

HISTORY OF AN OLD HALIFAX HOUSE

ADDRESS TO THE HALIFAX HISTORICAL SOCIETY IN JUNE 2017

ARTHUR H COPELAND, JR



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This is a transcript of a talk given to the Annual Meeting of the Halifax Historical Society in 2017 by Art Copeland about his house on Hanson Road in Halifax, Vermont. Kristine Sweeter, the Head Librarian of the Whitingham Free Public Library in Jacksonville (VT) ran the slide projector.

Good evening. Thank you all for coming. I also want to thank Kristine Sweeter for bringing and running the projector tonight. She is the head librarian of the Whitingham Free Public Library in Jacksonville. Let me remind you that you are all welcome to use that library. It offers a wonderful collection of services.

I want to tell you about all the owners of my house and land here in Halifax. That takes only a moment.

Figure 1 Owners & dates.

George II	1727
Samuel Brown	1750
George III	1760
Preserved Gardner	until 1784
David Morton	until 1787
Joel Hall	1784, 1787
Loton Hall	1805
Elliot Higley	1837
Bradley Houghton	1858
George Higley	1859
Luther Adams	1868
Jamaica Savings (Inc)	1903
C F Clark	1904
Nettie Goddard	1907
Katie & John Colby	1913
Adolf & Kristina Westerlund	1918
E Warren Swain	1951
Gerald & Marie Howatt	1954
Lynda & Art Copeland	1959

I left out the Abenaki, and there is a little weirdness about the Georges and Sam Brown. But this chart you are looking at only leads me to the main topic, which is how any one of you can do the same for the house in which you are living. One needs a starting point, and in my case, that was our deed. It has a clue in it.

ARTHUR E. AND LINDA F. SWAIN

KNOW ALL MEN BY THESE PRESENTS THAT we, Gerald and Marie Swain, husband and wife, of the County of Halifax and State of New York and other valuable considerations, in the consideration of one Arthur E. and Linda F. Swain, husband and wife, of the County of Halifax and State of New York, who have conveyed to us the premises hereinafter described, do hereby certify that we are the sole owners of the premises hereinafter described, and we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatsoever.

Beginning at the northwesterly corner of the parcel hereby conveyed and extending easterly along the westerly side of the road leading to the building; thence southerly to the center of said road approximately 2,000 feet to a corner in the center of said road; thence southerly along the center of said road to the center of the westerly side of the road approximately 2,000 feet to a corner in the center of the westerly side of the road; thence southerly along the center of said road to the center of the westerly side of the road approximately 2,000 feet to the place of beginning; together with buildings standing thereon, being formerly known as the Westwood House, or the former latter name.

Also another place or parcel of land situated opposite and easterly across said highway from the parcel above described, the northerly boundary across said highway and running easterly in a straight line for a distance of 200 feet; thence turning and running southerly in a straight line for a distance of 200 feet to a point in the center of said highway; thence southerly along said highway approximately 200 feet to the place of beginning; said parcel being bounded on the north, east, and south by remaining land of the Swain family. Also including any portion of the highway lying between said two described parcels which may be owned by the Swain family.

Meaning and intending to convey hereby all and the same land and premises as were deeded to the Swain family by deed of E. Warren Swain said deed dated May 4, 1954 and recorded in Book 24, Page 589 of the Halifax Land Records.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28 day of Sept. A. D. 1959.

In Presence of
Alice T. Swain
Barbara L. Swain

Marie Swain (l. s.)
Gerald Swain (l. s.)

STATE OF NEW YORK : ss. At Albany City, N. Y., this 28 day of Sept. A. D. 1959.

Gerald and Marie Swain

personally appeared, and they have acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.

Before me
Notary Public

Marie Swain, Notary Public, State of New York No. 24-123456 qualified in Nassau County New York, filed with Nassau County Register. Term expires March 31, 1962.

Received for record the 28th day of October A. D. 1959 at 4 o'clock and 40 mins. P. M.

Sorry about the blurry picture. Right there in the middle is a little paragraph that provides the needed clue. Here it is, magnified:

Meaning and intending to convey hereby all and the same land and premises as were deeded to the grantors herein by deed of E. Warren Swain said deed dated May 4, 1954 and recorded in Book 24, Page 589 of the Halifax Land Records.

"Meaning and intending Halifax Land Records". Right near the end we have, "Book 24, page 589 of the Halifax Land Records". That's it. One simply goes to the Town Office on a Monday, Tuesday, Friday or Saturday, and asks Patricia Dow if one can examine the Property Records for a while.

Incidentally, our deed says that one starts at the NE corner of the land, follows the boundary wall in a westerly direction until it meets the next boundary, follows that boundary southwards until it meets the next boundary. Then follows that boundary eastward until it meets the road, and then follows the road north to the point of origin. This is called a "Meets-and-Bounds" description. It can be a very simple, clear way of telling what one has. Actually, I gave up on the Swain to Westerlund deed, which was quite convoluted, but a few deeds further back the meets-and-bounds was in simpler words, and I was finally able to work it out.

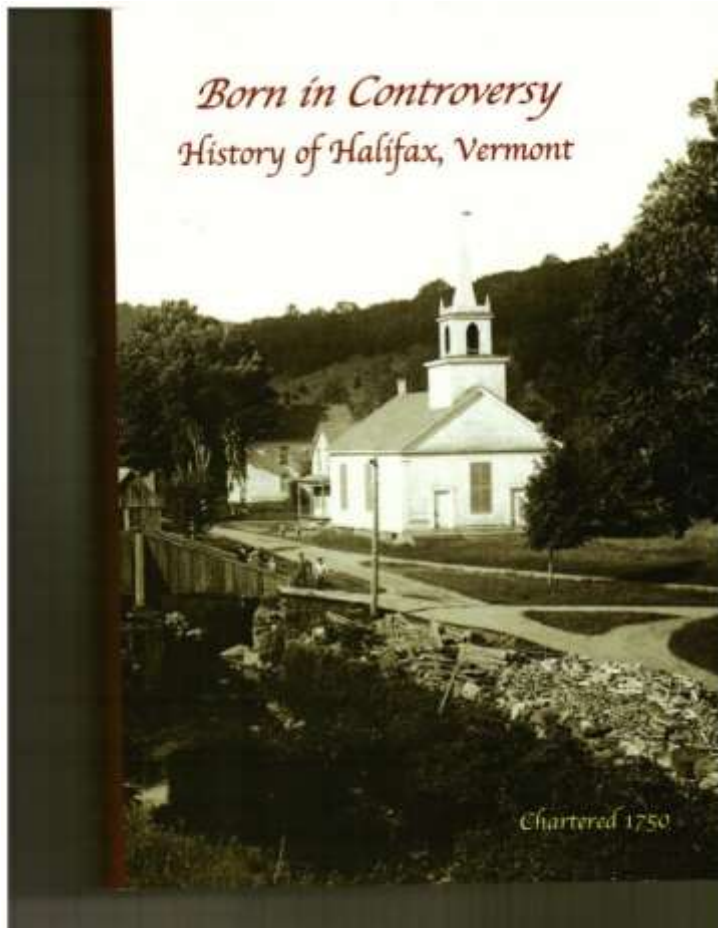
So, I went to the Town Office to look up page 589 in Book 24. Here is how those land records look in the Town Clerk's office.



Page 589 revealed that I should look in Book <blank>, Page 281. I took a chance and looked at Page 281 of the same Book 24. That worked, and that page said to look in Book 20, Page 58-59. And so forth. Luck and guessing played a big role. Clarence Canedy had told me a tragic story about Luther Adam's son, so when I got totally lost in a mortgage foreclosure, I knew that if I could only find Luther Adams, I could go from his deed back in time. Eventually I did. Meanwhile, I had this chain of owners and transfers:

<u>Date</u>	<u>Location</u>	<u>Transaction</u>
19 July 1907	Book 18, p 81	Clark to Nettie Goddard
18 Apr 1912	Book 18, pp 470-3	Nettie Goddard to Katie and John Colby
23 Sep 1918	Book 20, pp 58-9	Vernon Colby to Adolf and Kristina Westerlund
30 June 1951	Book 24, p 281	Adolf Westerlund to E Warren Swain
4 May 1954	Book 24, p 589	E. Warren Swain to Gerald and Marie Howatt
1959	Book 25, p 362	Howatts to Lynda & Arthur Copeland

By the way, Original Lot 58 figures importantly in most of these deeds, as it was a bigger hunk of land that always contained the parcel being conveyed.



At this point, I was tired of chasing deeds, so I turned to the other end, the beginning. While the scheme was still working, I noticed that my land lay in the Original Right 58 (which turned out to be the same thing as Original Lot 58).

This number rang a bell, for I owned and had already read the book, *Born in Controversy: A History of Halifax, Vermont*, from cover to cover.

Born In Controversy talks about the Original 64 Lots or Rights and has an appendix showing that Samuel Brown bought Lot 58. It goes on to tell a strange story of semi-theft and intrigue involving the Royal Governor of the Colony of New Hampshire, Benning Wentworth.

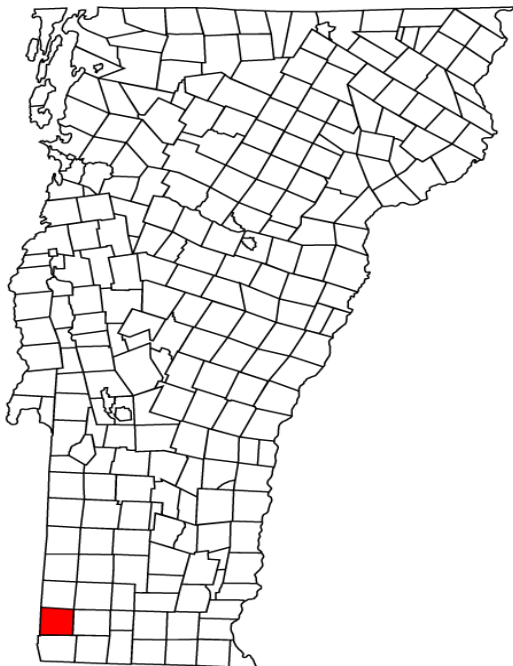
Somewhere he is painted as a handsome young man, and here, as painted by Joseph Blackburn, as a man ... well ... later.

Wentworth noticed that the charters of New Hampshire and New York were a little vague about where one state stopped and the other began. So, he established the town of Bennington. The name was his fun and profit came from selling lots, big ones, in the new town in his colony. George II of England supplied a charter somehow, the lots sold well, and there were no screams of rage from the Governor of the Colony of New York.

That was 1749. Emboldened by his success, he conned George II into a second charter in 1750. George II signed the original charter of Halifax, and you can see a copy of it in the HHS museum. But it was part of a Wentworth scheme to make some money. And so Halifax was born in controversy.

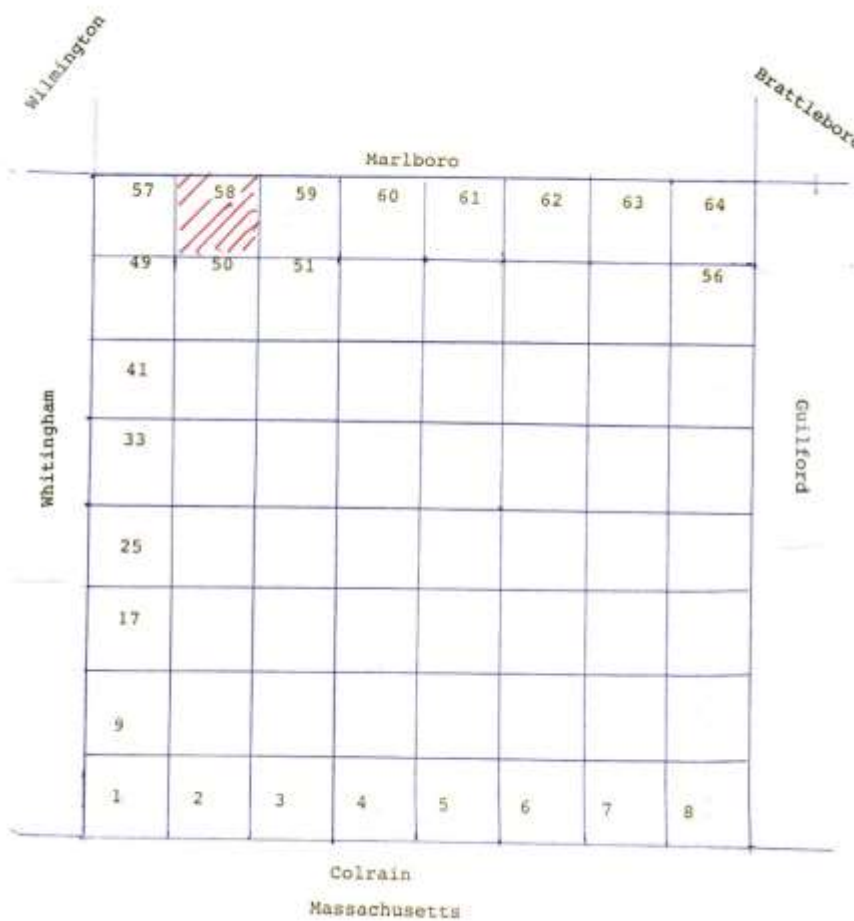


Benning Wentworth - painted by Joseph Blackburn



Bennington – shown in southwestern Vermont





His choice of name, a blatant flattery of Lord Halifax, didn't do much to further the fortunes of the town. However, our wily governor divided the 6-mile x 6-mile area into an 8 x 8 grid and sold most of the resulting Lots as Original Rights. Samuel Brown bought Number 58.

Not much happened until 1760 when George II died and George III took over. Then tragedy struck our town.

Pictured: The Georges

George III revoked the Town Charter. The result was a furor. Not only was George's newly acquired Royal Governor upset, but so were all the other Original Owners. Benning Wentworth had egg on his face (egg not shown).



Of course, a compromise was reached. The owners could keep their land if 50 acres were cleared and someone were living on it. A friend, John Hughes, told me that this led the owners to give 50 acres to anyone who would do the job for them. That probably explains Preserved Gardner. By the way, I believe the name is pronounced “pre-SER-ved”, a perfectly good name in those times, although a pickled gardener always springs to my mind when I read it.

Well, I felt good about this cheery bit of nonsense, and went back to Luther Adams and chasing down deeds.



The first 52 pages of each Book are devoted to a semi-alphabetical index. Each letter has 2 pages devoted to it, and each of these is divided into two columns, headed “Grantor to Grantee” and “Grantee to Grantor”. In the first column of the A’s one finds entries such as, “Arnold, Fred to Smith, Wm., 54”, and in the second column, “Allen, George from Wilson, Peter, 53”. And these are written in the order in which these various folks walked in to the Town Clerk’s office to present their deeds. By brute force and awkwardness, I waded through the middle of the 19th Century until I found in Book 16 that Luther Adams was to be found on Page 192. He had died, and his wife became the executor. This gave me,

<u>Date</u>	<u>Location</u>	<u>Transaction</u>
4 Dec 1805	Book 4, page 109	Joel Hall to Loton Hall
23 Jan 1851	Book 10 page 309	Loton Hall to Elliot Higley
20 Nov 1858	Book 12, page 74	Elliot and Lucinda Higley to Bradley Houghton
1 April 1859	Book 12, page 110	Bradley Houghton and Lucy J. Houghton to George Higley
16 May 1868	Book 13, page 485	George Higley to Luther Adams.
18 Jun 1893	Book 16, page 192	Luther Adams died. Emeline Adams became executrix

Here is a glimpse of Page 309 in Book 10:



But again there was no clue about where to find the Joel Hall deed. Still, I had a name, Joel Hall, and also I noticed a little booklet compiled by Diane Todd that put the first few Books of Records into convenient alphabetical order. I found Joel Hall in the H's, and Diane's annotations told me to look in Book 1, pages 199 and 581.

On 20 December, 1784 (page 199) Joel Hall got 50 acres from Preserved Gardner of Halifax. It is described as being in the south-west corner of Lot No. 58.

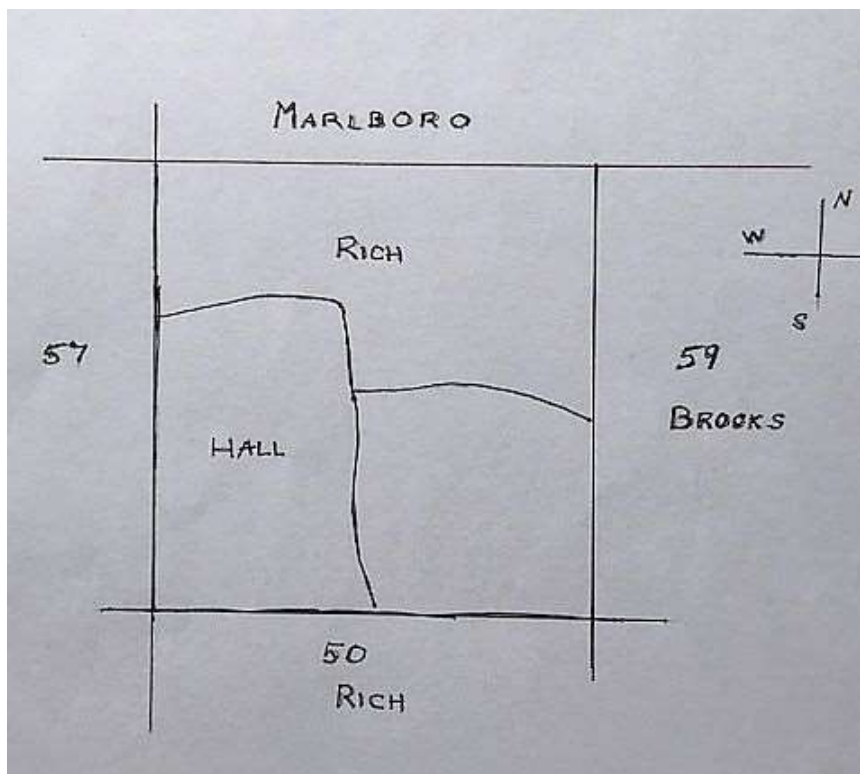
20 Nov 1787, Book 1, page 581. David Morton of Hatfield in the county of Hampshire in the Common Wealth of Massachusetts deeded to Joel Hall 95 acres of land in Original Lot 58. Joel Hall paid forty two pounds ten shillings of Current Money of said Common Wealth.

It is described as being in Lot 58 and bounded on the west by land of Joel Hall, on the east by land of Lemuel Brooks, on the north by land of Jonathan Rich, and on the south by land of Jonathan Rich.

Book 1, page 92: Levi Hall of Halifax, NY sold land in lot 50 to Jonathan Rich.

Book 1, page 290: Levi Hall sold J Rich land in lot 58.

Hall somehow got Gardner's 50 acres, in the southwest corner of Lot 58, and then he bought land that was identified by its surrounding lands. Unhandy, but I looked up Rich and Brooks, just to be sure. This is a rough picture of what emerged:

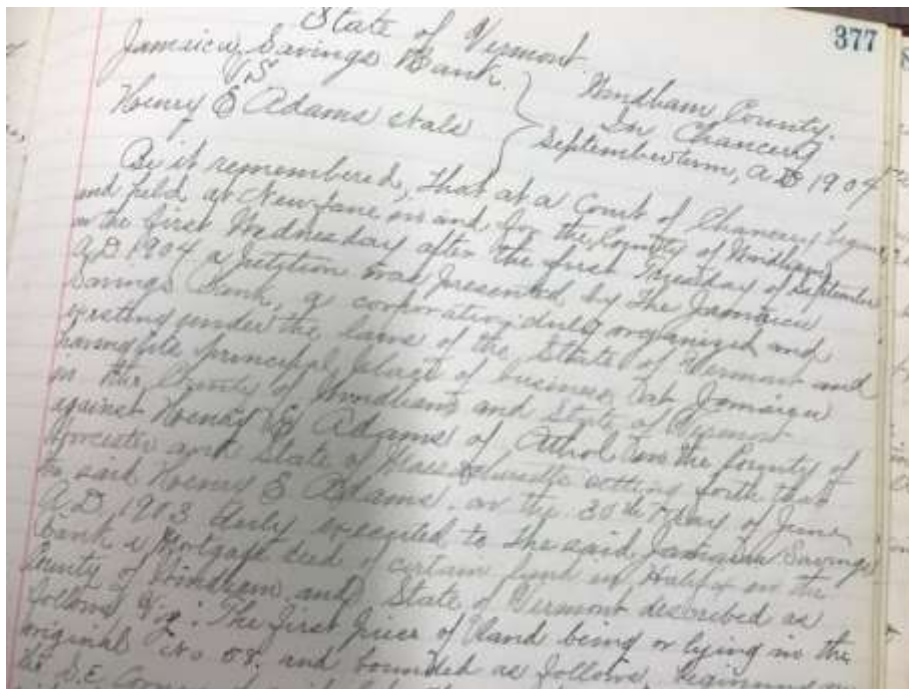


So, Joel Hall had assembled the lower half of Lot 58. This property stayed exactly this size and shape for over a century until Swain bought it along with a lot of other land nearby and started subdividing it all. We have reassembled some of it.

Here, then, is the whole story of the ownership of the land on which our house, 1581 Hanson Road, is built.

20 Dec 1784	Book 1, Page 199	Preserved Gardner to Joel Hall
20 Nov 1787	Book 1, Page 581	David Morton to Joel Hall
4 Dec 1805	Book 4, Page 109	Joel Hall to Loton Hall
23 Jan 1851	Book 10, Page 309	Loton Hall to Elliott Higley
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16 May 1868	Book 13, Page 485	George Higley to Luther Adams
18 Jun 1893	Book 16, Page 192	Luther Adams died. Emeline Adams became executrix
[6] Sep 1904	Book 17, Page 377-8	Jamaica Savings Bank foreclosed Jamaica Savings to C F Clark
19 Jul 1907	Book 18, Page 81	Clark to Nettie Goddard
18 Apr 1912	Book 18, Page 470-3	Nettie Goddard to Katie & John Colby
23 Sep 1918	Book 20, Page 58-9	Vernon Colby to Adolf & Kristina Westerlund
30 Jun 1951	Book 24, Page 281	Adolf Westerlund to E Warren Swain
4 May 1954	Book 24, p 589	E. Warren Swain to Gerald & Marie Howatt
28 Sep 1959	Book 25, p 362	Howatts to Lynda & Arthur Copeland

I even got the foreclosure in there.



Thank you for listening. And thank you, Kristine.
I will be glad to answer questions.

