

The Atwood Log

The Quarterly Newsletter of The Chatham Historical Society



Many activities keep the Atwood House Museum a busy place at all times of the year



From the Director/Curator

A Word about Acculturation...

As work on the China Trade exhibit proceeds, it might be well to touch on one of the prominent themes introduced in this exhibition. Acculturation, or the change that occurs when one group of people encounter the culture of another, is a particularly fascinating concept with regard to western trade with China.

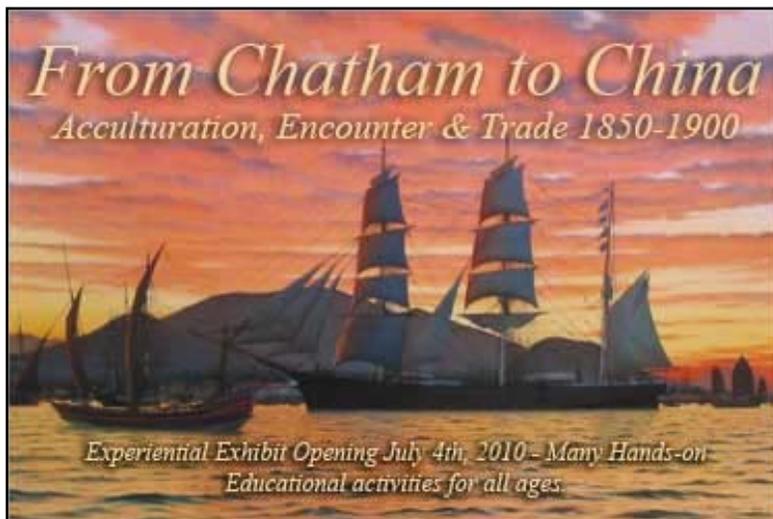
When we speak of the Far East and the West, a polarized contrast in cultures is envisaged, each continent and society representing diametric opposites in terms of social customs, politics, religion, and culture. However, upon closer scrutiny, and if we deconstruct social and cultural stereotyping, we see more similarities than differences between East and West.

Both England (and Europe for that matter) and China before modern times had feudal societies. English nobles and Oriental shoguns provided military protection and governance over their respective serfs or peasants in a largely agrarian society. In both cultures, peasants were forced off their land - due to Enclosure in England, and higher taxes in China. Trade with foreign nations was reserved for nobility on both continents, and was furthermore seen as a token of homage to or respect for a foreign power - not as a necessary exchange of commodities to insure a nation's economic well-being. Importantly, both China and England saw themselves as the 'center of the world' at one time or another - not requiring influence or importation of foreign ideologies. England went out of her way during the 16th century to remain independent from the European despotism of unjust kings.

Chinese nobles looked down on merchants and trade with profound repugnance, seeing this as a very ignoble profession and worthy of disdain. Interestingly, in England during the 16th century trade was not so much impugned as it was reserved for the gentry and the crown - thus underscoring and galvanizing economic and social stratification in English society. Being inherently and ineluctably hierarchical in nature, England offered little hope for economic gain for those born into a lesser class - enter European expansionism and the great age of British Imperialism! Colonial America offered the only hope of social and economic mobility.

Interestingly, trade with the west would also transform Chinese culture and society to allow the much maligned merchants to rise to a position of social and economic status, never dreamed possible before the strange looking ships from the west began anchoring in Chinese ports. As with England and America, economic gain facilitated social mobility, and an escape from the rigid and oppressive class structure extant in both societies. Merchants would never be royalty in England or China; however, through successful commerce they would at least enjoy material rewards and some political influence. Today economic indicators forecast a China that will rival the economic might of the West - so it would seem the ideological seeds, planted during the China Trade of the 19th century by Americans and others, have yielded some interesting results with respect to the global economy of the 21st century.

Mark Wilkins
Director/Curator



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Captain Atwood's "Mansion"

Today, when we tour the Chatham Historical Society's treasure, The Atwood House, it is unlikely that we would describe this seemingly modest "cape" as a mansion. Yet, in the year 1752 when it was built by Captain Joseph Atwood, it was no doubt, far and away, the finest house for many miles and its popular description would be that of a mansion.

This year as we embark on a house reconstruction and refurbishing project, we begin to understand what made this house one of note in its time and place.

To begin, it is an unusually large "full" cape. That is, it has a main entrance centered between two windows on either side, and then it has an unusual gambrel-style roof. Could Captain Atwood have been influenced by architecture he observed on his voyages to Amsterdam and other ports? The house has a large, south-facing parlor with a fine hospitality cupboard known as a "beaufat" next to the fireplace. This cupboard would have displayed the best china along with decanters of wine and brandy, plates of fruitcake, cheeses, and dried fruit "at the ready" for offering to important visitors.

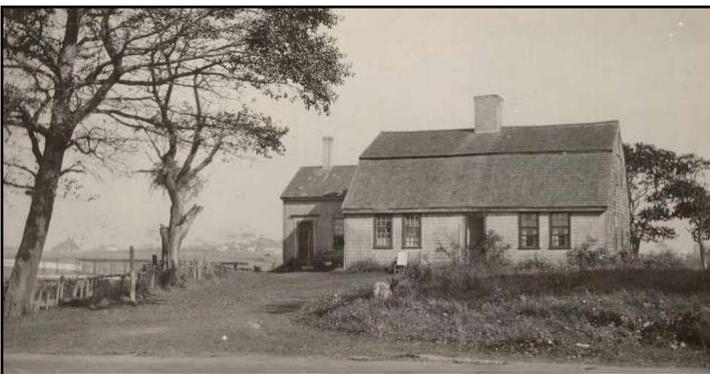
There is a smaller parlor facing northwest with a nicely scaled corner cupboard used for the display of decorative objects. It is likely this parlor was originally a bedroom or fashionable bed-sitting room. Today it is used to exhibit early Victorian-period pieces and various artifacts to show the way it might have evolved when the Atwood family was in residence.

Upstairs we find what would be referred to now as the "master suite". It is a large private bedroom with a fireplace, built-in decorative cupboard, and a spacious wardrobe closet - surely a luxury in the year 1752. Reached by a narrow staircase, this room is not often open to visitors.

Are the many fine details of this 258 year-old house clues to the discriminating taste of this successful sea captain and leading early Chatham resident - born a British subject, fought on the side of the Colonists in the Revolutionary War, and died a citizen of the new republic? We cannot know with certainty, but the signs are there; when the Museum reopens this season you will notice some decorative changes that show what might have been.

Based on our research, we look forward to sharing with our members and visitors, this 2010 interpretation of the Atwood House.

Mary Ann Fritsch, Chair
Galleries and Display



Early photo of the Atwood House when "Atwood Street" was still a dirt road.



Another view of the Old House from the first half of the twentieth century

Margery's Kitchen Experiences a "Makeover" And Provides an Introduction to Tours of the Old House

In the year 1833 Miss Margery Smith married a grandson of Captain Joseph Atwood, the widower John Atwood. Supposedly, John had promised Margery a brand new house if she would become his wife. After the wedding, as the story continues, Margery reminded John of his promise and was told - "that was just courtin' talk!"

The same year in which they were married John did build a small "el-shaped" room onto the house. It became known as Margery's kitchen where she reportedly lived after John's death in 1864, until her own death in 1888.

This year, in addition to a photo-portrait of Margery and telling her story, we will display an Atwood Family Tree, a map tracking a voyage made by the first Captain Joseph Atwood, a portrait of another grandson, and various artifacts.

As you tour the house, you will find portraits of family members named in the Tree and even learn where they lived on "Atwood Street", now known as Stage Harbor Road. We hope this interpretation will show the house in a new light, by introducing members of the family who lived there and nearby.

Mary Ann Fritsch



Margery's Kitchen as displayed to visitors in the 1970s

From the Archives: Deeds

Among the many documents in the archival collections of the Historical Society are deeds that pertain to the exchange of property between two parties. At this time, the catalog identifies which of the deeds are original and those that are transcriptions and/or photocopies. Some of the deeds are very old and have been digitized, so that the patron of the archives may study them without the deeds being handled. It is important to note that our collection of deeds represents only those that have been donated to the Society and does not reflect a complete collection of all the transactions within Chatham over the time since its settlement. We are happy that we have as many original deeds as we do and they can be very helpful to genealogists as well as those searching the history of their homes. All deeds for which records are available can be viewed on line or in person at the Barnstable County Hall of Records. The archivist is most willing to help patrons or visitors learn how to search this database on line or to explain how to use the books at the Hall of Records.

Definition of a Deed

A deed is a written, signed, usually sealed, legal instrument used to grant a right. Formerly a deed only required a common seal to make it valid. Today deeds require the author's or authors' signature(s) as well as witnesses that attest to the signatures. It confers or transfers interest or right of ownership of an asset from one person(s) to another or others.

General Format of a Deed

Deeds generally follow the same format regardless of the type of deed. Foremost the document must say it is a deed. Included will be the name of the grantor (the person selling the property) and the name of the grantee (the person buying the land). The price paid by the grantee will also be given. Further included will be a description, in the deed, of the area of the land and its dimensions. Older deeds may often include a fence post, a tree, or a rock etc. as points of reference to where the property lines extend. In many instances this makes it difficult for the modern reader to determine where a sideline ends. The deed is generally signed by both parties and there are witnesses' signatures as well. Incorporated in each deed is a reference to the book and page of the record from which this deed was previously recorded. Each deed is dated at the time of signature and most of them will indicate a date the deed was recorded.

Types of Deeds

There are three common types of deeds in use at the present. They are a warranty deed, a bargain and sale deed, and a quit claim deed. *Warranty deeds*, as their name implies, indicate that the grantor gives a warranty of the title for claims against the deed. The warranty may be either of two types: a *special warranty deed* limits the warranty to the title for the time period that the grantor had held the title; a *general warranty deed* grants a warranty for any claims against the deed, regardless of when these claims occurred. A *bargain and sale deed* implies that the grantor has the right to convey title but makes no warranties against any encumbrances against the property. This type of deed is most frequently used by courts, banks, or towns that hold the property by force of law rather than title. A *quitclaim deed* is really not a deed, but it is a document disclaiming the rights of the signers to the property described in the document.

History of Deeds

In medieval England, title to land was conveyed in "fee simple". This was a public ceremony in which the seller and buyer met on the land and the buyer gave the owner a token gift that was

KNOW ALL MEN by these presents that Thomas Parker & Experience His wife of falmouth in ye Country of Barnstable and province of ye Massachusetts Bay in New England (Inholders) Sendeth greting and know yea that Wee the sd Thomas & Experience Parker: Doe for and in Consideration of one Hundred pounds to us in hand paid: Before the Ensealing and Delivery of these presents by Mr. Thomas Doane *of Chatham* in the Conunty and province afore sd Blaksmith Doe therfor and thereof and Every part and percell there of aquit Exonerate and Discharge: unto the sd Thomas Doane his heirs executors and Assigns for Ever all the Certain percel of upland and Medow: Lying in Chatham afore sd (VIZ) our Seventh part of which was Set oute unto us of our: Deed father. Nathaniel Nickersons Land; & Medow: Which is the Southernmost End of What he purchased of Ebynezar Stuart Butted and bounded as Followeth Beginning a heape of Stoons in ye Ground Which is ye West Northerle bounds of John Haws then Ranging Sortherle By sd Range Which was ye oriongall Deede:s: to a stump or tree and then Round*westerle* a Swamp and Medow untill it Coms: into ye Southerle Range thence by sd Range unto the Medow: & By ye Medow Westerle to an oake markt thence Southerle into ye Cove: thence Westerle: onto the Medow yt was Joseph Stuarts Now John Riders: And So Northerle to ye upland: Every Wise as the Bound Stood Between Joseph and Ebnr Stuart untill it Comes onto a heape of Stooene in ye Ditch: which is between the Land of the Widow Hugens & sd Land; as Sloons (Stones) was set by the commity in ye Division: & from thence Ranging Easterle on to the First -*Torn here*-mentioned bounds all sd- (*torn here* -Medow whatsoever Set oute in sd Bounding unto us Wee doe here by fully freely Clearly and Absolutely: Give Grant Bargain Sell Alien Enscoff Convey and Confirm unto him the sd Thomas Doane His Heirs & Assigns Forever: TO HAVE AND TO HOLD possess and Enjoy free and Clear From us our Heirs Executors or Any by or under us or any person or persons whatsoever Chalinging or Laying any Law full Claim or Chaling there to; Any of the primices or any of the appurtunings belonging there unto Declaring: Wee: The subscriber had Good Right Full-Power by our Inheritance to Sell and Dispose of the same and doe hereby our Selves and Heirs Covenant to and with sd Thomas Doane his heirs and Assigns: to Warrant & from time to time to Defend the Same I(n) witness here off Wee have here unto Set our hand and Seale this Tenth Day of July anno ye Domi: 1739 And in the thirteenth year of His Majestys Reign: King George Second.

Signed Sealed and
Delivered in presence

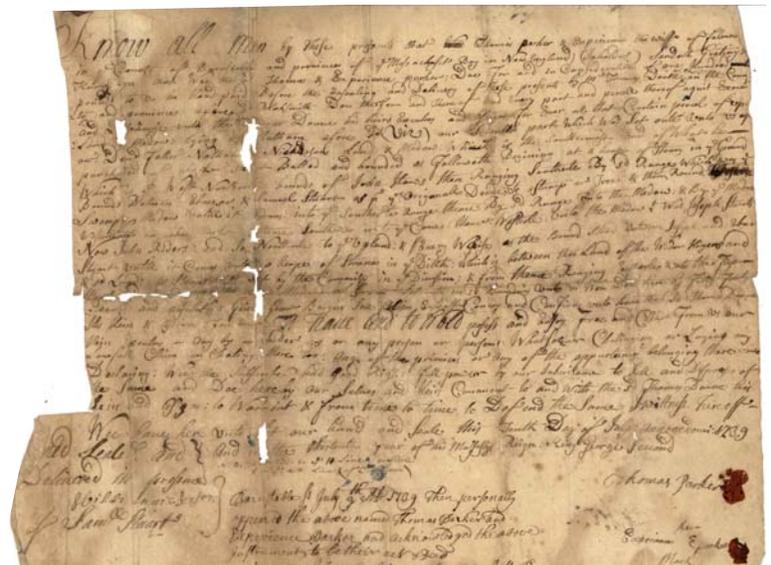
(signed Thomas Parker
Experience (her mark) Parker

Of Hibbs m nicerson
Sam II Stuart

Barnstable SS July the 9th AD 1739 Then personally appeared the above named Thomas Parker and Experience Parker and acknowledged the above Instrument to be their Act & Deed before me Silvanus Bourn Just Peace

(Recorded on the outside) Re'd October 18th 1749 And in accordingly Recorded In the Twenty first Book foli (212 or 272) per me Solomon Otis Regr

Doane property deed; above - transliteration of the deed, below - original deed



symbolic of the land. This gift might be a handful of dirt or some twigs, etc. At the same time the parties made an oral statement about transferring the land. No document changed hands.

In 1535, a statute was passed in England that created an alternative form of indicating that a sale had taken place. This was called the bargain and sale, in which the seller, called the "bargainer," agreed to deliver the land to the buyer, called the "bargainee". This statute provided that any document recording this action indicated the passing of the "title". Thus this transaction could take place anywhere the two parties wished to meet and it was not necessary to travel to the land itself.

Another type of sale used in England was called the “grant.” It was used to convey future interest in the land, not current ownership. This form of conveyance was called a “lease and release.” Two agreements were required. First a bargain and sale contract was executed by the seller to convey a lease on the land. The seller then separately executed a release to grant the land to the buyer who was now his tenant. The effect was to transfer title to the buyer, since he now owned both the current and future interests in the land. This form of transfer of land was heavily used in England by aristocratic families in dividing up their ancestral estates.

Deeds in Colonial America

In the American colonies, deeds for land were made in the forms described above; however, the specific method used for the conveyance was less important in America than in England. One of the important principles in American land sales was that the deed should be recorded publicly. The difference was that the document recorded is a deed, not a memorandum of a transfer or an agreement for a transfer. The deed actively passed title to the buyer but the transaction was not preserved as evidence until it had been recorded.

In Plymouth, Massachusetts, lots were temporarily assigned to the settlers from the land that was held in common. By 1623, that system was abandoned and the land was divided among the original settlers. Plymouth Colony, however, wanted to keep out unwanted immigrants as well as to keep the village land improved. To insure that these goals were carried out, many settlements had rules requiring that anyone wishing to sell a piece of property must first offer it back to the town, and no stranger could buy the land without the town’s consent. In April of 1634, Massachusetts Bay Colony passed an ordinance that the constable and four residents were to be chosen to make a survey of houses and land and these records were to be entered into a book. The record was to include the bounds and quantities of land held by each household. These records would then establish the ownership and rights of the land owner. In 1640, the General court passed an ordinance that is very similar to our present day laws related to deeds. Under the law, deeds had to be made without use of force applied to the grantor and they had to be recorded. The record did not have to include the entire bargaining sale, though it had to contain the names of the grantor and grantee, as well as the thing granted, along with the date. All entries had to be certified. (As an aside, many of the deeds registered with the Barnstable Hall of Records also contain an affidavit by the spouse of the seller, indicating that he/she had signed the deed of his/her own free will.) This law minus the provision of not requiring the full deed to be recorded was substantially unchanged until the new legislation of 1902. It would appear in the history of deeds in America, that the Massachusetts 1648 law with the requirement for recording the transfer of property was the first colony to have this requirement.¹

Genealogists and Deeds

A basic understanding of the following terms will help the genealogist in his/her search of deeds to learn about the family history. Some of the important ones are:

Fee simple: This is an interest that potentially lasts forever. It

was basically unrestricted in that the owner could do as he wished with land. This is generally seen when the interest is passed to the heirs of the land owner.

Fee tail: This is an interest in the property held by a person and his lineal descendants. It could only last as long as his lineal descendants survived.

Life estate: A life estate lasts only as long as a particular person lives, then the land reverts to the original owner or his heirs.

Term of years: Basically a lease. Leases usually used verbs in the granting clause like “demise” or “lease” instead of the language denoting an outright sale. The length of time could be specified or an undetermined period like a lifetime or “at will”. The reader must look at the older deeds carefully because sometimes they looked similar to a sale of land deed.²

Warranty Deed: The deed must contain the words “conveys and warrants”. Seller conveys to the buyer that the grantor is the lawful owner of the property at the time the deed is made and delivered and that the grantor has the right to convey the property; the property is free of all encumbrances or liens; and that the grantor warrants that he or she will defend title to the estate so that the grantee and his heirs may enjoy possession of the land and may convey the property.

Quitclaim Deed: This type of deed conveys to the grantee and his heirs and assigns in fee all of the legal or equitable rights the grantor has in the property that existed at the time of the sale. There are no warranties of the title. An example of the use of this type of deed can be to clean up the property title to land inherited by a group of relatives. The relatives may choose to deed the land to one of the group for a token fee, thus clearing the property for an easier sale at a later date.

Grantor: the person who owns the property

Grantee: the person who receives title to property

Consideration: the value given to the grantor by the grantee in exchange for the sale

Legal description: the definition of the property being conveyed

Life estate: The person owns all the benefits of ownership in the property during their life, or the life of another, with property going to a remainder person, after the death of the life tenant.

Tenants in common: Two or more people (co-tenants) who take title to the property and intend their share in the property to be separate from the other on death.

Joint Tenants with Rights of survivorship: Two or more people take title to property and they want the entire ownership to go to the survivor instead of to the heirs of the deceased. For example, this allows a spouse to inherit the property without having to split the property with children.

Execution: A deed must be in writing and signed by the grantor(s). Generally, deeds conveying a homestead estate must also be signed by the grantor’s spouse.

Recording or filing place: Generally deeds are recorded in the county in which the real estate is located.³

Individuals interested in viewing deeds held in the Society’s collection are welcome to do so. The Archives are open by

Continued on next page

¹ Paper presented by Joseph H. Beale Jr. Professor of law at Harvard University. Reprinted from the Green Bag Vol.XIX page 330. (<http://books.google.com/books>)

² Bob’s Genealogy Filing Cabinet II. Some Things Every Genealogist Should Know About Deeds. (<http://webcache.googleusercontent.com/search?q=cache:61ssfaRjIjI:www.genfiles.com/leg>)

³ Massachusetts Deed Laws- State Deed Law – Deeds <http://deeds.uslegal.com/state-deed-laws/massachusetts-deeds-law/>

Join Us !

Chatham Historical Society members receive free admission to The Atwood House Museum, 10% off Museum Shop purchases, and a complimentary subscription to our newsletter. Our members play a vital role in helping to preserve the rich history and culture of Chatham and the surrounding region. Many members cherish volunteer opportunities at the Museum

Membership Categories

___ Captain Atwood Circle	\$1000
___ Heritage Society	500
___ Discoverer	250
___ Explorer	100
___ Family	50
___ Individual	25
___ Student Historian (to age 18)	10

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Name _____

Address _____

Phone _____ Email _____

Method of Payment

Check Visa MasterCard

Credit Card # _____ Exp. date _____

Signature _____

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Chatham MA 02633**

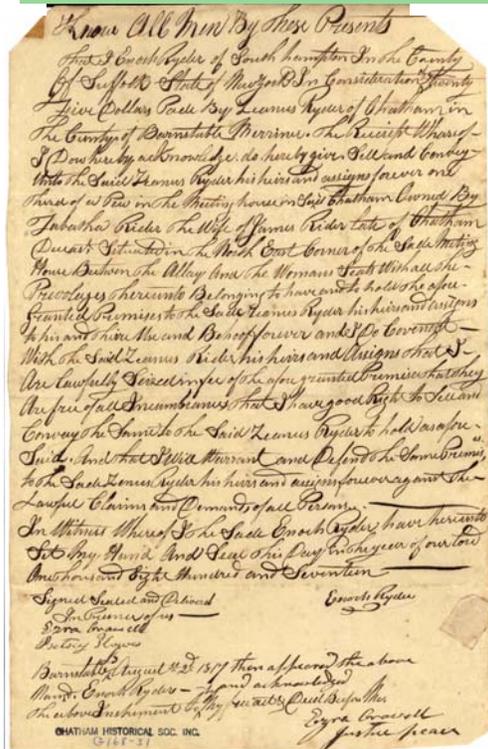
If you have allowed your membership to lapse, please consider renewal now. If you are an active member perhaps you can think of someone to pass this along to who might be interested in becoming a member.

Continued from Page 5

appointment on Tuesday and Thursday (or by special arrangement at other times). Often the deeds can provide insight for the individual researching the history of his house and of course information can be found that relates to family histories as well.

Know all Men by these Presents that I Enoch Ryder of South Hampton in the County of Suffolk State of New York in consideration of twenty five dollars paid by Zeanus Ryder of Chatham in the County of Barnstable, merriner. The Receipt whereof I dow hereby acknowledge .do hereby give. Sell and Convey unto the Said Zeanus Ryder his heirs and assigns forever one third of a Pew in the Meeting house in Said Chatham Owned By Tabatha Rider the wife of James Rider late of Chatham deceast Situated in the North East Corner of the South Meeting House Between the Allay and the Womans Seats with all the privileges thereunto Belonging to have and to hold the aforementioned Premises to the Said Zeanus Ryder his heirs and assigns to him and whoeve else and Behoof forever and I do Covenant with the Said Zeanus Ryder his heirs and Assigns that I are Lawfully seized of the afore said are free of all incumbres that I have good Right to Sell and Convey the Same to the Said Zeanus Ryder to hold as aforesaid. And that I will warrant and defend the same premis, to the Said Zeanus Ryder his hiers and assigns forever against the lawful claims and Demand of all Person. In Witness Whereof to the Said Enoch Ryder have here unto Set My Hand and Seal of the Day in the year of our Lord one Thousand Eight Hundred and Seventeen. Enoch Ryder Signed Sealed and Delivered
In Presence of us
Ezra Crowell
Betsey Howes
Barnstable August 2, 1817 then appeared the above Married Enoch Ryder and acknowledged the above instrument to my free act and Deed before Me
Ezra Crowell Justice Peace

Ryder pew deed: above - its transliteration, below - the original deed



Children's Summer Programs

Keep in mind our eight week series of Monday programs for children ages 6 to 12 when you are planning activities for visiting friends and relatives. The topics studied this summer will range from Cod fish and cod fishing, to the China Trade, to the study of oysters.

Sessions incorporate tours of related areas of the museum, craft activities, games, some cooking demonstrations, and also eating the results of the cooking.

This is the fifth year we have

Volunteers are always needed

Many of you have responded to the letter asking for docents and shop volunteers for the museum season. Additional volunteers are always welcome to work in the archives at any time of year. Help with other tasks such as assistance with preparing mailings is also needed throughout the year. Those planning special events such as the Antique Show and Sale would also welcome additional volunteers.

If you are interested and willing to participate in the life of the Museum in any of these ways, please contact the museum office by mail (P.O. Box 709, Chatham, MA 02633), by phone (508-945-2493), or by email (mmartin@chathamhistorical.org).

We look forward to your participation,

Margaret Martin
Administrator

SAVE THE DATE

*The Chatham Historical Society's
Annual Summer Celebration*

AN EVENING TO REMEMBER

Saturday, July 17, 2010

5:00 to 7:00

Cocktails, Hors d'oeuvres, and Music

Please join us as we present our first annual
"Bringing History to Life" award to an individual
who has made a significant contribution to present
and future generations.

INVITATION TO FOLLOW

Shop Talk

Change is in the air!! When you enter the museum this summer, you will immediately notice change.

Wanting to make the museum hostess more visible to our visitors, the book area of the shop has been relocated. Under the careful guidance of Dot Gross, a wonderful floor plan was designed. We have followed the structural theme of the existing shop and created cabinets, bookcases and slatwall areas on the opposite side of the shop. The carpentry work has been completed, and it looks wonderful! Painting will follow soon. You will immediately notice a more open and expansive hostess and shop area. Of special interest to the shop volunteers - we have added a foot to the counter and a cabinet space to store purses and personal items while on duty! Yeah!

Along with the shop renovations, Dot and I have been busy exploring merchandise possibilities to compliment our exciting new exhibit "China Trade". You can expect to see, along with long time favorites, items reflecting the Orient. Jewelry, porcelains, books, and silks will be joined by a wonderful large red dragon puppet.

Sadly, the shop has lost two very special volunteers this winter. Peg Brown and Deb Skinner made such wonderful contributions to our shop. They will be missed. Our thoughts are with their families and friends.

Looking forward to our new season,

Barbara Newberry
Gift Shop Manager



*Construction work by Peter Johnson goes forward
for the rearranged book corner in the shop.*

Mission Statement

The mission of the Chatham Historical Society is to collect, preserve, exhibit and interpret art, decorative arts, artifacts, archives, and places of historical interest relating to the history of Chatham and vicinity; and in so doing provide a record of the cultures and the people of our past and thereby inform and educate succeeding generations.

347 Stage Harbor Road
PO Box 709
Chatham, MA 02633

On the Web: www.chathamhistoricalsociety.org

Mark Your Calendars

Coming up at The Chatham Historical Society & Atwood House Museum

Afternoons at the Atwood Lecture Series

2 pm at Chatham Community Center, 709 Main Street, Chatham, MA 02633

Sunday, May 16, 2010

Speaker: Mark C. Wilkins, Chatham Historical Society
Director/Curator “Chatham to China”

Other Events

May is Preservation Month

Saturday, May 15, 2010

Preservation House Tour 2:00 to 4:00 pm, tickets \$10

Saturday July 17, 2010

Annual Summer Celebration - details to come

Annual Meeting of Members

Sunday, August 15, 2010

**2pm at Chatham Community Center, 709 Main Street,
Chatham, MA 02633**

Speaker to be announced

