AND JONATHAN HATCH BUILT THEIR HOUSES. THEY WERE LATER JOINED BY SETTLERS WHO AFFIRMED THEIR RIGHTS OF POSSESSION IN THE FIRST GENERAL AGREEMENT FOR THE LAYING OUT OF LANDS IN "SACKONNESSET." THE AGREEMENT WAS SIGNED DECEMBER 3, 1661.

THOMAS LOTHROP
ISAAC ROBINSON
WILLIAM THOMAS
ANTHONY ANABEL
JONATHAN HATCH
JAMES HAMLIN

THOMAS EWER
JOHN CHAPMAN
PETER BLOSON
JAMES GORE
WILLIAM NELSON
SAMUEL HINKLEY

JOHN JENKINS

TO KEEP THESE EVENTS IN ITS HISTORY
IN GRATEFUL MEMORY
THE TOWN OF FALMOUTH
ERECTED THIS MONUMENT
1930



Plaque commemorating the First Settlement is mounted on a stone close to Surf Drive on the beach side next to the mouth of Fresh River. Photo by Janet Chalmers.