

REPORT OF THE
HEARING OF THE COMMITTEE
ON THE
SUFFOLK RESOLVES HOUSE

HELD AT THE
MILTON TOWN HALL,
OCTOBER 20, 1924.

sub additions by Roger Wolcott,
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HEARING OF THE SUFFOLK RESOLVES HOUSE COMMITTEE
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MR. E. J. B. HUNTOON:

Mr. Chairman: I am thoroughly convinced of the authenticity of the present House of the Suffolk Resolves and base my opinion on the writings of my father, Daniel Thomas Vose Huntoon, a great grandaon of Daniel Vose. Mr. Huntoon was noted locally as an historian and anti-quarian. He was founder and president of the Canton Historical Society and author of the History of the Town of Canton. He served as clerk of the Bostonian Society at one time and was author of numerous pamphlets and papers pertaining to the early history of the towns of Norfolk County. In his preface in the History of Canton he states:

"Every statement I have made in this work I have authority for either from records or well authenticated tradition."

And this statement would equally apply to his other writings.

In 1884 a book entitled The History of Norfolk County made its appearance. It contained the history of the various towns in the County, written by local people. This book, in Mr. Huntoon's opinion, contained many errors and omissions. Mr. Huntoon, therefore, ran a series of thirty articles under the name of Historicus in the Dedham Transcript, running from August 2, 1884, to February 1, 1885, entitled Notes on the History of Norfolk County. These articles were written to call attention to the aforesaid errors and omissions in said History. One of the local papers at

that time printed the following:

"The Norfolk County History, published by J. W. Lewis & Company, which has given such general dissatisfaction to all who have noted its many errors of omission and commission, is being reviewed by Historicus in the Dedham Transcript. The reviewer is evidently well qualified for his task and must have access to a most valuable historical treasury as his notes already published show a familiarity with the local history of nearly every town in the County."

The article on the Town of Milton, No. 12, extends over numerous columns. In Article No. 14 Mr. Huntoon writes as follows:

"No mention is made in the Ancient Homes and Estates of Milton (757) of the house of Daniel Vose.

"The first house south of the station at the Lower Mills was his residence, although it did not stand in revolutionary days on its present site. It was further up Milton Hill on the land now occupied by the Associates Building.

"It is an old-fashioned, two-story wooden house; not large, but with an air of comfort about it; magnificent elms are around it, and it looks as if it had a story to tell worthy of preservation, a helio-type in the History of Norfolk County, would have perpetuated his likeness forever. I thank God its history is not dependent on paper, for on a marble tablet, inserted on its front is this inscription:-

'IN THIS MANSION

on the ninth of September, 1774, at a meeting of the delegates of every town and district in the County of Suffolk the memorable Suffolk Resolves were adopted. They were reported by Major General Joseph Warren, who fell in their defense in the battle of Bunker Hill, June 17, 1775. They were approved by the members of the Continental Congress at Carpenter's Hall, Philadelphia, on the seventeenth of September, 1774. The resolves to which this immortal patriot here first gave utterance, and the heroic deeds of that eventful day on which he fell, lead the way to American Independence. Posterity will acknowledge that virtue which preserved them free and happy.*

"This is the house of Daniel Vose!"

The above was written in 1884, twenty years after the fire of 1861. My father was well acquainted with the history of the Town of Milton, and his ancestors are buried in the Milton Cemetery; and if the Suffolk Resolves House was burned in 1860-1, as claimed by others, he would have so stated in his writings.

CHAIRMAN WOLCOTT:

Does anybody else want to speak in favor of the authenticity of this house? Any one opposed?

MR. CHARLES S. RACKEMANN:

Mr. Chairman and Members of the Committee:

I have been asked by several of our citizens to present the view that the so-called Suffolk Resolves House on Adams Street which has the marble tablet in question inserted in the wall is not the house in which the Suffolk Resolves were voted by the Convention of 1774. It is a familiar rule that a lawyer in arguing a case should not give his personal belief. He is supposed to present the facts in the case as they are found by the judge or the jury, and to give the law which is applicable to the facts from his client's standpoint, whether he be for the plaintiff or the defendant; but I conceive that in a hearing of this nature it is not inappropriate for one who argues one side or the other to give his views, and I would like to say that to-night I am giving views which are held by the people who have asked me to speak and views which are equally shared by myself in the matter. In other words, I do not appear as a special pleader, but I appear as spokesman for myself and others.

Now this question is a rather elaborate one. As I understand it, the issue to-night is whether or not the Suffolk Resolves were passed in this house with the square front which now stands on Adams Street. I shall endeavor to show to your satisfaction--to the complete satisfaction of this Committee--that it is not the house in which the Suffolk Resolves were passed; that it is not a part of the house in which the Suffolk Resolves were passed; and that it has nothing more to do with the passage of the Suffolk Resolves in the year 1774 than this building in which we are now assembled. I shall begin, if you please, with a historical sketch of the land. Here is a plan which has been compiled by Miss Martin. It is very easy to understand, although it is rather a pity that it was not on larger paper and had more printing on it; but just where the Chairman's hand now rests is the Neponset River, and, swinging to the right and across this lower line of the paper is the line of Adams Street. On the right-hand edge of the paper, extending in an easterly direction is the way to the landing; and the town landing would be down here where the way and river come together. The lots are numbered to correspond with certain conveyances which are recorded in the Dedham Registry of Deeds; and where the numbers are given they will correspond with the conveyances. The confusion that has arisen in this matter comes about from the fact that there was a considerable ownership by the Vose family on Adams Street extending northerly from this way to

to the landing. It will be shown, and, I think, is not in dispute by those who do not take our view, that Daniel Vose's store and large building was on the corner of Adams Street and the way to the landing. He owned land down the way and he subsequently owned land on Adams Street. The house in question does not now stand on the corner of the way because the Associates Building is now there with the offices of the Blue Hill National Bank in it. This building stands northerly of the entrance to the Railroad Station. Now this historical sketch is almost necessary, to begin with, to get an understanding of the foundation of the various arguments. This sketch refers to that plan:

Jeremiah Smith owned the seven acres of land bounded by what is now Adams Street, the way to the town landing, and the Neponset River. This was in 1741. In 1760 he sold lot No. 1 to Joseph Fenno, Jr. and Daniel Vose. This lot, 40 feet square, situated at the corner of what is now Adams Street and the way to the town landing, is where the offices of the Blue Hill National Bank now are. On this lot Fenno and Vose built a 40-foot square building, part store and part dwelling house, and here they carried on a successful business until 1767 when Mr. Fenno was drowned. Vose bought from the Fenno Estate its interest in both the business and the real estate. But prior to this, in 1762, they had purchased lot No. 2, which abutted lot No. 1 on the east and extended along the way to the town landing some hundred or more feet. On this lot No. 2

were sundry buildings accessory to the carrying on of their business, and special attention is called to a building known as the shop, which, while not attached to, was immediately adjoining the larger building on the corner and in this building were kept the more bulky, coarser, and heavy articles which had to do with their trade. This building, we think, was 30 feet long and about 16 feet wide.

Daniel Vose married in 1762 Rachel, daughter of Jeremiah Smith. In 1764 Jeremiah Smith conveyed to his daughter, Mrs. Daniel Vose (nee Rachel Smith) lot No. 3, almost rectangular in shape and having a frontage of 50 feet on what is now Adams Street, and the southerly side of this lot abutted the northerly side of the Vose-Fenno lot. From 1767 to 1773 Daniel Vose prospered. In 1773 he built a large addition to the existing building on lot No. 1 on lot No. 3, his wife's lot, so that the new building of increased size practically covered lots 1 and 3. In 1773 the building known as Daniel Vose's Inn came into existence. From 1773 until it was destroyed by fire in 1861 there is no evidence that there was any substantial change of any nature made in this building. It was here that the Suffolk Resolves meeting was held September 9, 1774. In what part of the house this meeting was held we do not pretend to state. Herewith we submit a floor plan prepared from the recollections of the late Mrs. Rebecca Harrington who lived in the Daniel Vose house from 1853 to 1859, and whose recollections were very clear as to the general layout of the

fact?

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various floors. We call special attention to the room over the store on the second floor, by this plan divided by a partition. We suggest that the partition was not there in 1774, but originally it was a large room served by a front staircase coming from the lower hall and a back staircase communicating directly with the kitchen, making it a room admirably adapted for meetings, banquets, and such occasions. We believe that it was in this room that the Suffolk Resolves meeting was held.

On the other hand, the meeting could well have been held in the lower hall or in the upper hall in the northerly end of the house. There were some sixty or more delegates present at this meeting, and it is reasonable to assume that they selected a room in which there was adequate space to hold their meeting comfortably, and such space was ready at hand, as indicated by this plan. There are other plans which go to show that after Daniel Vose made the 1773 addition there were no material external changes in the building during its existence.

We call particular attention to the plan in the file of the Milton Historical Society, dated October 3, 1781, of which we have also a copy. This we consider the most important plan we have and the plan which settles the matter. This is No. 3. I will read the label on this plan and then I will explain it to you: "A plan of the piece of land lying in Milton near the landing place, containing one acre and thirty-eight rods within the black line; measured October 3, 1781, by Gunter's scale, this being a copy." Then,

in another writing is marked on the margin: "Ancient plan. Copy." The next word I cannot read, and the final word seems to be "Pierce". Below, in what I take to be the same writing, is: "This copy was made by Jesse Pierce from an ancient plan in the town clerk's office since lost."

Now, if the Committee please, this plan shows the river in the north and east, Adams Street on the west, and the way to the town landing on the south. In other words, it covers the same territory that the first plan I showed you covers. But it is important to notice that it says that the area is between the black lines. Now, in a copy like this it is a little bit difficult to know just what that means. It might mean that it would be the town landing or it might be that it is the heavier line. Now, if you will kindly follow me for a moment, I wish to call your attention to the buildings. On the corner of Adams Street is a tall building marked "A". The Leader says "A" is Mr. Vose's house. Next to that and on the way to the landing--perhaps not touching it exactly, not in contact with it except by a mere point--is "B", which is said to have had the same owner. Next below that is a square building with a roof apparently coming to a point marked "C"; and the Leader says that that is Mr. Vose's barn. The next, letter "D", is still going down the line and is Mr. Vose's out-house. Then comes a small building marked "E", which is Mr. Vose's shed. Then two letters "FF" represent Mr. Vose's barber shop and hog sty. Those are almost in the

middle of the way, apparently. Then "G" is a larger building still in the confines of the way and the landing but quite a bit south. "G" is the Widow Babcock's house. Then "I" or "J"--I think that is it--is a stump, said to be one boundary of the landing. "K" is Mr. Hollin's (?) nailing shop, and "L" is a rock, said to be a boundary of the landing. "M" is Mr. Smith's dam, which is apparently a title dam up the river; and "N" is part of Mr. Swift's wharf, supposed to be on the landing. (Jesse Pierce, we may remark in passing, I understand to be the grandfather of our fellow-citizen, Mr. Charles S. Pierce, who figures largely in our Milton history.) I do not think it is necessary to comment further on this plan. I think it is one of the most valuable pieces of evidence in the whole sequence.

Now the next plan is a plan of the Gardiner Estate. This plan, No. 1, is entitled: "Plan of the landing place in Milton, 1835; by Edmund J. Baker." This plan shows on the west the old Plymouth road (which, of course, is Adams Street); on the north, the land of Daniel T. Vose and Henry Gardiner, the Vose land apparently being on the Adams Street front; on the east it shows the channel; and on the south it shows the land of John Swift and Nathan Stanley. The interesting point about this plan and the reason that I want you to notice it is that it is the large building on Adams Street on the corner of the way which we consider to be Vose's. Then it shows the barn; then it shows another house. That is what we want to emphasize, i.e., that it shows the large building on the corner and the small building next to it.

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This brings us to the next exhibit, which is a sketch drawn by Miss Hinckley, who is still living in Milton at the corner of Brook Road and Hinckley Road. This shows the two houses in question and another house apparently standing a little farther back. There is the large building on the corner of Adams Street and the way to the landing. There is the present Suffolk Resolves House, and this is a pump which is also mentioned in Dr. Teele's History and which stood at or near the northerly boundary on the way to the landing.

MR. ROGER L. SCAIFE:

Is that drawn from recollection or was it drawn at the time?

MR. RACKEMANN:

It was drawn from recollection in 1924. The sketch by Miss Hinckley as to the external appearance of the house as she remembers it in the late fifties compares very closely with the sketch or plan of 1781. There are also the recollections of the late Jemediah Strangman, who says that: "Over the store was what you might call a large room or a small hall"; and of the late Mr. John Preston, who said: "The side door went up to a long room". Mr. Strangman was a citizen well known to all of us, who is recently deceased. This is a statement made by him: "I recollect the two fires, the second in January, 1861, when the Vose House was burned. I attended both fires. Bowman had a harness shop on the corner and we used to go there and play cards. Over it was a small hall."

The entrance was at the side of the way which leads down to the landing. In referring to the plan signed by Mrs. Harrington you will remember the door. There were a number of large trees standing in front of the Vose house which were killed by the fire. I went to the war and later they were cut down by the selectmen, and their trunks were rolled into the Vose house."

Then we have another statement made by John Preston. He was a resident in Milton and his son, John Preston, is still. I quote from his diary: "1861. 11:15 at night. Large building at head of Todd's landing, Daniel Vose house, never saved. Mr. Safford lost books and papers. Incendiary."

Then we have plan No. 5 of the Gardiner Estate, # 56. so-called, which also is interesting. It is supposed to have been made about 1855 after the steam railroad was put through. This shows on the west Adams Street and on the north it goes clear across the river and takes in land up to the turn of Adams Street towards Neponset. It shows the railroad running through the track; it shows the way to the landing; it shows with singular closeness to resemblance the large Vose building on the corner of Adams Street and the way to the landing and the little building not quite contiguous but very close, and what is known as the Brown house on the other plan, and the building east, and another building farther down. North it shows the house which might be the one which Miss Hinckley duplicates. Then there are two other buildings. The third one away from what I call the principal Vose house on the corner might be the present Suffolk Resolves House.

This is a copy of the plan of Dr. Gardiner's Estate from the files of the Milton Historical Society, entered probably about 1855 and in what I consider to be the same writing that is endorsed on the John White plan.

All these plans, data, and recollections prove, we contend, that the Suffolk Resolves meeting was held in the Daniel Vose Inn (house, tavern, mansion-house, or whatever you please to call it), as built in 1760 and remodelled and added to in 1773, and not changed or altered thereafter until destroyed by fire in 1861.

As to the building now standing in the village which purports from the tablet placed thereon by the late Mr. Nathaniel T. Safford to be the building in which the Suffolk Resolves meeting was held, there is unquestionably a tradition that the present building or a part of it was a portion of Daniel Vose's Inn, and we offer the following as an explanation for this tradition: In 1779 a son was born to Daniel and Rachel Vose and was christened Daniel Thomas Vose. He was their first and only male child and the first male grandchild of Jeremiah Smith. In 1781 Jeremiah Smith conveyed by deed to his grandson, Daniel Thomas Vose, then two years of age, lot No. 11, having a frontage of 92 feet on the present Adams Street, with a depth of about 100 feet. There were no buildings on the lot and the frontage covered the site now covered by the railroad bridge, the railroad station, and the building under consideration.

In 1773 when Daniel Vose remodelled the Inn and increased its size, the building known as the shop was moved away and a new building took its place. Where this building

was moved to at that time we do not know, but we think it is the building that connects by tradition Daniel Vose's Inn with the present building. We think it was a building about thirty by sixteen feet, and after it had been moved, Daniel Vose altered it into a small dwelling house.

Daniel Vose's daughter, Patience Vose, was married in 1783 to Dr. Amos Holbrook and, by tradition, lived in the house in question. Later, by tradition, in 1785 the building was moved onto lot No. 11 and an addition was made to it, and in this house Dr. Holbrook and his wife lived. The house did not stand where it now stands but was farther north and was moved to its present site when the railroad was built. A glance at the plan and the location of No. 11 makes that perfectly understandable. In 1785, when this house was fabricated, an agreement was entered into between Patience Vose Holbrook and her father, Daniel Vose, as guardian for his son, Daniel Thomas Vose, to the effect that he, Daniel Vose, guardian, would see to it that lot No. 11 and the house standing thereon should eventually be conveyed by Daniel Thomas Vose to his sister, Patience, or her heirs. This agreement was eventually carried out. That is a matter of record in the Registry of Deeds. This house is analyzed by Mr. Arthur H. Tucker, and his analysis is herewith submitted with plans. He pointed out that this building was originally a shed or storage building about thirty by sixteen feet, with large doors opening on what is now the southerly side. Later it became a small dwelling house with the front entrance on the present south side, and still later it became a part of

Dr. Holbrook's dwelling house, which leads us to the theory that it was the building known as the shop moved by Daniel Vose in 1773 from its site immediately adjoining the Inn, and accounts for the tradition that it was a part of the Inn. (We claim that that is only tradition and not founded on fact.)

We might discuss at length the meeting held in this house on September 9, 1874, attended by sundry prominent citizens, but as there are many persons here whose friends and relations attended that meeting, we think it best not to discuss it. We will simply call attention to the comment of the Boston Post of September 10, 1874, in reference to this meeting. After stating the purpose of the meeting it goes on to say: "A few persons in the neighborhood of Dorchester and Milton, unwilling to have the event pass off unnoticed, got up the meeting last evening without any heralding, and it was held in the same room in the house where the Suffolk Resolves were passed. As the room in which the meeting was held was but small, no invitations were extended to the public." We particularly call attention to the statement that there were but few people present, and that the room in which the meeting was held was "but small". There were present at the Suffolk Resolves meeting sixty or more delegates who had attended previous meetings in well equipped and well appointed taverns or inns, and they came to Milton to hold this final meeting because Daniel Vose's Inn was conveniently located and provided ample accommodations which Daniel Vose presumably was not backward in pointing out to the moderator or whosoever's duty it was to appoint the meeting place

It seems absurd to assume for an instant that sixty or more delegates would jam themselves into a small room less than fifteen by fifteen feet when there was at hand a large room adequate and admirably adapted for the purpose of this meeting. If we are to believe the story that the front southwest room facing Adams Street is the room in which the Suffolk Resolves meeting was held and that there were sixty or more delegates present, it is self-evident that they must have been obliged to all stand up and be packed together like sardines in a box. This fact, if nothing else, in our opinion negatives the claim to historical prominence which Mr. Safford endeavored to give the building.

We claim that the present Suffolk Resolves House is a composite of two buildings, the southerly portion thirty feet by sixteen feet having been originally a storage shed, possibly adjoining to but not attached to the Vose-Fenno inn, and was moved from that location in 1773, later converted into a small dwelling house, and later still moved and incorporated into Dr. Holbrook's dwelling house, the northerly portion of which was built in 1785; so that in 1774 when the Suffolk Resolves meeting was held the building in question was not attached to or any part of Daniel Vose's Inn; that the Suffolk Resolves meeting was not held in that building or in any part of it, but was held in Daniel Vose's Inn; and that, if the building in question were arranged in 1774 as a dwelling house, and if it had been desired to hold the Suffolk Resolves meeting in the southwest room, it would

have been a physical impossibility to have done it--all of which, we think, goes to show that the so-called Suffolk Resolves building as it exists today has no historical value as connected with the events occurring prior to the Revolutionary War.

It is interesting to recall that in 1876 and the years just prior to it there was great enthusiasm for the preservation of buildings, battlefields, and other points, places, or things connected with the Revolutionary War. Yet there is no tradition that any suggestion was made at that time to preserve as a historic monument the Suffolk Resolves House, and not until another fifty years have elapsed has the incorrect historic fact stated on the tablet, placed personally by Mr. Safford on the building, borne the fruits which he evidently intended it should have borne half a century ago.

CHAIRMAN WOLCOTT:

Are there any questions?

MR. SCAIFE:

There is just one point which you did not make clear to me. The original house which you spoke of, about forty feet square, and standing on the corner, where did that go to?

MR. RACKEMANN:

It stood there and was burned.

MR. SCAIFE:

As part of the larger house?

MR. RACKEMANN:

Yes. (Mr. Rackemann then shows Mr. Scaife this on the plan.)

MR. RACKEMANN:

This is a statement of Elizabeth Harris:

"November 2, 1789. Dr. Amos Holbrook of Milton-- his third wife. She died November 21, 1838.

"As Dr. Holbrook and his wife, Jerusha, were my grandparents, I do not speak without authority, but you will surely find at the New England Genealogical Rooms a work called "William and Anne Robinson of Dorchester, Mass.--Their Ancestors and Descendants", which will confirm my genealogical statement.

"As I suppose your paper will go on record in the Milton Historical Society, I will ask you to correct your error. Genealogical errors should never be allowed to go uncorrected. This is the cause of my letter;

"Whether the famous Suffolk Resolves were passed in the house known to us as the House of the Suffolk Resolves, or not, one thing is certain, and that is that Daniel Vose did live in it. My father and mother (my mother was Catherine Holbrook, the youngest daughter of Dr. Holbrook), lived in that house from the time of their marriage, November 1824, till their removal to Cambridge in 1832. For some years before that the house was occupied by my mother's uncle, Thomas Pratt Robinson, who died there a few months before my mother's marriage to my father, Thaddeus William Harris, M. D., the world renowned entomologist. Their landlord was Dr. Henry Gardiner of Dorchester, whose wife, Clarissa, inherited the property from her grandfather, Daniel Vose. My mother, who had a remarkably keen mind and kept her faculties undimmed to the last, has frequently told me that old Daniel Vose lived in the house; and we own two articles of furniture which were left by him in the cellar of the house when he removed from it. I have never heard my mother say that the Resolves were passed there, but that the house was owned and occupied by "old Daniel" is beyond dispute. My mother died in 1887 (December 24) at 83 years."

MR. WOLCOTT:

Was that written to Miss Martin?

MISS MARTIN:

To Miss Vose.

MR. RACKEMANN:

Now, I want to read from the Gazette of September 12, 1774:

"We, the subscribers appointed commissioners for the County of Suffolk to examine the claim of several creditors of the honorable Andrew Belcher, hereby give notice that we will attend that service at the house of Mr. Daniel Vose in Milton on the second Wednesday of the month. *Timholder*

Signed: Stephen Miller
Samuel Davenport
Samuel Gardner

We put that in to show that Daniel Vose was also an inn owner.

Now, Mr. Chairman, we come to the report of Mr. Arthur H. Tucker on the Suffolk Resolves House. This comprises a good many pages of typewriting and I do not know whether it is worth while for me to read it aloud at this time.

MR. WOLCOTT:

Are you going to leave it with the Committee?

MR. RACKEMANN:

Yes.

MR. WOLCOTT:

Then I think you do not need to read it.

MR. RACKEMANN:

There is a very interesting set of drawings prepared by Mr. Tucker. I should like you to see how care-

fully these are made. This is called "Suffolk Resolves House, Third Floor Frame." This is called the "Roof Frame" and shows how the roof is put together. This is a plan of the building showing the right-hand side, which runs farther back than the other. Mr. Tucker's contention, as I understand it, is that these are two distinct buildings. There is one about 16 feet 4 inches wide and 30 feet 8 inches long, which is the one that I have been talking about in the statement that I have just read. Then there is the other building which was either brought up and attached to it or built on it. If you think it would help to have Mr. Tucker give a little resume of his theory, I should be glad to ask him to do so.

MR. WOLCOTT:

I should be glad to hear anything Mr. Tucker has to say, but I do not think it necessary for him to "re-hash" the typewritten statement.

MR. ARTHUR H. TUCKER:

The house evidently was built at two different times. The first portion is the southern portion, which was a small dwelling house, and before it was a dwelling house it was something else, just what I cannot say. It was a building without a chimney, and it was later converted into a dwelling. Then, at a considerably later period, the portion on the north side was added, making it larger and more like a business house. These evidences any one would be able to determine who was at all familiar

with the construction of houses. There can, therefore, be no question about the evidence. It is very interesting and very clear that the house was built at two different times. I have not myself made up any opinion as to the history of the house in connection with the Suffolk Resolves. I have only considered it from a physical standpoint.

MR. WOLCOTT:

Have you made any guess as to the age of these two parts?

MR. TUCKER:

It is difficult to do so. I believe that I should place the later portion of it prior to the Revolution, perhaps between 1750 and 1770, and the earlier portion about fifty years prior to that.

MR. RACKEMANN:

We obtained from the Boston Athenaeum an account of the 125th anniversary of the Suffolk Resolves. I confess that I had never heard of that before, and I do not believe mention is made of it in Dr. Teele's History. The Athenaeum authorities very courteously allowed me to borrow this, but I cannot leave it with the Committee. I want to quote just one or two points from it. You see, the 125th anniversary would occur in 1899, and this account is from the Milton Leader, and so I do not see why our people have not got on to it. It is dated September 15, 1899. It speaks of the Resolves and what led up to the passage of the Resolves, and it purports to be an account

given by Miss Mary Webster. She says: "Among the leading business men of Milton was Daniel Vose, at whose house the Convention met. It then stood farther up the street near the passage to the wharf." I ask you especially to note that: "It then stood farther up the street near the passage to the wharf". And the account begins by saying that: "Miss Webster stood in the doorway of the Suffolk Resolves House near the Milton depot". Now that is pretty solid evidence to the effect that, even if this is the building in which the Suffolk Resolves were passed, it did not stand on the site where it stands today. It then says that: "The list of delegates, which appears never to have made its way into print, is a most interesting one."

Now, Mr. Chairman and Members of the Committee, that is the sum and substance of our claims: that the old building of Daniel Vose was exactly on the corner of Adams Street and the way to the landing place; that it was subsequently added to by a building put on lot No. 3; that it stood in that condition until the fire of 1861; that the Suffolk Resolves meeting was held in that building and that the Resolves were passed there. I cannot leave the matter here, however, because there has appeared in the Milton Record during the last few months a very notable series of articles claiming quite the contrary, and I must be allowed to say that the writer of those articles is an old personal and professional friend of mine--a man famous for his acumen, for his learning, for his industry, and famous for the briefs which he has submitted in many cases before the Supreme Judicial Court, overlooking

nothing, and giving no thought to time or space in order to be thorough. We have the anomalous position at this moment of my having to dispute the statements of that gentleman--many of them--and to do that I must try to convince his own son that the father is wrong. ^{As} That the moderator of this town, in his wisdom, has created that situation, I have nothing to say about it.

MR. WOLCOTT:

Convince the other two members of the Committee.

MR. RACKEMANN:

I want to convince all. That gentleman's articles have been reprinted. I am not going to take a great deal of your time over this because I want to make the criticism that I have to make in the same old spirit. On the first page in a note Mr. Scaife says that Miss Martin (whose prior papers he is criticizing) "relies upon circumstantial evidence". Well, why not? Let me read you a definition of circumstantial evidence. I took this definition out of Webster's International Dictionary because the Supreme Court of Massachusetts always cites Webster. Webster's Dictionary says that circumstantial evidence is

"Evidence obtained from circumstances which necessarily, or usually, attend facts of a particular nature, from which arises presumption. According to some authorities, circumstantial is distinguished from positive evidence in that the latter is the testimony of eye-witnesses to a fact, or the admission of a party; but the prevalent opinion now is that all such testimony is dependent on circumstances for its support. All testimony is more or less circumstantial."

The authority cited is Wharton. John H. Wigmore, in his Pocket Code on the Rules of Evidence, speaking of testimonial evidence and circumstantial evidence, says, in Section 116, paragraph (a):

"There is no inherent defect in either kind as such which should prevent it from producing persuasion, and there is no inherent superior value in either kind as such over the other."

I am in accord with Mr. Scaife where he says on the second page:

"The question at issue is simply whether or not the statement on the tablet--'In this mansion * * the Suffolk Resolves were adopted'--is true, or false."

I hope I have given you good ground to believe that it is not.

On page 3 he discusses the account-book of William Babcock and gives some items from his cash book. We had some other items from Mr. Babcock's book but unfortunately we have not brought the typewritten sheet; but in one of those items there is an amount for razing a house, and we claim that that refers to this enlarged building. With your permission I shall forward that sheet to the Committee.

Then on the same page he observes that: "Miss Martin is using this circumstantial evidence to prove that the so-called Suffolk Resolves House was built by Dr. Holbrook?" to which we say that it doesn't matter who built it.

MR. WOLCOTT:

What do you say to Mr. Tucker's statement that both parts were built prior to the Revolution?

MR. RACKEMANN:

It may have been, but it could not have been any part of the present building, and it is immaterial who put together the parts of the present house described by Mr. Tucker.

On page 5 he says: "We do not recall that he (Mr. Teele, I think he is referring to), or anybody else used the term 'Mansion House' until it was placed in his will in December 1807." I do not think the word "mansion-house" was used until more recent times, for Bowman refers to the Suffolk Resolves as having been passed in the "mansion-house of Daniel Vose".

He also again discusses the accounts of Daniel Vose on page 5, relating to the cellar and chimney, but we propose to show you that they also relate to woodwork.

He argues on page 6 that Daniel Vose was well able financially to let his daughter "take the 'house' then standing, and use it and live in it....while he himself would replace it by a somewhat more commodious structure more suited to the important position to which he had attained, and to the new requirements of his expanding business." The original house, as I have pointed out, was forty by forty; the later house was apparently smaller and had no large room. This is borne out by the plan of John White.

Then on the same page he seems to admit that the lot which went to Daniel Thomas Vose was vacant up to 1781. On that point we seem to be entirely in accord.

On page 7 he admits that "we do not find any direct evidence that the so-called Suffolk Resolves House was thus moved."

On page 10 in the first paragraph he says:

"Further--we have not been able to find that Daniel T. Vose paid any taxes on the disputed premises, or, indeed, upon any real estate in Milton, so long as his father, Daniel Vose, lived."

In Dr. Teele's History there are some tax lists for different periods: "A. D. 1800. Moving on through another half century we find another list of agents. The same family names appear. The following list embraces the names of 262 taxpayers." And there are the names of Daniel Vose and Daniel T. Vose both--in 1800, eighteen years before the death of Daniel Vose.

On the same page he describes the deeds and makes an argument about the use of the word "formerly". The first deed says:

"A certain piece or parcel of land with the dwelling house thereon wherein she now lives, bounded as follows, beginning at the corner of a dwelling house formerly built by Messrs. Joseph Fenno and Daniel Vose, now deceased."

And from that he argued that the word "formerly" is confusing. I do not agree to that at all. I think it is illuminating, because it says that that was an old house at that time.

Then, on page 11 he says:

"Coming down to the time of the fire in January 1861, we have found it difficult to get from persons then living a clear, dependable, description of the premises as then standing.

"Of course memory will dim, more or less, during so long a period as sixty-three years. Several persons then and still living have given us their best recollections, which naturally vary somewhat. But on

one point they all agree:--the premises burned (aside from outbuildings) constituted but one house."

Now that is one of our chief contentions.

Then on page 12 is the statement attributed to Miss Harris, and that, as I have shown you, is now entirely contradicted by her own handwriting. She says her mother never told her that the Suffolk Resolves were passed in that house.

On page 13 Mr. Hobb's statement that "it was understood by everybody, so far as I know, that that house had been originally placed further up Adams Street and Wharf Street, but that the necessities of Daniel Vose's growing business had caused him to remove what is now called the Suffolk Resolves Building"--I think we have shown you very clearly that there was nothing ever moved from the corner of Adams Street and Wharf Street, and this building which was moved onto lot No. 11 could not have come from that corner.

On page 13, speaking of the 1874 meeting:

"The house was decorated somewhat, several speeches were made, and Mr. Safford, Sr., explained to those present that this was the house in which the Suffolk Resolves were passed."

Of course he had to say that for he was putting up a tablet with that inscription on it. I do not see why any emphasis should be placed on that.

I think that that constitutes the presentation of the objections. I hope that your Committee will agree with them.

MR. WOLCOTT:

Your opening statement contains a number of geographical statements. From what were they compiled?

MR. RACKEMANN:

Those were compiled by Miss Martin and Miss Vose. I understand that they were taken from some deeds and from some Dedham probate records. We have copies of the deeds.

MR. WOLCOTT:

I just wanted to know whether they were tradition or not. Does any member of the Committee wish to ask Mr. Rackemann any questions?

MR. RACKEMANN:

Will you pardon me one moment. I was speaking of the number of delegates--in the New England Magazine for November 1902, Volume 27, No. 3, there is an article on this general question by Miss M. P. Webster, with pictures and illustrations. I only received this today and have not had time to read it, but this is what she says: "It is distinctly stated that every town and district in the county was represented at Milton". Then follows a list of delegates.

I should like to say one thing more, if you please, as a final word. It is only a few days since I was asked to prepare myself to speak here, and I should like the opportunity, if we discover any more documentary evidence, to have permission to send it to the Committee.

MR. WOLCOTT:

I should be glad to receive anything up to the first of November. Anybody else wish to say anything?

MISS ELEANOR P. MARTIN:

I should like to hand this condensed statement in behalf of Miss Vose and myself, which covers the same ground and has the exact citations.

MR. WOLCOTT:

Anybody else?

MRS. *Lydia B.* TAFT:

I am the daughter of Edmund J. Baker, and when Mr. Safford put up that tablet he consulted my father about it, so that my father was equally responsible for it; and as they never agreed on any other subject, I think it must have been correct. My father owned the house that was burned and would only have been too proud to have felt that the Suffolk Resolves were held there. He heard from his mother all the stories of the Revolution. I think my father furnished a great deal of information to Dr. Teele. He loaned him his papers, and a great many were never returned. I suppose that that one you read to-night was one of them. He always brought me up with the idea that the house which was called the Suffolk Resolves House was the Suffolk Resolves House. He was thirty-nine years old when his mother died, and it seems very strange to me that he should not know, and there would have been no object in his concealing it.

MR. WOLCOTT:

Mrs. Taft, just what were the names of your grandfather and grandmother?

MRS. TAFT:

My grandmother was Elizabeth Vose, and she married First Major John Lilly; he was Chief Commander of West Point. She lived in that house and had six children. Then she returned to her father's house, and she then married my grandfather, Edmund J. Baker, and he was the one who established the Chocolate Mills.

MISS MARY H. HINCKLEY:

I want to relate this: that I was in the village at one time after that tablet was placed on the the Suffolk Resolves House; and my father stopped to chat a few minutes with Mr. Edmund J. Baker, ~~and~~ ^{and} asked ~~my father~~ why Mr. Safford put the tablet on that house, ~~and my father~~ ^{Mr Baker} said: "If the damn fool wants it there let him have it."

connected by M. H. Hinckley

MRS. E. J. B. HUNTOON:

As to Mr. Huntoon's accuracy, I know that all the furniture is most carefully marked that has come down through the family. I have never seen such minute detail. They were all most carefully collected and worked out; and as it was his great grandfather's house, and he undoubtedly talked with his uncle, Mr. Baker, it does seem extraordinary that family tradition should be so much awry.

MR. E. A. HUEBENER:

I was born in Dorchester. I have made a study of history and I was requested to come up and look that house over, and the speaker who represented some men here to-night made a very strong statement. He said that the roof in the present Suffolk Resolves House was not large enough to hold the delegates. If he knew anything about old buildings he would know that there is hardly an old building standing that has not been altered. I have seen one room made into three and three rooms made into one; and there could have been room if the partitions had been removed.

MR. WOLCOTT:

Do you say that the partitions have been put up?

MR. HUEBENER:

That is something pretty hard to tell. It is not necessary to say that the partitions that are in that building now are the original partitions. They may and they may not be. I have seen buildings built within thirty years out of old houses.

MR. WOLCOTT:

Any one who is familiar with old houses can form a good idea as to whether he is dealing with a new partition or an old original partition. Have you any opinion on these partitions?

MR. HUEBENER:

There are some of those timbers that I think are original and some are not. That is something which

I cannot point out to you here. I had an expert on old buildings with me and we went over the whole building, and he said that it had been changed, that those rooms might have been larger than they are today.

MR. WOLCOTT:

May I ask you how old you think the building is?

MR. HUEBENER:

When I first went there I thought it was somewhere in the middle of 1700. Then I consulted Mr. Bolton of the Society for the Preservation of New England Antiquities. He said that he did not know but that it was prior to the Revolution. He said that there were two parts, a main and an addition put on that building, and that some of the timbers indicated a time as early as 1730, and it was possible that the timbers in it all indicated that it was built around 1750 and up to the Revolution.

MR. WOLCOTT:

Anybody else which to express an opinion on this matter? We are about to close the hearing.

MRS. STANLEY CUNNINGHAM:

Is there anybody present who knows when the windows were put in there?

MR. RACKEMANN:

That is discussed quite elaborately by Mr. Tucker. He has made a very full statement showing all the theories about the windows.

MR. WOLCOTT:

Anybody else wish to make any remarks? If not, we will declare the hearing closed.