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**Summary -- Land in the Park**

**Josiah Nelson Farm:**

North of present-day Nelson road, Josiah Nelson owned L-8 as far west as a wall which stands about 60 to 100' east of the access road to the Air Force housing. The eastern part of L-8 is the southern portion of a 21 acre piece that Josiah bought in 1755 from his brother Thomas, Jr..<sup>2</sup>

Josiah's house, which was built before 1758, was located on this piece of land within the Park's boundaries. The western part of L-8 is the southern portion of a nearly 5 acre piece that he bought in 1770 from Daniel Brown of Lexington.<sup>3</sup> At that time it was described as orcharding and upland. There may have been a house on this land at one time. It was mentioned in a 1739 deed for the entire piece of Brown's land north of the road but it was not mentioned in the 1770 deed and we are not certain that it stood on the part of Brown's land that Josiah bought.<sup>4</sup> The walls along its boundaries date from at least 1770.<sup>5</sup>

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<sup>1</sup>The land that belonged to the Nelsons in 1775 that is not in the Park is discussed in the three reports on the Josiah, Thomas, Jr., and Tabitha Nelson farms. These reports also contain a more detailed account of the land that is in the Park.

<sup>2</sup>Deed Book 64, pages 29-30 in the Middlesex Registry of Deeds (hereafter cited as Rk 64: 29-30).

<sup>3</sup>Rk 3943: 46.

<sup>4</sup>There are what seem to be two building sites in the field west of the Josiah Nelson house site. This field is the location of the nearly 5 acre piece that Brown sold to Josiah in 1770.

<sup>5</sup>See the plan by Stephen Davis which is in the Nelson papers loaned to the Park by W. Newton and Eleanor R. Nelson and the 1977 Air Force Topographical map a copy of which is in the Park's files.

Between Nelson Road and Route 2-A, Josiah owned L-7 which he probably bought from Daniel Brown sometime between 1771 and 1774. There was a barn on this part of Brown's land in 1739 but since no deed for the sale of this land was recorded, we do not know if it was still standing when Josiah bought the land. There is a foundation of a building at the extreme western corner of L-7. The wall along the eastern boundary of L-7 may date from the 18th century.<sup>6</sup> There is no known 18th century land use. However, in 1818 part of it was described as pasture land. It is also the site of the John Nelson house part of which probably dates from the 18th century. The main part of the house was built in 1808, with probable later additions.

South of Route 2-A and east of Mill Street Josiah owned L-339, L-340, L-351 through L-396 and all of L-357 that is in the Park. He probably bought most of this land from Daniel Brown at the same time that he bought L-7.<sup>7</sup>

But he may have inherited the eastern portion from his father after the latter's death in November 1770. All of the land south of Route 2-A and east of Mill Street was described as pasture in 1818 and 1827. The walls on this land date from at least the early 19th century and some may be 18th century boundary walls.

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<sup>6</sup>In the early 18th century it seems to have been the boundary between Brown's land and Thomas Nelson, Sr.'s land. In the late 18th century it was the boundary between Josiah's land and Thomas, Jr.'s land.

<sup>7</sup>As with the rest of Brown's land south of present-day Nelson Road, there is no recorded deed for the sale to Nelson.

South of Route S-A and west of Mill Street, Jewish owned L-318, L-319, L-322, L-320, and the eastern half of L-316, and the northeastern corner of L-317. A half acre immediately south of Route S-A and located in part of what is now L-316 was described in 1767 as orchard. In 1818 all of Jewish's land west of Mill Street that is in the Park (including the land described in 1767 as orchard) was described as pasture and upland.<sup>8</sup> Jewish bought the half acre orchard from Thomas, Jr., in 1767 and the rest of the land that is in the Park from Nathaniel Whittmore, Jr., of Lincoln in 1768.<sup>9</sup> Two walls -- one running southwesterly and the other westerly between the southern part of L-317 and L-320 -- probably date from the 18th century. They probably once formed part of the old Concord/Lexington line. A third wall which runs southerly between L-320 and the northern part of L-317 was probably built in the mid-19th century.

#### **Thomas Nelson, Jr.: 1768:**

North of Nelson Road, Thomas, Jr., owned L-3 and L-12. His house was located on L-3 in about the present location of the Neville house. This land was the eastern part of the Naigra lot which was bought in 1746 from James Allen of Boston.<sup>10</sup> There was a house on the Naigra lot in

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<sup>8</sup>Upland probably meant no more than that the land was not swampy and perhaps that it was pasture land. A 1728 encyclopedia defined upland as "... high ground...by which it stands opposed to such as is marshy, muddy or low. Or it is pasture-land, which lies so high, as not to be overflowed with rivers, or land-floods" (R. Chambers, F.R.S., *Cyclopaedia: or an Universal Dictionary of Arts and Sciences*, (London, 1728), v. 2.).

<sup>9</sup>MS B4: 500-1, 3943: 42.

<sup>10</sup>MS B6: 198-3.

1713 and it may have been standing when Thomas, Jr., bought the land in 1746 although there is no evidence in the deed for this. There is a possibility that the Magin house became the Thomas, Jr., house, though again there is no documentary evidence for this. In any case his house was built before 1758 when it was shown on a map of Lincoln. The wall along the western side of L-3 probably dates from the 18th century when it marked the boundary between Josiah's and Thomas, Jr.'s, house lots.

Thomas, Jr., bought L-12 from Daniel Nager in 1763.<sup>11</sup> There was a house on this land in 1752 but it had disappeared by 1760. The wall on the western side of L-12 is an 18th century wall, i.e., it once formed part of the Concord/Lexington line north of Nelson Road.

Thomas, Jr., may also have owned L-11, L-10, L-9, the access road to the Air Force housing, and L-8 as far east as the wall that marks the western boundary of the land that Brown sold to Josiah Nelson in 1770. There is no record of him buying this land but his descendants owned it in the early 19th century. Thomas, Jr., probably bought it before 1800 although it is impossible to say if he owned in 1773.

Between Nelson road and B-A Thomas, Jr., owned L-6, L-5, most of L-4, and a small part of lots Y and Z. He probably inherited all of this land in 1770 from his father. The wall between L-7 and L-5 and L-6 marked the boundary between his land and his brother Josiah's land. There is part of a crenelated wall on the eastern side which is possibly

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<sup>11</sup>  
Rt 62: 194.

part of a bridleway wall and which marked the boundary between Thomas, Jr.'s, land and Jacob Whittmore's land north of what is now Route 2-A.

South of Route 2-A Thomas, Jr., possibly owned a small part of L-340.

### Tabitha Nelson Nash:

In 1775 Tabitha Nelson owned her father's house and barn which were located in Lexington north of Marrett Street near the town line. Thomas, Sr., bought the house, barn, and house lot in 1716.<sup>12</sup> We do not know the exact location of the house but it may have been north of Lex. X, i.e., outside the Park's boundaries. There is more information about the location of the barn. In 1779 when 8 acres of Tabitha's land were sold to Josiah Nelson, the barn was located on a property line that ran westerly from Lex. U across Tabitha's other land to Thomas, Jr.'s, land. In 1818 a wall was located along this line. This wall is probably the one shown on a 1938 topographical map of Lexington and is still standing. In terms of modern property boundaries, the land that Tabitha owned in 1775 includes Lex. T (less 1/4 acre on the eastern side), W, V, and X, and most of the access road to Hanson Air Base. There are no known 1775 walls on her land within the Park.

Since we have no deed recording the division of Thomas, Sr.'s, land, we can not say exactly what kinds of land Tabitha received when her father's estate was divided. However, in 1771 and 1774 she was assessed

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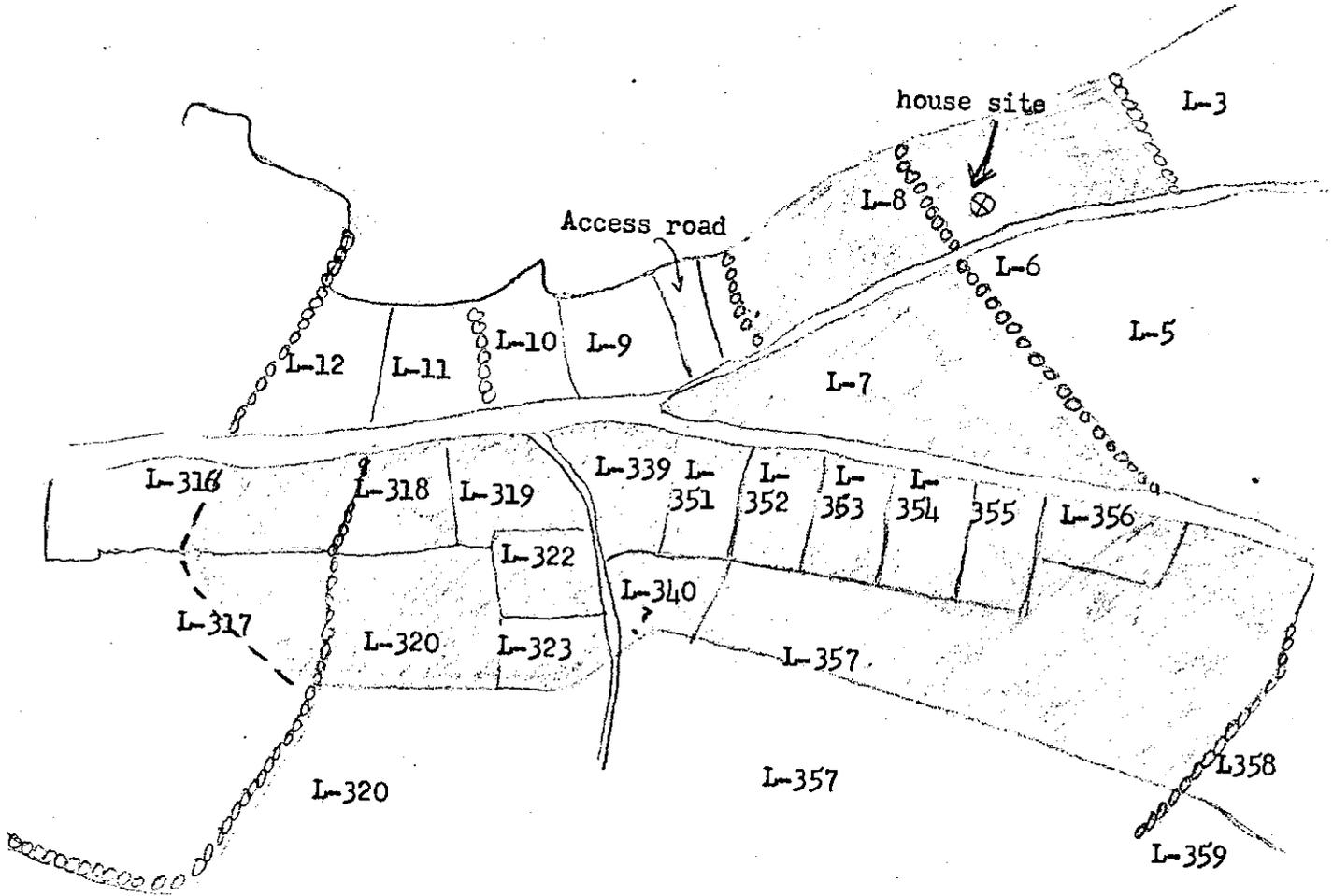
<sup>12</sup>  
Ex 18: 255-6.

as a non-resident for 4 acres of mowing land in Lincoln and as a resident  
for 3 acres of mowing land in Lexington.<sup>23</sup>

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<sup>23</sup> The Lex. tax records for 1771 did not list wood or unimproved land. Tabitha actually owned more than 5 acres in Lexington. According to 1818 deeds five acres of her land in Lex. was woodland and 3 acres of her land in Lexington and Lincoln was mowing land (Deeds 3943: 44 and 439: 388-90).

Josiah Nelson Farm (within the Park)  
in 1775:

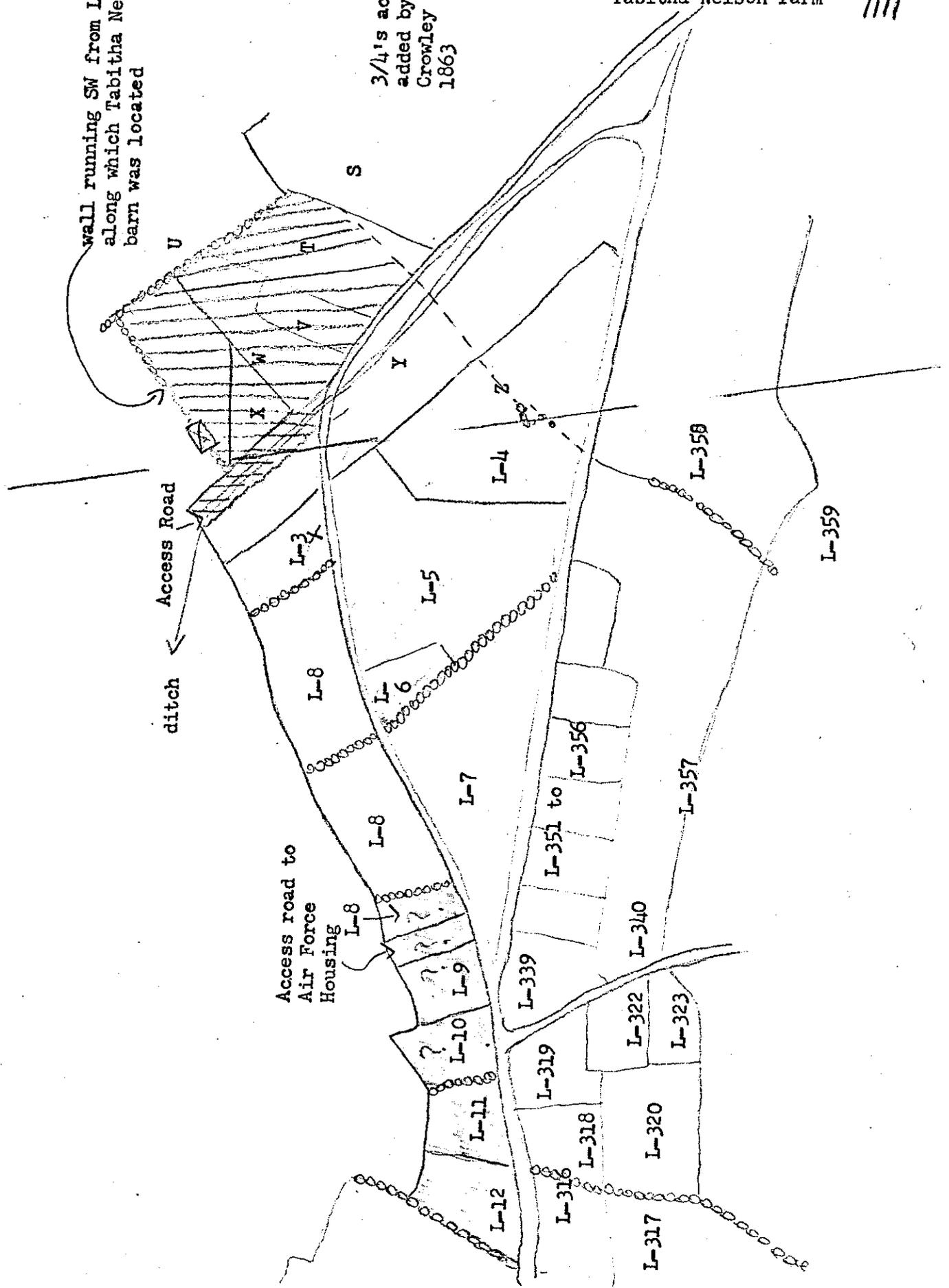


Thomas Nelson, Jr. farm 

Tabitha Nelson farm 

3/4's acre  
added by John  
Crowley in  
1863

wall running SW from Lex-U  
along which Tabitha Nelson's  
barn was located



ditch

Access Road

Access road to  
Air Force  
Housing

S

U

L-2

L-8

L-6

L-5

L-8

L-7

L-4

L-358

L-359

L-356

L-351 to

L-357

L-340

L-339

L-322

L-323

L-319

L-318

L-320

L-12

L-11

L-10

L-9

L-316

L-317

HISTORIC RESEARCH REPORT  
THE NELSON FAMILY

Part I: Land North of Nelson Road:

Introduction:

In 1775 Josiah Nelson owned about 33 acres in Lincoln north of present day Nelson road.<sup>1</sup> The location of this land, which includes his house site, can be established with a great deal of certainty by tracing the chain of title and the abutters. The early history of Josiah's land north of Nelson road is discussed in three main pieces; a) the house lot, b) Daniel Brown's Land, and c) Whittencore Land. The later history is discussed in section d.

a. The House Lot:

In the discussion of Josiah's house lot and other land, I have tried to prove two things: 1) that a 21 acre piece that he bought in 1755 was a part of Christopher Madgin's land, and 2) that this 21 acres became his house lot.

In May 1733 Christopher Madgin of Lexington sold 33 acres in Lexington to Thomas Munroe of Concord for 260<sup>l</sup>.<sup>2</sup> It was bounded on the

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<sup>1</sup> In the 18th century this was the main road to Lexington and Concord. It was called variously the Concord road, the country road, or the county road.

<sup>2</sup> Bk 34: 197-8. Christopher Madgin bought two lots of land in Lexington in the early 18th century which seem to have made up the land that he later sold to Thomas Munroe (Bk 26: 143-5). For details see the study on Early Deeds in the Park files.

north /east/<sup>3</sup> by Thomas Nelson,<sup>4</sup> on the west /northwest/ by the Concord line,<sup>5</sup> and on the south by the Concord road.<sup>6</sup> There was no mention of a house on the land in this 1733 deed. In July 1733 Munroe mortgaged the land, described as 40 acres of meadow, plowland, and pasture and containing a dwelling house, to Eleaser Rice of Boston.<sup>7</sup> In November 1739 Rice brought suit in Court of Common Pleas against Thomas Nelson of Lexington for using the land, again described as 40 acres of meadow, plowland, and pasture with a dwelling house. Thomas was evicted from the land and Rice received a judgement of 200£ plus costs.<sup>8</sup> Then in February 1739/40 Rice sold the mortgage that he held on the land to James Allen of Boston.<sup>9</sup> The deed to Allen states that both Munroe and

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<sup>3</sup>Throughout the report I have put corrections of the directions given in deeds in brackets. These particular corrections are based on information given in later deeds (see especially Bk 64: 29-30) and on the location of Daniel Brown's land.

<sup>4</sup>The Thomas Nelson, Sr., later Tabitha Nelson, house lot. See the report on Tabitha Nelson farm.

<sup>5</sup>This is the old Concord/Lexington line. After the town of Lincoln was formed out of part of Lexington and Concord in 1754, this line was no longer mentioned in deeds as a boundary marker.

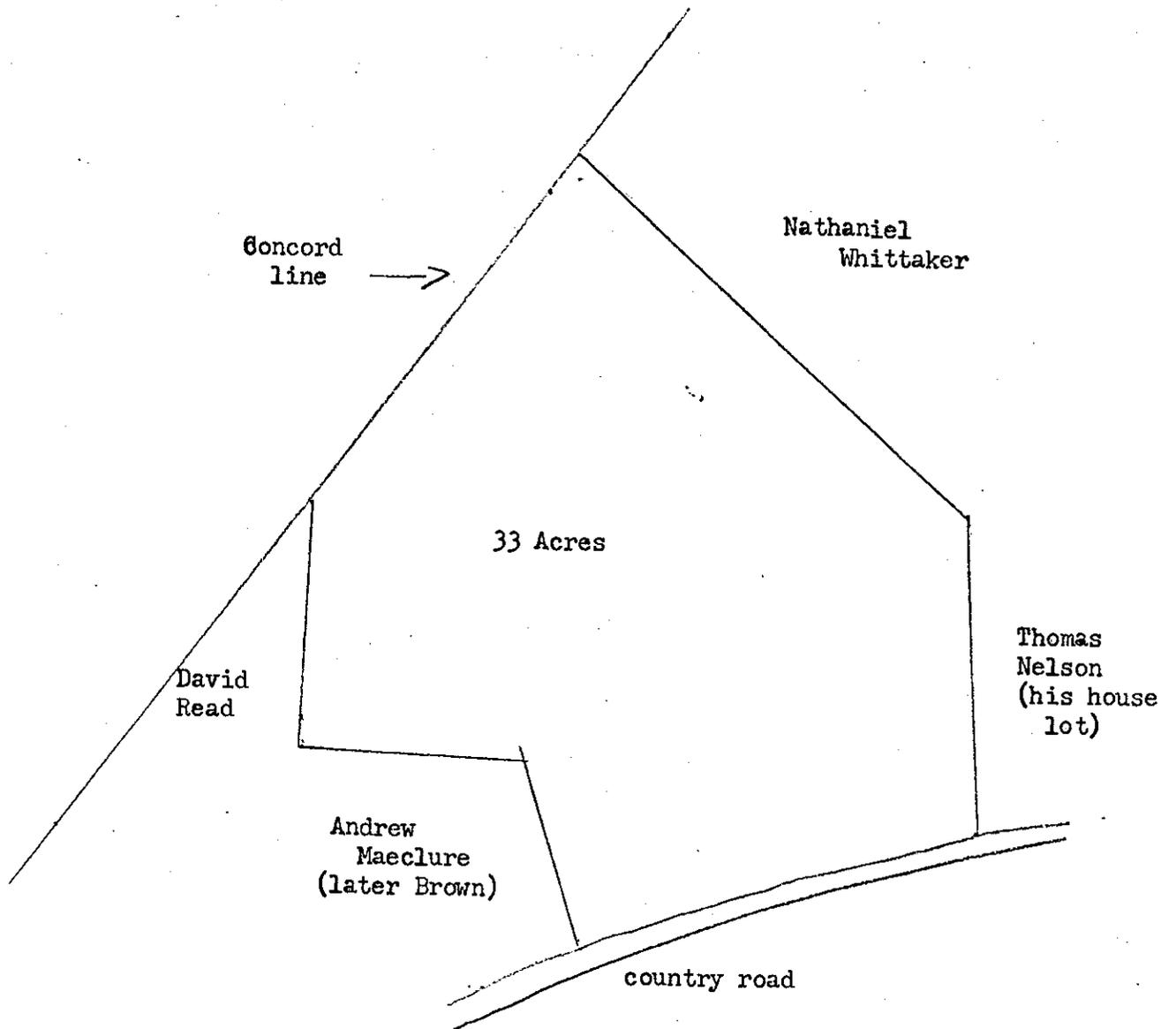
<sup>6</sup>The other abutters of Mudgin's land in 1733 were Nathaniel Whittaker on the north /northeast/ David Read on the south /west/, and land in the possession of Andrew Macclure on the northeast /south/ and south /west/. See diagram page 3.

<sup>7</sup>Bk 34: 198. The description of the land is the same as in Mudgin to Munroe. (Bk 34: 197-8) except for the change in acreage and the mention of the house.

<sup>8</sup>Court of Common Pleas #323, 20 November 1739. Same description as Bk 34: 198 Munroe to Rice.

<sup>9</sup>Bk 40: 455-6. Same description as Bk 34: 198 Munroe to Rice.

Sketch of Mudgin Land:



Thomas Nelson had the right to redeem the mortgage.<sup>10</sup> In 1746 Allen sold the 40 acres, with much the same description as in previous deeds, to Thomas Nelson, Jr. of Lexington.<sup>11</sup>

There was no mention of a house on the land in the deed to Thomas, Jr. It is possible that between February 1739/40, when the house was last mentioned, and November 1746, when Thomas, Jr. bought the land, it had been destroyed or moved from the land. But there is the possibility that the house, perhaps too old and worthless to bother mentioning in the deed, was still on the land in 1746 and either became or was used in the

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<sup>10</sup>The deed reads, "...subject to the equity of redemption of the premises upon the said Nelson's or Thomas Munroe's payment of the principal and interest which is or shall become due upon the said mortgage or which is recovered by the said judgement /the judgement against Nelson in the Court of Common Pleas #323, 20 November 1739/ within the term limited by law for the redemption of mortgaged estates...".

<sup>10</sup>Thomas Nelson may have had the right to redeem the mortgage because he bought the mortgaged land from Rice after Munroe defaulted, although we have no record of such a sale. This is how I understand it: 1) Munroe mortgaged the land to Rice and did not pay it off within the term of one year provided by the mortgage deed, 2) Rice then sold the land, still mortgaged, to Thomas Nelson, 3) Nelson also failed to pay off the mortgage but he continued to use the land so Rice brought him to Court, 4) Nelson was evicted and Rice received a judgement of 200L "with other due Damages" (according to the record of the Court case) or 249L 8s (according to the deed of Rice to Allen Bk 40: 455-6). This sum, again according to the deed to Allen, represented "...the Principal and Interest on the mortgage sued on and the costs as by the Records of the Said Court /Court of Common Pleas/ will at Large appear." Nelson evidently did not pay this sum, which seems to be the amount that he owed on the mortgage plus interest and the Court costs, to Rice, and 5) Rice then sold the mortgage to James Allen, reserving the right of Munroe or Nelson to redeem it.

<sup>11</sup>Bk 46: 192-3

construction of Thomas, Jr.'s or Josiah's house.<sup>12</sup>

In January 1755 Thomas, Jr. sold 21 acres in Lincoln to his brother Josiah.<sup>13</sup> It is clear, once the changes in description are accounted for, that this 21 acres was the major part of the Madgin lot:

1733 deed<sup>14</sup>  
bounded<sup>15</sup> Nly by Thomas  
Nelson, Sr. (his house lot)

1755 deed  
running Nly from the country road on  
Thomas, Jr.'s land to a stake and heap  
of stones and then running Nly a few  
rods still on his land. (Thomas, Jr.  
kept a long narrow piece on the east  
side of the Madgin lot. It was between  
the land he sold to Josiah on the west  
and his father's house lot on the east.  
This land became his house lot.<sup>16</sup>)

north by Nath. Whittaker

running Nly by Nath. Whittaker<sup>17</sup>

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<sup>12</sup> However, if the house was too worthless to include in the deed of sale the possibility that it became Thomas Jr.'s or Josiah's house is extremely unlikely (although if it was still standing when their houses were built, its timbers or foundation might have been used in their construction). Also, the Park Archaeologist, Mr. Leonard Abel, discovered a well and what he believes may be a house site in the field about 200 yards east of the Josiah Nelson house site.

<sup>13</sup> Ek 64: 29-30

<sup>14</sup> This is the entire 33 acres (Ek 34: 197-8).

<sup>15</sup> The deed says "bounded" but these directions make more sense if understood as running. Otherwise, these directions must be turned around 45° to 90° in order to make them consistent with the 1755 directions and, what is more important, with the position of Daniel Brown's land (see section on Daniel Brown)

<sup>16</sup> See the report on the Thomas Nelson, Jr., Farm, Part I, section (a) on his house lot.

<sup>17</sup> Nathaniel Whittaker owned about 70 acres northeast of the Madgin lot. See the study on his land in the Park's files.

west by the Concord/Lexington  
line.

running "northwesterly on land of said  
Whittaker...to land of Nathaniel  
Whittmore, then southerly on land of  
said Josiah Nelson to black oak tree...".  
The 21 acres apparently just touched  
Nath. Whittmore's land at its (the 21  
acres') NW corner. Whittmore's land  
was on the Concord side of the Concord/  
Lexington line before 1754. After that  
date it was, like the Madgin lot, in  
Lincoln. After 1754 the old Town line  
was no longer mentioned as a boundary  
marker in deed descriptions. Josiah's  
land was part of a 20 acre piece<sup>18</sup> which he had  
bought from Whittmore in 1750.

south by David Reed and  
northeast by land in  
possession of Andrew Macclure

running southeasterly by Thomas, Jr.'s  
land to corner of Daniel Brown's land.  
(Thomas, Jr., kept a piece of 9 or 10  
acres on the southwest side of the  
Madgin lot. It was between the 21 acres  
on the northeast and Reed's land on the  
southwest and Macclure's (later Brown's)  
on the southeast.)

south by Andrew Macclure  
ending at the country road

"...and so on said Brown's land to the  
Country road." Brown bought Macclure's  
land in 1739.<sup>19</sup>

From the above comparison of the 1733 deed for the entire Madgin lot with  
the 1755 deed for the 21 acres that Thomas, Jr. sold to Josiah, we may  
safely conclude two things: 1) that the 21 acres that Josiah bought in 1755  
was the major part of the Madgin lot and 2) that Thomas, Jr. kept two pieces  
of the Madgin lot -- a small one on the eastern side and a larger one of 9  
or 10 acres on the southwestern side.

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<sup>18</sup>For Whittmore's land see Report on Dodge-Smith Farm, and for the land  
that Whittmore sold to Josiah Nelson see the section on Whittmore land.

<sup>19</sup>See the section on Daniel Brown's land.

There was no mention of a house on the 21 acres in the 1755 deed. But Josiah did have a house in Lincoln by 1758 when a house belonging to him is shown on a map of the town of Lincoln.<sup>8</sup> It is not certain whether it was built after or before he bought the 21 acres from his brother. In the deed for the 21 acres he is described as of Lincoln so he must have been either living in his own house or renting a house in Lincoln before he bought his house lot. He was married in 1750 or 1751 so he would probably have needed a house at that time.<sup>9</sup>

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<sup>8</sup> Josiah's house, as shown on the map, was a little west of Thomas, Jr.'s house in that part of Lincoln which wished to be set off to Lexington. It is shown near the Lexington/Lincoln line which is about the location of the Josiah Nelson house site. There is a microfilm copy of the 1758 map in the Park's files.

<sup>9</sup> According to the 1913 revised edition of Charles Nelson, History of the Town of Lexington, (Boston: Houghton Mifflin Company) Vol. II p. 491 (hereafter cited as Nelson, Lexington) he married Elizabeth Adams, 23 May 1751. The Lexington History of Births, Marriages, and Deaths (Boston: Wright & Potter Printing Company, 1890), p. 136 also gives his marriage date as 23 May 1751 but does not give the name of his bride. But the 1918 corrections and additions to the revised edition of Nelson's Lexington says that, "A Josiah Nelson of Lexington and Elizabeth Flegg of Grafton were married (intention dated 15 Feb.) in 1750" but does not say that this is definitely our Josiah Nelson.

Living probably in his father's house in Lexington in 1755 were his father and mother, his unmarried sister Tabitha, and his brother, Thomas, Jr. (who probably did not marry until after 1755) -- Nelson, Lexington, v. 2, p. 492.

Perhaps the house that Josiah was living in in 1755 was one that already stood on Nelson land, for instance the Magin house (although this was probably done by 1755). There is little documentary evidence concerning the date when the Josiah Nelson house was built. From the 1758 map of Lincoln, we know that it was built by that date. Tax records for the 18th century are incomplete. Only the 1752 Lincoln list and the 1798 Federal Direct Tax list give the value of houses and other buildings. In both years, Josiah's house and barn seem to be about or, perhaps, slightly below (at least, on the 1798 list) average for Lincoln houses and barns. In the 19th century, his house was

In November 1767, Josiah's father and brother each sold him a strip of land in order to provide him with access into the pond for watering his cattle.<sup>1</sup> Thomas, Jr.'s deed grants him a strip of land 2 rods wide and 4 rods long across the northwesterly end of Thomas, Jr.'s house lot. It was bounded elsewhere by Josiah's land, i.e. on the north and west by Josiah's house lot and on the east by the strip of land that Thomas, Sr. sold to him at the same time. The strip of land from Thomas, Sr. was described as 2 rods wide and 5 rods long by the rangeway into the pond at the northwesterly corner of Thomas, Sr.'s house lot. Nineteenth and twentieth century documents confirm that these strips of land were on the eastern side of Josiah's house lot.<sup>2</sup>

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<sup>1</sup>(con't) assess at a relatively low rate which seems to indicate an old house, though it is impossible to say just how old. See the notes on the Lincoln tax records in the Park's files.

<sup>1</sup>Bk 3943: 41-2. Both deeds have the same date and the same witnesses -- Ebenezer Fisk, Jonas Stone, and Stephen Davis. The deed from Thomas, Sr. mentions specifically that it is for access to the pond. Thomas, Jr.'s says that it is for the watering of Josiah's cattle. The deed from Thomas, Sr. also provides that Josiah "...for ever maintain all the fence where it joins upon my land."

<sup>2</sup>See Appendix A for these later deeds and plans.

b. Daniel Brown's land:

The location of a nearly 5 acre piece that Daniel Brown of Lexington sold to Josiah Nelson in 1770 can be determined with a great deal of certainty.<sup>1</sup> Since this land was an abutter of the Mudgin lot, it helps establish the location of Mudgin's land and the fact that part of his land (i.e. the 21 acres that Josiah bought in 1755 from his brother) became Josiah's house lot.<sup>2</sup>

The nearly 5 acres that Brown sold to Josiah was the eastern portion of a 7 acre 62 rod piece that he owned on the north side of the country road in Lincoln. In 1770 it was described as orcharding and upland.<sup>3</sup> A 1957

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<sup>1</sup>Bk 3943: 46. The acreage given in the deed was 4 acres 146 rods.

<sup>2</sup>The early chain of title for Brown's land is as follows: in 1724/5 Thomas Cutler sold 30 acres on the north side of the country road with a dwelling house to Joseph Meriam (Bk 35: 358-9). It was bounded on the northwest and southeast by rangeways, on the northeast by Christopher Mudgin and Thomas Nelson, and on the southwest by Nathaniel Whittemore. In 1739 the heirs of Joseph Meriam sold the land to Daniel Brown (Bk 40: 169-70, 346-7). The land north of the road was described as 7 acres 62 rods containing a house, a small orchard and some pasture. It was bounded on the southwest by Nath. Whittemore, on the northwest by a rangeway and on the northeast by land formerly Christopher Mudgin's.

There is no mention of a house on the nearly 5 acre piece in the 1770 deed. However, there are two sites which contain house foundations in the field west of the Josiah Nelson house site. This field is the location of the nearly 5 acre piece.

Brown's land also helps confirm the theory that the land Josiah bought in 1755 from his brother was a part of the Mudgin lot. Thus Mudgin was given as a northeastern abutter of the entire piece of Brown's land north of the road in 1724/5 and 1739 and Josiah as an eastern abutter of the nearly 5 acre piece in 1770.

<sup>3</sup>According to the 1774 Lincoln tax list Josiah owned 1 acre of orchard in Lincoln

A 1957 Air Force topographical map shows a walled piece of about 5 acres, just west of the Josiah Nelson house site, which is very similar to the survey of the land made in April 1770 by Stephen Davis:<sup>4</sup>

	<u>1770 Plan</u>	<u>1957 AF Map</u>
southeast (Nelson Road)	512' (31 rods)	520'
west	503' (30½ rods)	510'
northwest	330' (20 rods)	330'
east	553' (33½ rods)	550'

The southern part of this nearly 5 acre piece is within the Park's boundaries.

c. Whittemore's land:

The 1755 description of the 21 acres that Thomas, Jr. sold to Josiah gave Josiah as the northwestern abutter -- where the Concord line would have been before 1754. In 1750 Nathaniel Whittemore of Concord sold Josiah Nelson 20 acres of land in the easterly part of Concord bounded on the east or southeast by the Concord/Lexington line.<sup>5</sup> Whittemore was given as the northern abutter of this 20 acre piece and in the 1755 deed for the 21 acres Whittemore's land touched on its northwest corner. These two pieces -- the 20 acre Whittemore

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<sup>4</sup>The original of the 1770 plan is in the Nelson papers which have been loaned to the Park by W. Newton and Eleanor R. Nelson. The scale of the Air Force map is 1" = 40'. There is a copy of the map in the Park's files. See the copy of the 1770 plan on p. 14.

<sup>5</sup>Bk 64: 27.

piece and the 21 acre Mudgin lot -- probably abutted on one another. In 1755 Josiah sold the southern part of the 20 acres, containing about 14 acres, to his brother Thomas, Jr.<sup>6</sup> None of the land that Josiah bought from Whittmore in 1750 is within the Park's boundaries.

d. Later History:

In 1818, eight years after his death, the three lots which Josiah owned north of Nelson road in the 18th century were divided in new ways among his heirs.<sup>7</sup> The 19th century chain of title and the changes in abutters give further evidence for the location of Josiah's land north of Nelson road in 1775.

house lot:

Joshua Nelson received the house lot, described as 20 acres,<sup>8</sup> with

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<sup>6</sup>Bk 64: 30-1. See the report on the Thomas Nelson, Jr. Farm, Part I, section (b).

<sup>7</sup>Josiah Nelson died February 26, 1810. By his second wife Millicent Bond (1747-99) he had seven children -- Josiah, Jr. (1778-1835), Elizabeth (1779-1832), Sarah (1780-1855), Jonathan (1782-1816) who moved to Waterville, Me., Joshua (1786-1842), John (1789-1859), and Mary (1792-1863). Hudson, Lexington, v. 2, p. 491.

<sup>8</sup>The 1842 inventory of Joshua's estate (#38284) listed his house lot as containing 10 acres. There is no evidence that Joshua sold any land from his house lot during his lifetime. There are no deeds for such a sale and the amount of land for which he was assessed from 1821 to 1840 remained more or less constant, i.e. he was assessed for 43 acres in 1821, 41 acres in 1831, and 40 acres in 1840. It is possible that the 1818 deed (Bk 439: 328-30) and an 1844 deed are wrong and that the house lot contained considerably less than 20 acres. But Joshua, according to the inventory in his probate, also owned a woodlot called the "Lower Plain woodlot" which contained about 6 acres. This woodlot is the only piece of land in his inventory for which I cannot account. It could have been the northern part of his house lot. The land north of the Josiah Nelson house site does become lower (see the 1957 Air Force Topographical Map, sheets 1-4).

all the buildings on it.<sup>9</sup> This 20 acre house lot consisted of most of the 21 acres that Josiah bought from Thomas, Jr. and of all the nearly 5 acre piece that he bought from Daniel Brown.

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8(con't) The 10 acre house lot given in the 1842 inventory may have included Joshua's land only as far north as a wall that runs north-easterly along the northern boundary of the land that Josiah bought from Daniel Brown in 1770, across the Mudgin lot, and then along the northern side of the strips of land that Thomas, Jr. and Sr. sold to Josiah in 1767. (This is probably an old rangeway wall. A rangeway marked the northern boundary of Daniel Brown's land in 1770 and its northwestern boundary in 1739. There was mention of a rangeway on the strip of land that Thomas, Sr. sold to Josiah in 1767. A rangeway was also the southeastern abutter of a 20 acre piece which Zachariah and Joseph Hicks sold to Christopher Mudgin in 1717 and which is probably the northern part of the Mudgin lot. See Bks 26: 144-5, 40: 169-70 and 346-7, and 3943: 41-2 and 46. See also the study on early deeds in the Park's files). The land south of the wall contains about 10 acres. Joshua owned the 10 acres south of this wall which was his house lot proper and also land north of the wall, all of which he received as part of his share in his father's estate. The land both north and south of the wall was probably included in the 1818 and 1844 descriptions of his house lot as 20 acres. The 1842 inventory of his real estate seems to have listed the land north and south of the wall as two separate pieces -- the 10 acre house lot which was south of the wall and the 6 acre "Lower Plain woodlet" north of the wall. This seems more likely than the first mentioned possibility, i.e. that the 1818 and 1844 descriptions are wrong and that the house lot owned by Joshua in the 19th century contained only 10 acres. The 19th century house lot probably contained between 16 and 20 acres (the 1844 deed says 20 acres 58 rods).

The acreage of the house lot proper and the "Lower Plain woodlet" works out well in relation to the 18th century lots owned by Josiah north of present-day Nelson read. By 1775, he owned about 33 acres north of the read. The 6 acre "Lower Plain woodlet" and the 10 acre house lot plus a 17 acre woodlet that Sarah and Elizabeth Nelson owned equals 33 acres (see below for Sarah and Elizabeth's woodlet). In the late 19th century George Nelson owned a 24 acre woodlet in Lincoln which extended as far south as the old rangeway wall. This woodlet included both Sarah and Elizabeth's 17 acre woodlet and the 6 acre "Lower Plain woodlet" (see below for the 24 acre woodlet).

<sup>9</sup>Joshua received all of the buildings on the house lot except for the

The house lot in 1818 was described as running by Samuel Hastings' land from the old road to a watering place, then still northerly northwesterly by the wall and further to a stake and stones by the land of the widow Parkhurst and the land of Jonas and Edmund Munroe.<sup>10</sup> Parkhurst was not mentioned as an abutter in the deeds for Mudgin's 33 acres or in the 1755 deed for the 21 acres from the Mudgin lot.<sup>11</sup> The case for Mudgin's land (and for the 21 acres) becoming the Josiah Nelson house site is weakened if we cannot account for Parkhurst as an abutter of the house lot. Parkhurst, although not previously mentioned as an abutter of the Mudgin lot, was given as the western, i.e. northwestern abutter of Lex. U in the 1785 inventory of Benjamin Fisk's real estate.<sup>12</sup>

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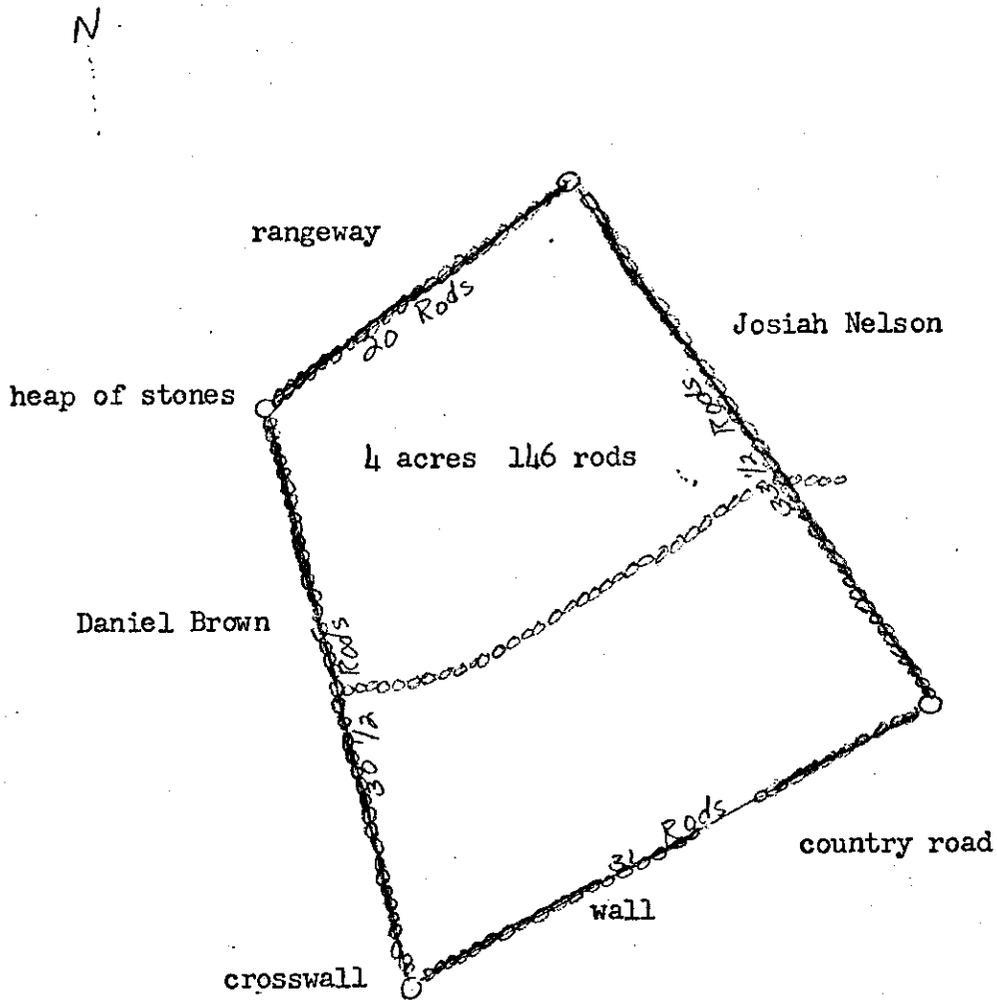
9(con't) east lower room in the house which was set aside for the use of Sarah and Elizabeth Nelson. Joshua was being taxed for his father's house as early as 1810 when he was assessed \$12 for a house in Lincoln. (See the notes on the Lincoln tax records in the Park's files).

<sup>10</sup>The old road is present-day Nelson road, known in the 18th century as the country or county road. The watering place is the pond to which Thomas, Sr. and Jr. each sold Josiah a strip of land in 1767 (see section (a) of this report). Samuel Hastings (1757-1834) married Lydia Nelson, the only living child of Thomas Nelson, Jr., in 1778 and inherited all of his father-in-law's land (Hudson, Lexington, v. 2, p. 491).

<sup>11</sup>John Parkhurst of Lexington was born in 1741 in Chelmsford and died in July 1812 in Lexington (Hudson, Lexington, v. 2, p. 518).

<sup>12</sup>Benjamin Fisk probate #7554. A rangeway was given as the western (northwestern) abutter of Lex. U in later deeds. This was the same rangeway that formed the northwestern boundary of the Thomas, Sr. house lot (see the report on the Tabitha Nelson house). Parkhurst's land was on the other side of this rangeway.

Thomas and Josiah Nelson were given as the southern (southwestern) abutters of Lex. U in the 1785 description. This was the Thomas, Sr. house lot. Tabitha Nelson inherited most of the house lot after her father's death in 1770 and she was living there in 1775. After she died in 1778, her part of the house lot was divided between her brothers Thomas and Josiah. Josiah received 8 acres at the eastern end and Thomas, Jr. probably received the rest (Bk 3943: 45-6. See the report on the Tabitha Nelson house).

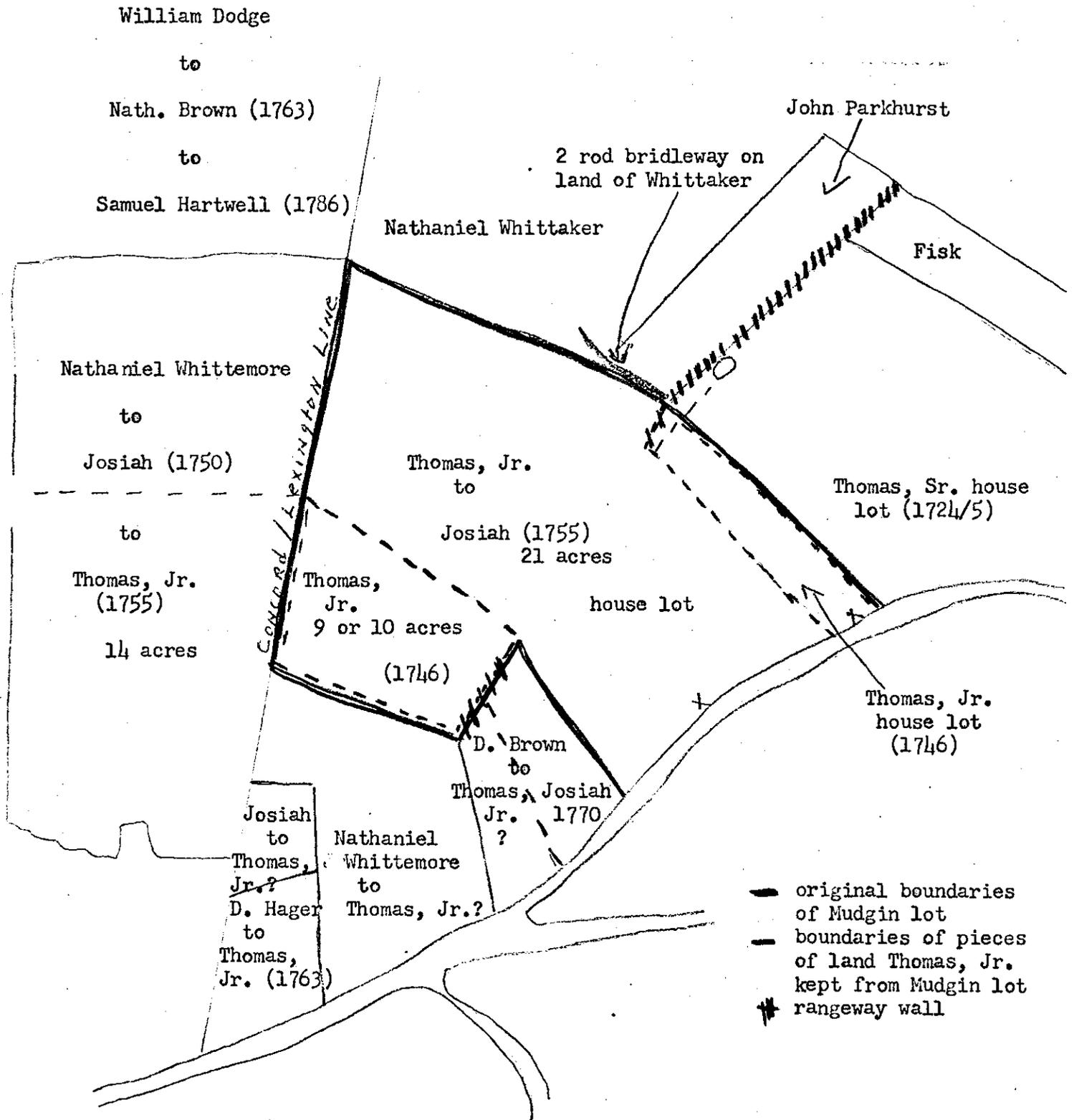


1770 plan of 4 acres 146 rods sold by Daniel Brown to Josiah Nelson

- existing walls

o-o-o wall shown on 1957 Air Force Topographical Map -- 1775 use unknown

Diagram of 18th century lots north of Nelson road owned by Josiah and Thomas Nelson, Jr.



In 1837 when Thomas and Oliver Hastings sold the Nelson-Hastings house lot to David Miller "one" Farthurst was given as the northeastern abutter.<sup>1</sup> Farthurst's land was, therefore, between the Josiah Nelson house lot on the southwest, Lot. U and the Thomas, Sr. house lot on the southeast, and Jonas and Samuel Murree's land (formerly Whittaker land) on the northwest.<sup>2</sup>

Farthurst owned a 10 acre woodlot in Lexington and Lincoln which he bought from Samuel Stone, Jr. of Lexington in 1762.<sup>3</sup> It was bounded on the north-west by the land of the heirs of Nathaniel Whittaker, on the southwest 17-1/2 rods by a 2 rod bridleway allowed on Whittaker's farm, and on the southeast 93 rods by a rangway. Whittaker's land in 1818 was owned by the Murrees who, along with Farthurst, were given as eastern abutters of the house lot that Joshua Nelson inherited.

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<sup>1</sup>Ms 359: 279. Actually Farthurst was here of a northwestern abutter. The Thomas, Jr. and Thomas, Sr. house lots are referred to as the Nelson-Hastings house lot after 1779 when there is the first documentary evidence that the Thomas, Sr. house was moved next to the Thomas, Jr. house and the two house lots were merged (except for 8 acres that was sold to Josiah). See the report on the Thomas Nelson, Jr. farm, Part I, section (a).

<sup>2</sup>The Murrees bought the southern part of Whittaker's land in 1814 (Ms 206: 475). Josiah Nelson or a rangway was given as the southwestern abutter of Whittaker's land when the Murrees bought it. See the study on Whittaker's land in the Park's files.

<sup>3</sup>Ms 99: 601-2. There is no record of how Stone acquired this 10 acres.

The rangeway that was the southeastern abutter of Parkhurst's 10 acres was probably the same rangeway that formed the northwestern boundary of the Thomas, Sr. house lot and Lex. U. The bridleway that was the southwestern abutter of Parkhurst's land probably, therefore, lay between the Josiah Nelson house lot and Parkhurst's land and this is perhaps the reason why Parkhurst was not named as an eastern abutter of the house lot before 1818.<sup>1</sup>

The other eastern abutters, Jonas and Edmund Munroe, had bought the southern part of Whittaker's land.<sup>2</sup> The northern abutters of the house lot in 1818 were Sarah and Elizabeth Nelson and the western abutter was Samuel Hastings.<sup>3</sup>

After Joshua's death, the house lot, described as 20 acres 58 rods, was sold to Samuel A. Houghton and Joseph D. Brown.<sup>4</sup> The changes in the description are: 1) bounded on the east by Miller who had bought the Nelson-Hastings house lot in 1837<sup>5</sup> and 2) bounded on the west by John Nelson who bought Hastings' land to the west of the house lot.<sup>6</sup> In December 1845 Houghton and Brown sold the house lot back to John Nelson who in turn left it to his only living child George.<sup>7</sup>

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<sup>1</sup>Parkhurst may have owned this bridleway in 1818 but there is no direct evidence for this. -With Whittaker owning the bridleway (the 1762 deed for Parkhurst's woodlot says that the bridleway was allowed on the land of the Whittaker farm) and Parkhurst the land on the other side of the bridleway, either Whittaker or Parkhurst could have been given as an abutter of the house lot (although it was more common to give the name of the owner of a bridleway).

<sup>2</sup>Bk 208: 475.

<sup>3</sup>For Sarah and Elizabeth as northern abutters, see the section on the 17 acre woodlot below. Hastings inherited Thomas, Jr.'s land. See the report on the Thomas Nelson, Jr. farm, Part I, section (a).

<sup>4</sup>Bk 455: 118-20. The grantors were John Nelson, Sarah Nelson, Isaac and Mary Mulliken, and Avery W. Nelson and the deed is dated 19 December 1845. Joshua died in March 1842. The east lower room was again excepted (this time for the use of Sarah Nelson -- Elizabeth had died in 1832). Hudson's Lexington, v. 2, p. 491.

<sup>5</sup>Bk 359: 259.

<sup>6</sup>Bk 360: 182. See the report on the Thomas Nelson, Jr. farm, Part I, section (b).

<sup>7</sup>Bk 477: 151. John's other child, Lucy Ann, died 6 June 1832 (Hudson, Lexington, v 2, p 491.

17 acre woodlot:

The northern part of the 21 acres sold to Josiah in 1755 and the 7 acres that Josiah kept of the 20 acres that Whittmore sold to him in 1750 made up the 17 acre woodlot quit-claimed to Sarah and Elizabeth Nelson in 1818.<sup>1</sup> Their land began at a stake and stones and ran northwesterly to a heap of stones on a large stump by the land of Jonas and Edmund Munroe and then "...turning about two rods south, then running still northwest by an old fence and ditch to a stake and stones at the corner by land of Samuel Hartwell." Both the Munroes' Land and Hartwell's Land can be traced back to 18th century abutters of Josiah's Land north of the road. The Munroes' land had belonged to Nathaniel Whittaker in the 18th century.<sup>2</sup> Samuel Hartwell's land had originally been part of the Lampson farm and was

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<sup>1</sup>Bk 3943: 44. The deed says 17 acres. In 1821 and 1831 Sarah and Elizabeth were assessed for 18 acres in Lincoln (12 acres of woodland and 6 of unimproved in 1821 and 8 of woodland and 10 of unimproved in 1831). In 1840, however, Sarah was assessed for only 11 acres of woodland and when her land was sold to John Nelson in 1855, it was described as 11 acres (Bk 726: 285). I do not know whether the lower acreage given after 1840 was the result of a new estimate of the amount of land in the woodlot or whether she had actually sold some of her land. If she did sell some of the woodlot, it was probably to someone in the family since George Nelson in the late 19th century owned a 24 acre woodlot whose bounds (except on the south where it extended far enough south so as to include some of Joshua Nelson's land) were essentially the same as those for the 17 acre woodlot.

<sup>2</sup>See fn. # 17, p. 5. For a detailed description of Whittaker's land and its chain of title, see the study on his land in the Park's files.

purchased by William Dodge and his wife Elizabeth in two pieces in the mid-18th century.<sup>3</sup> In 1766 Dodge sold 20 acres in Lincoln to Nathaniel Brown of Charlestown.<sup>4</sup> It was bounded on the south by Josiah Nelson (i.e. the land that Whittemore had sold to him in 1750), on the southeast and north by the heirs of Nathaniel Whittaker, and on the west by William Dodge. In 1780 Brown sold this 20 acres to Samuel Hartwell.<sup>5</sup>

The western abutter of the woodlot in 1818 was Benjamin Winship who owned the Dodge-Smith farm which he acquired in 1796 from Catherine L. Smith.<sup>6</sup> In 1780, when William Dodge sold the land to William Smith of Weymouth, the abutters of the Lampson farm were Smith, Ephraim Hartwell, Deacon Davis, the Whittaker heirs and Josiah Nelson.<sup>7</sup> Another 1780 deed for the Lampson farm gave Thomas as well as Josiah as eastern abutters.<sup>8</sup> In 1796 the farm was bounded on the east by Thomas Nelson, Josiah Nelson, Samuel Hartwell and

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<sup>3</sup>The northern part was a 7 acre piece that Dodge bought in 1764 from Daniel Hager (Bk 62: 287 — the rest of the chain of title for this 7 acres is: 1760 Lampson to Smith Bk 60: 396-8 and 1761 Smith to Hager Bk 62: 286). It was bounded on the south and west by William Dodge and on the east and north by the heirs of Nathaniel Whittaker. The chain of title for the southern part is as follows: In 1750 Patience Lampson, administratrix of the estate of Timothy Lampson, sold two parcels of land in Concord, containing 50 acres, to Nathaniel Whittemore (Bk 63: 377). Whittemore then sold 20 acres of this land to Josiah Nelson (Bk 64: 27). He kept the land north of the land that he sold to Josiah and in 1758 sold it, along with the rest of his land, to Elizabeth Dodge (Bk 56: 193). It was some of this land north of the land that Josiah bought that Dodge sold, along with the 7 acres that he had bought from Daniel Hager, to Brown in 1766. See the Report on the Dodge-Smith farm.

<sup>4</sup>Bk 66: 93-4.

<sup>5</sup>Bk 86: 222-3.

<sup>6</sup>Bk 122: 467. For a full description and chain of title see the report on the Dodge-Smith farm.

the heirs of Nathaniel Whittaker and on the north by the Bedford line. In 1835 when the farm was sold to Henry Fiske, the eastern shutters were James Hastings (Thomas, Jr.'s land), Sally Nelson (the 17 acre woodlot), Samuel Hartwell and Jane Hartwell.<sup>9</sup>

The southwestern shutter of the woodlot in 1838 was Samuel Hastings who had inherited all of Thomas, Jr.'s land.<sup>10</sup> The southeastern shutter was the house lot owned by Joshua in 1838.

In 1838, after the death of Elizabeth Nelson, the woodlot was quitclaimed to Sarah Nelson and in 1855, after Sarah's death, it was quitclaimed to John Nelson.<sup>11</sup> In 1878 George Nelson owned a 24 acre woodlot in the northeastern part of Lincoln.<sup>12</sup> This is probably Sarah and Elizabeth's woodlot, plus some of the land from the house lot quitclaimed to Joshua in 1838. The eastern shutters of the 24 acre woodlot were: 1) J. R. Geller

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<sup>7</sup> Rk 82: 57-8. Probably running around the land from west to east -- no directions are given in the deed.

<sup>8</sup> This is more correct since Thomas, Jr. owned land along the Concord/Lexington line (including the 14 acres from the 20 acre Whittaker lot that Josiah sold to him in 1755). Smith to Smith Rk 82: 110.

<sup>9</sup> Rk 139: 58-9.

<sup>10</sup> See the report on the Thomas Nelson, Jr. farm, Part I, section (b).

<sup>11</sup> Rks 137: 161 and 726: 285. In the 1855 deed to John Nelson it was described as containing 11 acres (see Rk 82, p. 19). Elizabeth died unmarried 4 January 1838 and Sarah died, also unmarried, 18 March 1855 (Nelson, Lexington, v. 2, p. 491).

<sup>12</sup> The 24 acre woodlot probably extended as far south as the nearly five acre piece that Josiah Nelson bought from Daniel Brown in 1770, and thus probably includes, besides Sarah and Elizabeth's 17 acre woodlot, Joshua's lower plain woodlot which contained about 6 acres. The boundaries of much of the 24 acre woodlot can still be made out on the 1977 Air Force topographical map (see sheets 1-4).

who may have bought Parthurst's land from the heirs of Stephen Robbins and  
 2) the heirs of J. Murree for about 41 rods.<sup>13</sup> The other abutters of the  
 woodlot were:

	<u>1818</u>	<u>1878</u>
<u>NE</u>	Samuel Hartwell & old fence & old ditch.	J. R. Hartwell & old ditch <sup>14</sup>
<u>NW</u>	Benjamin Winship & old fence & ditch	William H. Fiske & old ditch <sup>15</sup>
<u>SW &amp; W</u>	Samuel Hastings and stone wall	George Nelson fence and stone wall <sup>16</sup>
<u>S</u>	Joshua Nelson (the house lot)	George Nelson (the house lot) and stone wall <sup>17</sup>

Parcel A in the 1941 plan of Nelson land contains 71.53 acres and consists  
 of Sarah and Elizabeth's 17 acre woodlot, the 16 or 20 A house lot of 1818  
 and 35 acres that John Nelson bought from Benjamin Muzzy in 1837.<sup>18</sup>  
 Most of this land now belongs to the air force. Only the very southern  
 part is in the Park. Of the land that is in the Park, most of 1-8 (as

<sup>13</sup> Jonas and Edmund Murree abutted Joshua Nelson's land (i.e. Sarah and Elizabeth's woodlot) for 41 rods in 1814 (Nk 208: 475).

<sup>14</sup> The 1957 Air Force shows an old ditch (about 400' long) along this line. See sheets 1 and 2.

<sup>15</sup> Henry Fiske, William's father, bought the Dodge-Smith farm from Winship's heirs in 1835. (Nk 339: 58-9).

<sup>16</sup> George Nelson bought Hastings' land west of the woodlot in 1837 (Nk 360: 182). In an 1835 plan for Hastings' land, it ran southeasterly along Nelson's land (by two angles) 660' and 709.5'. On the 1878 plan of the woodlot, the line between the woodlot and the land formerly Hastings ran southeasterly 575' and then southeasterly again 713'.

The 1957 Air Force map shows a wall measuring about 380' along part of the southwestern line of the former woodlot. The fence of course has long since disappeared.

<sup>17</sup> The stone wall on the 1878 plan measured 710' and on the 1957 Air Force map 680'. This is an old runaway wall.

<sup>18</sup> Plan of Nelson land Nk 7032: 592. This 35 acres had belonged to Thomas Jr. (Nk 360: 182).

far west as the wall, i.e. the western boundary of Daniel Brown's 4 acre+ piece which is about 100' east of the access road to air force housing) belonged to the Josiah Nelson farm in 1775. This would include the southern part of his house lot and the southern part of the 4 acres that Daniel Brown sold to him in 1770.

**Part II: Land West of Mill Street:**

**a. Early Deeds:**

All of the Nelson land south of the country road and west of Mill Street, for which deeds were recorded, belonged in 1773 to Josiah Nelson. The deeds show that in 1773 he owned about 80 acres between what is now Mill Street and the old Concord/Lexington line, only a small portion of which is within the Park's boundaries.<sup>1</sup>

In 1768 Nathaniel Whittmore of Lincoln sold 9 acres in Lincoln bounded on the north by the country road to Josiah Nelson.<sup>2</sup> The western abutter of the 9 acres was a half acre orchard that Josiah bought from his brother Thomas the previous November.<sup>3</sup> Ephraim Hartwell, who was given

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<sup>1</sup> He bought about 24 acres in two pieces from Nathaniel Whittmore in 1765 and 1768, 2 acres from Jacob Whittmore in 1767, a half acre from Thomas Nelson, Jr. in 1767, about 38 acres from Thomas Nelson, Sr. in 1767, and 24 acres from Ephraim Flint in 1748, 7 of which he sold to his brother Thomas in 1755. For the land that is outside of the Park, see appendix B and for the Concord/Lexington line see appendix C.

<sup>2</sup> Ek 84: 500. In May 1780, Walter Cooper of Cambridge sold 35 acres in Lexington (after 1754 Lincoln) on both sides of the country road to Nathaniel Whittmore who sold the 9 acres to Nelson (Ek 24: 340, Nelson, Lexington, v. 2, pp. 754-5). It was bounded on the northwest by the Concord/Lexington lines. The 1738 bounds of the country road are confusing but they also indicate that Nathaniel Whittmore, Sr. owned land near the old Concord/Lexington line (Lexington Town Records, 3: 187-89).

<sup>3</sup> Ek 3943: 42. See appendix C, for a full description and chain of title for the half acre. Josiah Nelson was given as the western abutter of the 9 acres that he bought from Whittmore in the 1768 deed. In 1763 when the half acre was sold to Thomas, Jr., it was bounded on the east by Nathaniel Whittmore (Ek 62: 194). Whittmore, Sr. was given as the southeastern abutter in a 1752 deed and his widow as an eastern abutter in a 1760 deed for the half acre (Eks 55: 190-1 and 60: 395-8). In 1767 when the half acre was sold to Josiah, a runaway rather than Whittmore was given as the southeastern abutter (Ek 3942: 42).

as the western abutter of the half acre orchard in the 1767 deed to Josiah Nelson, owned 15 acres in Lincoln which in 1744 was described as bounded on the east by the Concord/Lexington line.<sup>4</sup> In 1792 the half acre was described as bounded on the west by the Concord/Lexington line.<sup>5</sup> This puts the 9 acres, which was the eastern abutter of the half acre orchard, close to the old Concord/Lexington line. The eastern abutter of the 9 acres was a highway, which, given the nearness of the Concord/Lexington line, is probably Mill Street.<sup>6</sup>

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<sup>4</sup>Samuel Hartwell probate #10987, 1744. The piece of Hartwell's land that was given as the western abutter of the half orchard in 1767 was probably this 15 acre piece. According to the 1744 inventory of Samuel Hartwell's estate, it was bounded on the north by the country road, as were the half acre orchard and the 9 acres that Whittamore sold to Josiah Nelson. Before the establishment of Lincoln as a separate town in 1754, the Concord/Lexington line was given as the western abutter of the half acre. The chain of title for this 15 acres has established that its location was just west of Nelson land near the approximate location of the Concord/Lexington line south of present-day Route 2-A. (See the report on the Hartwell Farm).

<sup>5</sup>Joshua Richardson to Ebenezer Lamson, Bk 55: 190-1.

<sup>6</sup>There is good evidence that Mill Street was laid out during 1725 (although parts of it, at least, existed earlier). The Selectmen of Lexington on May 19th, 1725, recommended that a way  $1\frac{1}{2}$  to 2 rods wide be laid out from the Concord road (Route 2-A) to the town highway (possibly Lincoln Street) through Doctor Whittamore's and others' lands. The bounds of the road for most of the way were given only for the eastern side. It began at a great rock near the Concord road at the westerly corner of Joseph Merriam's field and, running by several marked trees, turned on the land of Thomas Nelson and then ran by the land of the Widow Stearns, etc.. In several places it ran along the already trodden way. At the same meeting, Nathaniel Whittamore, Thomas Nelson, Joseph Merriam, Jr., q̄ q̄ agreed to the laying out of the road (Lexington Town Records, 3: 60-1).

There is a large rock on the eastern side of Mill Street near its beginning at Route 2-A. In the 1818 division of Josiah Nelson's estate, a large rock on the eastern side of a bridleway marked the beginning of Josiah Jr.'s Center Lot (Bk 271: 398-400. See Section (b), the Center Lot). In the 1720's Nathaniel Whittamore of Lexington owned about 35 acres in Lexington on both sides of the country road near the Concord/Lexington line (Bk 24: 340). Most of this land was south of the country road and west of a highway, i.e. Nathaniel and his brother Jacob sold about 25 or 26 acres south of the country road and west of a highway to Josiah Nelson,

South of the 9 acres was piece of upland of nearly 15 acres which Nathaniel Whittemore of Lincoln sold to Josiah in February 1765.<sup>7</sup> A plan of the land, made the day before it was sold to Josiah, shows a highway for a distance of 40 rods as the eastern abutter and a rangeway for a distance of 30½ rods as the southeastern abutter.<sup>8</sup> The highway was the same one that formed the eastern boundary of the 9 acres and is probably Mill Street. Southwest of the nearly 15 acre piece was a narrow 2 acre strip of improved land and pasture 7½ rods wide and 43½ rods long. Nathaniel Whittemore sold it to his brother Jacob in May 1764 and Jacob sold it to Josiah Nelson the following February.<sup>9</sup> Like the nearly 15 acres of upland, the 2 acre piece was bounded on the northwest by Ephraim Hartwell and on the southeast by a rangeway.

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6(Cen't) in the 1760's (although about 5 acres of Whittemore's land was east of the highway -- see the report on the Thomas Nelson, Jr. Farm, Part II). The fact that most of Nathaniel's land was west of present-day Mill Street helps explain why his land was not mentioned in the 1725 account of the bounds of the road, although the Town records do say that the road ran through his land. Joseph Merriam of Lexington owned about 23 acres in Lexington which was south of the country road and which in 1724/5 was bounded on the southwest by Nathaniel Whittemore's land (Bk 35: 358-9). Thomas Nelson, Sr. seems to have owned some land south of Merriam's, although we have no record of how he acquired this land. In 1755 he was given as the northwestern abutter of a 10 acre piece that we can definitely locate as L-349 and L-350 on the Miller-Nylander Map of the Proposed Park Boundaries (Bk 65: 545-6, NHP-MN 2009, also see the report on the Thomas Nelson, Jr. Farm, Part II). He was also the northwestern and northeastern abutter of a small piece of land at the southwestern corner of Jacob Whittemore's 43 acres (L-359) in 1755 (Bk 64: 31-2).

<sup>7</sup>In 1765 the nearly 15 acre piece was bounded on the north by Nathaniel Whittemore and the 9 acres was bounded on the south in 1768 partly by Josiah Nelson and partly by Ephraim Hartwell's 15 acre piece (Bk 64: 35).

<sup>8</sup>The plan was drawn by Stephen Davis, February 8, 1765 (Nelson papers).

<sup>9</sup>Bks 61: 363 and 64: 34.

b. Later History:

When the land that Josiah had bought between the highway and the old Concord/Lexington line in the 1760's was divided among his heirs in 1818, the lots were cut up in new ways. It is, therefore, impossible to find exact equivalents for the lots that he owned in the 18th century among the land that his heirs owned in the 19th century. But some boundaries did remain the same -- the country road (Route 2-A) on the north, a highway (Mill Street) on the east, Hartwell and Brooks on the west -- so that it is possible to see certain connections between the 18th century lots and the land quitclaimed to Josiah's heirs in 1818.<sup>10</sup> Two of the lots received by Josiah's heirs in 1818, which abutted one another, are of special importance since they are, at least, partially within the Park's present boundaries. One of these, owned by Joshua Nelson, was called the Center Pasture. The other lot was called the Center Lot and was owned by Josiah, Jr.<sup>11</sup> It was the southeastern abutter of the Center Pasture.

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<sup>10</sup> See appendix B for a description and chain of title of Josiah's land between Mill Street and the old Concord/Lexington line that is entirely outside the Park's boundaries. Hartwell and Brooks were the western abutters of this land as well. The arguments and evidence given for the location of the land outside the Park's boundaries help confirm the location of the land that is within the Park's boundaries.

<sup>11</sup> Joshua's pasture was first called the Center Pasture in the 1842 inventory of his land (#38284) and Josiah, Jr.'s land was first called the Center Lot in 1826 (#15788). I use these names because they are convenient in identifying these pieces of land.

Center Pasture:

In the 1818 division of Josiah's land, his son Joshua received a lot of pasture land in Lincoln containing about  $5\frac{1}{2}$  or 6 acres.<sup>12</sup> After Joshua's death in March 1842, the pasture was quitclaimed by his heirs to John Nelson, who in turn sold it to his son George.<sup>13</sup> In May 1855 George Nelson sold the western portion of the pasture to George Hartwell.<sup>14</sup>

The entire Center Pasture was bounded on the north by the country road, on the west by Samuel Hartwell's land, and on the southeast by Josiah Nelson, Jr.'s land in 1818 and later on the southeast by Isaac Mulliken's woodlot.<sup>15</sup>

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<sup>12</sup> Bk 439: 328-30. The 1818 deed says  $4\frac{1}{2}$  acres. Actually the pasture probably contained  $5\frac{1}{2}$  or 6 acres. An 1844 deed and plan for the Center Pasture described it as 5 acres 128 rods (Bk 459: 547-9). Four acres of the pasture (the western half) were sold to George Hartwell in 1855 (Bk 714: 552-3). But the Nelsons owned L-318 and L-319 (i.e. the eastern part of the pasture, except for a part of L-319) which contained about  $2\frac{1}{2}$  acres until 1947 (Bk 7152: 176-7).

<sup>13</sup> Sarah Nelson et al to John Nelson dated 19 December 1844 (459: 549) and John Nelson to George Nelson 19 December 1844 (Bk 459: 547). In these deeds, the Center Pasture was described as 5 acres 128 rods.

<sup>14</sup> Bk 714: 552-3. The 4 acres sold to George Hartwell clearly seems to be the western part of Joshua's pasture. The descriptions are very similar. Both were bounded on the north by the country road and on the west by Samuel Hartwell. Isaac Mulliken's land, which was the southeastern abuttor of Joshua's pasture, was near the southern tip of the land sold to Hartwell. Also, someone drew a line in brown ink through a plan of the pasture (described as 5 acres 128 rods) made by Cyrus Hubbard in 1844 and marked the western side "this side sold to George Hartwell".

<sup>15</sup> The 1818 description of the Center Pasture did not name the southeastern abuttor, but it most likely was Josiah, Jr.'s Center Lot. The 1844 description gave Isaac Mulliken as the southeastern abuttor and the 1855 deed to Hartwell said that the land ran SE  $46\frac{3}{4}^{\circ}$  18 rods 20 links by the land of the heirs of Samuel Hartwell to the corner by the land of George Nelson and Isaac Mulliken. The plan of the pasture made in 1844 by Cyrus Hubbard did not name the southeastern abuttor but did put woods along this line. Isaac Mulliken, the son-in-law of Josiah Nelson, Sr., owned a woodlot of more than 11 acres west of Mill Street in 1844 and 1855 which in 1818 had belonged to Josiah, Jr. (Bk 275: 135-7).

George Nelson kept the eastern portion of the pasture.<sup>16</sup>

Center Lot:

Joniah, Jr. received 17 acres of upland in the 1818 division of his father's estate.<sup>17</sup> In 1826, he was declared insane and most of his land was sold in order to pay his debts.<sup>18</sup> His Center Lot was sold in two pieces. A woodlot of about 11 acres, the northeastern part of the Center Lot, was sold to Isaac Mulliken, Joniah, Jr.'s brother-in-law, in 1827.<sup>19</sup> In 1860 Isaac Mulliken's heirs sold the woodlot to George Nelson.<sup>20</sup> The southwestern portion of the Center Lot, described as 7 acres 78 rods of mowing land, was sold to John Nelson in 1827.<sup>21</sup>

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<sup>16</sup> George Nelson (1822-1912) inherited all of his father John's land. He married Abigail Marion Bigelow in 1848. They had four children -- George Alfred (b. 1852), Charles Elliot (b. 1855), John Walter (b. 1862), and Charlotte Marion (b. 1864). John Walter Nelson married Nellie Maria Newton in 1902 and his son W. Newton Nelson is the present owner of the Joniah Nelson farm. (Hudson, Lexington, v. 2, p. 492.)

<sup>17</sup> Bk 271: 398:400.

<sup>18</sup> Joniah Nelson probate #15788. The inventory of his real estate lists him as owning a 19 acre home lot, a 17 acre Center Lot, and a 13 acre meadow lot.

<sup>19</sup> Bk 275: 135-7. The 1827 deed says that the woodlot contained 11 acres 108 rods with 50 rods deducted for the highway (probably Mill Street). Isaac Mulliken of Lexington (1789-1859) married Mary Nelson, the youngest daughter of Joniah, Sr., in 1815. (Hudson, Lexington, v. 2, p. 446.)

<sup>20</sup> Bk 868: 274 with a prior reference to Bk 275: 135-7.

<sup>21</sup> Bk 280: 91.

Comparison of the deeds for the Center Lot shows:

<u>1818 deed</u>	<u>1827 deeds &amp; plans</u>	<u>1860 deed</u>
began at a great rock on the east side of the highway 23	began at the north corner at a great rock on the east side of the bridle road	began at the north corner at a great rock

22 The 1818 deed covers the entire 17 acre Center Lot (Bk 271: 398-400). The 1827 deeds and plans are: (1) Stephen Patch guardian of Josiah Nelson, to Isaac Mulliken for the 11 acre 108 rod woodlot (i.e. the northeastern part of the Center Lot) and a plan of the woodlot by Cyrus Hubbard dated 30 March 1827 and (2) Stephen Patch, gen., to John Nelson for the 7 acres 78 rods of mowing land (i.e. the southwestern part of the Center Lot) and a plan dated 30 March 1827 by Hubbard (Bks 275: 135-7 and 280:91 and plans in the Nelson papers). The 1860 deed deals only with the northeastern part of the Center Lot (i.e. with the woodlot sold to Mulliken in 1827) -- (Bk 868: 274).

23 Probably Mill Street. The 18th century deeds usually called it a highway. The 1827 plan of Mulliken's woodlot calls it a bridle road. Nineteenth century sketches of land belonging to George Nelson call it the town road to Asa Spauldings'. Spaulding was a southeastern abutter of the Mulliken woodlot in 1827 and 1860. A bridle road existed along the southeastern boundary of L-349 and L-350 in 1755 in the approximate location of present-day Mill Street. As described in fn. 16, p. 25 a road was laid out in 1725 which seems to be Mill Street. Although there is no record of any changes in Mill Street in the Lincoln Town Records (checked down to 1820), it seems likely that there were changes in the road before 1818. There are several small pieces of land along either side of Mill Street which seem to have been cut off by changes in the road. In 1818 a small piece of Josiah, Jr.'s, Center Lot was east of the bridle road (this can be seen more clearly on the 1827 plan in the Nelson papers of the northeastern part of his Center Lot). The deeds for the two lots that Josiah Nelson bought from Nathaniel Whittmore in the 1760's gave a highway as the eastern boundary and made no mention of any land east of the highway. If the Center Lot contained most of these two lots, as seems probable, it is likely that the road was moved along this line before 1818. Two lots south of Josiah Nelson's land -- the Fiske lot, which was owned by Thomas Nelson, Jr., in 1775, and the 10 acre Abbott meadow (L-349 and L-350) -- also show evidence of the road being moved. In 1836, when the Fiske lot was sold by the Hastings' brothers, about a third of an acre was west of Mill Street (Bk 359: 84). An 1853 deed for the Fiske lot mentions that this small piece on the west side of Mill Street was cut off from the main part of the Fiske lot, which was east of Mill Street, by the town way (Bk 647: 51). Likewise, a 1921 plan shows a small piece of the Abbott meadow west of Mill Street (Plan of the Land of Charles R. Butcher, 21 April 1921, rec'd Bk 5317:321). See the report on the Thomas Nelson, Jr., Farm for details on the Fiske lot and the Abbott meadow.

1818 deed

ran Norly across the highway on land of

Joshua Nelson to the corner of Samuel Hartwell's land

1827 deeds & plans

ran SW  $50\frac{1}{2}^{\circ}$  46 rods on Joshua Nelson's land to the corner of a wall by Samuel Hartwell's land

1860 deed

ran SW  $50\frac{1}{2}^{\circ}$  46 rods on George Nelson's land to the corner of the wall by Samuel Hartwell's land

ran SWerly by the wall and the land of Samuel Hartwell to a stake and stones

ran SW  $37^{\circ}$  31 rods 18 links on Samuel Hartwell's land

ran SWerly by the wall and the land of Joshua Nelson

ran NE  $38\frac{1}{2}^{\circ}$  44 rods 20 links on land of Joshua Nelson

followed the rangeway to the highway to a stake and stones

ran NE  $56^{\circ}$  (NE  $36^{\circ}$ )<sup>27</sup> 30 rods 10 links on the rangeway (for

ran NE  $36^{\circ}$  11 rods 10 links on the rangeway and the land

<sup>24</sup> The 1827 and 1860 deeds for Mulliken's woodlot did not say that the land crossed the road. But they did note that the woodlot contained 11 acres 108 rods including the road and that 50 rods were to be deducted for the road. The 1827 plan of the woodlot shows a bridle road running across the northeastern end of the woodlot.

<sup>25</sup> Joshua Nelson's Center Pasture. George Nelson bought it from his father John in 1844 (Hk 499: 547). See the section of the Center Pasture.

<sup>26</sup> A lot containing about 20 acres of mowing and woodland that Joshua Nelson owned. See Appendix B.

<sup>27</sup> The 1827 deed for the 7 acres 78 rods that John Nelson bought and the 1827 plans for both the Mulliken woodlot and the land that John bought gave the direction along this line as NE  $56^{\circ}$ . However, the 1827 and 1860 deeds for Mulliken's woodlot gave it as NE  $36^{\circ}$  which is probably a mistake in copying from the 1827 plan. As drawn on the plan, the angle along this line is about  $56^{\circ}$ .

1818 deed

run Norly by the highway to a stake and stones, then crossed the highway and then run Norly to a stump in the wall and on to the

1827 deeds & plans

11 rods 10 links of this, at least, it also run along Ann Spaulding's land<sup>26</sup>

run NE  $8 \frac{2}{3}^{\circ}$  24 rods to a large rock, then NE  $21 \frac{1}{2}^{\circ}$  15 rods 5 links, then NE  $10^{\circ}$  NE rods to a pine stump on land of James Hastings; then NW  $30 \frac{1}{3}^{\circ}$  16 rods 22 links on

1860 deed

of A. Green Spaulding<sup>27</sup>

run NE  $8 \frac{2}{3}^{\circ}$  24 rods to a large rock, NE  $21 \frac{1}{2}^{\circ}$  15 rods 5 links NE  $10^{\circ}$  22 rods to a pine stump on land of

<sup>26</sup> The 1827 deed for the southwestern part of the Center Lot (i.e. the 7 acres 76 rods sold to John Nelson) said that the land run NE  $96^{\circ}$  for 19 rods along the rungsy to a spruce tree by the land of James Milliken (i.e. to the corner of Milliken's woodlot, which was the northeastern part of the Center Lot.) The 1827 deed for Milliken's woodlot then extended the line in the same angle (see in § 27) for another 11 rods 10 links along the rungsy and Ann Spaulding's land. At least, this is how I read the 1827 deed for Milliken's woodlot which says, "Thence running / from a spruce tree / on land of Ann Spaulding north thirty six degrees east eleven rods and ten links on the rungsy..." (M: 275: 135-7.) The 1818 deed for the Center Lot said only that it followed the rungsy to the highway. But the 1860 deed for the northeastern part of the Center Lot said that it run Norly 11 rods 10 links on the rungsy and land of A. Green Spaulding.

<sup>27</sup> Albert Green Spaulding, the son of Ann and Elizabeth, was born April 14th, 1819 in Concord. His father died in 1847 at the age of 54. Vital Records of Lincoln, Massachusetts (Boston, 1908), pp. 67, 173. F. Athorp Foster, (ed). Hereafter cited as Foster, (ed), Lincoln Vital Records.

1818 deed

First mentioned bounds.

1827 deeds and plans

on the land of John Nelson to the first mentioned bounds.

1860 deed

William Fiske<sup>30</sup> then NW 30 1/3<sup>0</sup> 16 rods 22 links on land of George Nelson to the first mentioned bounds.<sup>31</sup>

APPENDIX:

Joshua's Center Pasture and Josiah, Jr.'s Center Lot probably included the half acre orchard and most of the land that Josiah, Sr. bought from the Whittameres in the 1760's. The acreage is similar -- the 18th century lots contained, according to the deeds, about 26 acres; the two pieces quitclaimed to Joshua and Josiah, Jr., about 22 or 23 acres. But, more important, there are general similarities in the descriptions of the 18th and 19th century lots -- a highway or bridle road on the east, the country road on the north, Hartwell as the western and northwestern abutter, and a runway as the southeast abutter.<sup>32</sup>

<sup>30</sup> William H. Fiske (bp. 5 Dec. 1830) was the son of Henry Fiske, who owned a lot of about 20 acres south of present day Route 2-A, of which about a third acre was on the west side of present day Mill Street (Foster, ed, Lincoln Vital Records, p. 34, and Ek 647: 51). In 1836, when the Hartings sold the land, the piece on the west side of Mill Street was described as bounded on the west by Spaulding and Mulliken and on the east by the town way (Ek 399: 84). In 1866, when it was sold to George Nelson, it was described as bounded on the west by the heirs of Ann Spaulding and on the northwest by said heirs and George Nelson (the Center Lot which George acquired through inheritance from his father and purchase of Mulliken's woodlot from Mulliken's heirs in 1860 -- Ek 977: 435). For details see the report on the Thomas Nelson, Jr., Farm Part II.

<sup>31</sup> George Nelson inherited this land from his father John, who died in August 1899 (Nelson, Lincoln, v. 2, p. 491). It was a 3 or 4 acre piece of pastureland south of present day 2-A and east of Mill Street (Ek 238: 235).

<sup>32</sup> 30 1/2 rods was the distance given along the runway in the 1765 deed for the 14 acre 133 rod piece that Nathaniel Whittamere sold to Josiah (Ek 64: 34). The 2 acre piece that Jacob Whittamere sold to Josiah in 1765 continued along the runway for another 7 1/2 rods (Ek 64: 35). The 2 acre piece was southwest of the nearly 15 acre piece and abutted it on the northeast. The 1827 deeds and plans for Josiah, Jr.'s, Center Lot gave the distance along the runway as 30 rods 10 links (Mrs 275: 135-7 and 280: 91).

The half acre orchard and a good part of the 9 acres that Nathaniel Whittmore sold to Josiah in 1768 are probably within the Park's boundaries. Some of the nearly 15 acre piece that Josiah bought from Whittmore in 1765 may also be in the Park, depending on how deep the 9 acre piece was. The relation of the 18th century lots to the lots on the Miller-Nylander map in large part depends on the location of the Concord/Lexington line. From the reconstruction of the old town line in Appendix C, I believe that L-319, L-318, L-322, L-323, the part of L-320 that is in the Park, the eastern half of L-316 and the northeast corner of L-317 belonged to Josiah Nelson in 1775.<sup>33</sup>

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<sup>33</sup>L-318 and L-319 were sold to David W. and Iva S. Mann in 1947 by the Nelsons (Bk 7152: 176-7). L-322, L-323 and L-320 are owned by W. Newton and Eleanor R. Nelson. L-316 and L-317 were sold to the United States of America by Geophysics Corp. and Henry Hartman respectively (Bk 10433: 153 30 Dec. 1963 and Bk 10068: 205 2 Nov. 1964). Both L-316 and L-317 can be traced back to the Hartwell family, but the eastern half of L-316 and the northeastern corner of L-317 are probably the western half of the Center Pasture which George Nelson sold to George Hatwell in 1855.

In terms of the land divided among Josiah's heirs in 1818 the land in the Park probably includes Joshua's Center Pasture and the northeastern end of Josiah, Jr.'s Center Lot (including the part of the Center Lot that was east of Mill Street).

Land outside the Park's boundaries that belonged to Josiah Nelson in 1775 includes the rest of L-320 and all of L-321, both of which are at present owned by W. Newton and Eleanor R. Nelson, a 14½ acre piece south of L-321 which W. Newton and Eleanor R. Nelson sold to D'Arrigo Bros. Co. in 1954 (Bk 8515: 441), See Appendix B.

Part III: Land South of Nelson Road and East of Mill Street.

a. Later History:

Very few of the 18th century deeds for Josiah Nelson's land east of Mill Street and south of present-day Nelson road have survived.<sup>1</sup> In determining the amount and location of the land that he owned in this area in 1775, I have assumed that his lands south of the old road consisted of only those lands quitclaimed to his heirs in 1818. This assumption is based on the fact that there is no record of either Josiah or his heirs selling any land from 1760 to 1818, when his estate was divided among his children.

In the division of Josiah's estate, his son John received 5 acres of pasture land in Lincoln on the south side of the old road along with the west end of the house.<sup>2</sup>

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<sup>1</sup>In the 19th century this road was called the old country road or the old road. In the 18th century it was the main road to Concord and Lexington but with the building of the new road (Route 2-A) about 1810 it became a secondary road.

<sup>2</sup>Bk 258: 235. This is the John Nelson house which was built around 1808. Among the Nelson family papers are several itemized bills (dated from March to July 1808, with payment received December 21, 1808) from Jacob Robinson, probably a stone mason, to Josiah Nelson, Jr. for splitting stones, stoning the cellar, building the brick ends, etc.. The brick ends, especially, point to this being the John Nelson house. Josiah, Jr. married Anna Hoar of Concord in November 1809. Since, as far as we know, he was the first of Josiah's children to marry (there is no marriage date for his younger brother Jonathan who married Martha Wheeler of Concord and moved to Waterville, Me. where he died in 1816) the house may have been built for his bride. John Nelson, who later shared the house with Josiah, Jr., did not marry until May 1820. Also in 1810 Josiah, Jr. was assessed for the entire house (John received the west end of the house in the 1818 division and was first taxed for half a house in 1821). Hudson, Lexington, v. 2, p. 421.

The description of the 5 acres was as follows:

...beginning at the northeast corner at a stake & stones by an road /the old country road which is Nelson Road / running westerly the wall & road curving /the "s" is interlined / the county road /Route S-A / to a large rock then running by the wall to a stake and stones by the land of Josiah Nelson and Samuel Hastings northeast to a stake and stones by the south side of the County Road /Route S-A / then crossing an Road through /the "h" is interlined / the middle of the House /the John Nelson house / to the first mentioned bounds by land of Josiah Nelson...

From this description, I believe that John's pasture was bounded on the northwest by the old road, on the southwest by Josiah, Jr.'s Center Lot and Samuel Hastings' land,<sup>6</sup> and on the southeast and northeast by Josiah, Jr.'s Home Lot with the new country road (i.e. Route S-A) running through it.

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2 (Con't.)

John Nelson probably built the western addition to the house about 1820. In 1821 his half of the house was assessed for \$3 more than Josiah, Jr.'s and in 1831 for \$4.80 more (John's half of the house was assessed for \$12 in 1821 and 1831 and Josiah, Jr.'s for \$9 in 1821 and \$7.20 in 1831). In 1840 John was assessed for 2/3's of a house and Josiah, Jr.'s heirs (Josiah, Jr. died in January 1835) for 1/3 of a house.

<sup>3</sup>Does it mean crossing the county road? If the "e" and "r" are transposed this makes sense, since crossing is later in the deed spelt with an "s".

<sup>4</sup>The Center Lot, which belonged to Josiah Nelson, Jr., began at a large rock on the east side of Mill Street (see Part II). There is a large rock in the wall on the east side of Mill Street where it begins at Route S-A. This is probably the same rock.

<sup>5</sup>The spelling in the deed has not been changed or modernized.

<sup>6</sup>A small piece of the Center Lot was east of Mill Street. In 1827 the Center Lot, after crossing the bridle road (Mill Street), ran north-easterly on James Hastings' land (the Fiske lot) and then NW 30 1/3 16 rods 22 links on the land of John Nelson. (Samuel Hastings' land was the Fiske lot which he inherited from Thomas Nelson, Jr. and which George Nelson later bought. See the report on the Thomas Nelson, Jr. Farm, Part II.)

In the 1818 division, Josiah, Jr. received 19 acres in Lincoln on the south side of the road, with the east end of the John Nelson house.<sup>7</sup> It ran westerly by the old road, then southerly in a straight line by the land of John Nelson through the middle of the house to the new road, then southerly, easterly, and southerly by the wall to a pond, then easterly or northeasterly crossing the new country road (including about  $\frac{1}{2}$  acre meadow which the road cut off), then ran westerly on the new road or the land of Samuel Hastings, and then northerly by the land of Hastings to the first mentioned bounds.

John and Josiah, Jr.'s land between Nelson Road and Route 2-A is L-7 which contains 5.5 acres.<sup>8</sup> The wall along the eastern side of L-7 possibly dates from the 18th century. It probably was a boundary first between Daniel Brown's land and Thomas Nelson, Sr.'s land and after the early 1770's between Josiah's and Thomas, Jr.'s land.<sup>9</sup>

In November 1831, Josiah, Jr. mortgaged his part of the house lot and house to Mrs. Joan Locke.<sup>10</sup> The house lot was bounded on the west by John Nelson 20 rods "through the front entry of my dwelling house", on the south by the new road about 40 rods, on the east by James Hastings 45 rods, and on the north by the old road 19 rods. The deed says that

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<sup>7</sup> bk 271: 398-400. This 19 acre piece was called the Home Lot in the 1886 inventory of Josiah, Jr.'s estate. (Josiah Nelson probate #15708)

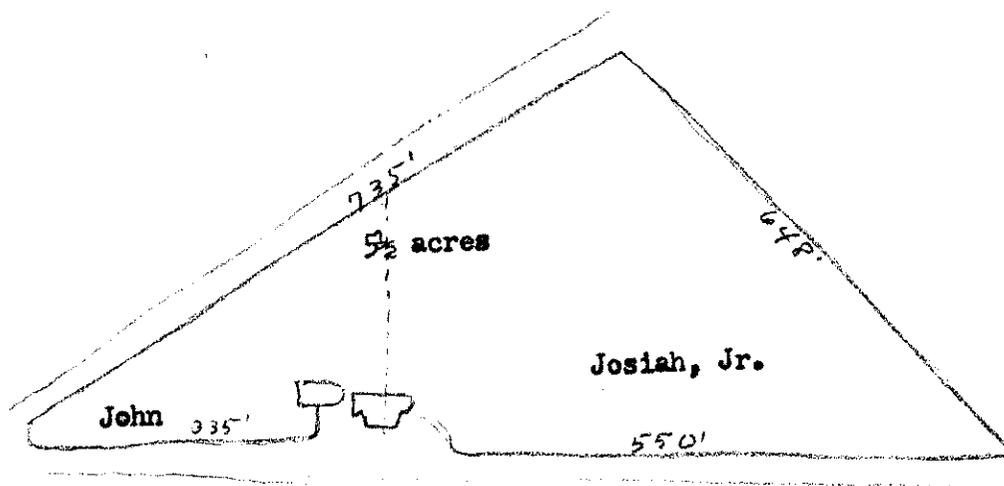
<sup>8</sup> The Miller-Hylander map of the Proposed Park Boundaries, HEP-MS 2009, May 1962.

<sup>9</sup> See section (b) for Daniel Brown's land and the report on the Thomas Nelson, Jr. Farm, Part II for Thomas, Sr.'s land.

<sup>10</sup> bk 308:335-6. The mortgage was discharged 6 November 1831.

Josiah's part of the house lot contained about 4 acres which is about right. A plan of the entire house lot made in the late 19th century by George A. Nelson<sup>11</sup> shows a triangular piece of 5.5 acres, the greater part of which, from the position of the house and the measurements of the lot, clearly had belonged to Josiah, Jr.:

original plan is more than  
twice this size  
scale approximately  $\frac{1}{2}'' = 100'$



Only about an acre and a half of the house lot belonged to John. Most of his 5 acre pasture, therefore, was south of the new road.

<sup>11</sup>  
In 1846 the heirs of Josiah, Jr. sold his half of the house lot, described as 3 acres with the buildings thereon, to George Nelson (Bk 496: 300-1). This gave George Nelson possession of the entire house and house lot in the late 19th century. He inherited the western part of the house and house lot from his father John, who died in 1859. The plan of the house lot is in the Nelson Papers.

When Josiah was declared insane in 1826, he kept his half of the house and house lot but the rest of the Home Lot, i.e. the part south of the new road and the  $\frac{1}{2}$  acre cut off by the new road was sold. The western part of the Home Lot -- described as 8 acres 13 rods of pasture land -- was sold to Samuel Hartwell in 1827.<sup>12</sup> It ran southwesterly 33 rods on the land of John Nelson to a pitch pine tree, southeasterly 21 rods 5 links on the land of James Hastings to a corner of a wall, northeasterly 54 rods 20 links on the land of Hastings and John Nelson, then northeasterly by a smaller angle 12 rods 23 links by John Nelson's land to the new road, then on the road 33 rods 6 links to the first mentioned bounds.<sup>13</sup> In 1855 George and Samuel Hartwell sold the 8 acres 13 rods to George Nelson.<sup>14</sup> The description of the land was very similar to

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<sup>12</sup> Stephen Patch, guardian of Josiah Nelson, to Samuel Hartwell, Jr. (Mk 308: 100-2.)

<sup>13</sup> The angles given in the 1827 deed are: SW  $37 \frac{2}{3}^{\circ}$  on John Nelson, SE  $35 \frac{1}{2}^{\circ}$  on James Hastings, NE  $58 \frac{1}{2}^{\circ}$  on James Hastings and John Nelson, and NE  $15^{\circ}$  on John Nelson.

On March 31, 1827, Joshua Nelson et al quitclaimed all their right in the land which was described as "pasture land situated in front of the dwelling house of Josiah Nelson [Jr.]". (Mk 308: 99-100.) The bounds of the land, though less specific, were essentially the same as in the deed from Patch to Hartwell. It was bounded on the north by the new road (Route 2-A), on the west by John Nelson (the part of his 5 acre pasture that was south of the new road), on the south by James Hastings (The Fish Lot), and on the east by John Nelson (the eastern part of Josiah, Jr.'s Home Lot which he bought in 1827, see below).

<sup>14</sup> George and Samuel Hartwell to George Nelson (Mk 712: 494-5).

the one in the 1827 deed except that it ran southeast and partly northeast on the land of William H. Fiske, who had bought Hastings' land.<sup>15</sup>

The eastern part of the Home Lot south of the new road was sold to John Nelson in 1827.<sup>16</sup> It was called the Ox pasture<sup>17</sup> and was described as 7 acres 26 rods running southwest on the land of Samuel Hartwell (the western part of the Home Lot) and southeast and northeast on the land of James Hastings to the new road, then on the road to the first mentioned bounds. The distances and directions given in the deed make it clear that this was the eastern part of Josiah, Jr.'s Home Lot. The Ox pasture ran SW 15° 12 rods 23 links and SW 78° 26 rods 6 links on Samuel Hartwell's land. The part of the Home Lot that Hartwell bought ran NE 58½° 54 rods on the land of James Hastings and John Nelson and then NE 15° 12 rods 23 links on John Nelson.<sup>18</sup>

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<sup>15</sup>Ex 712: 494-95. There were minor changes in the distance and directions given in the 1855 deed which are probably mistakes in drawing up the 1855 deed. The changes are SW 37 1/3° on John Nelson instead of 37 2/3° and 44 rods, now 54 rods, is the given as the distance that it ran northeasterly along Fiske and John Nelson. Sarah Francis, administratrix of the estate of Simon Francis, to Henry Fiske of Lincoln (Ex 647:51). William H., the son of Henry Fiske of Lincoln was baptized December 5, 1830, (Foster (ed), Lincoln Vital Records, p. 35).

<sup>16</sup>Ex 280: 91.

<sup>17</sup>Where Josiah's oxen were pastured in the 18th century? Josiah had two oxen listed in his tax assessments for 1769, 1774, 1791, 1799 and 1802. The only years in which personal estate was broken down and Josiah was not listed as owning oxen were 1764 and 1770. However, the name Ox pasture was first used only 1827 and Josiah, Jr. owned one or two oxen throughout the 1820's.

<sup>18</sup>The other distances and directions for the Ox pasture are: S11½° 27 rods 12 links on James Hastings and N70E 29 rods 10 links and N41E 25 rods 7 links on Hastings' land to the new road (Ex 280: 91).

The half acre meadow from Josiah, Jr.'s Home Lot which had been cutoff by the new road (i.e. it was on the north side of the new road), was not included in the parts of the Home Lot sold to Hartvall and John Nelson in 1827. From the description of the Home Lot in the 1818 deed to Josiah, Jr., it is clear that the half acre was bounded on the south by the new road and separated from the John Nelson house lot (L-7) by the land of James Hastings.

In June 1833, James M. Mussey sold 137 rods in Lincoln on the north side of the new road to Josiah, Jr.<sup>19</sup> Beginning at the southwest corner it ran easterly 15 rods 12 links on the new road, northeasterly 9 rods 4 links and northwesterly 7 rods 21 links as the fence stands by James Hastings' land, and then southerly 18 rods by a wall and ditch by Hastings' land to the road. This land on the north side of the new road and surrounded by Hastings' land was probably the "half acre" belonging to Josiah's Home Lot that was mentioned in the 1818 deed. It was probably sold to Mussey after Josiah was declared insane in 1826. Mussey was one of the signers in 1827 of a deed conveying to Samuel Hartvall, Jr. any right the grantors had in the part of the home lot that Hartvall bought or any right they had to pass over it.<sup>20</sup> Mussey, as far as I know, was not related to the Nelsons.

Probably the only reason he would have had any right in passing over Josiah, Jr.'s Home Lot would have been through the purchase of some of his land.<sup>21</sup>

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<sup>19</sup>Ex 454: 364-5.

<sup>20</sup>Ex 302: 99-100. The other grantors were Joshua Nelson, John Nelson, Sarah Nelson, Elizabeth Nelson (the brothers and sister of Josiah, Jr. -- John Nelson also bought part of his Center Lot and Home Lot), James Mulliken (Josiah, Jr.'s brother-in-law and also bought part of the Center Lot and "meadow" lot), and Leonard Hear (he probably bought part of the meadow lot).

<sup>21</sup>How does it seem that the land had to be adjacent to the Home Lot in order to give Mussey, at least formally, a right to pass over it. The "meadow" lot which Mulliken and (probably) Hear bought was on the west side of Mill Street.

Pages misnumbered. There is no page 43  
but no page is missing. T.W 12/04

In 1846 the heirs of Josiah Nelson sold the land to David Miller of Boston. Miller also bought all the Hastings' land surrounding the half acre. Any traces of the wall or ditch might give some indication of its exact location. <sup>22</sup>

South of the new road and east of Mill Street, the Nelsons until recently owned L-339 through L-348 and L-351 through L-357 which contain about 34.3 acres. <sup>23</sup> About 19 acres or more <sup>24</sup> of this belonged to Josiah's heirs in the early 19th century and we may safely assume that this, along with the 5.5 acre house lot and the half acre meadow lot between the roads, was all the land that Josiah owned south of the old road and east of Mill Street in 1775. Josiah's land in 1775 included L-339, most and perhaps all of L-340, L-351 through L-356, and somewhat more than half of L-357.

The boundary between L-357 and L-358 and the northern part of L-359 is an old property line dating from the 18th century when it marked the boundary Josiah Nelson's land and part of Jacob Whittmore's 43 acres. In 1818 it marked the boundary between Josiah, Jr.'s Home Lot and James Hastings' Land. <sup>25</sup>

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<sup>22</sup> Ek 499: 65-6.

<sup>23</sup> L-347 belongs to William H. and Mary B. Ryan, L-348 to Mildred Day, and L-353 to the Noonan but all of these can be traced back to Nelson ownership.

L-357 contains 19.8 acres. L-339 through L-348 and L-351 through L-356 have been divided into house lots along Mill Street and Route 2-A and contain about 14.5 acres.

<sup>24</sup> There was about 3.5 acres of John's pasture south of the new road, 8 acres 13 rods of Josiah, Jr.'s Home Lot sold to Hartwell and 7 acres 26 rods sold to John Nelson. There is about 21 acres in the modern lots that belonged to Josiah in the 18th century. L-339, L-340, and L-351 through L-356 contain 8.07 acres and Josiah owned more than half of L-357 (about 13 acres of it.)

<sup>25</sup> Samuel Hastings, James' father, bought most of Whittmore's land from Ephraim Hammond in 1784 (Ek 218: 370).

In the 1827 plan and deed for the eastern part of the home lot (i.e. the Ox pasture), its eastern boundary ran S31W 25 rods 7 links and S50W 29 rods 10 links on the land of James Hastings.<sup>26</sup> The total distance along Hastings' land was 54 rods 17 links or 902.22'. The boundary between L-357 and L-358 and the northern part of 359 runs S 22° 52' W and then S43W. The distance along these two lines is 906.83' or about 4' longer than the line along Hastings' land in 1827.<sup>27</sup> The line between L-357 and L-359 then runs N39° 29' W for 97.55' and then again runs southwesterly between what was Thomas Nelson, Jr.'s land and the rest of Whittimore's 43 acres.<sup>28</sup>

The line that runs southwesterly in a bending line and then northwesterly for a short distance between L-357 and L-358 and the northern part of L-359 is a good indication of the exact location of Josiah's land south of Route 2-A. Route 2-A and Mill Street are the other two stable boundaries of his land. Between Mill Street and the western boundary of Jacob Whittimore's 43 acres, where Josiah's land was combined with land which in the 18th century had belonged to Thomas, Jr. by George Nelson's purchase of the Fiske lot in 1866, it is difficult to determine the exact boundaries, at least in regard to present day property lines.

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<sup>26</sup> Ek 280: 91. The plan, by Cryus Hubbard, is dated 30 March 1827 (Nelson Papers.)

<sup>27</sup> 1941 plan of Nelson land, recorded in Ek 7032: 552.

<sup>28</sup> Thomas Nelson, Jr.'s land was the Fiske lot (i.e. the southern part of L-357 and L-341 through L-348). See the report on the Thomas Nelson, Jr. Farm, Part II.

However, there is a series of walls on L-357 which fit in well with the early 19th century descriptions of John's pasture and Josiah's Home Lot and with late 19th century sketches of this part of the Nelson farm.<sup>29</sup> The first wall begins just above the bend in Mill Street and runs southeasterly to a corner and then turns and runs northeasterly to where it meets another wall. The first wall then continues running northeasterly and then northwesterly for a short distance until it meets Route 2-A. The second wall runs southeasterly from the first wall until it meets the wall along the western boundary of L-359.<sup>30</sup>

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<sup>29</sup> The sketch is from the Nelson papers. See the diagram on p. and the copy of the sketch on p.

<sup>30</sup> These walls were first mentioned in 19th century deeds (Bks 271: 398-400 and 258: 235). But some at least may date from the 18th century. The wall that runs southeasterly from Mill Street and then northeasterly and northwesterly to Route 2-A may have marked the boundaries of Daniel Brown's land south of what is now Route 2-A. The land east of this wall whose bounds are marked there by the second wall, may have been land that Josiah inherited from his father.

Copy of 19th Century  
Sketch of part of the  
Nelson farm

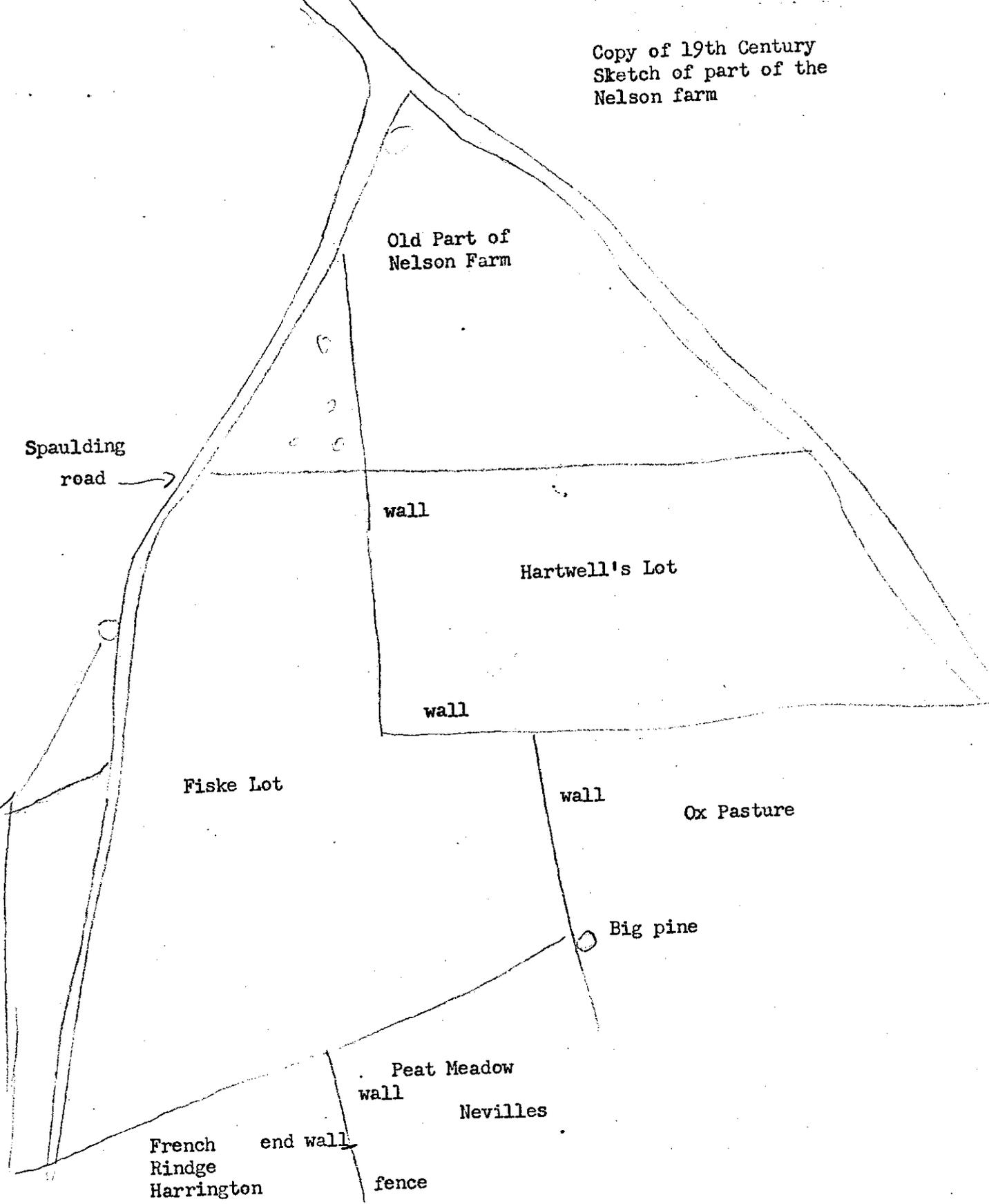
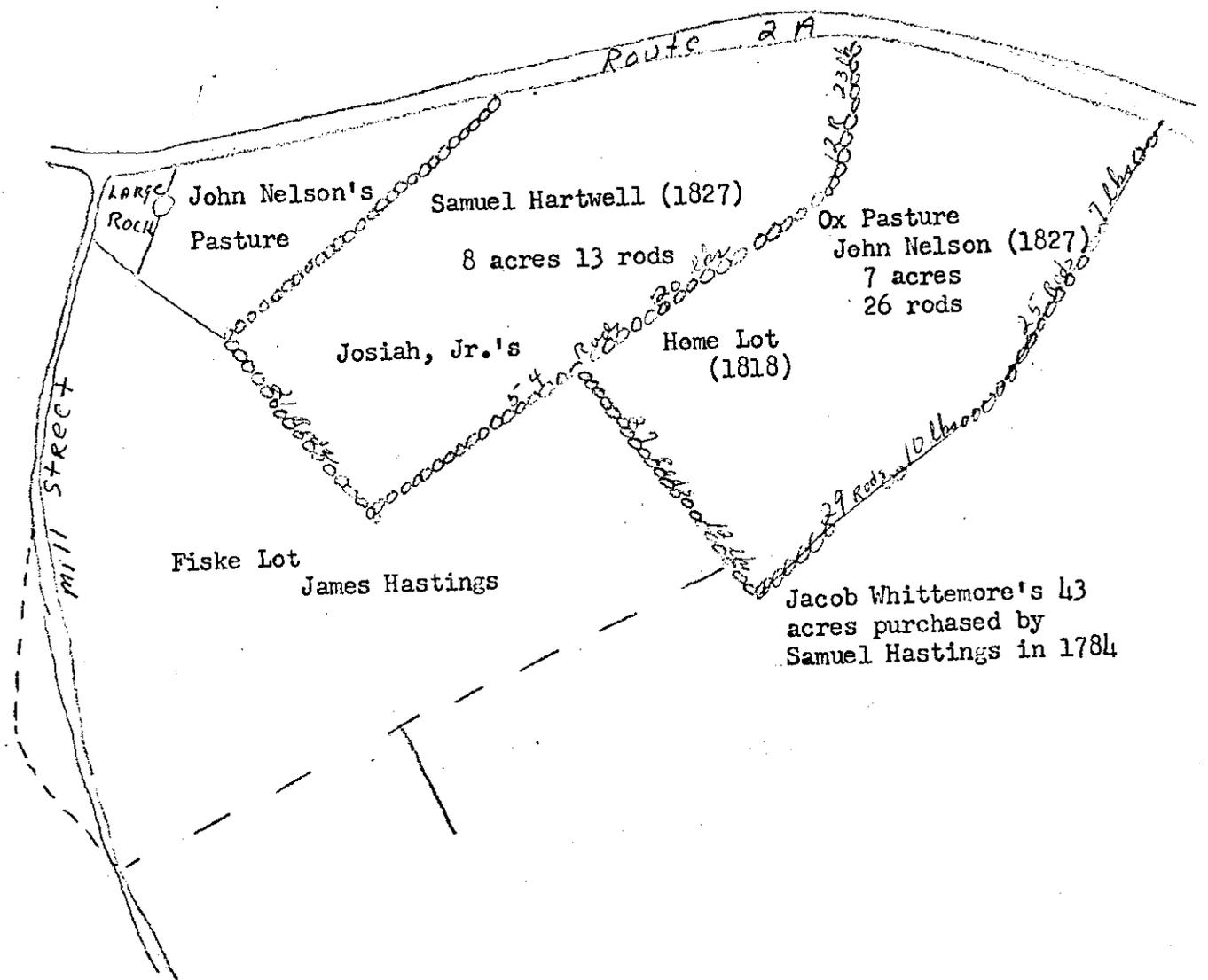


Diagram of Josiah Nelson, Jr.'s  
Home Lot and John Nelson's pasture



b. Early History:

Despite the absence of any deeds conveying the land south of Nelsen road to Josiah, I believe he bought most, if not all, of it from Daniel Brown sometime between 1771 and 1774.<sup>31</sup>

The history of Brown's land is as follows: In March 1724/5 Thomas Cutler sold 30 acres with a dwelling house in Lexington to Joseph Meriam.<sup>32</sup> It was divided by the country road and bounded on the northwest by a rangeway, on the northeast by Christopher Mudgin and Thomas Nelsen, on the southeast by a rangeway and on the southwest by Nathaniel Whittomere.<sup>33</sup> In 1739 the heirs of Joseph Meriam sold the land to Daniel Brown of Lexington.<sup>34</sup> In the deed of Masclure to Brown the land south of the road was described as bounded northerly by the Concord road, and southerly

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<sup>31</sup>Daniel Brown appears on the Lincoln tax records as a non-resident in 1764, 1770, and 1771. He is not on the 1774 list. In that year Josiah's assessment for real estate increased 19¢ and Thomas, Jr.'s increased 3¢. However, in a sample of 20 names, the real estate assessment of 15 increased and that of 5 decreased. The average increase was 17¢ 2¢ 8d. The increase in Thomas, Jr.'s assessment is well below this average and Josiah's was less than 2¢ above it. But if Brown's land was sold before the 1774 list was drawn up, it is likely that Josiah bought it.

<sup>32</sup>Bk 35: 358-9. There is no record of how Cutler acquired this land. He may have bought it from Sherebiah Kibby. See the study in the Park's files on the early deeds for Nelsen land.

<sup>33</sup>Whittomere's land was a 35 acre piece that he bought in 1720 from Walter Cooper (Bk 24: 340). Most of the land was west of Mill Street and it was not part of the 43 acre piece that Whittomere's son Jacob owned in 1775. See Part II, section (a) of the report.

<sup>34</sup>Bk 40: 169-70 and 346-7.

and easterly by Whittemore and Nelson's land.<sup>35</sup> In the deed of Meriam to Brown the land south of the old road was described as 23 acres with barn and bounded on the east by Thomas Nelson, on the south by rangeways, on the west by Nathaniel Whittemore, and on the north by the country road (present-day Nelson road).

The rangeway given as the south or southeastern abutter of Brown's land south of the road was probably the same rangeway that was the southeastern abutter of the land that Josiah bought from the Whittemores on the west side of Mill Street and of a piece of about  $3\frac{1}{2}$  acres that Thomas, Jr. bought from Nathaniel Whittemore on the east side of Mill Street in 1757.<sup>36</sup>

There was a 2 acre piece north of the  $3\frac{1}{2}$  acres, also sold to Thomas, Jr., which was bounded on the northeast by Daniel Brown's land.<sup>37</sup> This rangeway, west of Mill Street, runs northeasterly between what is now L-320 and L-327 (Nelson land) and L-332 and L-328 (Daminchella).<sup>38</sup>

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<sup>35</sup>Bk 40: 169-70 does not mention any buildings. However, in a deed conveyed the previous day by Joseph Meriam to Andrew Macclure there is a mention of "buildings" (Bk 40: 169). Bk 40: 346-7 mentions a house on the north side of the road and a barn on the south side.

<sup>36</sup>Bk 64: 32-3.

<sup>37</sup>Bk 84: 499-500. See the report on the Thomas Nelson, Jr. Farm, Part II.

<sup>38</sup>The rangeway was the southeastern abutter of Josiah, Jr.'s Center Lot in 1818. Later 19th century deeds gave the owner of the land on the other side of the rangeway as Asa Spaulding.

North of Route 2-A Thomas Nelson, Sr. seems to have owned land between Brown's land (L-7) and Jacob Whittmore's 43 acres.<sup>39</sup> South of Route 2-A Brown's land may have extended as far east as Whittmore's 43 acres. If so, this would mean that the runway that was the south or southeastern abutter of Brown's land was the same runway that ran between Whittmore's 43 acres and at least some of Nelson land.<sup>40</sup>

L-7 on which the John Nelson house is located was part of Daniel Brown's land south of the Nelson road. It contains 5.5 acres. Josiah's land south of 2-A contained about 19 or 20 acres (i.e. the land that Josiah's heirs owned in the 19th century). The 1739 deed for Brown's land said that there was 23 acres south of the old road.<sup>41</sup>

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<sup>39</sup>See the report on the Thomas Nelson Farm, Part II.

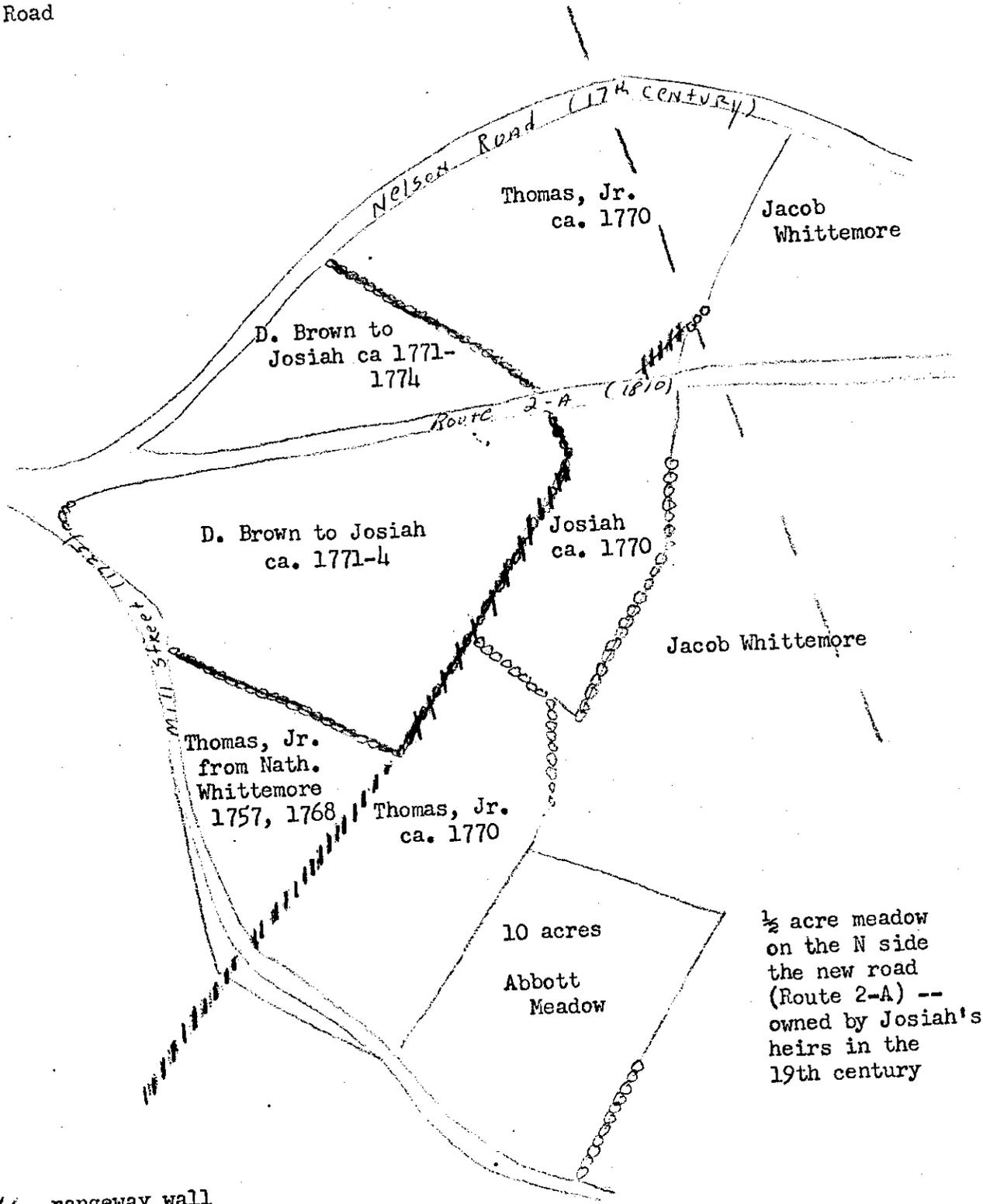
<sup>40</sup>However, Thomas, Sr. may have owned some land between Brown's and Whittmore's on the south side, as well as on the north side, of Route 2-A. This may then have meant that the runway that was the southeastern abutter of the land that the Whittmores sold to Josiah and Thomas, Jr. and of Brown's land continued northeasterly across Thomas Nelson, Sr.'s land to where it became the runway that divided Nelson's land from Jacob Whittmore's 43 acres. This would explain why the deeds for the 43 acres said that it was bounded on the northwest by Josiah and Thomas Nelson and a runway. (Rk 80: 496.) These deeds indicate that there were three northwest abutters of the 43 acres -- Thomas Nelson, Josiah Nelson, and the runway.

If this is so, does it mean that the crooked wall between L-397 and L-398 and L-399 is not a runway wall? --(Although it possibly does mark part of an old bridleway between Nelson land and Whittmore's 43 acres (Lincoln Town Records, May 1756). Of course this wall could very easily be both a runway wall and part of a bridle way since runways were intended for public use.

In terms of 1775 ownership it makes little difference if Brown's land extended as far east as Whittmore's 43 acres or not. Josiah Nelson, from the evidence in 19th century deeds, clearly owned all the land immediately south of Route 2-A between Mill Street and Whittmore's 43 acres in 1775. It makes little difference whether he bought all of this land from Brown or inherited the eastern part from his father.

<sup>41</sup>Rk 40:346-7.

Diagram of 18th century lots owned by Josiah and Thomas Nelson, Jr. south of Nelson Road



////// rangeway wall  
 ..... boundary walls

**Thomas Nelson, Jr. Farm**

**Part I: Land North of Nelson Road**

**a. The House Lot**

When Thomas Nelson, Jr. sold the major part of the Madgin lot to his brother Josiah in 1755, he kept a long narrow strip on its eastern side which he used as his house lot.<sup>1</sup> In 1767 he sold to Josiah a piece of land 4 rods long and 2 rods wide "across the Northwesterly End of my House-lot".<sup>2</sup> This 1767 deed clearly indicates that Thomas, Jr.'s house was located on the narrow strip of land which he kept from the Madgin lot between his brother's and his father's house lots.

The fact that Thomas, Jr. in 1755 kept this piece of land on the east side of the Madgin lot, a piece which in 1767 was described as his house lot, shows three possibilities: In the first place, the Madgin house may have been standing on this piece of land and Thomas, Jr. may have used it as his house. The chief difficulty here is that a house was not mentioned in the 1746 deed by which Thomas, Jr. acquired Madgin's land.<sup>3</sup> However,

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<sup>1</sup>Ek 64: 29-30. The 21 acres that he sold to Josiah was described as running northerly on Thomas, Jr.'s land (in earlier deeds the Madgin lot of which this land was a part was bounded on the east by the Thomas, Jr. house lot) to a stake and heap of stones and then running easterly a few rods still on Thomas, Jr.'s land and then running northwesterly on Nathaniel Whittaker's land.

<sup>2</sup>  
Ek 3943: 42.

<sup>3</sup>  
Ek 46: 198-3.

pages misnumbered. There is no page 3  
but no pages are missing. I W 12/04

we have a late 19th century photograph of the Thomas, Jr. and Tabitha Nelson houses which shows that both houses had gambrel roofs. The Tabitha Nelson house was built by 1716 and perhaps dates from the early 1700's.<sup>5</sup> The Josiah Nelson house and other houses in the Park built around the mid-18th century have common gable roofs. Gambrel roofed houses in this area seem to have been earlier than gable roofed houses.<sup>6</sup> The fact that the Thomas, Jr. house had a gambrel roof perhaps indicates that it was built in the early 18th century. The other possibilities are that Thomas, Jr. built a new house on this land between 1746 when he bought the land and 1755 or that he simply thought it a good location for a house which he built after 1755.<sup>7</sup>

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<sup>4</sup>The Tabitha Nelson house was moved next to the Thomas, Jr. house in 1779. See below. Ek 222: 279-60 and MDM 63-193. See photograph on p. 3.

<sup>5</sup>See the report on the Tabitha Nelson houses.

<sup>6</sup>There has been little research done on 18th century domestic architecture in Middlesex County.

<sup>7</sup>The Thomas, Jr. house was built by 1758 when it was shown on a map of the Town of Lincoln (MDM 63-76).

A marriage date would help establish when Thomas would have been likely to have needed a house. Unfortunately there is some uncertainty as to when he did marry. The Lexington Vital Records gives the date as 1759 but puts a ? after it (p. 136). Nelson, Lexington, v. 2, p. 491, has no marriage date for him but gives the birth date of his first child as 6 July 1758. Thomas was perhaps married sometime between 1757 and 1759 although he could have been married earlier. The Lexington Church and Town records have been checked but we have been unable to find a marriage date.

If the Madgin house was standing on this narrow strip of land in 1755 or if Thomas, Jr. had already built his house there, he was probably not living there in 1755. In the deed for the 21 acres he was described as of Lexington (Ek 64: 29-30).

Also, this strip of land did not provide access to any other land of Thomas, Jr.'s. Therefore, its main use seems to have been as a house site.

In April 1779 Thomas, Jr. sold "the dwelling house late of Tabitha Nelson of Lexington d'd as it now stands by my other dwelling house" to his son-in-law, Samuel Hastings.<sup>8</sup> The Tabitha Nelson house was probably moved sometime between October 1778 and April 1779 when Samuel bought it.

Tabitha Nelson died on October 19th 1778. She was taxed as a resident of Lexington in 1777, the last year she appeared on the tax lists. Lydia Nelson, Thomas, Jr.'s daughter, was married to Samuel Hastings on October 1, 1778. Since she was his only living child (his son Jonathan had died in August 1778), Thomas would have had no need for another or larger house before she married.<sup>9</sup>

In 1837 Thomas and Oliver Hastings, sons of Samuel and Lydia, sold the Nelson-Hastings house and house lot to David Miller of Boston.<sup>10</sup> The administrators of the estate of David Miller sold the house and land to Martin Neville in 1878.<sup>11</sup> In the late 1890's the old Nelson-Hastings

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<sup>8</sup> Ek 282: 279-60. The two houses will be referred to as the Nelson-Hastings house hereafter.

<sup>9</sup> Nelson, Lexington, v. 2., p. 491.

<sup>10</sup> Ek 379: 279. Thomas Hastings was born in 1787 and Oliver in 1792. Samuel Hastings died in 1834. Nelson, Lexington, v. 2., p. 293.

The house lot in the 1836 deed was described as 13 acres but it included land east of his house lot proper which Thomas, Jr. had acquired when his sister Tabitha's land was divided after her death in 1778.

<sup>11</sup> Ek 1472: 182. In this deed the house lot was described as 22 acres. It included the 13 acres that Miller bought from the Hastings in 1837 plus some land to the east of the 13 acres which he acquired from the Nelsons after 1837 (See the report on the Tabitha Nelson House).

house was torn down or otherwise destroyed and a new house (the present-day Neville house) was built on the old house site.<sup>12</sup> In 1924 Martin Nevilles sold the house and land to James M. and Henry P. Nevilles.<sup>13</sup>

Thomas, Jr.'s land east of his brother's house lot in 1775 included L-3 which contains the site of his house and which is within the Park's boundaries.<sup>14</sup> Thomas, Jr.'s house lot perhaps extended further to the east and included some land now covered by the Hanscom Air Force Base access road. The 1738 bounds for the country road put a ditch between what became his house lot and his father's house lot. Such a ditch about 240' from the present-day Neville house was destroyed by the access road.<sup>15</sup> But there is no evidence that this was the 1738 ditch.

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<sup>12</sup> See the Lincoln tax records. There are notes giving documentation for this fact in the Park's files but they cannot be located at this time.

<sup>13</sup> Ek 4772: 418-9.

<sup>14</sup> Thomas, Jr. also owned L-2 and L-1 in 1775 as part of his house lot. The wall on the western boundary of L-3, 2, and 1 and on the northern boundary of L-1 marks the boundary between the Josiah Nelson house lot and Thomas, Jr. house lot. See Ek 5060: 461 Mary A. and Dalia M. Neville to August and Mary L. Schumacher 17 April 1933 and Ek 7965: 541 Mary A. and Dalia M. Neville to William G. and Sarah M. Baltrush 1932.

<sup>15</sup> See Lexington Town Records 3: 138 and the Plan and Profile of the Proposed State Highway.

b. Land West of the Josiah Nelson House Lot:

In the late 18th century Thomas Nelson, Jr. owned two lots of land, containing about 23 or 24 acres, west of the Josiah Nelson house lot.

When he sold part of the Mudgin lot to Josiah in 1755, he kept a piece of about 9 or 10 acres on its western side.<sup>1</sup> The western boundary of the 21 acre piece from the Mudgin lot that was sold to Josiah was described in 1755 as running southerly on Josiah's land (i.e. land that Josiah bought from Nathaniel Whittemore of Concord in 1750), southeasterly on Thomas, Jr.'s land (i.e. the 9 or 10 acres that he kept) to the corner of Daniel Brown's land, and then on Brown's land to the country road.

Thomas, Jr. bought the second lot, containing 14 acres, from Josiah in 1755.<sup>2</sup> This was the southern part of the 20 acre piece that Josiah bought from Nathaniel Whittemore in 1750.<sup>3</sup> The 14 acre piece was bounded

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<sup>1</sup>Bk 64: 20-30. For a fuller description of the Mudgin lot, see the report on the Josiah Nelson Farm, Part I, section (a).

<sup>2</sup>Bk 64: 30-1

<sup>3</sup>Bk 64:27. The 1750 deed to Josiah described the land as 20 acres in the easterly part of Concord (after 1754, Lincoln). The bounds were as follows: beginning at a brook in Ebenezer Lamson's line, running easterly by the brook to a stake and stones near a spring called the Well Head and then running still easterly by a black oak tree to the Lexington line, then running northerly by the line, then southerly by Nathaniel Whittemore's land to Ebenezer Lamson's corner, and then running still southerly by Lamson's land to the brook.

on the north by Josiah's land (the rest of the 20 acres), on the west by Lampson to a brook

so as the Brook runs on Land of Nathaniel Whittmore to a stake and stones near the head of the Spring called the well head from thence to a black oak tree marked then in a Strait Line... on land of said Whittmore and Ebenezer Lampson to a Stake and Stones by a range way so bounding on said range way to land of Thomas Nelson, Jun<sup>r</sup> then bounding on said land of Thomas Nelson...

to the first mentioned bounds.<sup>4</sup> The well head brook seems, from the descriptions, to have run along the southern boundary of Thomas' 14 acres. A 1941 plan of Nelson land shows a brook running along part of the boundary between Nelson land and Marray (formerly Fiske land which had belonged to Lampson and Whittmore in the 18th century).<sup>5</sup> This brook runs southeasterly along the southern boundary of Nelson land. Throughout the latter part of the 18th century, this brook marked part of the southern boundary between Thomas, Jr.'s land and the Lampson-Whittmore farm.

Thomas, Jr. and Josiah Nelson also bought a series of smaller lots north of the country road between the Concord/Lexington line and the nearly 5 acre piece that Daniel Brown sold to Josiah in 1770.<sup>6</sup> All of

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<sup>4</sup>Thomas, Jr.'s land in 1755 was where the Concord/Lexington line was in 1750. This was the land which he kept on the west side of the Mudgin lot.

<sup>5</sup>Bk 7032: 552.

<sup>6</sup>See above on the Josiah Nelson Farm, Part I.

this land in the 19th century belonged to the heirs of Thomas, Jr.

Working east from the old Concord/Lexington line, these lots were:

1) In March 1752 Jasher Richardson of Lexington sold 2 acres 53 rods in the westerly part of Lexington to Josiah Nelson.<sup>7</sup> It was bounded on the northwest by the Concord line and the land of Josiah Nelson,<sup>8</sup> on the northeast 27½ rods with a stone wall and other fence on Josiah's land, on the east 8 rods on a rangeway and on the south 23 1/3 rods on Richardson's land. Since this was part of the land owned by Thomas, Jr.'s heirs in the early 19th century, it seems likely that Josiah sold it to Thomas, Jr. or perhaps to Samuel Hastings.<sup>9</sup> But there is no evidence, either direct or indirect, of when Josiah sold this land. It is therefore impossible to say whether or not Thomas, Jr. owned it in 1775.

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<sup>7</sup>Bk 64: 28-9.

<sup>8</sup>Was this land of Josiah's part of the 20 acres that he bought from Nathaniel Whittmore in 1750? This seems likely as Josiah did not sell the southern part of the 20 acre piece to Thomas, Jr. until 1755. Josiah's 20 acre in Concord did abut the Concord/Lexington line. It was probably mentioned here because Josiah was a party to this deed. The other abutters on the Concord side of the line were not mentioned.

<sup>9</sup>There is no record of Thomas, Jr. or the Hastings acquiring this land from anyone else.

2) Directly south of the 2 acres 53 rods was a 3 or 4 acre piece, bounded on the south by the country road, that Richardson sold to Ebenezer Lampson in September 1752.<sup>10</sup> Bradyll Smith recovered the land from Lampson by a court order in 1760 and sold it to Daniel Hager in October 1761.<sup>11</sup> Hager then sold it to Thomas, Jr. in March 1763.<sup>12</sup> There was a dwelling house and barn on the land in 1752 but they had disappeared by 1760. In the Richardson-Lampson deed and in the Lampson vs. Smith records, Josiah Nelson was given as the northern abutter. Thomas and Josiah were both given as northern abutters in the Smith-Hager and Hager-Nelson deeds. Was this a mistake or had Thomas (Jr. or Sr.?) bought some of the land which Josiah had purchased from Richardson north of the 3 or 4 acre piece?

3) Nathaniel Whittmore of Lincoln probably owned some land, inherited from his father in 1754, between Richardson's and Daniel Brown's lands and south of the 9 or 10 acre piece that Thomas, Jr. kept on the west side of the Mudgin lot.<sup>13</sup> In 1720 Nathaniel Whittmore, Sr.

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<sup>10</sup>Bk 55: 190-1.

<sup>11</sup>Bk 60: 395-8. Also see Bk 62: 193.

<sup>12</sup>Bk 62: 194.

<sup>13</sup>Nathaniel Whittmore of Lexington left to his son Nathaniel, Jr. 60 acres of upland and meadow in two pieces in Lexington and Concord (after 1754, Lincoln). Nathaniel, Sr. died in 1754. Nathaniel Whittmore probate #24828.

bought 35 acres of land in Lexington on both sides of the country road.<sup>14</sup> Whittemore was given as the eastern abutter in all the deeds for the Richardson land.<sup>15</sup> He was also given as the southwestern abutter of the part of Brown's land that was north of the road in 1739.<sup>16</sup>

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<sup>14</sup>Bk 24: 340. He bought it from Walter Cooper of Cambridge. It was bounded on the northwest by the Concord/Lexington line and Josiah Hobbs, Jr., on the northeast by Sherebiah Kibby (perhaps Brown's land, see the study on early deeds for Nelson land in the Park's files), on the southeast by a rangeway, and on the southwest by Hobbs again. Most of this 35 acres was south of the road. In the 1760's, his heirs (sons Nathaniel, Jr. and Jacob) sold about 26 acres south of the country road to Josiah Nelson. See Part II, section (a) of the report on the Josiah Nelson Farm.

<sup>15</sup>Except Richardson to Josiah Nelson (Bk 64: 28-9) for the 2 acres 53 rods where the eastern boundary was given as a rangeway.

<sup>16</sup>But this was the only deed in which he was specifically mentioned as the southwestern or western abutter of the northern part of Brown's 30 acres. When the land was sold to Joseph Meriam in 1724/5, it was described as 30 acres divided by the country road and bounded on the southwest by Nathaniel Whittemore (but this was the entire lot -- not just the part north of the road). In a 1739 deed from the heirs of Joseph Meriam for the 30 acres, Whittemore was not mentioned in the description of the piece north of the road. He was, however, given as a southern or eastern abutter of the piece south of the road (probably as a southern abutter -- the deed reads "southerly and easterly on Whittemore and Nelsons land" -- Bk 40: 169-70).

Though somewhat unclear the 1738 bounds for the country road also indicate that he owned land near the Concord/Lexington line.<sup>17</sup> Thomas, Jr. probably bought Whittamore's land north of the road sometime during the late 18th century, but there is no direct evidence that he owned it by 1775.<sup>18</sup>

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<sup>17</sup>From the Lexington Town Records, 3: 187-9. The bounds read:

Beginning at Concord Line Eben<sup>r</sup> Lampsons Land on both sides; from a stake and stones on ye north side ye Rd. to a heap of stones on ye South Side within his fence four rod wide from a black oak on Natll Whittamores to a heap of Stones on Lampsons Side with ye fence four rod; from a whit oak on said Whittamores Side to ye wall on Lampson Side four rod. The Land of Joseph Meriams Heirs on both Sides...

<sup>18</sup>There is no record of Nathaniel Whittamore, Jr. selling the land that he owned north of the country road. But some of the evidence does point to his having sold this land to Thomas, Jr. before 1773. By the late 1760's he had sold all of his land south of the road to Thomas, Jr. and Josiah Nelson. His name appears on the 1764 Lincoln tax list after the Nelsons (the land was actually between Aaron Brooks and the Nelsons) and he was assessed 6L for real estate and 5L for personal estate. In 1769 and 1770 his name appears before the Nelsons, but he was not assessed for any real estate. He paid a poll tax and had a very small personal estate assessment (1L 10s including one cow). It has been suggested that perhaps he was living at this time in the Hager house on the old Lampson farm, which was probably owned by Bradyll Smith who was assessed 32L as a non-resident. The fact that Whittamore was not assessed for any real estate indicates that he was renting a house (he had a wife and four young daughters) and what is more important that he had sold all of his land in Lincoln. Nathaniel died in 1773. His widow does not appear on the Lincoln tax lists after his death, as one would expect if she remained in Lincoln and continued to own land there. There is also some evidence that she owned a house in Concord (Nathaniel Whittamore probate #24829). So, although she and two of her daughters were married in the Lincoln church (Mrs. Jemima Whittamore married a New Hampshire man in 1778 and her daughters Sarah and Abigail married Concord men in 1780 -- Foster, (ed.), Lincoln Vital Records, p. 145), it is possible that she moved to Concord after her death. In any case she did not own land in Lincoln. It is, therefore, entirely possible that Thomas, Jr. bought the land north of the road from Nathaniel, Jr. or his heirs before 1775. There may have been a house on this land (although there is no documentary evidence for one). See the report on the Dodge-Smith Farm for details on the ownership and occupancy of the Hager house.

4) Josiah Nelson bought the eastern part of Daniel Brown's 7 acre 62 rod piece of land north of the road in 1770. Thomas, Jr. perhaps bought the rest of it (about 3 acres) sometime between 1771 and 1774.<sup>19</sup>

In 1837 Thomas and Oliver Hastings, grandchildren of Thomas, Jr., sold  $35\frac{1}{4}$  acres  $35\frac{1}{2}$  rods of woodland and pasture in Lincoln to Benjamin Mussey.<sup>20</sup> It was a triangular piece bounded on the west by several angles by the land of Henry Fiske (the Dodge-Smith farm), on the south by the country road, and on the east by several angles by the land of Josiah Nelson deceased.<sup>21</sup> This land included all the land that

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<sup>19</sup>Daniel Brown does not appear on the Lincoln tax records after 1771. In 1774 Thomas, Jr.'s real estate assessment increased by 2L. Although this was well below the average increase for that year (using a sample of twenty names), it may mean that he had bought the rest of Brown's land north of the road. There is the possibility that he did not buy it directly from Brown. He may have bought it from his brother Josiah, who had probably acquired Brown's land south of the road before 1774. And this leads to the possibility that Thomas, Jr. did not acquire it until after 1775.

<sup>20</sup>Bk 360: 181-2.

<sup>21</sup>Probably Josiah, Sr. who died in 1810. Josiah, Jr. did not own any land in Lincoln north of the road this far west.

Thomas, Jr. owned between the Josiah Nelson house lot and the Dodge farm.<sup>22</sup> Muzzey sold the land to John Nelson in January 1837.<sup>23</sup> The land passed down through John Nelson's family to W. Newton Nelson who sold most of it to the U. S. Air Force. The extreme southern part of this land where it abuts Route 2-A is within the Park's boundaries.

Thomas Nelson, Jr. most probably owned L-12 in 1775.<sup>24</sup> L-11 is the approximate location of the land that Nathaniel Whittemore, Jr. owned

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<sup>22</sup>There is a plan of the land dated 17 Oct. 1836. On its western side, the 35 acres ran N35E from the road 8 rods, then N38E 27 rods 15 links (about 587') before turning and running Nwerly -- on all these lines by Fiske's land. This NEerly line marks the position of the Concord/Lex. line north of the country road (the Concord line was the Nwerly boundary of Richardson's lands in the early 1750's). In a 1934 plan of Fiske land the boundary between L-13 and L-17 (Fiske land) and Nelson land ran NEerly 590', just 3' shorter than the line between the 35 acres and Fiske in 1836. On its eastern side, the 35 acres ran SEerly by several angles 83 rods by Josiah's land and then ran S57W 20 rods and S11E 30 rods 11 links by Josiah's land. The last two mentioned lines mark the northern and western boundaries of the land that Brown sold to Josiah in 1770 (and incidently gives substance to the argument that Thomas, Jr. bought the rest of Brown's land north of the old road). The land Brown sold to Josiah in 1770 was bounded on the west 30 1/2 rods by his own land and on the north 20 rods by a rangeway (early deeds for the Mudgin lot make it clear that the land north of this rangeway was Mudgin's land, i.e. the land from the western side of the Mudgin lot that Thomas, Jr. kept in 1755. See Bks 34: 197-8, 46: 192-3 and other deeds for the Mudgin lot).

<sup>23</sup>Bk 360: 182.

<sup>24</sup>In September 1928 Jehn W. and Charles E. Nelson, sons of George Nelson, sold L-12 to George N. and Laura E. Cripps (Bk 5281: 61 with a prior ref. to Bk 360: 182, Benjamin Muzzey to John Nelson). It is now owned by David Buttrick Co. (Transfer of Cert. title, Land Reg. Bk 464: 325-7).

north of the country road and may have been owned in 1775 by Thomas, Jr.<sup>25</sup> L-10, L-9, the access road to Hanscom Air Force Base housing, and L-8 as far east as the wall that marks the western boundary of the nearly 5 acre piece that Josiah Nelson bought from Daniel Brown is probably the western part of Brown's land north of the road.<sup>26</sup> It was probably owned by Thomas, Jr. in 1775.

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<sup>25</sup>No boundary walls remain between the land that Thomas, Jr. bought from Hager in 1763 and the land that Nathaniel Whittemore, Jr. owned north of the road. It is therefore only possible to say approximately where Whittemore's boundary north of the road was.

The chain of title for L-11 is as follows:

28 Nov. 1952 The David Buttrick Co., Arlington, Land Court Certificate of Title #22649. (Land Reg. Bk 503: 441-3 with a plan of the land). No reference.

17 Apr. 1950 Basil H. and Yvonne B. Maguire to David Buttrick Co. (Bk 7565: 31-2) Reference to

15 Aug. 1946 Charles Carruth to Basil H. and Yvonne B. Maguire (Bk 6955: 444) Reference to

19 Nov. 1937 General Ice Cream Corp. to Charles Carruth (Bk 6175: 592) Reference to

9 Jan. 1935 Kimball Roadstands Corp. to General Ice Cream Corp. (Bk 5897: 71-86) A foreclosure. (the 9th parcel. Ref. to plan of Leonard C. Robinson dated March 11, 1931)

25 July 1932 Kimball Roadstands Corp. to General Ice Cream Corp.. Mortgage. (Bk 5658: 512-18 with marginal ref. to Bk 5897: 71-86).

16 Oct. 1931 George P. Kimball to Kimball Roadstands Corp. (Bk 5599: 495) Reference to plan of March 11, 1931 of Leonard C. Robinson and to

16 Apr. 1931 Charles E. Nelson and Nellie N. Nelson to George P. Kimball. (Bk 5554: 576-7 with plan). Reference to

6 Jan. 1837 Benjamin Muzzey to John Nelson (Bk 360: 182).

<sup>26</sup>The boundary wall between L-11 and L-10 is probably the old boundary wall between Whittemore's and Brown's lands north of the road. The wall that marked the western boundary of the land that Josiah Nelson bought from Brown is 60 to 100' from the access road.

W. Newton and Eleanor R. Nelson sold L-9 to Joseph and Irene Hagenian in 1953 (Bk 8043: 36-8).

Part II: Land South of Nelson Road

a. Land Between Nelson Road and Route 2-A

As with Josiah's land, I have assumed that Thomas, Jr.'s land south of the old road in the 18th century consisted of only those lands which his heirs, the Hastings, owned in the early 19th century.<sup>1</sup>

The deeds for Daniel Brown's land indicate that Thomas Nelson, Sr. owned land between Brown's land and that part of the Nathaniel Whittmore, Sr. farm south of the road that Jacob Whittmore inherited in 1754.<sup>2</sup> Thomas Nelson and Christopher Mudgin were the northeastern abutters of the entire 30 acre Brown piece in 1724/5.<sup>3</sup> In the 1739 description of Brown's land south of the country road, Thomas Nelson was given as the eastern abutter.<sup>4</sup>

The bounds of the country road from the Lexington town records (1738) also indicate that Thomas, Sr. owned land between Daniel Brown's and

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<sup>1</sup>Except for Jacob Whittmore's land south of present-day Nelson road which we know that Samuel Hastings bought after 1775 (Bk 80: 496).

<sup>2</sup>Nathaniel Whittmore probate #24828 (1754). This land south of the road is Jacob's 43 acre piece.

<sup>3</sup>Bk 35: 358-9. Mudgin was the northeastern abutter of the part of the 30 acre piece that was north of the country road.

<sup>4</sup>Bk 40: 346-7.

Whittemore's lands. The bounds read:

...The Land of Joseph Meriams Heirs /Brown's land/ on both Sides, mesuring from ye wall on ye South Side to a heap of stoness on ye North Side feur reds; from ye fence on Thomas Nelsons Side to a heap of Stoness on Christ<sup>r</sup> Mudgins Side feur rod; and from a Stump on sd Nelsons Side to a Ditch Bank on sd Mudgins Side feur Redd; from a stump within Nelsons fence on ye north Side to his fence on ye South Side feur Redd And from a mark tree on ye South Side to a heap of Stoness on ye North Side feur Rodd; which mark is within Nelsons fence /e/ Against Nath'il Whittemores Land on both Sides from ye fence on ye South Side to a heap of Stoness on ye North Side in ye Southwest corner of sd Whittemores erchard...<sup>5</sup>

These bounds show that Thomas, Sr.'s land on the south side of the country road extended from Meriam's land on the west to a point just about opposite the farthest eastern boundary of his land on the north side of the road, i.e. the eastern boundary of his house lot which is Lex. T.<sup>6</sup>

If, as seems probable, Thomas, Sr. did own land between Brown's land and Jacob Whittemore's 43 acres, it was probably given to Thomas, Jr. as part of his share in his father's estate which was divided around 1770.<sup>7</sup>

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<sup>5</sup>Lexington Town Records, 3:182.

<sup>6</sup>But Thomas, Sr.'s (in 1775 Tabitha Nelson) house lot did not include the western 3/4's acre of Lex. T. See the report on the Tabitha Nelson house lot.

<sup>7</sup>There is no record of exactly how or when Thomas, Sr.'s land was divided among his children. But Thomas, Jr.'s heir, Samuel Hastings, owned this land in the early 19th century. Given the evidence that Thomas, Sr. owned land between Brown's land and Whittemore's 43 acres and the fact that there is no evidence that Thomas, Jr. acquired this land from anyone else, it seems likely that he received it when his father's land was divided. Thomas, Sr. died in November 1770 (Hudson, Lexington, v. 2, p. 491).

Thomas, Jr.'s son-in-law, Samuel Hastings inherited this land. Samuel also bought 40 of Jacob Whittemore's 43 acres in 1784 which makes it difficult to determine the location of Thomas, Jr.'s land between Nelson Road and present day Route 2-A.<sup>8</sup>

In 1837 Thomas and Oliver Hastings sold 18½ acres between the old and new roads to David Miller of Boston.<sup>9</sup> This land included both that part of Whittemore's land that was north of the new road and the land that Thomas, Jr. inherited between the roads. In 1878 the administrators of the estate of David Miller sold two pieces of land between the roads to Martin Neville.<sup>10</sup> The first piece contained 11 ¾ acres of meadow, mowing, and woodland and was located principally in Lincoln and partly in Lexington. It was bounded on the north by the old road, on the southeast by the second parcel and a stone wall, on the south by the new road and on the southwest by George Nelson (the John Nelson house lot). The other piece contained 8½ acres of woodland, meadow, and pasture

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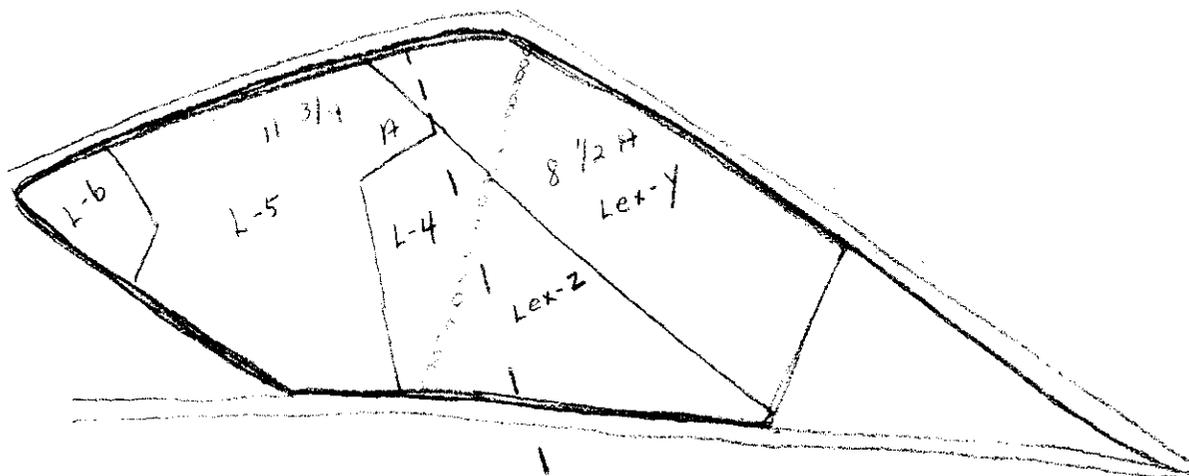
<sup>8</sup>Bk 80: 496. For the history of the Whittemore farm, see the Historical Data Section of the Jacob Whittemore report. The 40 acres from the Whittemore farm that was sold to Hastings in 1784 was later cut in two by the new country road (Route 2-A) which was built about 1810. About 8 of the 40 acres was between the old and new roads.

<sup>9</sup>Bk 359: 258-9.

<sup>10</sup>Bk 1472: 182.

and was located principally in Lexington and partly in Lincoln. It was bounded on the northeast by the old road, on the southeast by L. A. Seville, on the south by the new road, and on the northwest by the first parcel and a stone wall. The descriptions of these two lots do not coincide with modern property lines. The following is a diagram of the 1878 boundaries compared with modern property lines:<sup>11</sup>

- modern boundaries
- 1878 boundaries
- Lincoln/Lexington line



<sup>11</sup>

The modern property lines are from the property data maps MAP-101 2004 B, January, 1960 and MAP-101 2009, May, 1960.

The wall between the two lots probably marked the 18th century boundary between Thomas, Jr.'s land and Jacob Whittmore's 43 acres north of what is now Route 2-A. Traces of a wall remain and they are roughly in line with the rampway wall that once existed across Lex.-T. This is about the right place for a boundary between Nelson land and the Whittmore farm directly south of present-day Nelson Road. The 1738 bounds for the country road indicated that both Thomas Nelson's and Whittmore's lands south of the road were directly opposite their lands on the north side of the road.<sup>12</sup>

If this wall, as seems likely, marked the boundary between Thomas, Jr.'s land and Whittmore's land between the roads, then Thomas' land in 1775 included L-5, L-6, most of L-4 and a small part of Lex. Z and Lex. Y. Martin Neville sold the land between the roads to James N. and Henry P. Neville in 1924.<sup>13</sup> The rest of the chain of title is as follows:

L-6

16 Apr. 1930	James N. and Henry P. Neville to John G. Connors	Ek 5462; 481-2 with prior ref. to Ek. 4772; 418-9.
4 Feb. 1939	John G. Connors to Ann F. Connors	Ek 6279; 164 with prior ref. to Ek. 5462; 481-2.
8 Oct. 1945	Ann F. Connors to John E. and Una L. Walstrom	Ek 6899; 77-8 with prior ref. to Ek. 6279; 164

<sup>12</sup> This would mean that Thomas, Jr. in 1775 owned about 12 acres between Nelson Road and Route 2-A.

<sup>13</sup> Ek 4772; 418-9.

18 Feb. 1947	John E. and Una L. Walstrom to Howard L. and Barbara U. Fetter	Bk 7131: 81 with prior ref. to Bk. 6899: 57-8.
21 June 1954	Howard L. and Barbara U. Fetter to Alan D. and Judith D. Crockett	Bk 8278: 421 with prior ref. to Bk. 7131: 81.
11 Apr. 1963	Alan D. and Judith D. Crockett to U. S. of America	Bk. 10847: 540 with prior ref. to Bk. 6899: 57-8.

1-5

6 Sept. 1962	James M. and Marjorie J. Neville to U. S. of America	Bk. 10185: 115 with no prior ref.
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1-4 & 1-2- 2

31 Dec. 1951	Mary A. and Helen M. Neville to Carl R. and Barbara A. Denton	Bk. 7848: 96 with prior ref. to Bk 4772: 418-9.
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1-2-1

1946	Air Force Access Road, Declaration of Taking	Bk. 6945: 401-7 (includes plan).
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b. The Fiske Lot:

South of present-day Route 2-A, Thomas, Jr. probably owned in 1775 a piece of land of about 18 acres which in the 19th century was called the Fiske lot. Thomas, Jr. probably inherited this land from his father when the latter's estate was divided around 1770. We have no record of when Thomas, Sr. acquired this land. The first description we have of the land is in 1836 when two of the sons of Samuel Hastings sold it to Simon Francis and Joseph Gass, both of Boston.<sup>14</sup> It was described as 18 3/4 acres and 9 rods of woodland in Lincoln on the south side of the

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<sup>14</sup>  
Bk 357: 411.

new road. It was bounded on the west by a town road leading to Ann Spauldings (Mill St.) and then ran on the land of Nelson S½E 42 rods to a corner, then N½E 19 rods to a corner, then S½E 21 rods 12 links to a corner by the post meadow, and then ran on the land of Hastings turning several small angles 67 rods 39 links to the town way. In 1853 Sarah Francis, administratrix of the estate of Simon Francis, sold the land to Henry Fisk of Lincoln and in 1866 Fiske sold it to George Nelson.<sup>15</sup> In the 1866 deed the land was described as beginning at the NW corner and running southeasterly, southerly,<sup>16</sup> southeasterly, and southerly on the land of George Nelson and then in a westerly course on the land of David Miller and F. Harrington.

The following study of the abutters of the Fiske lot helps establish its location:

- 1) western abutter: The road to Ann Spauldings is probably Mill Street.
- 2) Northeastern abutter: The land of Josiah Nelson's heirs south of Route 2-A. The following is a comparison between the deeds for the Fiske lot and Josiah, Jr.'s Home Lot:<sup>17</sup>

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<sup>15</sup> Eks 647: 51 and 977: 435.

<sup>16</sup> Probably a mistake. The 1836 deed said that it ran northeasterly (Ek 397: 411).

<sup>17</sup> See Ek 397: 411 for the Fiske lot. The deeds for the Home Lot are: Stephen Fitch, guardian of Josiah Nelson, to Samuel Hartwell for the western part of the Home Lot (Ek 392: 100-2, dated 1827) and Stephen Fitch, guardian of Josiah Nelson, to John Nelson for the eastern part of Home Lot (Ek 200: 91, dated 1827).

**Fiske Lot**  
1838 42 rods Nelson

1848 19 rods Nelson

1851 21 rods 12 links  
Nelson

**Hess Lot**  
1835 21 rods Hastings<sup>18</sup>

1851 26 rods 14 links Hastings<sup>19</sup>

1857 27 rods 12 links Hastings<sup>20</sup>

3) **subsequent dealings:**

- 1) Hastings was given as the southeastern corner in 1837 and David Miller in 1866. In 1837 George Miller of Boston bought 36 acres south of the new road (Route 2-A) from Thomas and Oliver Hastings and in 1837 he sold it to David Miller, also of Boston.<sup>21</sup>  
This 36 acre piece was the major portion of Jacob Wittmann's

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<sup>18</sup> The difference of 21 rods can be explained by the fact that Hastings' land beginning at Mill Street ran southeasterly along the small piece of Josiah, Jr. Center Lot that was east of Mill Street and along John's pasture as well as along the western part of the Hess Lot (Nos 302: 100-2 and 307:411). See the report on the Josiah Nelson Farm, Part III, section (a).

<sup>19</sup> The distance that the Hess Lot ran northeasterly along the Fiske lot came from subtracting the total distance (54 rods 20 links) that the western part of the Hess Lot ran along both the Fiske lot and the eastern part of the Hess Lot which John Nelson bought from the distance (26 rods 6 links) that John Nelson (the eastern part of the Hess Lot) ran along Bartwell (the western part).

There is no explanation for the discrepancy of 2 1/2<sup>0</sup> and 9 rods 14 links between the directions and distances given in the 1835 Hastings deed and the 1857 deeds for the Hess Lot.

<sup>20</sup> The distance given in the 1857 deed for the eastern part of the Hess Lot is about 6 rods longer than that given in the 1837 deed for the Fiske lot. The Hess Lot extended beyond the corner that the Fiske lot made with the Hess Lot and the "post number". See the corner that the boundary between L-357 and L-359 make.

<sup>21</sup> Nos 309: 261 and 764: 436-7.

43 acres, most of which Samuel Hastings bought in 1704.<sup>22</sup> In 1837 the 36 acres was bounded on the southwest by Spaulding and Harrington and on the northwest by Thomas and Oliver Hastings (the Fish Lot) and the heirs of Josiah Nelson (the Horse Lot).

2.) Harrington as a southeastern abutter gives the most conclusive evidence for the location of the Fish Lot. We have a complete chain of title for this piece of land from 1775 to the present. In 1775 Nehemiah Abbott sold 10 acres of upland and meadow in the east part of Lincoln to Jacob Whittmore.<sup>23</sup> It was bounded on the northwest 41 rods in a crooked line by Thomas Nelson, on the southwest 35 rods in a crooked line by a bridle way or Nehemiah Abbott, on the southeast 32 rods in a straight line by Nehemiah Abbott, and on the northeast by Whittmore 35 rods 6 ft. 6 inch. in a straight line. From its description, it is clear that this 10 acre piece was at the southwestern corner of Jacob Whittmore's 43 acres.<sup>24</sup> The rest of the chain of title for the 10 acre Abbott meadow is:

- 1780 Jacob Whittmore's will (#24796) -- to daughter Sarah, wife of Moses Reed, 10 acre Abbott meadow
- 1780 Moses Reed to John Parkhurst (Rk 122: 17-8)
- 1791 John Parkhurst to Anna Mazy (Rk 122: 22-3)
- 1824 Anna Mazy to Nathaniel Harrington (Rk 222: 184-5)

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<sup>22</sup> Rk 80: 496.

<sup>23</sup> Rk 65: 545-6.

<sup>24</sup> See Historic Springfield Report, Part I on The Jacob Whittmore House, Historical Main Section and the study in the Park's files on Thomas Nelson's 20 acres.

- 1870 Franklin Harrington et al, heirs of Nath. Harrington, to Samuel B. Rindge (Bk 1249: 112)
- 1903 Samuel B. Rindge to Edgar French (Bk 3043: 353-4)
- 1906 Edgar L. French to Charles R. Dutcher (Bk 3231: 518)

L-349 (8 A)

- 1955 Charles R. Dutcher to Geoffrey Belton (Bk 8642: 344)
- 1979 Geoffrey Belton to Saul L. Meyers (Bk 9497: 510)

L-350 (2.07 A)

- 1954 Charles R. Dutcher to Ruth B. Prescott (Bk 8260: 63)
- 1956 Ruth B. Prescott to Alfred B. Chinochia (Bk 8318: 195)
- 1958 Alfred B. Chinochia to Florence T. and Dorothy L. Evangelista (Bk 9277: 588)

When the land was sold to Harrington in 1874, it was described as 10 acres of mowing and woodland in Lincoln and bounded beginning at the north corner and running westerly 41 rods by the land of Samuel Hastings (the Fishs Lot), then on the bridle way (probably Mill Street) to Nehemiah Abbott's land, then easterly by the wall to Samuel Hastings' land, and then northerly by Hastings' land (the southern part of Whittensore's 43 acres) to the first mentioned bounds.

SUMMARY:

Through the chain of title, we can definitely place the 10 acre Abbott meadow in L-350 and L-349.<sup>25</sup> The list of its northeastern abutters --

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<sup>25</sup> 1921 Plan of land of Charles R. Dutcher

L-350 & 349:

- NW Nelson Bros. 648.8'
- NW Mill Street 602'
- SE City of Camb. 877.4'
- NE Martin Neville 587.6'

1775 deed:

- NW Thomas Nelson 676.5' (41 R)
- NW bridle road 578.5' (35 R)
- SE Abbott 868' (52 R)
- NE Jacob Whittensore 584.75'  
(35 R 6' 4")

Jacob Whittmore (1755), Rockial Hall (1780), Samuel Hastings (1781, 1804) and Martin Neville (1821) -- make it clear that the land northeast of it was Jacob Whittmore's 43 acres (L-358 and 359). Likewise its northwestern abutters, Thomas Nelson 41 rods (1755), Samuel Hastings 41 rods (1804), and Nelson Brothers (1821) are consistent with the changes in ownership of the Fiske lot.

Having located the Fiske lot, we can conclude that in the late 18th century Thomas, Jr. owned L-341 through L-346, the southern part of L-337, and perhaps a corner of L-340.<sup>26</sup> These lots contain about 17 acres. Of these only L-340 is within the Park's boundaries.

A small portion of the Fiske lot in the 19th century was west of Mill St.. In 1836 Thomas and Oliver Hastings sold  $\frac{1}{4}$  acre  $27 \frac{1}{4}$  rods in Lincoln to Simon Francis and Joseph Gass shortly after they bought the rest of the Fiske lot. It was described as "a long narrow strip of land lying between the town way leading from great Country road to Ann Spauldings and the land of sd Spaulding and John Malihan" and it was bounded on the east by the town way and on the west by

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<sup>26</sup> L-341 through L-346 belongs to W. Newton and Eleanor E. Nelson, sd does L-337. The chain of title for L-347 is: Nellie E. Nelson & W. Newton Nelson to David and Eva Belle Nelson (bk 9005: 305, 1934), Eva Belle Nelson to Richard J. and Marion E. Nelson (bk 6746: 439, 1944), Richard J. and Marion E. Nelson to Henry J. Gusey (bk 6874: 311, 1945), and Illiana W. Gusey to William E. and Mary E. Ryan (bk 9662: 247). The chain of title for L-348 is: J. Walter and Charles C. Nelson to Charles E. Dutcher (bk 5317: 321, 1922) and Charles E. Dutcher to Mildred Day (bk 9809: 165).

Spaulding and Mallihen.<sup>27</sup> When the Fiske lot was sold to Henry Fiske in 1853, the piece on the west side of Mill St. was described as "a long narrow strip of woodland cut off from the first described parcel [the rest of the Fiske lot] by the town way."<sup>28</sup> In 1866 it was sold along with the rest of the Fiske lot to George Nelson.<sup>29</sup> This piece of the Fiske lot west of Mill St. probably includes L-136, L-137, L-138, and small parts of L-137, L-136, and L-135.<sup>30</sup> All of these are out of the Park.

### c. Early History of Fiske Lot

Thomas, Jr. inherited most of the Fiske lot from his father. Thomas, Sr. probably owned this land as early as 1730 when he was given as the western abutter of a 26 acre piece that Nathaniel Abbott sold to Nathaniel Whittmore and which seems to be the southern part of Jacob

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<sup>27</sup>Ms 339: 84. Mallihen's land was the western part of the Center Lot which Isaac Mallihen bought in 1827. Both Isaac's father (1774-1840) and brother (1783-1855) were named John (Nelson, Lexington, v. 2, p. 446).

<sup>28</sup>Ms 647: 51. In November 1834 a committee appointed to view the bridle-way between Mr. Am Spaulding and the North County Road (Route 2-d) reported to the town meeting that, "...the way as now travelled deviates from the bridleway as first established, and by so doing passes through the land of Mr. James Hastings, leaving about two rods in width and forty rods in length on the west side of the road as now travelled." Lincoln Town Records, Bk. 2, p. 309.

<sup>29</sup>Ms 977: 435. In the 1866 deed (in which the entire Fiske lot was described as one piece) the small piece west of the road ran westerly by the heirs of Am Spaulding and then northerly by said heirs and George Nelson (the Center Lot).

<sup>30</sup>George Nelson owned both the Center Lot and the Fiske lot in the late 19th century. The combined lots were cut up into new lots.

Whittmore's 43 acres.<sup>31</sup> In 1755 Thomas, Sr. was given as the northwestern abutter of the Abbott meadow (L-349 and 350) and as the northeastern and northwestern abutter of a 1 3/4 acre piece which was probably at the southwestern corner of Jacob's 43 acres.<sup>32</sup>

Thomas, Jr. bought the rest of the Flute lot (about 5 1/2 acres) from Nathaniel Whittmore, Jr. in 1757 and 1768.<sup>33</sup> The first piece was described as 3 acres 87 rods of woodland bounded on the west by a highway from a heap of stones to a pine tree marked and thence to a heap of stones on a rock, on the north by land set off to Abigail Neal, widow of Nathaniel Whittmore, Sr. and on the southeast by a roadway. The piece sold in 1768 (which the deed says is the "whole of the land belonging to the sd Nathaniel Whittmore on the Ely side of sd highway") was described as 2 acres of upland in Lincoln and bounded on the west by a highway, on the south by Thomas, Jr.'s land (the 3 acres 87 rods), and then on Daniel Brown's land till it comes to the highway first mentioned.<sup>34</sup>

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<sup>31</sup> See the study in the Park's files on Thomas Nelson's 80 acres.

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.* 64: 32-3 and 64: 499-500.

<sup>34</sup> The roadway was probably the same one that was the southeastern abutter of the land that the Whittmores sold to Josiah Nelson on the west side of the highway. A roadway was the southeastern abutter of the 35 acre piece near the Concord/Lexington line that Nathaniel Whittmore, Sr. bought in 1750 (*Ibid.* 64: 340). The highway is probably Mill Street.

## **Tabitha Nelson House Lot**

### **a. Pre-1770 History of the House Lot:**

We have a good chain of title back to 1716 for the house that Tabitha Nelson owned and occupied in 1775. In April of 1716 Phillip Goodwin of Lexington sold 30 acres in Lexington with mansion house and barn to John Edwards of Wardsen.<sup>1</sup> It was bounded on the northwest by a runway, on the northeast by David Fisk, on the southeast partly by a runway and partly by Matthew Hobbs, and on the southwest partly by Shervish Kibby and partly by Christopher Magin.<sup>2</sup> The country road ran through the land.<sup>3</sup>

In 1702, Thomas Cutler, Jr., sold 30 acres of upland and meadow in Lexington with a dwelling house and barn to Samuel Ames of Andover.<sup>4</sup> The description of this land is very similar to that of the 30 acre house lot

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<sup>1</sup>Ex 18: 275-6.

<sup>2</sup>Fisk's land in Len. U on the property data map, MP-101 2004 2, January 1960. Matthew Hobbs owned 15 acres in Lexington which he bought from his father Josiah in 1714/15 and most of which I believe was south of the country road (Ex II: 265-6). Part of the 30 acre house lot was also south of the road in 1716 and it was probably this part south of the road that abutted on Hobbs' land. On April 5, 1716 (the same day that Goodwin sold the 30 acres to Edwards) Hobbs sold his land, described as 20 acres, to Edwards (Ex 18: 276-7). As for the two southwestern abutters: In 1716 Shervish Kibby owned 30 acres on both sides of the country road, which was part of a 30 acre piece that he bought from Samuel Angier of Waterbury in 1700 and Christopher Magin owned 10 acres on the north side of the road which he had bought from Phillip Goodwin in 1708/2 (Ex 18: 581 and 26: 143-4). Magin's 10 acres was the southern part of the land that Thomas Nelson, Jr. bought in 1746 (Ex 46: 192-3). See the report on the Josiah Nelson Farm, Part I, section (a) and the studies in the Park's files on the early maps for Nelson land and Thomas Nelson's 20 acres.

<sup>3</sup>The deed reads, "...with all the Timber, Trees, Stones, Fences...to the same belonging, the County Road Excepted."

<sup>4</sup>Ex 20:666

that Goodwin sold to Edwards in 1716. The only difference is that in 1722 the land was bounded on the southeast by a runway and on the south by the country road rather than on the southeast by a runway and Matthew Hobbs' land.<sup>5</sup> It is probable that Cutler bought the 30 acres from Edwards sometime between 1716 and 1722, although no deed was recorded for such a sale.<sup>6</sup>

In 1734/5 Ames sold the 30 acres of meadow and upland, again with dwelling house and barn, to Thomas Nelson of Lexington.<sup>7</sup> There was one relatively unimportant change in the description, i.e., Sherbish Kibby was omitted as a southwestern abutter. The country road on the south, Madgin's land

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<sup>5</sup> The change in the description probably means that the piece of the house lot that was south of the road in 1716 had been forgotten or merged with the 20 acre piece that Edwards bought from Matthew Hobbs in 1714/15 and which was probably south of the road. Cutler owned the land south of the road at this time (see fn. #6).

<sup>6</sup> Along with the 30 acres, Cutler also sold a 20 acre piece south of the country road to Ames (Rt 20: 666). This was probably the 20 acre piece that Matthew Hobbs sold to Edwards in 1716 although, as in the case of the 30 acres, no deed was recorded for the sale to Cutler (Rt 18: 236-7). The descriptions are very similar (see the study on Thomas Nelson's 20 acres in the Park's files). Thus it seems that Cutler bought both pieces of Edwards' land and sold them to Ames. Edwards has been run down as grantor and Cutler as grantee in the Grantor-Grantee Index at the Middlesex Registry of Deeds with no results.

<sup>7</sup>Rt 27: 366-7. Thomas Nelson was born about 1688 at Rowley, Mass.. He married Tabitha Hobbs at Charlestown in March 1715/16. His first children (twins) were born in Lexington in December 1721. Nelson, Lexington, V. 2, pp. 490-1. In March 1730/1, his father-in-law, Josiah Hobbs of Lexington, sold all his land in Lexington with his house and barn to Thomas (Rt 27: 635-7). In this deed Thomas was described as of Lexington, so he must have been living in Lexington, perhaps with his in-laws, by early 1721. The lot of land containing the house and barn was probably in north Lexington near the Heburn line (but the evidence for this needs to be checked more thoroughly). We have no record of when or to whom Thomas sold this land but it was probably sold by 1730. There is no record of the Nelson family owning land in north Lexington in the late 18th century.

on the southwest, and Fisk's land on the northeast help plan Thomas, Sr.'s house lot. Mudgin's land later became the site of the Josiah and Thomas Nelson, Jr. house lots and Fisk's land is Lex.-U.<sup>8</sup>

b. Tabitha Nelson's land in 1775:

Thomas, Sr. died in November 1770 but no will or other probate material was filed for him. There is consequently no record of exactly how his estate was divided among his heirs.<sup>9</sup> But, from the evidence in deeds and tax records, it is clear that his unmarried daughter Tabitha received his house and barn and a good part of his house lot.<sup>10</sup> After her death in 1778, 8 acres of her land in Lincoln and Lexington with "the east end of the Barn to the middle of the floor on said land" were quitclaimed to her brother Josiah.<sup>11</sup> The deed makes it clear that this was only part of her land. It ran southeasterly along the country road, northeasterly

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<sup>8</sup>See the reports on the Josiah Nelson Farm, Part I, sections (a) and (b) and on the Thomas Nelson, Jr. Farm, Part I. Also see the chain of title for Lex.-U in the Park's files.

<sup>9</sup>Thomas, Sr. had three children -- twins, Thomas, Jr. and Tabitha, born in December 1721 and a son Josiah born in September 1726. Hudson, Lexington, v. 2, p. 491.

<sup>10</sup>In 1771 Tabitha was assessed for a dwelling house in Lexington. In 1779 Thomas, Jr. sold "the dwelling house late of Tabitha Nelson of Lexington dec<sup>d</sup>" to Samuel Hastings and 8 acres of Tabitha's land with the east end of the barn to Josiah. For the approximate amount of land that she owned see fn. #13.

<sup>11</sup>Ex 3943: 45-6. The date of the deed is February 3, 1779. Tabitha died in October 1778 (Hudson, Lexington, v. 2, p. 491).

on a range way, northwesterly by Benjamin Fisk's land,<sup>12</sup> westerly through the barn across Tabitha's other land, and then southerly by Thomas Nelson, Jr.'s, land to the road.<sup>13</sup> The change in direction from north-west to west indicates that the 8 acres did not follow Lex.-U all the way to the range way, as the entire 30 acre house lot did in earlier deeds. The barn was on the new property line between the 8 acres and the rest of Tabitha's land which, as later deeds show, went to Thomas, Jr..

### c. Later History

In discussing the later history of the 8 acres, I will first trace the chain of title down to the present day for each of the pieces quitclaimed to Josiah's heirs and then relate them to existing walls and other boundary markers.

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<sup>12</sup> The range way is the same range way that was the southeastern abutter of Thomas, Sr.'s, house lot when he bought it in 1784/5 (Mk 87: 366-7). Benjamin Fisk's land is Lex.-U. David Fisk was a northeastern abutter of Thomas, Sr.'s house lot in 1784/5. In 1788/9 David Fisk sold his whole estate to his son Ebenezer. Included in this was a 9 acre piece in Lexington bounded on the southwest by Thomas Nelson, on the northeast by Nathaniel Whittmore, and elsewhere by range ways (Mk 89: 487-8). The 1785 inventory of Ebenezer's son Benjamin (probate #7554) includes a 10 acre woodlot in Lexington bounded on the south by Thomas and Josiah Nelson.

<sup>13</sup> The fact that the deed says "part" of the real estate of Tabitha and that the 8 acres run westerly across the rest of her land indicates that she owned other land from her father's house lot. Of the 8 acres in Lexington and Lincoln that Josiah received in 1779, only a small part, perhaps less than an acre, was in Lincoln. We may, therefore, assume that about 6 or 7 of the 8 acres were in Lexington. According to the Lincoln tax records, Tabitha also owned about 4 acres in Lincoln (but the Lincoln lists in the 1770's did not include wood or unimproved land). This would give Tabitha, at a minimum, 10 or 11 acres from her father's house lot in Lexington and Lincoln. For any land that Thomas, Jr., may have received from his father's house lot at the time that his estate was divided (ca. 1770) see the report on the Thomas Nelson, Jr., Farm, Part I.

In the 1818 division of Josiah's estate, Sarah and Elizabeth Nelson received a 5 acre woodlot in Lexington. It ran northeasterly from the old road by a wall and the land of John Mussey (in 1779 the rangeway), then northwesterly by the land of the widow Williams (Lex.-U), then westerly by a wall and the land of Samuel Hastings, and then southerly to a stake and stones at the old road.<sup>14</sup> In 1832, after the death of Elizabeth, the 5 acre woodlot was quitclaimed to Sarah.<sup>15</sup> The only change in the description was that James Hastings instead of Samuel was given as the northern abutter.<sup>16</sup>

In 1833 Sarah sold the eastern part of her 5 acre woodlot to Josiah Nelson, Jr..<sup>17</sup> Beginning at the old road it ran northerly about 28 rods by the land of the heirs of John Mussey, westerly in a straight line about 19 rods by the land of Rev. Avery Williams (Lex. U) to the corner of

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<sup>14</sup> Ek 3943: 44. Samuel Hastings inherited Thomas Nelson, Jr.'s lands in Lincoln and Lexington. Although not mentioned in the 1818 deed, the 5 acre woodlot ran southerly by the piece of mowing land that Joshua Nelson received in the 1818 division (see Ek 439: 328-30 and 469: 371). The old road is present-day Nelson road.

<sup>15</sup> Ek 337: 161. Elizabeth Nelson died January 4, 1832 (Nelson, Lexington, v. 2, p. 491). The deed to Sarah is dated August 2, 1832.

<sup>16</sup> James Hastings (1797-1869) was the son of Samuel and Lydia (Nelson). Although his father did not die until 1834, James was assessed for the entire Hastings farm beginning in 1821 (Nelson, Lexington, v. 2, p. 294).

<sup>17</sup> Ek 454: 365-6.

Sarah Nelson's wall, southerly by her land and the wall about 30 rods to the old road, and then easterly about 7 rods along the old road. The 1835 inventory of Josiah, Jr.'s, estate listed him as owning a woodlot of about 2 acres in Lexington.<sup>18</sup> In 1846 the heirs of Josiah, Jr., sold 2 acres 25 rods in Lexington to William Whitney and Daniel Lawrence, both of Concord.<sup>19</sup> The directions and abutters are the same as in the 1833 deed. The only change is the reduction of acreage from 3 acres to 2 acres 25 rods. The chain of title, which is complete down to the present day, clearly shows that the eastern part of Sarah and Elisabeth's 5 acre woodlot is Lex. T.<sup>20</sup> The following is a brief chain of title for Lex. T:

7 Dec. 1850	Sarah Whitney & Mary B. Lawrence to Samuel Houghton, trustee of John Crowley.	Ex 795: 156 with prior ref. to Ex 545: 343-5.
31 May 1858	Samuel Houghton to John Crowley	Ex 795: 159-60 with prior ref. to Ex 795: 156.
7 Apr. 1871	John Crowley to James Maloney	Ex 1154: 574-5 with prior ref. to Ex 795: 159-60.

<sup>18</sup> Josiah Nelson probate #15789.

<sup>19</sup> Ex 545: 343-5. The grantors were Anna Nelson, Josiah, Jr.'s, widow, Avery W. Nelson, his son, and Joseph H. Hear, guardian of Martha A. Hear, Josiah, Jr.'s, granddaughter. Foster, (ed.), Lincoln Vital Records, p. 57 and Martha A. Hear probate #34318 (1846).

<sup>20</sup> HRP-MH 2004 B, January 1960. That is, it is Lex. T less 3/4 acre on the east side of Lex. T acquired in 1863 by John Crowley from Reuben Kingsbury (Ex 913: 156-7).

24 Apr. 1875	Estate of James Maloney to Wm. H. Anderson	Ek 1346: 95-6 with prior ref. to mortgage deed James Maloney to John Crowley Ek 1154: 542.
24 Apr. 1875	Wm. H. Anderson to John Maloney	Ek 1346: 97 with ref. to Ek 1154: 574-5.
10 May 1876	John Maloney to Richard B. Whippley	Ek 1346: 257 with prior ref. to Ek 1346: 97.
3 Nov. 1877	Richard B. Whippley to John Loman	Ek 1455: 33-4 with prior ref. to 1346: 257.
30 Apr. 1885	John Loman to Mary E. Brewster	Ek 4381: 167-8 with prior ref. to Ek 1455: 33-4.
16 Feb. 1849	Mary E. & Walter Brewster to Ann C. Sweet	Ek 7311: 19 no prior ref.
3 June 1863	Ann C. Sweet to U. S. of America	Ek 10881: 394 with prior ref. to Ek 7311: 19.

Sarah Nelson sold the western part of her 5 acre woodlot described as 3 acres 83 rods of woodland in the westerly part of Lexington to her nephew George Nelson in 1844.<sup>21</sup> It ran southeasterly by the old road, north-easterly by Avery Nelson (Loc. T), northwesterly by the heirs of Avery Williams (Loc. U), and southerly by Miller's land to the old road.<sup>22</sup>

<sup>21</sup> Ek 459: 547. The grantors in this deed were Sarah and John Nelson. On the same day Sarah and the other heirs of Joshua Nelson (who died in 1842) had sold land from his estate to John (Ek 459: 549). Besides the western part of Sarah's woodlot, the deed to George also sold him the land from Joshua's estate that John had just bought. This explains why John was a party to the deed selling Sarah's land.

<sup>22</sup> Ek 459: 547. David Miller bought Joshua Nelson's piece of meadow land on December 19, 1844, the same day that Sarah sold the western part of her 5 acre woodlot to George (Ek 459: 572).

In 1866, George Nelson sold the western part of the woodlot to David Miller of Boston.<sup>23</sup> There were two changes in shutters: John Greeley, who bought Lot T in 1870, for Avery Nelson and Samuel Chandler, who bought Lot U in 1849, for Avery Williams.<sup>24</sup>

In the 1818 division, Joshua Nelson received a piece of mowing land of nearly 3 acres in Lexington and Lincoln.<sup>25</sup> It ran northerly from the old road by Sarah and Elizabeth's 5 acre woodlot and then westerly and southerly by a wall and the land of Samuel Hastings to the old road.<sup>26</sup> In 1844 the heirs of Joshua sold the land, then described as 2 acres 119 rods, to David Miller of Boston, the same man who bought the western part of the 5 acre pasture in 1866.<sup>27</sup>

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<sup>23</sup> Rk 977: 186.

<sup>24</sup> Rks 966: 208-9 and 795: 139-60. David Miller combined the western part of the 5 acre woodlot with Joshua's piece of mowing land and no traces of the boundary between these two pieces remain. Therefore, the later chain of title for these two pieces will be considered together.

<sup>25</sup> Rk 439: 302-30. The 1818 deed described it as a 3 acre piece of mowing land. An 1844 deed for the same land described it as 2 acres 119 rods (Rk 469: 371).

<sup>26</sup> Hastings inherited Thomas Nelson, Jr.'s, land in Lexington and Lincoln.

<sup>27</sup> Rk 469: 371. The only important change in the shutters is that it was bounded on the north and west by Miller who bought the Nelson-Hastings house lot in 1837 (Rk 399: 299).

In 1878 the administrators of the estate of David Miller sold the western part of Sarah and Elizabeth's 5 acre woodlot and Joshua's piece of mowing land, along with the 13 acre Nelson-Hastings house lot, to Martin Neville.<sup>28</sup> In 1939 James M. and Henry P. Neville cut Lot. V out as a separate piece and sold it to Edward J. Leman.<sup>29</sup> The U. S. Government bought Lot. V from the Leman's in 1979 and Lot. V from the Nevilles in 1982.<sup>30</sup> The title to Lot. X was transferred to the Post Service by the Air Force in December 1964.<sup>31</sup>

Four of the boundaries of Thitha's 8 acres can be located with a good deal of certainty. The first is the old country road which is present-day Nelson road and Harvett Street. All of the deeds mention that her land ran southeasterly along the country road. Beginning a little west of the Lincoln/Lexington line Nelson road does curve over a small hill and runs southeasterly past Lot. W, V, T, etc.. The second boundary is

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<sup>28</sup>Ik 1472: 182. The piece as a whole was described as 22 acres in Lexington and Lincoln on the north side of the old country road (present-day Nelson road).

<sup>29</sup>Ik 6332: 536. In 1934 Martin Neville sold the entire 22 acres to James M. and Henry P. Neville (Ik 4772: 428-9).

<sup>30</sup>Iks 8822: 379 and 10022: 93.

<sup>31</sup>Transfer of title and acceptance by letter of 16 December 1964.

the old runway which once existed between the southeastern end of the 30 acre house lot that Thomas Nelson, Sr., bought in 1724/5 and the Whittmore, later Musy, homestead.<sup>32</sup> The next fixed boundary is Lex. U which has been traced back to Fisk ownership in the early 18th century.<sup>33</sup> The fourth fixed boundary is a wall which runs southwesterly from the wall along Lex. U.<sup>34</sup> This wall is northwest of Lex. X, W, V, and T and is outside the Park's boundaries. It is probably the boundary line, mentioned in the 1779 deed, between the 8 acres which Josiah received and the rest of Tabitha's land which as the 19th century deeds show was owned in the late 18th century by Thomas Nelson, Jr., and was left by him to Samuel Hastings.<sup>35</sup> The Tabitha Nelson barn was located on this line in 1779.

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<sup>32</sup> This runway ran northeasterly across the southeastern corner of Lex. T dividing the western part of the 8 acres from the 1/4's acre that John Crowley bought in 1863 from Ruben Kingsbury and which was part of the old Whittmore homestead. Crowley combined the western part of the 8 acres with the 1/4's acre piece to form Lex. T (Ms 913: 196-7 and 1154: 574-5). The runway wall along this line no longer exists.

<sup>33</sup> See the chain of title for Lex. U in the Park's files.

<sup>34</sup> See the 1938 Lexington topographical map, a copy of which is in the Park's files.

<sup>35</sup> The present wall definitely runs in a southwesterly direction from Lex. U. The 1779 deed said that the 8 acres ran northwesterly along Fisk's land (Lex. U) and then westerly, not southwesterly, across Tabitha's (later Thomas, Jr.'s) land. But according to a 1866 deed the eastern part of Sarah and Elizabeth's woodlot ran northwesterly by Lex. U and then southwesterly by Miller's land (i.e. the land that Thomas, Jr., received from Tabitha's estate). See Bk 977: 186.

And her house may have been located near this line.<sup>36</sup> The wall itself probably dates from about 1779.<sup>37</sup>

All traces of the original boundary along the west side of the 8 acres have been destroyed. It is therefore impossible to locate it exactly. According to the 1779 deed the 8 acres, after running westerly across Tabitha's land, ran southerly by Thomas, Jr.'s, land to the country road. The fact that the deed makes a distinction between Tabitha's other land (NW abutter) and Thomas, Jr.'s, land (W abutter) seems to indicate that Thomas, Jr., owned the land to the west of the 8 acres before 1779, i.e. that it was not land that he received when Tabitha's estate was divided.<sup>38</sup> Assuming this, Thomas, Jr., must have acquired the land west of the 8 acres in one of two ways: (1) it was part of his original house lot, or

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<sup>36</sup> An early 20th century sketch by George A. Nelson places the site of the house of Thomas Nelson, Sr. (in 1775 Tabitha Nelson) in Lexington (near the town line) and some distance from present-day Nelson road (MSA G-122, dated 1902). The site of the house could still be seen in the early 20th century. In its notes on illustrations the Account of the Colonization by the Town of Ipswich, Massachusetts, (Lincoln, 1905) says, "The first Nelson house was built in the westerly part of Lexington early in the eighteenth century by Thomas Nelson, who came from Rowley. Only the cellar hole filled with field stones now remains to mark the site..." (P. 219.)

<sup>37</sup> Tabitha also owned land northwest of this wall. We do not know how much she owned or whether it extended as far north as the roadway which the original northwestern boundary of the house lot when her father bought it in 1724/5. But this is unimportant since this land is outside the Park's boundaries.

<sup>38</sup> No deeds to Thomas, Jr., for land from Tabitha's estate were recorded. But from later deeds it is clear that he received all of Tabitha's land other than the 8 acres that went to Josiah (See especially Bk 399: 299 for the 13 acre Nelson-Hastings house lot).

(2) he received some land adjacent to his father's house lot when the latter's land was divided about 1770.<sup>39</sup> But regardless of how he acquired it, the important thing here is that the 1779 boundary between Josiah's 8 acres and Thomas, Jr.'s, land was probably the 1775 boundary between Tabitha's and Thomas, Jr.'s, lands along this line.<sup>40</sup>

Now our problem is to find the approximate location of this boundary. In 1818 a wall existed between Josiah's piece of moving land, which was the eastern part of the 8 acres, and Hastings' land, but this has since disappeared.<sup>41</sup> A 1945 plan shows that the wall that runs southwesterly from Lot. U once extended to a ditch about 240' from the Neville house.<sup>42</sup> This ditch then ran easterly from the wall to Nelson road. If the wall was not disturbed prior to 1945, this ditch may have been the 1779 and 1818 western boundary of the 8 acres. However, there was no mention of

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<sup>39</sup> For a discussion of these two possibilities see the report on the Thomas Nelson, Jr. Farm, Part I.

<sup>40</sup> And this is the only part of the boundary between their lands that is within the Park's boundaries.

<sup>41</sup> This wall was destroyed before the access road to Hancock Air Force Base was built. But the access road probably covers the site of the boundary.

<sup>42</sup> This was before the western end of the wall and the ditch were destroyed by the Air Force access road. See the Plan and Profile of the Proposed State Highway (5 December 1945). The Neville house is on the site of the Thomas Nelson, Jr. house.

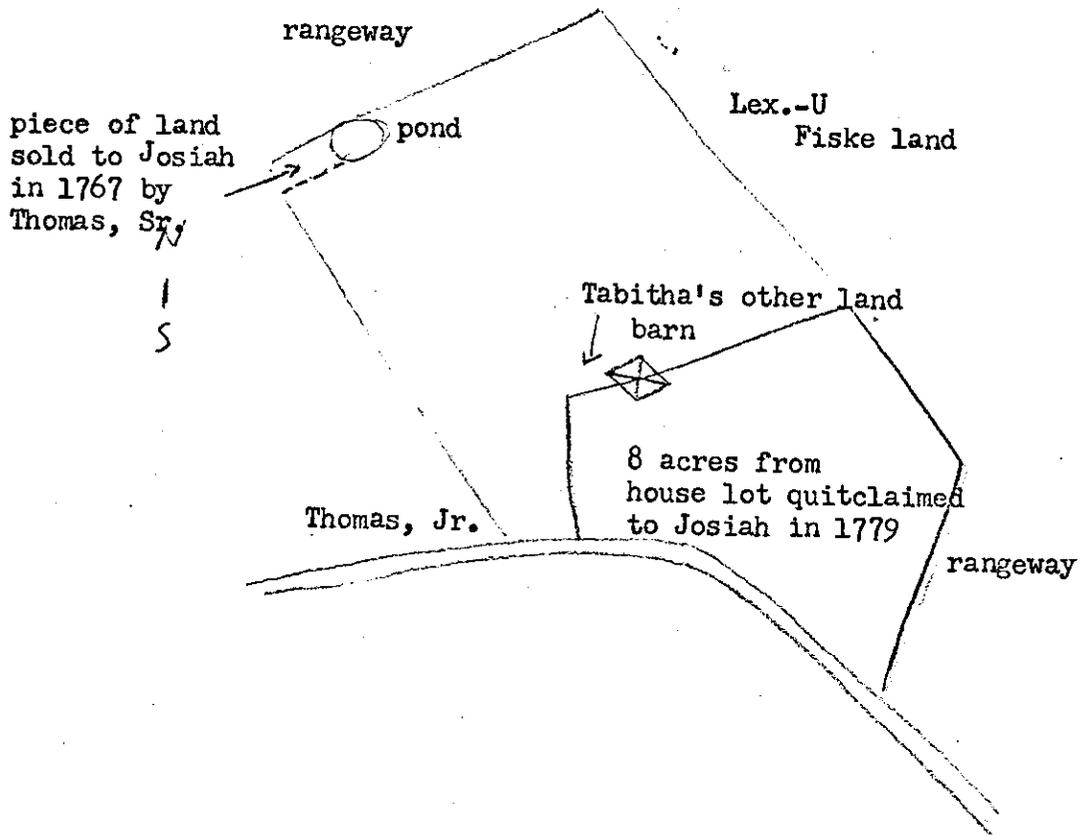
a ditch along the western boundary of the 8 acres in the 1779, 1828, or later deeds. But there is some evidence that in the early 18th century a ditch existed along the boundary between what became Thomas, Jr.'s, house lot and Thomas, Sr.'s, house lot. If this ditch was the 1779 western boundary of the 8 acres, it probably also marked the 1775 boundary between Sabine's and Thomas, Jr.'s lands.<sup>43</sup>

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<sup>43</sup> There is, of course, no way of proving this 18th century ditch is the same one that is shown on the 1845 plan. See the report on the Thomas Nelson, Jr., Farm, Part I.



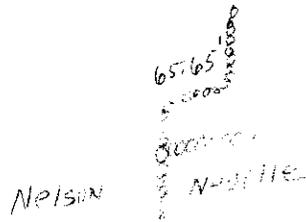
Tabitha Nelson house lot



**Appendix A.**

The two narrow strips of land that Josiah Nelson bought on the eastern side of his house lot in 1767 from his father and brother<sup>1</sup> can be traced down to the present time and help establish the position of both the Thomas, Jr. and Sr. house lots and the eastern boundary of the Josiah Nelson house lot.

In 1818 the eastern boundary of the Josiah Nelson house lot ran northwesterly from the old road by the land of Samuel Hastings (the Thomas, Jr. house lot) to a watering place. An 1844 deed for the house lot described the eastern boundary as going around the watering place.<sup>2</sup> Nineteenth century sketches of the Nelson farm show the boundary of the house lot as going around a pond.<sup>3</sup> A 1941 plan of Nelson land shows a narrow strip of land on the eastern side of the house lot.<sup>4</sup> Parcel A runs northwesterly by James F. and Henry Neville (Thomas, Jr. house lot) and then runs easterly 65.65' and then runs northeasterly again. Another wall runs parallel to the 65.65' wall i.e..



<sup>1</sup>Ex 3943; 41 and 42.

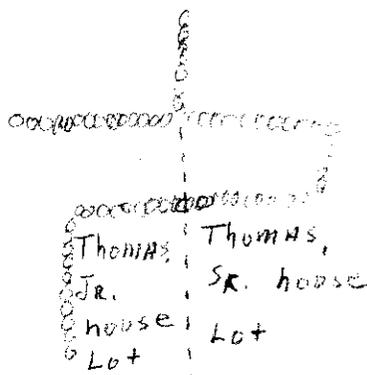
<sup>2</sup>1818 quitclaim deed to Josiah Nelson Ex 439: 308-30. 1844 deed John Nelson et al to Houghton and Brown Ex 455: 118-20.

<sup>3</sup>From the Nelson Papers.

<sup>4</sup>Plan by Richard H. Barnes & Co. Et April 1941, Ex 7092: 992, Parcel A.

65.65' is about 4 rods which was the length of the strip of land that Thomas, Jr. sold to Joniah in 1787. The Air Force topographical map shows the whole strip:

<sup>15</sup> <u>Air Force Map</u>	<u>1787 Guide</u>
40' wide	33' (2 rods) wide
165' long	148.5' (9 rods) long



The wall that runs along the northern boundary of L-1 and the western boundary of L-1, L-2, and L-3 marks part of the eastern boundary of the Joniah Nelson house lot.<sup>16</sup>

<sup>15</sup> Further breakdown of topographical map measurements: 1) across Thomas, Jr. house lot about 70' (1787 4 rods or 66') and 2) across corner of Thomas, Sr. house lot about 90' (1787 5 rods or 81.5'). Scale 1" = 40'.

<sup>16</sup> See Thomas Nelson, Jr. Plan.

Appendix B.

In the mid-18th century, Josiah Nelson owned about 55 acres west of present day Mill Street, all of which is outside the Park's boundaries. A description of that land and its chain of title follows.

In November 1767 Thomas Nelson, Sr. sold two lots in Lincoln to his son Josiah.<sup>1</sup> The first lot was southwest of the land that the Whittmores<sup>2</sup> sold to Josiah in the 1760's.<sup>3</sup> It contained about 32 acres of pasture, wood, and swamp land and was bounded on the southeast by a runway, on the southwest by Josiah Nelson and Aaron Brooks, on the northwest by Brooks and Ephraim Hartwell, and on the northeast by Hartwell and Josiah Nelson. Brooks' land, which formed part of the southwestern and northwestern boundary of the 32 acres, was a 56 acre piece sold to him in 1750 by Joel Whittmore.<sup>4</sup> In that deed the 56 acres ran southwesterly along the Lexington/Concord line for 112 rods and then southeasterly 8 rods, southwesterly 20 rods and northwesterly 14 rods on "Mr. Nelson's" land, with a ditch as the boundary between Nelson's and Brooks' land on

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<sup>1</sup>Bk 3943: 41-2.

<sup>2</sup>See the report on the Josiah Nelson Farm, Part II, section (a).

<sup>3</sup>The acreage given in the deed was 32 acres 50 rods (Bk 3943: 41-2).

<sup>4</sup>Bk 55: 170. Benjamin Whittmore's heirs, of which Joel Whittmore was one, bought 18 acres from Ephraim Flint in 1735. The Concord/Lexington line ran through the land and it was bounded on the east and partly on the south by Thomas Nelson. This may have been the southern part of the 56 acres (Bk 44: 78-9).

the last two lines.<sup>5</sup> The Lexington/Concord line thus formed the boundary between Brooks' and Nelson's land along the entire 112 rod line, as given in the 1750 Brooks' deed.<sup>6</sup> Ephraim Hartwell's land was the northeastern abutter of Brooks' 56 acres and a northwestern abutter of Josiah's 32 acres.<sup>7</sup>

Nineteenth century descriptions of Nelson and Brooks land confirm that Nelson was the abutter along the entire eastern line of the Aaron Brooks farm.<sup>8</sup> Thomas and Joseph Brooks, the sons of Aaron Brooks, were given as the northwestern abutter of Josiah Nelson's land west of Mill Street in the 1818 division of his estate.<sup>9</sup> In the 1833 description of Thomas Brooks'

<sup>5</sup>The 112 rods or 1848' along the Concord/Lexington line in the 1750 deed measures almost perfectly with the distance L-320 runs southwesterly along L-312 (1786.99'). The other distances are a good deal less satisfactory:

<u>1750 Deed</u>	<u>1953 Plan of Nelson Land (Rk 8-15-441)</u>
run SW 112 R (1848') Concord/Lex. line	run SW 1786.99' along Elmer A. Bean
" SE 8 R (132') Mr. Nelson	" SE 204.74' " and a wall
" SW 20 R by Nelson & ditch (330')	" SW 268' "
" NW 14 R (231') by Nelson & large ditch	" NW 78' " and a ditch

<sup>6</sup>Thomas Nelson, Sr. sold the 32 acres to Josiah in 1767, after the town of Lincoln was established, so the Concord/Lexington line would not have been mentioned as a boundary in the deed for this land. Generally, after 1754, the deeds do not mention the old town line as a boundary marker. Instead, the owner of the land on the other side of the line would be given as the abutter. Likewise, before 1754, the old town line, and not the owner of the land on the other side of it, was usually given as the abutter. This explains why the 1750 deed for Brooks' 56 acres did not mention Nelson as an abutter along the 112 rod line and why the 1767 deed for Josiah's 32 acres gave Brooks, and not the old town line, as the abutter along this line.

estate, Samuel Hastings and the heirs of Josiah Nelson were given as the abutters of the Brooks farm along its entire eastern line and Samuel Hartwell, who inherited his father's land in 1786, was given as a northern abutter.<sup>10</sup> When the Aaron Brooks farm was sold to George N. and Abbie E. Bean in 1888 the eastern abutters, coming south from the country road, were S. H. Peirce (Hartwell land), George Nelson, George B. Rice (formerly Nelson land, see below), and George Nelson to the corner of the ditches.<sup>11</sup> The old Aaron Brooks farm on the Miller-Nylander map is L-312.<sup>12</sup> The eastern abutters of L-312 are L-320, L-321, and a 14.5 acre lot. L-320 is owned W. Newton and Eleanor R. Nelson and both L-321 and the 14.5 acre lot can be traced back to Nelson ownership in the 19th century.<sup>13</sup>

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<sup>7</sup>For Hartwell's land see the report on the Josiah Nelson Farm, Part II, section (a).

<sup>8</sup>The entire Aaron Brooks farm contained about 100 acres, including land south of the 56 acres that Joel Whittemore sold to Aaron Brooks in 1750 (Bk 55: 170). This land south of the 56 acres was abutted on the east by land that Josiah Nelson bought in 1748 from Ephraim Flint (Bk 64: 26). In the 19th century the northern part of the Flint meadow was owned by Joshua and John Nelson and the southern part by the heirs of Samuel Hastings (Hastings inherited from Thomas Nelson, Jr. who bought the southern part of the Flint meadow from Josiah in 1755 -- Bk 64: 30-2).

<sup>9</sup>Aaron Brooks (1725-1811) married Mary Stone in 1755. Thomas was born in 1767 and Joseph in 1773 (Foster, (ed.), Lincoln Vital Records, pp. 24 and 27). Aaron Brooks deeded his land to his sons Thomas and Joseph in 1806 (Bk 111: 344). In 1827 Joseph sold his rights in the farm to Thomas (Bk 274: 104).

<sup>10</sup>Thomas Brooks probate #21911 (1833) and Ephraim Hartwell probate #10560 (1786).

<sup>11</sup>Bk 1846: 557-8 dated May 1, 1888.

<sup>12</sup>NHR-MN 2009, May 1962. Joseph Ricci et al bought the Aaron Brooks farm from the heirs of G. N. Bean in 1963 (Bks 7871: 245 and 7767: 360).

<sup>13</sup>See p. 6.

The 32 acres was probably divided into two pieces in the 1818 division of Josiah's estate -- 20 acres of mowing and woodland quit-claimed to Joshua and 13 acres of woodland (the "meadow lot") quit-claimed to Josiah, Jr.<sup>14</sup>

After Joshua's death in 1842, the 20 acre lot was sold to Samuel A. Houghton and Joseph B. Brown and in 1849 they sold it back to John Nelson.<sup>15</sup> In the 1818 description, the 20 acres was bounded on the northeast by a wall and the land of Josiah Nelson (the Center Lot) and the land of Samuel Hartwell. The 1844 deed gave John Nelson, who had bought the southwestern part of Josiah's Center Lot in 1827, and the heirs of Samuel Hartwell as the northeastern abutters.<sup>16</sup> The southeastern abutter of the 20 acres in 1818 and 1844 was a runway.<sup>17</sup> The Brooks were the northwestern abutters in 1818 and 1844.<sup>18</sup>

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<sup>14</sup> Ms 439: 308-30 and 271:398-400. Josiah, Jr.'s 13 acre piece was first referred to as the "meadow lot" in 1826 (Josiah Nelson probate #19788).

<sup>15</sup> John Nelson et al to Samuel A. Houghton and Joseph B. Brown, dated 19 December 1844 (Ms 455: 118-20). The acreage was given in this deed as 21 acres 148 rods. Joseph B. Brown and Samuel A. Houghton to John Nelson, dated 22 November 1849 (Ms 397:16). The two deeds give the same description of the land.

<sup>16</sup> The wall was omitted in the 1844 description of Joshua's 20 acres and also in the 1827 description of the southwestern part of the Center Lot. But a wall was given along this line in the 1818 deeds for both the Center Lot and Joshua's 20 acres. For Josiah, Jr.'s Center Lot, see the report on the Josiah Nelson Farm, Part II, section (b).

<sup>17</sup> A runway was also given as the southeastern abutter of the Center Lot, which was directly northeast of Joshua's 20 acres, in 1818, 1827, and 1844. See the report on the Josiah Nelson Farm, Part II, section (b).

<sup>18</sup> There was a fence along the northwestern boundary in 1818 but not in 1844.

All of these, plus Nelson land as the southwestern abutter,<sup>19</sup> indicate that Joshua's 20 acres was the northern part of the 32 acres sold to Josiah by his father in 1767.

Most of Josiah, Jr.'s land was sold in 1827 in order to pay his debts. His guardian, Stephen Patch, probably sold the 13 acre "meadow lot" in two pieces -- 9 acres  $4\frac{1}{2}$  rods of woodland to Isaac Mulliken and about 3 acres of meadow land which was probably sold to Leonard Hoar.<sup>20</sup> In 1860 the

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<sup>19</sup>Josiah, Jr.'s "meadow lot".

<sup>20</sup>There is no deed for the sale to Hoar. Nor is there any record of him selling the land, but in 1871 Henry Fiske sold 2 acres  $9\frac{1}{2}$  rods of meadow in Lincoln to George B. Rice (Bk 1376: 556). It ran  $S31\frac{1}{2}W$  13 rods by the land of Thomas Brooks (the same angle --  $S31\frac{1}{2}W$  -- that Mulliken's 9 acre+ piece, which was the northern part of the "meadow lot", ran along Brooks' land), then due south  $11\frac{1}{2}$  rods to a ditch, then on the ditch by several angles to land formerly owned by Isaac Mulliken, then on land formerly Mulliken's (purchased by George B. Rice from Mulliken's heirs in 1860) 31 rods to the beginning. A ditch had marked the southwestern and southeastern boundaries of Josiah, Jr.'s "meadow lot" in 1818. In the 1827 deed, Mulliken's 9 acre+ ran southerly 31 rods on the land of Leonard Hoar.

The eastern abutters of the Brooks farm in 1833, coming south from Samuel Hartwell's land, were Joshua Nelson (his 20 acres), Isaac Mulliken (the northern part of the "meadow lot"), Leonard Hoar, and John and Joshua Nelson (the Flint meadow, see below). The fact that Hoar was given as a southwestern abutter of the part of the "meadow lot" sold to Mulliken in 1827 and as an eastern abutter of Brooks' land in 1833 indicates that he either owned the rest of the "meadow lot" or at least was using it. He was one of the grantors to Samuel Hartwell, Jr. of any right the grantors had in the part of Josiah, Jr.'s Home Lot that Hartwell bought or any right they had to pass over the land (Bk 302: 99-100). Probably the only reason Hoar would have had any right to pass over this land would have been through the purchase of some of Josiah, Jr.'s other land. See the report on the Josiah Nelson Farm, Part III, section (a).

The Lincoln tax records, however, do not indicate that he bought any land in Lincoln in the late 1820's. He was not assessed for real estate in Lincoln after 1825. Henry Fiske, who is another possible buyer of the southern part of the "meadow lot" had real estate valued at \$129.50 in 1826, 27, and 28. In 1829 his assessment fell to \$95.

The deed to Isaac Mulliken for the 9 acres  $4\frac{1}{2}$  rods is dated 23 Jan. 1827 (Bk 275: 132-5).

heirs of Isaac Mulliken sold the 9 acre 44 rod piece, which was the northern part of the "meadow lot," to George B. Rice.<sup>21</sup> And in 1871, Ellen A. Rice et al sold the entire "meadow lot" to Robert F. Wright of Concord.<sup>22</sup> The 1871 deed, when corrected,<sup>23</sup> described the "meadow lot" as bounded on the west by Thomas Brooks, on the north by John Nelson (Joshua's 20 acres), on the east by Green Spaulding, and on the south by John Nelson (the Flint Meadow). The 1818 abutters of the meadow lot were: Joshua Nelson on the northeast (the 20 acres) and southwest (his part of the Flint meadow, later sold to John Nelson), Brooks and a wall on the northwest, and Thaddeus Reed on the southeast. In 1879 Wright sold the "meadow lot" to Charles O. Sargent.<sup>24</sup> Francis B. Sargent sold it to James M. and Mary C. Giurleo, the present owners, in 1932.<sup>25</sup> It is designated on the Miller-Nylander map as L-321.<sup>26</sup>

21

Rk 1376: 544 with a prior reference to Rk 275: 133-5. Rice was given as the southwestern abutter although he did not buy the 2 acre 94 rod piece, i.e. the southern part of the "meadow lot", until 1871. He may have been renting the land in 1860.

22

The entire "meadow lot" included the 9 acres 44 rods sold to Mulliken in 1817 and the 2 acres 94 rods that G. B. Rice bought from Henry Fiske in 1871, see fn. #20. Rk 2041: 96-7.

23

The 1871 deed actually said that the "meadow lot" was bounded on the north by Thomas Brooks, on the east by John Nelson, etc. but it probably means running, not bounded.

24

Rk 2732: 205-7.

25

Rk 7921: 524.

26

MRP-JM 2009, May 1962.

The second lot that Thomas, Sr. sold to Josiah in 1767 was southeast of the 32 acre piece and contained about 6 acres of meadow and upland. It was bounded on the northwest by a roadway (which the deed said was the same roadway that was the southeastern abutter of the 32 acres), on the northeast and southeast by Jacob Whittmore's land and Josiah Nelson's land and on the southwest by land that Thomas, Sr. had that same day sold to Thomas Nelson, Jr.<sup>27</sup> This land was probably sold before Josiah's death in 1816. At least, none of the Nelsons owned land eastward of this roadway in the 19th century.<sup>28</sup>

In 1748, Josiah bought 24 acres of meadow land in Concord and Lexington from Ephraim Flint.<sup>29</sup> It was bounded on the east by Flint, on the south by John Burr's meadow and by Thomas Brooks, on the west by Nathaniel

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<sup>27</sup>The deed was recorded for this sale to Thomas, Jr..

<sup>28</sup>The roadway in the deed for the 6 acres of meadow and upland was the same one that formed the southeastern boundary of the 32 acres that Josiah bought from Thomas, Sr. at the same time and also (probably) of the 2 acre piece and the nearby 15 acre piece that Josiah bought from the Whittmores in the 1760's. See the report on the Josiah Nelson Farm, Part II, section (a). In the 19th century, this roadway formed the southeastern boundary of Josiah, Jr.'s Center Lot and of Joshua's 20 acre piece. The land on the other side of the roadway seems to have belonged to the Spauldings in the 19th century.

<sup>29</sup>Ms. G: 26. In 1775 Josiah sold the southern 7 acres of the Flint meadow to his brother Thomas, Jr. (Ms. G: 30-8). The 1833 Thomas Brooks probate (MSA) gave the heirs of Samuel Hastings (Samuel Hastings had inherited all of Thomas Nelson, Jr.'s land) as an eastern abutter of the southern part of the Aaron Brooks farm. The southern part of the Flint meadow later seems to have been sold back to the Flints, although the Middlesex deed index has not been checked for this. When W. Norton and Eleanor E. Nelson sold the northern part of the Flint meadow (about 14.5 acres) to D'Arville Iron. Co. in 1974, the heirs of George Flint were given as the southern abutter (Ms. S: 15-141-8).

Whittmore,<sup>30</sup> and on the north by the heirs of Benjamin Whittmore (the 76 acres that Aaron Brooks bought in 1750 from the heirs of Benjamin Whittmore), Thomas Nelson (probably the 32 acre piece that he sold to Josiah in 1767), and William Reed.

Josiah's Flint meadow was quitclaimed to Joshua and John Nelson in 1818. Joshua received a meadow of about 7 acres<sup>31</sup> which was bounded on the north-east by a wall and ditch and the land of Thaddeus Reed,<sup>32</sup> on the northwest

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<sup>30</sup> In 1756 Nathaniel Whittmore sold 8 acres of meadow and swamp land, which was known as Ephraim Flint's meadow, in Lincoln to Joshua Brooks, Jr. (Mk 55: 37-8). The eastern abutter was land which had formerly belonged to Ephraim Flint but which now (1756) was owned by Thomas and Josiah Nelson (the Flint meadow). In 1833 the Thomas Brooks probate listed a 7 acre meadow, called the Whittmore meadow, which was bounded on the east by the heirs of Samuel Hastings (Thomas, Jr.) and the land of John and Joshua Nelson (the Flint meadow). The Whittmore meadow could very easily be the 8 acres that Brooks bought from Whittmore in 1756, which would account for its name.

<sup>31</sup> Mk 439:388-390. The 1818 deed gave the acreage of Joshua's meadow as 10 acres. But a plan of the land made in 1844 gave it as 7 acres 105 rods. The plan is in the Nelson papers.

<sup>32</sup> This Thaddeus Reed was probably related to the William Reed who was a northern abutter of the Flint meadow when Josiah bought it in 1768. William Reed of Lexington (1719/20-1813) had a son Thaddeus (1757-1824), who in turn also had a son named Thaddeus (1794-1833). Nelson, *Lexington*, v. 2, pp. 561, 564.

In 1818, Thaddeus Reed was also given as the southeastern abutter of the meadow lot, which was probably the southern part of Josiah's 32 acres (Mk 271: 399-400). In the 1767 description of the 32 acre piece, however, there was no mention of a Reed as the southeastern abutter. Instead, a runway was given as the abutter along this line. It is possible that Reed's land was on the other side of the runway and, therefore, would not have been mentioned as an abutter in an 18th century deed for the 32 acres. Eighteenth century deeds generally did not mention the owner of land on the other side of a runway, when a runway abutted a piece of land. In this respect, 19th century practice was much less uniform. The runway or the owner of the land on the other side of it or both were often given in 19th century deed descriptions.

and west by a ditch and the land of Josiah Nelson (the meadow lot) and Thomas and Joseph Brooks, on the southeast by land of John Nelson (the southern part of Flint meadow), and on the southeast by Ephraim Flint and Samuel Hartwell. Joshua's heirs sold the meadow to John Nelson in 1844 and John then sold it to his son George.<sup>33</sup> The 1844 deed had no description of the land other than the fact that it was called the Flint meadow and contained 6 acres 105 rods. Despite the difference in acreage, this was probably the 10 acre meadow quitclaimed to Joshua in 1818. On an 1844 plan of the meadow, the northeastern abutter was Spaulding, the northwestern abutter Brooks, and the southeastern abutters Hartwell and "others."<sup>34</sup>

In 1818 John Nelson received 7 acres of woodland bounded on the northeast by Joshua Nelson and a ditch (the northern part of Flint's meadow), on the northwest by Thomas and Joseph Brooks and a ditch, on the southeast by a ditch and wall and the land of Samuel Hastings (the 7 acres of the Flint meadow that Thomas, Jr. bought in 1775), and on the southwest by Ephraim Flint.<sup>35</sup> After John's death in 1839, the entire Flint meadow

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<sup>33</sup> M: 479: 477-9. Both deeds are dated 19 December 1844.

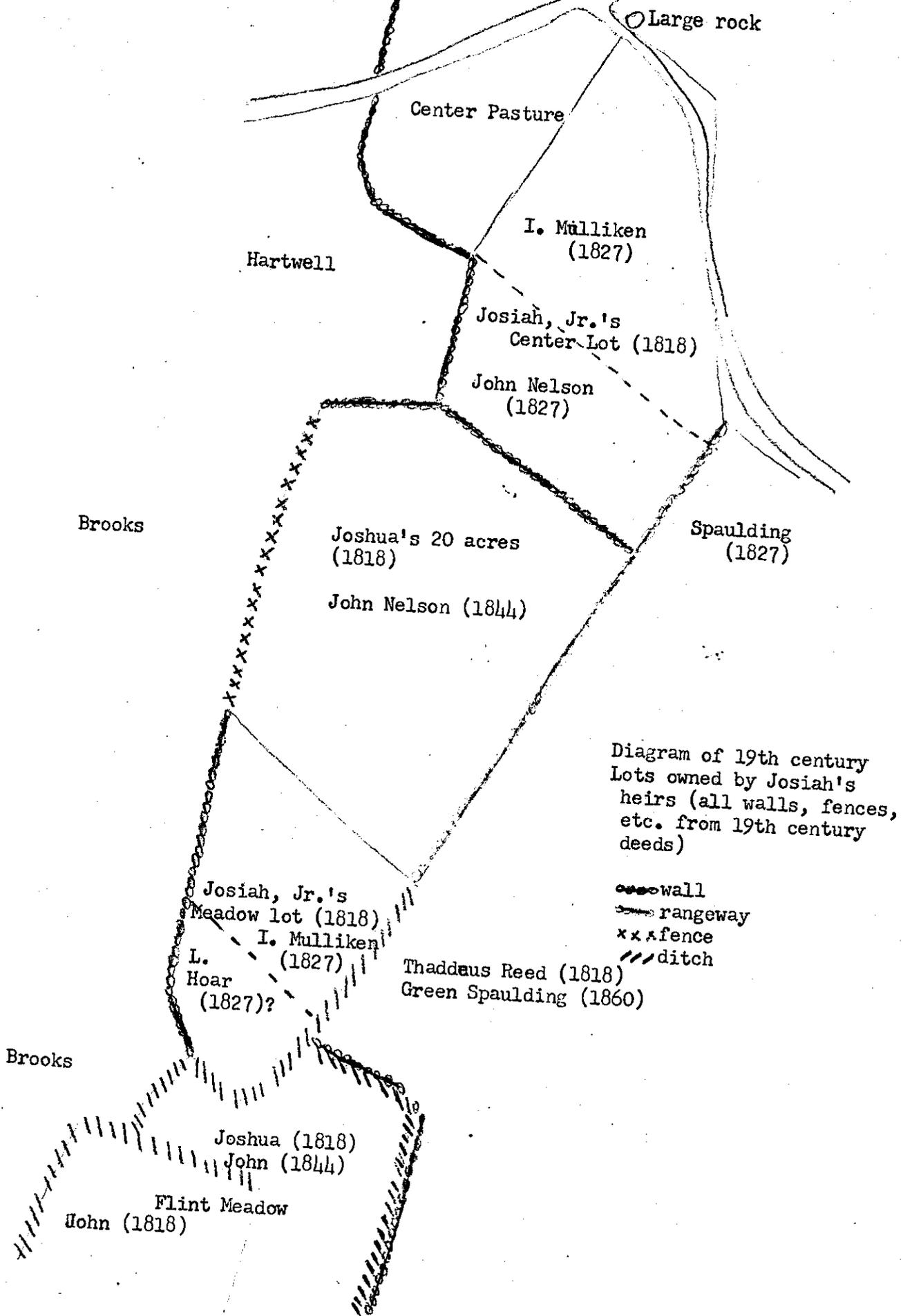
<sup>34</sup> Joshua's part of the Flint meadow was surveyed by Cyrus Hubbard, October 30th 1844 (from the Nelson papers). The names of abutters on the plan are written in pencil and in a very poor hand, so that they are almost illegible. Spaulding may have bought Reed's land. His name was substituted for Reed's in the 1860 description of the northern part of the "meadow lot" (see Deed to Mallin, M: 275: 133-5 and Henry Mallin et al to George L. Rice, M: 1376: 994-5).

<sup>35</sup> M: 278: 235.

with the exception of the 7 acres sold to Hansen, Jr. in the 18th century) was owned by George Nelson. In 1974 W. Norton and Eleanor E. Nelson sold the part of Flint under that Jewish Nelson's heirs owned in the 19th century to F.A. Fargo Inc. Co.<sup>35</sup> It contained 14.5 acres and was bounded on the northwest by Benjamin Benoitshella and Francis E. Sargent (1-321), on the northeast by Elmer A. Ross (Archie land) and Charles E. Wenter, and on the southwest and southeast by heirs of George Flint.

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<sup>35</sup> In 8725: 44-2.



○ Large rock

Center Pasture

Hartwell

I. Mulliken  
(1827)

Josiah, Jr.'s  
Center Lot (1818)

John Nelson  
(1827)

Brooks

Joshua's 20 acres  
(1818)

John Nelson (1844)

Spaulding  
(1827)

Diagram of 19th century  
Lots owned by Josiah's  
heirs (all walls, fences,  
etc. from 19th century  
deeds)

- ⋯ wall
- == rangeway
- xxx fence
- /// ditch

Josiah, Jr.'s  
Meadow lot (1818)

I. Mulliken  
(1827)

L. Hoar  
(1827)?

Thaddeus Reed (1818)  
Green Spaulding (1860)

Brooks

Joshua (1818)  
John (1844)

Flint Meadow  
John (1818)

Appendix C -- Concord/Lexington line.

On the north side of Route 2-A the Concord/Lexington line runs southwesterly between L-12 and L-13.<sup>1</sup> On the south side of the road, it runs southwesterly between L-312 and L-320 and L-321, which is the boundary between the Aaron Brooks farm and Nelson land. Between Route 2-A and the beginning of the wall that runs southwesterly between L-312 and L-320 and L-321, there is considerable doubt about the location of the old Concord line since, in part, it does not follow modern property lines.

From mid-18th century deeds, however, we know that directly south of the country road (present-day Route 2-A) the Concord/Lexington line marked the boundary between Ephraim Hartwell's land and Josiah Nelson's lands. Hartwell owned a piece of about 15 acres which in 1744 was in east Concord. In that year it was described as bounded on the north by the country road, on the east by the Concord/Lexington line, and on the south by Benjamin Whittmore and John White (the Aaron Brooks farm).<sup>2</sup> We have seen that Josiah Nelson owned land

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<sup>1</sup> MAP-101 2009, May 1962 (see the diagram on p. 14). L-12 belonged to the Nelson family in the late 18th and 19th centuries and L-13 was a part of the old Lawson farm. See the reports on the Thomas Nelson, Jr. Farm, Part I, section (b) and the Dodge-Smith farm.

<sup>2</sup> Samuel Hartwell probate # 10507 (1744). By his will, Samuel left all of his land in Concord to his son Ephraim. After 1754, of course, Ephraim's 15 acres was no longer in Concord, but in Lincoln. Samuel Hartwell bought this land from Richard Rice in 1693 (M: 10: 358-9). At that time it was described as bounded on the north by the Bay road (the country road) and on the east by the Cambridge line (Lexington was not set off as a separate town until 1713). Rice received this land in 1666 when the land in the second division of Concord was divided (Concord Record Book 1, p. 18, Roll #3). At that time too it was bounded on the southeast by the Cambridge line. See the report on the Hartwell Farm.

just to the east of the old town line.<sup>3</sup> The descriptions in the chain of title for this land help clarify the relationship between the Concord/Lexington line and the boundary between Hartwell's and Nelson's land. In 1732 Jasper Richardson sold 5 acres in Lexington divided by the country road to Ebenezer Lempson.<sup>4</sup> The piece south of the road was bounded on the west by the Concord line and on the southeast by Nath. Whittmore.<sup>5</sup> In 1760 in Bradford Smith vs. Ebenezer Lempson, the entire lot was described as  $3\frac{1}{2}$  acres in Lincoln with the road running through it and bounded on the west partly by Ephraim Hartwell and partly by William Dodge.<sup>6</sup> So by 1760 when the town of Lincoln had been established, Ephraim Hartwell instead of the Concord line was given as the western abutter of the piece south of the road. That this was the same piece of land that in 1732 was described as bounded on the west by the Concord line is made clearer by the next deed.<sup>7</sup> It is dated 1761 and the land south of the road is described as a half acre bounded on the west by Ephraim Hartwell, on the east by Nathaniel Whittmore and lying in a three cornered piece. In 1763 Hager sold it to Thomas Nelson, Jr., and in 1767 Thomas sold it to Josiah.<sup>8</sup> In that year it was described as a half

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<sup>3</sup>See the report on the Josiah Nelson Farm, Part XI, section (a).

<sup>4</sup>Ex 55: 190-1.

<sup>5</sup>No separate acreage was given for the piece south of the road in the 1732 deed.

<sup>6</sup>Ex 60: 393-2. Dodge was the western abutter of the piece north of the road.

<sup>7</sup>Smith to Hager (Ex 62: 193).

<sup>8</sup>Exs 62: 194 and 3943: 42.

acre orchard bounded on the north by the country road, on the southeast by a runway and on the southwest by Ephraim Hartwell.<sup>9</sup>

These early deeds show: (1) that Ephraim Hartwell's 15 acres abutted the Concord/Lexington line on the east and (2) that Josiah's  $\frac{1}{2}$  acre orchard abutted first the Concord/Lexington line and later Ephraim Hartwell on the west. From this, it seems probable that the boundary between Hartwell's 15 acres and Josiah's land was the Concord/Lexington line.

The 1818 quitclaim deeds for the division of Josiah's lands give the next description of this land. Joshua Nelson received a pasture, called the Center Pasture, of about 6 acres.<sup>10</sup> It was bounded on the north by the country road and on the west by the land of Samuel Hartwell.<sup>11</sup> A wall marked the 1818 boundary between Joshua's Center Pasture and Hartwell's land. As far as we know, neither Josiah Nelson nor any of his heirs sold any land to the Hartwells during the 18th or early 19th centuries. If the boundary between Hartwell's and Josiah Nelson's lands along what before 1754 was the Concord/

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<sup>9</sup>The change in the western abutter of the half acre was in all probability due solely to the fact that after 1754 the line between Hartwell and the half acre was no longer a town boundary. A similar change occurred for the land north of the road. In 1760 William Dodge rather than the Concord line was given as the western abutter (M: 60: 395-8).

<sup>10</sup>M: 439: 308-30.

<sup>11</sup>Samuel inherited the 15 acre lot from his father Ephraim in 1786. Unfortunately there was no description of its eastern boundary in the inventory of Ephraim's estate (Ephraim Hartwell probate #10960).

Lexington line did not change before 1818, we may be fairly certain that the western boundary of Joshua's pasture marked the position of the Old Concord line directly south of the road. In 1844, when the Center Pasture was sold by Joshua's heirs to John Nelson, the heirs of Samuel Hartwell were given as the western abutter.<sup>12</sup> Again a wall marked the boundary between Hartwell's land and the Center Pasture. In 1855 George Nelson sold the western half of the pasture to George Hartwell.<sup>13</sup> This sale confirms the position of the line, at least insofar as modern property lines are concerned, since the western part of the pasture was then consolidated with the 15 acres that the Hartwells had owned since the 18th century.<sup>14</sup>

A plan of the pasture, dated 1844, gives more information than the deeds about its western boundary.<sup>15</sup> From the road the boundary ran SW 35° 9 rods 25 links, then SE 24° 11 rods 11 links, and then

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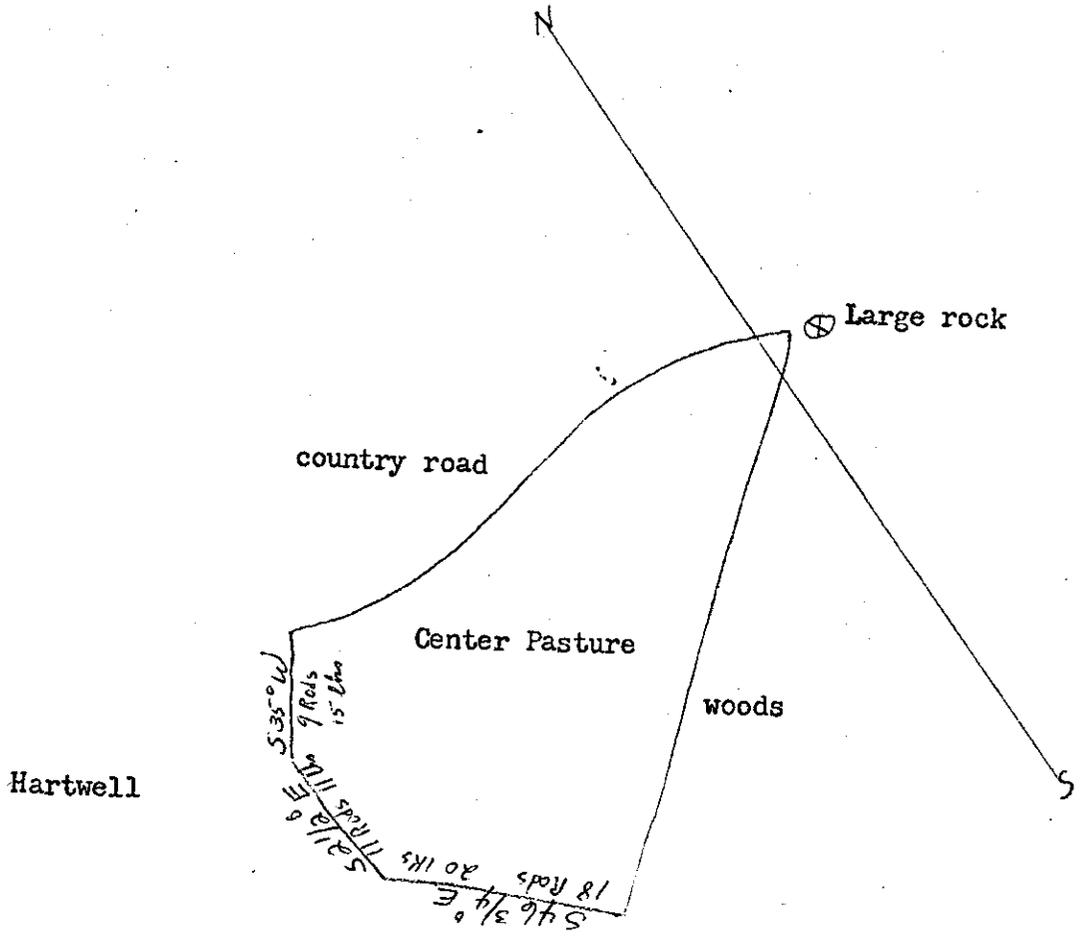
<sup>12</sup>Ex 499: 547-9. The next day John sold it to his son George.

<sup>13</sup>Ex 714: 528-3.

<sup>14</sup>In 1875 John Hartwell sold 20 acres in Lincoln to Samuel H. Pierce (Ex 1376: 533-4). It was bounded on the north by Massachusetts Avenue (i.e. Route 2-A), on the east by George Nelson and on the south partly by George Nelson. This land included the 15 acres described in the 1744 Hartwell probate (Samuel Hartwell probate #10587) and the western half of Joshua's Center Pasture. It includes L-314, L-315, L-316, and L-317 (NEP-DM 2009, May 1962).

<sup>15</sup>The plan, by Cyrus Hubbard, is in the Nelson papers. The distances and direction on this plan could be used to reconstruct the old Concord/Lexington line. See the copy of the plan on page 5.

Copy of a plan of Joshua Nelson's  
Center Pasture by Cyrus Hubbard  
dated October 30, 1844



BE 46 3/4<sup>16</sup> 18 rods 20 links to the corner (as the 1844 deed says) by the land of George Nelson and Isaac Mallin.<sup>16</sup> Given the premise that the boundary between Hartwell's land and Josiah's Center Pasture did not change before 1855, this line probably marks the position of the Concord/Lexington line. A wall was not shown along the western boundary in the plan but this was the position of the wall in the 1818 and 1844 deeds for the pasture. If traces of the wall still exist, they would give a good indication of the location of the western boundary of Josiah's land south of the road in the 18th century and of the position of the Concord/Lexington line.

After running southeasterly from the road, then southeasterly by two angles, I believe the line then ran southeasterly and then almost due west by two walls that still exist between the southern half of L-317 and part of L-320. These two property lines at present divide Hartwell land (L-317) from Nelson land (L-320) and there is good reason to believe that they have not changed since the 18th century or at least since 1818.<sup>17</sup> This

16

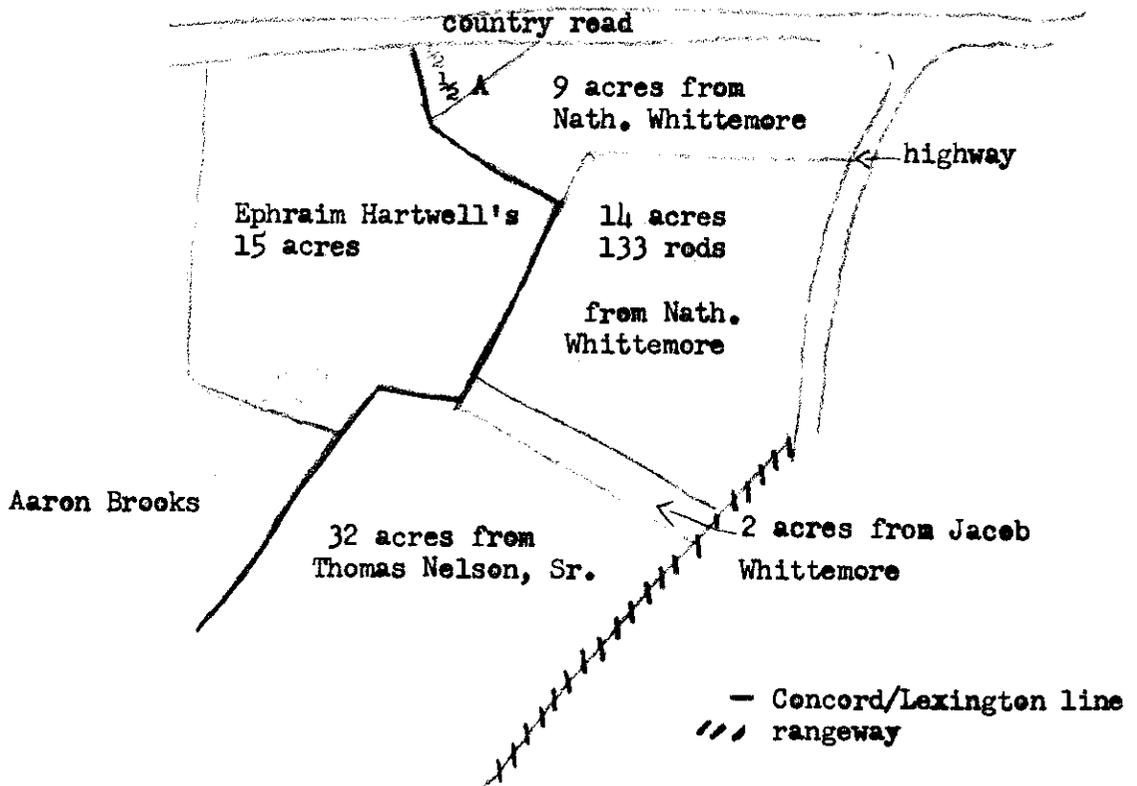
George Nelson's land was the southeastern part of Josiah, Jr.'s, Center Lot and Mallin's land was the northeastern part of the Center Lot. See the report on the Josiah Nelson Farm, Part II, section (b).

17

See the diagram on p. 12. The wall that runs southerly between the northern part of L-317 and the northern part of L-320 probably dates from the mid-18th century. It was probably the boundary wall between the part of the Center Pasture that was sold to George Hartwell and the part that George Nelson kept.

conclusion is based primarily on two sources: (1) the position of Ephraim Hartwell as an abutter of Josiah Nelson's land in the 1760's and (2) information in the 1818 quitclaim and other early 19th century deeds for Josiah's land.

(1) Hartwell as abutter: Ephraim Hartwell was the southeastern abutter of Josiah's half acre orchard, a southern abutter of the 9 acres and a northeastern abutter of the nearly 15 acre piece that Josiah bought from Nathaniel Whittemore, a northeastern abutter of the 2 acres that he bought from Jacob Whittemore, and a northeastern abutter of the 32 acres that he bought from his father.<sup>18</sup> The following is a sketch, using the abutters and directions given in the 18th century deeds, of the land that Josiah bought in the 1760's from the above people:



(2) 19th century deeds: The 1818 quitclaim deeds for Josiah, Jr.'s Center Lot and Joshua's 20 acres of mowing and woodland mention two walls as boundaries between their land and Hartwell's which are consistent with the walls along the southern part of L-317 and L-320.<sup>19</sup> In 1818 the Center Lot was described as running westerly by the land of Joshua Nelson (the Center Pasture) and then southwesterly by the land of Samuel Hartwell with a wall along the boundary between Hartwell's land and the Center Lot. This wall was also mentioned in the 1827 deed for the southwestern part of the Center Lot.<sup>20</sup>

In 1827 the Center Lot ran S37W 31 rods 18 links or 523.5' by the land of the heirs of Samuel Hartwell. In a 1913 deed for L-315 and L-317, the boundary ran easterly along Burke (L-316), then southerly 321.5' along Nelson's land,<sup>21</sup> and then southwesterly 517.2' along

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<sup>18</sup>Bks 85: 500, 64: 34-5, and 3943: 41-2. Hartwell was also given as a northwestern abutter of the 32 acres that Thomas, Sr. sold to Josiah in 1767 but this seems to have been a mistake. As far as we know Hartwell's land did not extend south of L-317 and L-314. All of L-312, except for a four acre piece, was part of the Aaron Brooks farm from about 1750. Prior to 1743 Hartwell did own this four acre piece but in that year he sold it to John White (Bk 48: 605). It was sold to Aaron Brooks in 1750 (Bk 55: 173). In any case, it did not abut the Concord/Lexington line. In 1743, it was described as bounded on the north by Hartwell and on the east, south, and west by the heirs of Benjamin Whittemore (the Aaron Brooks farm).

<sup>19</sup>Bks 271: 398-400 and 439: 328-30. See the diagram on p. 10.

<sup>20</sup>Bk 280: 91.

<sup>21</sup>This is the 19th century boundary wall between the part of the Center Pasture sold to George Hartwell and the part that George Nelson kept.

Nelson's land.<sup>22</sup> This southwest line along Nelson's land is only about 6' shorter than the wall that ran southwestward along the western boundary of the Center Lot in 1827. This wall can, therefore, with a fair degree of certainty be traced back to 1827 and most likely to 1818 as well. It is probably the 18th century boundary between Josiah's land and Hartwell's land along this line. In the absence of any evidence that the boundary between Josiah's and Hartwell's land changed during the latter part of the 18th century, it probably is a part of the Concord/Lexington line.

After running southwestward along Hartwell's land the boundary of the Center Lot in 1818 ran southeastward by the land of Joshua Nelson and a wall to a runway. In 1818 Joshua's 20 acres was bounded on the northeast by Josiah's Center Lot and the land of Samuel Hartwell with a wall running along the entire boundary.<sup>23</sup> The wall between Hartwell's land and the western part of Joshua's 20 acres is probably the wall that runs westerly along the southern end of L-217. This wall, like the one that runs southwestward between part of L-217 and L-220, is probably part of the 18th century boundary between Hartwell's and Nelson's lands and therefore a part of the Concord/Lexington line.

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<sup>22</sup>Francis B. Sargent to Henry Hartman (M: 6699: 368-9).

<sup>23</sup>M: 439: 328-30.

Pages Misnumbered There is no  
Page 10 but no pages are missing.

Conclusion:

On the basis of the evidence in the deeds and in the 1844 plan, I believe that the Concord/Lexington line south of the road run southwesterly through the middle of L-316,<sup>24</sup> then run southeasterly across the northeastern corner of L-317,<sup>25</sup> and then southwesterly and westerly along the wall that runs between the northern part of L-317 and L-320 to where it meets the wall that runs southwesterly between L-312 and L-320.

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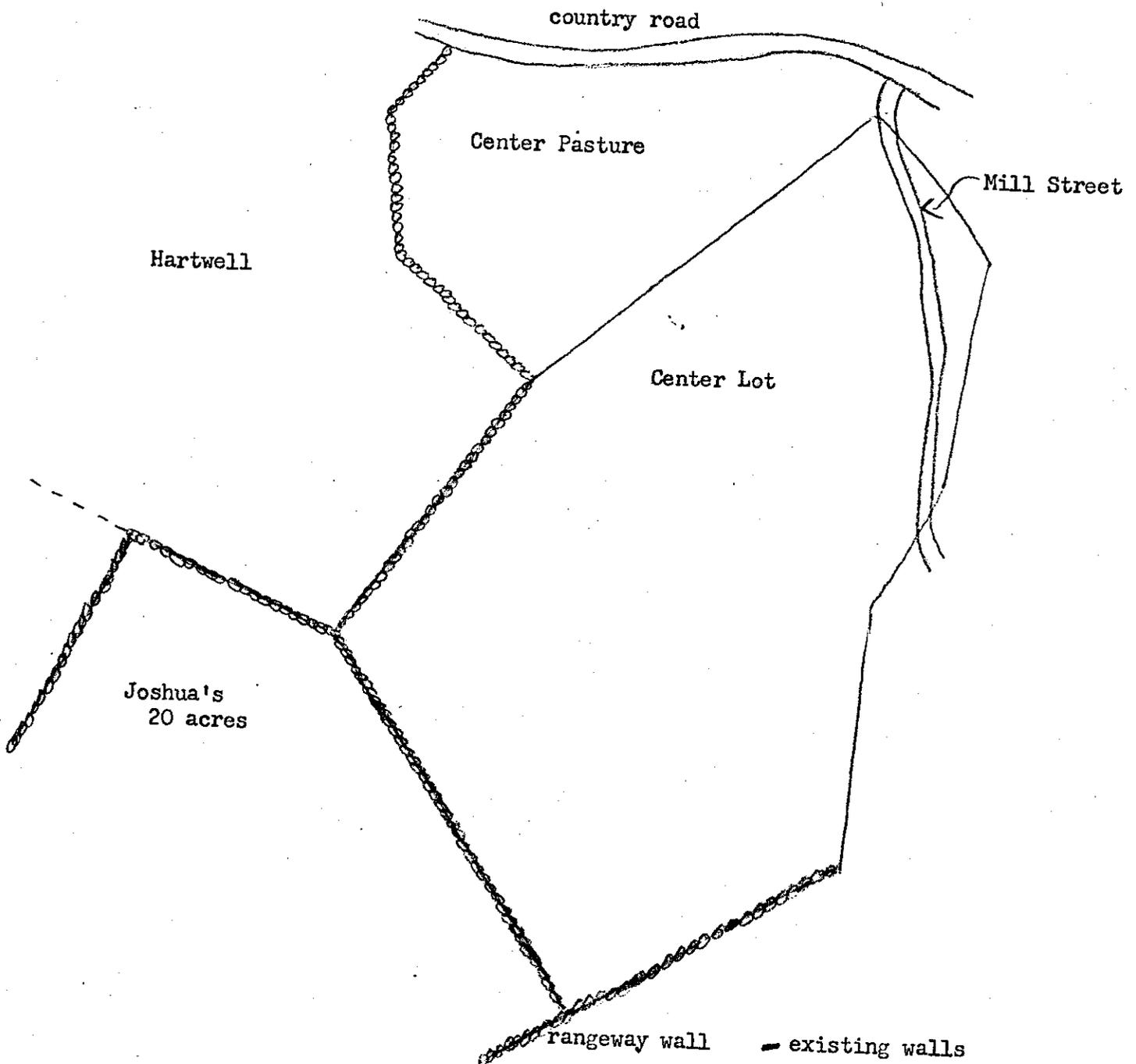
24

Beginning just about opposite the wall that marks the Concord/Lexington line (between L-12 and L-13) on the north side of the road. Josiah's half acre orchard was part of a 3 or 4 acre piece, the larger part of which was on the north side of the road. Both pieces abutted the line on the west.

25

It probably ran southeasterly to where the wall that runs southerly between the northern part of L-317 and L-320 meets the wall that runs southwesterly between L-317 and L-320.

Diagram of 19th century boundaries  
between Hartwell's land and Josiah  
Nelson's heirs' land.<sup>1</sup>



<sup>1</sup>Sources: Bks 439: 328-30, 271: 398-400, 275: 135-7, 280: 91 and  
459: 549 and the 1827 and 1844 plans by Cyrus Hubbard in the  
Nelson papers.

