

## The Lost Customs Records of Colonial Massachusetts

Sandra L. Webber

The disappearance of the Colonial Customs records of Massachusetts has long been lamented by maritime and economic historians. Many people have tried to locate whatever records might have survived from the various Customs districts, primarily those of Boston and Salem. What little has been published on the topic is clouded in myth and conjecture, some of which sounds logical, yet searches have repeatedly ended in frustration. My own interest in the Customs service stems from years of research towards a biography of Boston Customs officer Benjamin Hallowell. A challenge from a maritime history friend brought me to the many questions surrounding the story of the missing Customs records.<sup>1</sup> Although definitive answers remain elusive, retracing and weaving together what is known about the early events and the subsequent searches, while presenting new evidence, reveals the probable fate of these records.

---

Although scattered Naval Office Returns, Admiralty Court records, newspapers, and shipping insurance papers survive in America and London, they are only fragments of the larger story of maritime Massachusetts. Boston and Salem were the busiest ports in the Province during the years just prior to the Revolution, and Boston had been the center of British Customs for New England since the late seventeenth century. After the arrival of the five-man American Board of Customs Commissioners in 1767, the town also became the supervisory center for all British North American Customs operations. It had been hoped that having a Board in the colonies would alleviate problems for both merchants and Customs officers, who previously had to channel their complaints through London. The Port Books kept by Custom House officers recorded shipping entrances and clearances, destination points, vessel name, rig type and tonnage, master, owners, and cargoes. Port records were also kept by Naval Officers, direct appointees of Colonial governments, including those residing at several ports in Massachusetts. The Customs information was tracked in order to charge the appropriate duties and bonds under the British Navigation Laws, and to collect the fees that supplemented the officers' salaries. The Commissioners and their staff oversaw all North American Customs officers, and collated and summarized their records, including the collected revenues. As

such, the early Custom House Port Books, as well as the Commissioners' Records, would be an unparalleled resource... if they still existed and could be found.

The story of the disappearance of the Massachusetts Customs Records is traditionally associated with the Evacuation of Boston in March 1776, when the British Army and Navy suddenly withdrew from the harbor. Lord Germain's order to evacuate had arrived in December 1775, too late to implement, so despite food and fuel shortages the British troops wintered in place. General William Howe had also delayed leaving Boston due to insufficient transports, so he began detaining incoming cargo vessels, knowing he would need to remove the besieged Loyalists along with his troops. Although the evacuation was being planned in February 1776, once the rebellious Americans took over Dorchester Heights on March 4, and bad weather intervened, negotiations followed to allow the British departure.<sup>2</sup> During the chaos of the embarkation, which began in earnest on March 10, military supplies and many already packed personal belongings had to be left behind to afford space for 12,000 British troops and over 1100 fleeing civilians, including many Customs employees and their families.<sup>3</sup> Transports had to be quickly loaded with passengers and moved away from the wharves, to gather in the lower harbor among the British Navy escort ships. The first clue in the story comes from an original 1776 Loyalist witness, writing thirty-five years after the fact.<sup>4</sup> Speculation on the whereabouts of the Customs records depended to some extent on the presumed veracity of this correspondence.

In 1811, George W. Murray of New York contacted Edward Winslow in New Brunswick, seeking information about two volumes missing from the Suffolk County Register of Deeds. Rumor alleged that two books marked "Suffolk", found by the family of Samuel Fitch,<sup>5</sup> had supposedly been given to someone to return to Boston. One assumes Murray had a direct real estate interest in locating these volumes. In his response, Winslow stated that in 1776 he was Register of Probate for Suffolk County, as well as Boston's Acting Collector of Customs.<sup>6</sup> During the Evacuation British troops were looting supplies under command, but were also damaging and stealing property as they departed, despite a death penalty warning from General Howe. Witnessing the mayhem, Winslow stated that he feared for the safety of the Government records. The previous night the Custom House had been occupied as a military guard room, so he considered the Customs records to be especially vulnerable. The Boston Custom House at this time stood several doors down from the east end of the Town (Old State) House on King (State) Street, which ran in a direct line to Long Wharf, Boston's principle deep-water dock. Having a party of men at his command<sup>7</sup>, Winslow stated that he "found means to pack up and place on board a transport, the Probate Records, the Registry of Deeds, and the Custom House books."

When the Boston refugees arrived at Halifax, Winslow reported that he applied to the Nova Scotia Governor to store the documents, and a place was found in the Surrogate's Office, under the care of Surrogate General Mr. Morris.<sup>8</sup> Winslow stated that the packages of "books and papers" arrived in good condition, and that Foster Hutchinson, Suffolk County Probate Judge, would have access to them as needed.<sup>9</sup> Edward Winslow left in June with William Howe's army, to work with Loyalist forces in New York, but Foster Hutchinson planned to remain in Halifax. After the organization of the new Massachusetts Government, several approaches were supposedly made to Hutchinson for the return of the records; however the exchange had to wait until after the peace treaty. According to Murray, the Probate and Deeds records had been housed together in Boston, and that the Probate records were returned first, followed by the Deeds Books. In answer to Murray's original question, Winslow said he doubted Samuel Fitch would have encumbered himself during the Evacuation with any large folio volumes of public records, especially books unrelated to his office.<sup>10</sup>

However, parts of Winslow's account have proven to be confused and misleading, not surprising in the chaos of the Evacuation, or in trying to recall details so many years later. In early 1776 the Suffolk County Probate Records were under Foster Hutchinson's direct care, housed either at the 1754 brick Court House on Queen (Court) Street, or possibly in the Hutchinson family's North End mansion. Hutchinson claimed General Howe ordered him to place the Probate records on board a transport during the Evacuation, and he was indeed in charge of the records at Halifax. In December 1777, the Massachusetts Council ordered Judge Thomas Cushing to write to Foster Hutchinson, demanding that he deliver the papers to John Brown, Commander of the cartel brig *Favourite*. However, Hutchinson refused to acknowledge the request, considering himself the rightful Probate Judge of Suffolk County for the duration of the war. Despite this, he did agree to make attested copies of individual probate files on request. It would be May 1784 before Benjamin Kent was sent to Halifax by Governor Hancock to meet with Foster Hutchinson for the return of the Probate records.<sup>11</sup> The "tedious negotiations" were facilitated by Nova Scotia Governor John Parr, and the collection was finally returned to Boston in November of that year. Kent listed the shipped Probate records as "72 books (Volume 13 missing), a parcel of loose papers marked S.S.B., and 4 boxes of packaged papers." Upon their return, the records were rehoused at the 1754 Court House where they remained until a new Court House was built in 1810.<sup>12</sup> Kent's description confirms that the Colonial Suffolk County Probate Records were a mixture of loose files and books, which is true to this day.<sup>13</sup> And although Winslow's correspondence remained relatively unknown for almost 100 years, clearly the Boston officials knew that some of their records were in Halifax during the War.

Because land transfers originate from both purchases and wills, the Suffolk Deeds and Probate Records have traditionally been housed in one building to facilitate public searches.<sup>14</sup> However, as it happened, the books belonging to the Suffolk County Register of Deeds took a completely different path out of Boston in 1776. Probably stored at the 1754 Court House, as Murray implied, they did not go to Halifax with Winslow, or with anyone else. Perhaps Winslow gave such an order, and maybe the books were packed and left behind, leaving Winslow to assume they made it to a ship; or perhaps he just misremembered the events of that day. The Deeds volumes are individually very heavy and would have been nearly twice as numerous by 1776 as the Probate books that went to Halifax. Perhaps the idea of taking them was abandoned during the attempt, due to their bulk and collective weight of over 3000 pounds.<sup>15</sup> However, another story emerged which seems to contradict Winslow's account. On February 8, 1776 the Massachusetts Provincial Congress passed a Resolve making Dedham, instead of Boston, the shire town for Suffolk County during the war, and some time afterwards the Suffolk Deeds books were transferred to Dedham. When the Resolve was renewed on November 21, 1776 the Government noted that two volumes had been lost and several others defaced in transit. On September 16, 1776 Joshua Henshaw, the recently voted Suffolk County Register of Deeds, announced in the *Boston Gazette* that he had opened his temporary office at Dexter House, adjoining the Rev. Haven's Meeting House at Dedham. The Deeds Office was subsequently moved to Roxbury in June 1779, and then back to Boston in June 1782, to accommodate Henshaw's family needs.<sup>16</sup> The two lost Deeds books must be the ones sought by Murray in 1811, and in fact Volumes 112 and 114, covering parts of the years 1768 and 1769, are still missing.<sup>17</sup>

Considering the facts surrounding Edward Winslow's commentary so far, what can be inferred about the removal of the Boston Custom House records? By his own admission, he was an official of both the Probate Court and Customs House, but had no connection to the Deeds office. As Acting Collector in 1776, Winslow would have been familiar with the Custom House, and presumably would not have confused it with the Court House. Perhaps this lends credence to his statement that he, or others working with him, removed the Customs books during the Evacuation. Across the street at the Town (Old State) House, Winslow also removed and transported to Halifax the fairly large, carved wood and poly-chromed Royal Coat of Arms from the Council Chamber, afraid that it would be defaced.<sup>18</sup> There was also a reasonable fear that abandoned British Customs records might be deliberately targeted by the people of Boston. Although destruction of their own Port records would seem an odd move for a town that valued its own history, resident merchants might have wanted to destroy the books, thinking to erase evidence of their own smuggling activities.

Aware that this might happen, it seems unlikely that the numerous Customs officials then in Boston would have left the books behind. Maybe in the confusion of embarking, the records were packed, but got left on the docks, fell into the harbor, or were destroyed in the general melee. Or perhaps, as Winslow stated, the Customs Books were actually placed on board a transport that left Boston for Nova Scotia. There does not seem to have been any early outreach to Halifax to retrieve Customs Records, although they were not as personally important as people's estate papers, nor were they under the control of the Massachusetts Government. With no indication that Foster Hutchinson had custody of any Customs books, it suggests someone else took control of them, probably even before the Loyalists reached Halifax.

We do know that Henry Hulton, one of the Customs Commissioners also departing Boston that week, executed a similar mission, perhaps on the same day as Winslow. The loaded transport *Hellespont* had been assigned to the Customs officials by Admiral Shulldham early on the morning of March 10, 1776. Once Hulton secured his wife and family on board at Hutchinson's wharf, he returned to town and spent the rest of the morning "forwarding the papers of the Board." Although he embarked that afternoon without the records, he confirmed that they were sent off the next day, presumably to join the *Hellespont*, which was anchored at Nantasket Roads, Boston's lower harbor. The Customs officials also had access to their own schooner, which was laden with their baggage until March 26, when the *Hellespont's* remaining cargo was finally offloaded, making room for their belongings.<sup>19</sup> The obvious scenario would have been for the Customs Commissioners to take any Customs Port records under their care, along with their own books and papers.

Winslow had written that he removed the Customs "books," but it seems he did not take all the papers out of the Custom House. Ezekiel Price, Boston notary and shipping insurance broker, made several visits back into the evacuated town, the first on March 18, 1776, when he noted the damage to many building interiors. Price's insurance office was located in the Town (Old State) House and his own books survived the Evacuation events. In his unpublished Diary, Price recorded that between April 25 and May 6, 1776, he spent five days examining the papers in the nearby Custom House. As the former Register of the Vice-Admiralty Court, he may have been the closest person that post-evacuation Boston had to a customs official.<sup>20</sup> Price's Diary entries are cursory, with no notice of damage to the office, or whether record books were missing, or even why he was examining the papers. Custom House officers used large bound volumes to record port information, but there were many individual documents in daily use, including the numerous certificates and bonds associated with shipped cargoes. With his interest in the town's shipping business, was Ezekiel Price merely organizing whatever loose papers had been abandoned? Surely someone with

his background would have said “books and papers,” had the large Customs Port books still been there. And does this information call into question, or support, the Customs portion of Winslow’s 1811 testimony?

The port of Boston was officially reopened in June 1776, and one assumes that maritime traffic monitoring and some fee collection had to continue, even on a limited basis, especially as revenue was needed to support the War. Impost collecting became more organized when the Massachusetts Provincial Congress appointed a new Boston Naval Officer in 1781, and fees and duties were approved in 1783. The Port of Boston continued to use the same Custom House building on State Street until around 1789, when the office was moved across the street with the commencement of the Federal Customs Service.<sup>21</sup> The Custom House in use in 1776 was labelled in the 1770 Boston Massacre prints by Henry Pelham and Paul Revere, and also depicted in the painting *State Street, 1801* by James Brown Marston, although by then the rented mansion had changed owners and housed the Union Bank.<sup>22</sup> In 1810 a new Custom House opened on Custom House Street, closer to the recently extended waterfront. The building known today as the Custom House sits on the corner of India and State Streets, and was completed in 1847, with the famous tower added in 1913. The Federal Government sold this building in 1986, and the U.S. Customs and Border Protection Offices of Boston are now located in the O’Neill Federal Building on Causeway Street.<sup>23</sup>

The loss of the Salem Custom House records is also an unsolved mystery, but it offers some variations from the Boston story. The Salem office, as the busiest North Shore port, also held some jurisdiction over the ports of Marblehead, Beverly, Newburyport, and Gloucester. When the British closed the port of Boston on June 1, 1774, as punishment for the Tea Party, Boston’s shipping traffic was rerouted through Salem and Marblehead. During that summer the American Board of Customs Commissioners took up residence in Salem, along with the remnants of the old Royal Government, until rising violence against them forced their return to Boston in September. On October 6, 1774, the Commissioners received a letter from the Salem Custom House announcing that their office (in a rented house) had been pulled down as a fire break early that morning. A large fire had destroyed Rev. Whittaker’s church, eight dwellings, and fourteen stores and shops around Town Square, near Essex Street. The Customs (money) chest was saved and most of the books and papers were preserved, but were temporarily dispersed in the chaos of the fire. They had collected the books as fast as possible, placing them in the cashier’s office of the house that the Commissioners had rented over the summer. They were told to use this latter building as the Custom House until further notice, and on October 28<sup>th</sup> the Commissioners also gave permission for Richard Routh, frequently the Acting Collector, to move into that same house, as his family had lost their home in the fire.<sup>24</sup> This



exchange suggests that many of the Salem Custom House books survived the 1774 fire, but does not rule out the possibility that a few volumes may have wandered away. In April 1775 Salem Collector John Fisher sent his family to Portsmouth for their safety, and by late 1775 Richard Routh may again have been Acting Collector. Routh and his family fled with the British during the Evacuation of Boston, and if still living in the Salem Custom House, he may have been instructed to bring the Salem Customs books into Boston.<sup>25</sup>



Figure 1. James Brown Marston, State Street, 1801, oil on canvas, 95 X 129.2 cm, Catalog 02.007, Massachusetts Historical Society, Boston. The Aphorhp mansion, rented for the Custom House from the 1760s until 1789, is the three-story, red brick building at the lower right. The famous, still standing, Town (Old State) House is seen in the upper center of State Street.

Curiously, two pre-Revolutionary Letter Books from the Salem Custom House resurfaced in Essex County Massachusetts during the nineteenth century. Both volumes contain letters to and from the Salem Custom House Officers, first showing direction from Surveyor General John Temple, who arrived in Boston in 1762, then showing correspondence with the American Board of Customs Commissioners. The earlier *Salem Custom House Letter Book 1763-1772* is a nearly 400 page volume, housed in the Phillips Library of the Peabody Essex Museum in Salem, where I was able to

examine it.<sup>26</sup> The large book is about two inches thick, bound in tooled black leather covers, and was probably made in England or Holland.<sup>27</sup> The cover and a few front pages show some slash marks, a few front index pages are missing, and “Property of Wm. Stearns, Salem” is inscribed in pencil inside the front cover. Dr. William Stearns (1754-1819) was a wealthy and prominent Salem merchant and apothecary, who lived on Essex Street. Although his furniture was gifted to the Essex Institute shortly before 1928, this book apparently came into the collection by 1860, when David Roberts wrote an article describing its contents.<sup>28</sup> Could Dr. Stearns have picked up the volume at the time of the 1774 Salem fire, perhaps unwittingly preserving it? Or was it left behind or stolen in 1776?

The second *Salem Custom House Letter Book 1772-1775*, which continues where the first book ends, has twenty-three pages of incoming and thirty-six pages of outgoing letters, ranging from disputes between the Salem Collector and Comptroller, to the difficulties the whole service faced after the port of Boston was closed. As the correspondence is dated through March 1775, this volume was not lost at the time of the Salem fire the previous fall. Perhaps both Letter Books were considered more dispensable than Port Records and were left behind in 1776, or maybe they survived for some other reason. According to a lengthy Boston Herald newspaper article, this second book was found in a sale of items from the Ferncroft Inn, at nearby Danvers, by Deputy Collector John M. Fiske of the Boston Custom House. After working out the legalities, the book was surrendered to Boston Collector George H. Lyman, becoming the property of the U.S. Government in 1899. It had previously been viewed by Abijah Franklin Hitching, Salem’s Deputy Collector, who read the volume and transcribed some of its pages. The book had reportedly been sold at one point by a rag picker, and some blank pages were used, first by a merchant in the 1780s, and then by the Ferncroft Inn as a guest register in the 1890s.<sup>29</sup> In 1958, the Essex Institute Library made a bid for ownership of this second *Letter Book*, hoping to place it with the earlier one already in its collection. However, Boston’s Assistant Collector politely responded, slanting the Boston Custom House’s claim of ownership on the incoming letters from the Commissioners. The Boston officers did not know how the volume had come into their collection, but stated that historians often wanted to see it.<sup>30</sup> Having only worked with the microfilm of this *Letter Book* at the Waltham office of the National Archives in the late 1990s, I was recently able to locate the book at the History Program of the U.S. Customs and Border Protection offices in Washington, D.C.<sup>31</sup>

The earlier *Letter Book (1763-1772)* contains a page of appurtenances used in the Salem Custom House, including everything from desks to silver-weighing scales, and a multiple page list of their Customs books. These tallies were probably taken shortly after 1766, perhaps at the request of



the newly installed Commissioners at Boston. The book list contains at least forty-nine volumes of Port Shipping Records, Ship Registers, Customs Financial Records, and British trade laws and to this list should be added the Letter Book in which this list was found.

Condensed list of books housed at the Salem Custom House, ca. 1766-1767:

- 8 Books: Foreign Vessel Entries Outwards, 1713-1766
- 7 Books: Foreign Vessel Entries Inwards, 1712-Dec 1766
- 3 Books: Coasting Vessels Entries Outwards: 1723-1763 and beyond
- 3 Books: Coasting Vessels Entries Inwards: 1727-1766 and beyond
- 6 Books: New Duties Accounts, June 24, 1737-1765 and beyond
- 6 Books: Enumerated Duties Accounts, 1736-1765 (or 1767)
- 5 Books: Records of Registers 1724-1763 and beyond
- 3 Books: Hospital Accounts 1730-
- Carkesse, Book of Rates (Charles Carkesse, compiler, London, 1726 or later edition)
- Parliamentary Acts: Volumes 2-4, 1660 and 1736-1770, 1764, and  
Vol 5: Plantation Laws 1763-1764
- Books of Report beginning N----1763
- 1 Book: Entries Vessels Outward bound No 1: Mar 20, 1738
- 1 Book: Copies of Letters- orders of Commissions No 1, January 15, 1729<sup>32</sup>

If the Boston Customs books were believed to be packed and removed, then some or all of Salem's could also have been carried away to safety. We can also extrapolate that the Boston Custom House, serving a busier harbor, would have had an equal, if not greater, number of port records and correspondence books, as well as the books and papers of the American Board of Customs Commissioners and their staff, who routinely met at the Boston Custom House. Taken all together, this reveals the magnitude of the loss to Massachusetts maritime history.

Many attempts to find the missing Customs books emanated from both Salem and Boston during the nineteenth century. Some people suspected that the books had gone to Halifax, others theorized that they never left or were returned to Massachusetts, and some even speculated they might have gone on to London. Searches for the Salem records took place in 1882 in both Nova Scotia and London, after John G. Foster, Nova Scotia Consul General, mentioned "a bare possibility they could be in the (Halifax) Parliament Building, Custom House, or Court House." However, Harry Piers, later Curator of the Provincial Museum, searched all of these buildings, to no avail.<sup>33</sup> The 1899 Boston Herald article blamed the prevalence of the "Halifax theory" on the Custom House

introduction of Nathaniel Hawthorne's 1850 novel, *The Scarlet Letter*. Hawthorne, Surveyor of Customs in Salem from 1846-1849, fabricated a tale that he had discovered a small parcel of mid-eighteenth century documents (and of course the embroidered Scarlet Letter) in the Custom House attic. The bundle supposedly contained personal papers of Jonathan Pue (the actual Customs Surveyor of Salem until 1760), wrapped in his 1752 parchment Commission.<sup>34</sup> Hawthorne said of his attic search: "Prior to the Revolution, there is a dearth of records; the earlier documents and archives of the Custom House having, probably, been carried off to Halifax, when all the King's officials accompanied the British Army in its flight from Boston."<sup>35</sup> The newspaper then goes on to retell the tale of a young clergyman who, inspired by Hawthorne, had gone to Halifax to follow up this lead. He was supposedly shown a mass of vermin and mold damaged papers in the cellar of the Halifax Custom House, and was told they were from Boston. This story has been proven false many times over, including in a letter from the above-mentioned Harry Piers, who said the papers were old records of Nova Scotia. The unnamed Herald newspaperman concluded that the Customs documents had never left Boston with the British in 1776. Referencing the earlier Stamp Act riots in Boston, he speculated that the people of Boston had destroyed the Customs books out of hatred for the British Customs Service.<sup>36</sup>

The most thorough search for the Boston records may have been initiated by Edward Tomkins, while researching his family's genealogy. Begun in 1890 with an enquiry to Boston specialists about ship passenger lists that he hoped to find at the Boston Custom House, it ended in late 1891 with the participation of numerous Government agencies. The locations searched included the Halifax Custom House, the Government records of Canada at Ottawa, The Treasury and State Departments of the United States, and the Department of Customs, the Colonial Office, and the Public Records Office (now The National Archives) of Great Britain. In London the search was facilitated by well-known historians F. Noel Sainsbury and Benjamin F. Stevens. In 1890 T.B. Atkins, Custodian of the Provincial Records of Nova Scotia, wrote that he was unaware that any such (Boston) records had ever been in Halifax. Harry Piers later said that the only records at the Halifax Custom House were dated after 1867, the year Nova Scotia joined the Dominion of Canada, and speculated that any earlier Halifax Customs documents might have gone to England at that time.<sup>37</sup> Indeed, the early Nova Scotia Naval Office Records, dated through 1866, have survived, and are located with the Colonial Office records at The National Archives in London.<sup>38</sup> However, the Halifax Customs records, which no longer exist, may have been lost prior to the 1867 Confederation of Canada. In 1859, the second of three major fires destroyed sixty buildings on over four acres in downtown Halifax; the fire so destructive that it was reported in the *London Illustrated News*.<sup>39</sup> The

third fire consumed a large portion of commercial Halifax on January 12, 1861, and the loss, estimated at \$300,000, encompassed fifty-nine, mostly wooden businesses and stores. From 1862 to 1867 the Halifax Custom House conducted business from six rented rooms in an insurance building, suggesting that Customs may have been affected by the recent fires. The Canadian Government completed a stone building in 1867, on land devastated by the 1861 fire, to house the Halifax Post Office, Custom House, and Railway offices.<sup>40</sup>

Perhaps the most definitive answer to Tomkins' enquiries came from the Secretary of His Majesty's Customs in London, indirectly to Ottawa's chief archivist, Douglas Brymner, that "all documents deposited in the London Custom House before 1814 were destroyed by a fire."<sup>41</sup> Prior to November 1767 each North American Custom House had to send quarterly copies of its Port records directly to the Customs Commissioners in London. After that date their reports were sent to the American Commissioners in Boston, who presumably sent them on to London, where they would have been deposited at the London Custom House. For over 600 years, the same London site along



Figure 2. Thomas Rowlandson, Auguste Charles Pugin, John Bluck, artists, Custom House London August 1, 1808 (Microcosm of London, plate 29), hand colored etching and aquatint, Rudolph Ackermann publisher, London, plate 23 X 27.5 cm, Catalog 59.533.1671 (17), Elisha Whittelsey Collection, Metropolitan Museum of Art, New York, NY.

the North Bank of the Thames was used to construct a long succession of Custom Houses. The building in question, designed by Yorkshire architect Thomas Ripley, was built between 1717 and 1725 to replace the seventeenth century Christopher Wren building damaged by fire in 1715. Almost 100 years later, on February 12, 1814, the three-story Ripley Custom House was completely destroyed in a spectacular fire. Although the flames began on the top floor, no attempt was made to suppress the fire because it was common knowledge that barrels of gun powder and liquor were stored in the basement. Spectators, kept at a great distance by officials, watched as the building first burned to the ground, then exploded, scattering whatever papers remained as far away as Hackney Marshes. This loss included most of London's Customs papers, as well as "all the early transcripts sent from other ports."<sup>42</sup> Any records brought to London by Customs Officers at the time of the American Revolution, would also have been deposited in this building.

In 1921, Boston historian Samuel Eliot Morison wrote about Massachusetts Customs records, primarily those of the U.S. Federal service, stating that almost all of Boston's seaport records were destroyed by fire in 1893.<sup>43</sup> The large fire actually occurred in the pre-dawn hours of May 17, 1894 in a seven story granite commercial warehouse known as the State Street Block. Although acknowledging it was not the best building for document storage (not being fully fireproof), Customs had recently spent thousands of dollars organizing the massive 200 ton archive, which occupied the entire sixth and seventh floors of the building. During the four alarm fire, both levels burned in what was described as one of the hottest fires ever attended, and then collapsed into the interior of the building. Tragically, Boston's Naval Office records, containing many duplicates of the Port records, were stored in the basement of this same building, and were also a total loss.<sup>44</sup> By daylight, there was a huge mound of smoldering and water damaged documents piled up on State Street, having been thrown from the building. Collector Winslow Warren and Records Clerk George W. Osgood described the invaluable documents as a completely consecutive record dating from 1789 forwards.<sup>45</sup> The ship registers and transfers were fortunately at the Custom House, and a portion of the Port records had been previously transferred to Washington.<sup>46</sup> The lengthy news articles on the fire made no mention of any Colonial Customs books, but earlier nineteenth century searches for them had already turned up nothing.

In a separate paragraph, Morison discussed the Colonial records, mentioning the second *Salem Custom House Letter Book 1772-1775*, and reporting that he had found two 1773 Boston Customs books in the basement of the Plymouth Custom House. One volume, which he analyzed and published in 1922, listed 1000 vessel entrances from other Massachusetts and northerly ports coming into Boston in 1773 (possibly Coasting Vessels Entries Inwards).<sup>47</sup> The other book contained



1773-1774 clearances from Boston to Great Britain, with later Plymouth records added. Morison reported that all loose, pre-Civil War Plymouth Customs papers had been destroyed, while surviving Plymouth record books were stored in the cellar of the Plymouth Post Office/Customs building.<sup>48</sup> A recent search for the two Boston Customs books was made throughout Plymouth, but they were not re-discovered.<sup>49</sup> These two stray volumes were likely taken to Plymouth when Boston Collector Richard Harrison and Comptroller Robert Hallowell were sent to Plymouth in June 1774 as part of the Boston Port Bill and Treasury Department directives. Various unsubstantiated statements suggest they took all the Boston Custom House books and papers with them, but this seems unlikely, as they would only have needed the volumes in current use. The customs men were driven out of Plymouth in September 1774, when perhaps the two Boston books were left behind.<sup>50</sup> Richard Harrison left Boston that fall, paying Edward Winslow to be his deputy on September 12, 1774. In December 1775, Harrison petitioned the Lords of Treasury for compensation for lost fees during his time at Plymouth, saying he had asked his deputy (Winslow) to send proof of the two previous years of fees collected at Boston to support his claim. In reply, Winslow reported that all communications from the country into Boston were stopped, implying the Boston books he would have needed to search were still in Plymouth. In a 1788 letter Winslow also claimed that when he lost his Plymouth Collectorship under the Port Bill, his records were demanded, but that he secured them until the end of the War, when they were turned over to his successor.<sup>51</sup> He was likely referring to his Plymouth Port records from 1765-1774, but as these are also missing, his story cannot be corroborated. It does suggest that the Commissioners at Boston had asked for his books, confirming that they were concerned about preserving the Port records.

It is among the papers of Benjamin Hallowell (1725-1799), the longest surviving American Customs Commissioner, that we find the last few clues about the fate of any Massachusetts Customs material. The majority of his known papers were saved by his sentimental older son, Ward Nicholas Boylston, who returned to Massachusetts from London around 1801.<sup>52</sup> Remarkably, the *Boylston Family Papers*, packed in trunks and stored away in a bank vault for many decades, were gifted to the Massachusetts Historical Society in 1976, exactly 200 years after the events in question.<sup>53</sup> The documents include everything from scraps of household expenses to draft letters written during Hallowell's twenty years of exile in London. In some cases the references are inconclusive, but a few items reveal new evidence that at least some Massachusetts Customs books and documents made it to London.



On March 27, 1776, the largest contingent of the Evacuation fleet finally left the waters of Nantasket Roads, southeast of Boston, and arrived in Halifax six days later.<sup>54</sup> Among them was the *Hellespont*, crowded with seventy passengers, primarily Customs men and their families, and a meager crew. On board were the last three American Customs Commissioners; Englishman Henry Hulton, and the two Boston-born men, Charles Paxton and Benjamin Hallowell, and very probably Boston Collector Edward Winslow.<sup>55</sup> The Commissioners would have known if Winslow had rescued the Boston Custom House Books, and if true, they were probably on board the *Hellespont*. Hallowell's receipts for the fifteen weeks spent in Halifax, show payments he made to Edward Winslow and Halifax collector Henry Newton, among others, so we know that he had direct contact with Winslow.<sup>56</sup> If Port Records had been transported to Halifax, the Commissioners, as the lead American Customs Officers of the Crown, would have taken responsibility for them.

Although the Customs service was no longer fully functioning, the Commissioners attempted some governance of their far-flung officers from their temporary location. A copy survives of what was probably a colony-wide letter to all North American officers, sent from Halifax on April 26, 1776. Addressed to New York's Collector and Comptroller, the Board presumed the officers had taken precautions regarding the King's property and their own persons, and that "both are now in places of security." The Board expressed concern about their officers' lives, despite prompting them to continue acting as spies for the British armed forces. But they emphasized the protection of any Customs property in their possession, which presumably included their books and papers, as well as any collected revenue.<sup>57</sup> Considering these concerns, it is doubtful that the Commissioners would have left their own books and papers at Halifax. However, it is conceivable that any Massachusetts Port records might have been stored there temporarily, awaiting the outcome of the War. If Great Britain won, which most Loyalists expected, the documents would go back to the Custom Houses in Massachusetts, and if the Colonies won, the books could be shipped on to England. However, not everyone considered Halifax to be a secure harboring place. Benjamin Hallowell, writing from Halifax in May 1776 to his son Ward in London, stated that once the British troops left Halifax for another part of America, there was concern that Nova Scotia might fall to the combined forces of local rebels, backed by other colonies.<sup>58</sup> If the rest of the Board shared this opinion, their only dutiful option would have been to take any Customs records with them.

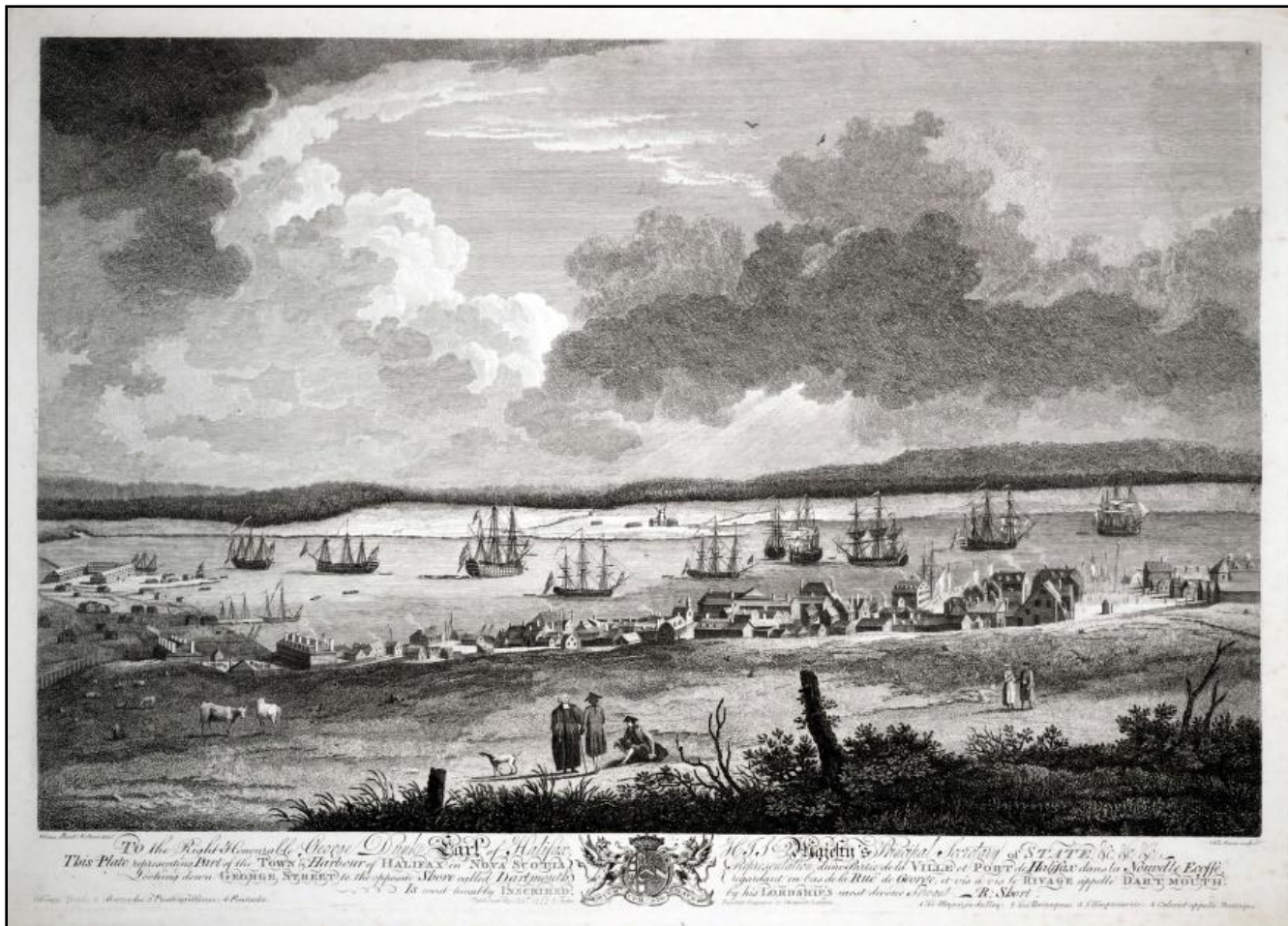


Figure 3. Part of the Town and Harbour of Halifax in Nova Scotia, looking down George Street to the Opposite Shore called Dartmouth, 1759, James Mason etching after R. Short painting. Publisher J. Boydell, London, 1777. Baldwin Collection, X76-19 Cab IV (Short), Toronto Reference Library, Toronto, Ontario.

More than likely, the Custom House and Commissioners' records were removed from Halifax long before the Massachusetts government started demanding the return of the Suffolk Probate records. Once the Loyalist refugees reluctantly realized that the War was not going to end with one decisive battle, the Commissioners began pestering General William Howe for a ship to transport themselves and their employees to England, as soon as possible. Due to the scarcity of housing in the small fishing community of Halifax, many Boston refugees had been forced to remain on board ships, sometimes for weeks or months, until they found housing or moved on to other places. After several promised ships fell through, the Customs officials hired the *Aston Hall* in late June, around the time Winslow left with Howe's troops for New York. It is probable that at least the Commissioners' books and papers, taken out of Boston by Henry Hulton, were travelling with them to London. The ship departed from Halifax on July 18, and after a rough, but quick sail, the fifty

passengers arrived at the port of Dover on England's south coast on August 13, 1776.<sup>59</sup> Some passengers, tired of being seasick, disembarked and travelled overland, including Hulton's party, while others stayed on board into London. Hallowell's baggage seems to have arrived in London waters before August 23, where his son Ward was tasked with unloading the family's belongings, and keeping a record of expenses for his father. The next four days show his activities, including several payments for boat hire to and from the London Custom House and the ship. As the *Aston Hall* was moored near the Custom House, it would have been the perfect time for any Customs records to be unloaded and ferried over to the building, although such specific actions are not stipulated in this account.<sup>60</sup> Possibly contradicting some of this theory is a letter dated November 26, 1781 from Halifax Customs Collector Henry Newton to Benjamin Hallowell in London. Newton states "...the books & papers you mentioned are still at Mr. Slayter's in a dry store & safe place & easy to remove in case of fire." Boston born Henry Newton had kindly assisted Hallowell with a number of issues during his lengthy exile. Perhaps John Slayter, the Halifax Customs Comptroller, was storing the Massachusetts Port records, designated to be returned southwards in the event of the British winning the War.<sup>61</sup> The papers might also have been Hallowell's personal or family papers, although there is no surviving correspondence describing what these items were or whether they were later sent on to London.

Confirmation appears in other Hallowell documents that some Customs material certainly made its way to London; specifically records belonging to various personnel of the American Board of Customs Commissioners. In October 1783 the American Board was officially dissolved and the Commissioners were put on reduced annual pensions in 1785.<sup>62</sup> In Sept 1789, Hallowell, the only former Commissioner living in London, was sent a list of books found in the effects of the late Richard Reeve, Secretary to the American Customs Board from 1767 until 1775 or 1776. The note stated the books had been recently transferred to the London Commissioners of Customs by order of the Treasury. On the verso the message continued with a second list of books delivered from the Treasury to Mr. Irving (also at the London Custom House).

Books found in the estate of Richard Reeve in 1789:

- A: Southern Department (Pennsylvania to Florida):
- Diary Book
- Letter book November 29, 1767-November 9, 1775
- Inspector General's receipts of Shipping
- Register Book of Letters sent to different ports

-Letters 1768-1775

B: Other Departments in Secretary's office:

-Secretary's Minutes 1767-1769 and 1769-1772

-Minutes of the Board 1767-1776

-Treasury Letter book

-Commissioners Letter book at London

-Register Officers Sworn

-Letter book from Commissioners England to Officers in America 1736-1741 and in continuation

-Book of letters from Collectors setting forth Limits of their Districts

-Plantation Bond book from time of Hulton's employment to 1763

-Master's Bonds 1764-1766

-Commanders Bonds 1768-1771

-Officers of Navy Bonds 1772-1776

-Officers of the Customs Bonds 1768-1775

-Crouch on Customs (Henry Crouch, *A Complete View of the British Customs*, London, various editions, first published 1724)

-Smuggling Laid Open (Sir Stephen Theodore Janssen, *Smuggling Laid Open in all its Extensive and Destructive Branches*, London, 1763)

-A copy of the Charter granted Massachusetts by William and Mary

Additional books delivered to Mr. Irving:

A: Office of Inspector of Imports and Exports and Register of Shipping 1767-1772

-Register of Ships and Vessels in and out in America, September 7, 1767-January 5, 1772

-Accounts of Imports & Exports- Northern Ports 1774-1775 (Salem, Marblehead, Boston)

-Accounts of Imports and Exports- Southern Ports 1774-1775

-Duplicates of Ship Registers Northern Ports 1770-1772 (Salem, Marblehead, Boston)

-Duplicates of Ship Registers Southern Ports 1769-1770, 1772

-Office of Register General of Seizures 1764-1770.<sup>63</sup>

The presence of these particular records in London suggests they may have been removed from Massachusetts, either by the individual office holders, or by Henry Hulton and the remaining Commissioners during the Evacuation. Any lingering effectiveness of Customs began unraveling in Massachusetts after military hostilities erupted in April 1775, and many Government officials began

leaving their posts. American born Richard Reeve left Boston by 1776, and heading south, became secretary to Sir Henry Clinton of the British Army. By 1777 he had retired to London, where he died in 1789.<sup>64</sup> Thomas Irving had been Inspector-General of Imports and Exports for the American Customs Board since its inception in 1767. Having been a target of mob violence more than once, and fearing for his own life, he left Massachusetts in 1771. From 1786 until his death in 1800 he held the same office for the British Customs Commissioners at London, where he served with distinction.<sup>65</sup> Perhaps the Treasury department in 1789 had merely reviewed these books as a matter of their normal oversight, before passing them back to the Customs Department. All of these books were apparently delivered to the British Customs Commissioners at the London Custom House, and one assumes that Hallowell was notified out of courtesy.

Hallowell's papers include a small cache detailing the 1775 maritime jurisdictional disputes between the Customs Commissioners and Admiral Samuel Graves, stationed at Boston during the siege.<sup>66</sup> Hallowell and Graves had had a personal altercation that summer, and Hallowell held a very low opinion of the corrupt and ineffectual Graves. He may have withheld the documents in case the Commissioners needed to defend their actions against any complaints from the recalled Graves. Whether Hallowell sequestered these papers before leaving Boston or after he arrived in London, one assumes they were once part of a collection of the Commissioners' correspondence housed in the Boston Custom House. Another individual paper shows a Hallowell draft letter written from London in the 1790s. On the verso is a partial page of Customs receipts titled "An Account of Gross Receipts and Net Duties in North America from 1763, and 1765-67."<sup>67</sup> This scrap appears to have come from an Account Book, possibly belonging to the Boston office during the years of John Temple's term as Surveyor General, and prior to the installation of the American Commissioners.

However, most intriguing is a surviving Letter Book kept by Ward Nicholas Boylston from 1790 to 1792 in London, whose drafts began at the back of an older, partially-used volume. Paper was expensive and reusing such books was not uncommon, as noted with the re-discovered second *Salem Custom House Letter Book (1772-1775)*. The original front portion of Ward's leather-covered book contains fifty pages of letters written by David Lisle, Solicitor to the American Board of Customs Commissioners from 1767 until his death February 16, 1775 at Boston.<sup>68</sup> Dating from 1768 to 1773, most of the letters were directed to the Board and relate to the famous and controversial legal case against John Hancock and his sloop *Liberty*. This volume must once have been in the possession of the Commissioners, which suggests that Ward's father, Benjamin Hallowell, may have been involved with the transport of the Boston Customs books, at least those belonging to the Commissioners. The Hancock case was long over, so why was this volume not turned over to the



London Customs Commissioners? Was Hallowell just interested in rereading the legal case in which he had been so personally involved? Was the book deemed less important, or kept back because it had reusable blank pages, or was it just overlooked? Was it one of the books Henry Hulton removed from the Boston office or something Hallowell already had in his possession? Winslow Warren, writing in 1910, suggested the fate of the lost Customs Books would only be determined if, by accident, portions turned up, like the book found at Salem.<sup>69</sup> Although not part of the lost Customs Port Books that historians seek, the survival of this Lisle Letter Book suggests a partial answer to the longstanding mystery surrounding the lost records.

In the end, we have two active Customs participants, Edward Winslow and Henry Hulton, who described the removal of Boston's pre-Revolutionary Customs records during the Evacuation of Boston in 1776. Despite lingering questions, we also have reports of major fires in three locations associated with the story, several of which might have destroyed the Massachusetts Colonial Customs records. Searches prior to the 1894 Boston fire had not discovered the Colonial records, so one assumes they were no longer in Boston and were not lost in that disaster. If the Massachusetts Customs records had gone to Halifax, they probably would not have been left there for long, but would likely have been transferred to London, either in the summer of 1776 or when the War ended. On the off chance that they were abandoned in Halifax, they could have been lost in one of the town's mid-nineteenth century fires. Circumstantial evidence suggests that some of the Massachusetts Customs and/or American Commissioners Books were transported to London around 1776, where their final repository would have been the ill-fated London Custom House, destroyed by fire in 1814. With the few exceptions noted in the text and notes, the eighteenth century British Customs records of Massachusetts have never been found in any public archive in the United States, Canada, or England, despite exhaustive searches. Unless future additional books are located in undocumented private collections, we must assume that like so many lost manuscripts, the pre-Revolutionary Massachusetts Customs books were most likely consumed by fire.

## Endnotes

---

<sup>1</sup> Benjamin Hallowell (1725-1799), ship captain, Boston Customs Comptroller and Commissioner, and exiled Loyalist, was born in Boston into an important shipbuilding family. During my career as a painting conservator, I met Hallowell through his Copley portrait, and in researching the unusual damages to the painting, was pulled in to the dramatic events of his life. In early 2018 Randle M. Biddle asked if the lost records story would be included in the Hallowell biography, prompting me to explore this mystery. What began as a potential appendix to the book, took on a life of its own, and curiously, my research on Hallowell held some new information.

<sup>2</sup> Benjamin F. Stevens, editor, *General Sir William Howe's Orderly Book June 17, 1775-May 26, 1776*, (London, B. F Stevens, 1890), p 304-307. Lord Germain's Sept 5, 1775 order to evacuate Boston arrived in Boston in early December.

<sup>3</sup> Walter Barrell (Inspector General, Customs Board), "List of Boston Refugees, March 1776," printed in James H. Stark, *The Loyalists of Massachusetts*, (Salem, Salem Press, 1910), p 133-136. The list totals 927 people, including over 100 Customs-related passengers from various New England ports, predominantly Boston.

<sup>4</sup> *The Winslow Family Papers*, discovered in the hands of Winslow descendants in the 1890s, were moved a number of times before being deposited in the 1950s with the University of New Brunswick. They constitute the largest single collection of Loyalist papers in the world. ([lib.unb.ca/winslow/](http://lib.unb.ca/winslow/)).

<sup>5</sup> Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution*, (Boston, Little Brown, 1864), Vol 1 of 2, p 425. Samuel Fitch (1724-1784), Boston Lawyer associated with the Admiralty Court, was the last Solicitor to the American Board of Customs Commissioners. He left with the British in 1776 and died in London.

<sup>6</sup> Edward Winslow Jr (1747-1815) was appointed Acting Customs Collector of Boston in October 1774 by military Governor Thomas Gage, after Collector Richard A. Harrison left America. Winslow had previously been Collector at his hometown of Plymouth since 1765. He served throughout the Revolutionary War as the Muster Master General to the British American forces. A staunch Loyalist, he is remembered today for establishing New Brunswick as a Province, separate from Nova Scotia, especially as a home for resettling Loyalists.

<sup>7</sup> Winslow, who worked with the British Army during the Lexington-Concord events, may have been involved in one of the three Loyal American Companies instituted in Boston at Howe's suggestion in the fall of 1775. There were between 200 and 300 men involved, who acted as armed guards throughout Boston. (Stevens, *General Sir William Howe Orderly Book*, p 140; and Dictionary of Canadian Biography ([biographi.ca/en/bio/winslow\\_edward\\_5E.html](http://biographi.ca/en/bio/winslow_edward_5E.html)))

<sup>8</sup> Beamish Murdoch, *A History of Nova Scotia or Acadie*, 3 vol., (Halifax, James Barnes, 1865-67), Vol 2, p 570, 571. Francis Legge was Governor of Nova Scotia 1772-May 1776. Charles Morris, Sr. (1711-1781) was surveyor general (of lands) of Nova Scotia, and in April 1776 was appointed Chief Justice.

<sup>9</sup> John T. Hassam, "Registers of Probate for the County of Suffolk, Massachusetts 1639-1799", *Massachusetts Historical Society (MHS) Proceedings*, (Boston, MHS, 1901), Vol 16 second series, p 113. Foster Hutchinson (1724 -1799) was the younger brother of Gov. Thomas Hutchinson, and was appointed Probate Judge of Suffolk County on August 3, 1769.

<sup>10</sup> March 4, 1811 Letter from G.W. Murray of New York to Edward Winslow, Jr. at Kingsclear, New Brunswick, and Apr 7, 1811 Letter of Edward Winslow, Jr. to G. W. Murray, printed in Rev. W. O. Raymond, editor, *Winslow Papers, 1776-1826* (St. John, New Brunswick, New Brunswick Historical Society, 1901), p. 665-6. Also: draft (with changes) of letter April 7, 1811 of Winslow to Murray, *Winslow Papers MSS*, New Brunswick University ([lib.unb.ca/winslow/](http://lib.unb.ca/winslow/))

---

<sup>11</sup>L. Kinvin Wroth, Hiller B. Zobel, editors, *Legal Papers of John Adams*, (Cambridge, Belknap Press of Harvard University Press, 1965), Vol 1, cii. Benjamin Kent, considered to be Hancock's right hand man, was Attorney General of Massachusetts 1777-1785 and Lt. Governor in 1784. He later moved to Halifax to be with his Loyalist wife and family.

<sup>12</sup> Hassam, "Registers of Probate...", *MHS Proceedings*, Vol 16, p 97-122. Winslow may have been Register of Probate for Suffolk County in 1776, however following Register John Cotton's death during the siege of Boston, Probate Judge Foster Hutchinson reportedly took the records into his own custody.

<sup>13</sup> The Suffolk County Probate Records are made available at the Massachusetts Archives at Columbia Point in Dorchester, MA, in cooperation with the holding institution, the Massachusetts Supreme Judicial Court. The loose colonial documents are accessible to a great extent on microfilm, and the records were first catalogued for a published index in 1893.

<sup>14</sup> The Colonial Suffolk County Deeds can be accessed via microfilm at the Massachusetts Archives or the De Bois Library, University of Massachusetts, Amherst, MA. The early Suffolk Deeds books were transcribed and published beginning in 1880.

<sup>15</sup> The manuscript books of the Suffolk Registry of Deeds are large folios, each weighing over twenty five pounds. (Information provided by Thomas Ryan, First Assistant Register, Suffolk County Registry of Deeds, Boston, 2018). By 1776 there would have been approximately 125 Deeds volumes, for a total of over 1 ½ tons in weight.

<sup>16</sup> "Introduction", *Suffolk Register of Deeds*, (Boston, Rockwell and Churchill, 1900), Vol XI, p 35-40; and Information provided by Thomas Ryan; and Winslow Warren, "The Loss of the Boston Customs Records, 1776," *MHS Proceedings*, 1910, Vol 43, p 423-428. The previous Register, Loyalist Ezekiel Goldthwaite, retired around the time of the Evacuation, partially due to vision problems.

<sup>17</sup> Missing Suffolk Deeds: Volume 112 ran from January 18 to July 1768, and Volume 114 ran from December 27, 1798 to May 19, 1769. *Suffolk Register of Deeds*, Volume XI, p 35, note 4.

<sup>18</sup> Boston's original Royal Coat of Arms was in Halifax until 1785, when Winslow gave it to St. John's, New Brunswick, where it is still displayed at the Trinity Episcopal Church.

<sup>19</sup> Neil Longley York, *Henry Hulton and the American Revolution, an Outsider's Inside View*, (Boston, The Colonial Society of Massachusetts, 2010), p 202, 349-352.

<sup>20</sup> Ezekiel Price Diary, May 23, 1775-1776, *Ezekiel Price Papers*, Mss. S45, Vol 37, Boston Athenaeum, Boston, MA.

<sup>21</sup> Winslow Warren, "The Colonial Customs Service in Massachusetts," *MHS Proceedings*, (Boston, MHS, 1913), Vol 46, p 473-474

<sup>22</sup> Information provided by Anne E. Bentley, Curator of Art and Artifacts, Massachusetts Historical Society, Boston.

<sup>23</sup> "Boston Custom House," ([en.wikipedia.org/wiki/Boston\\_Custom\\_House](http://en.wikipedia.org/wiki/Boston_Custom_House)), and U.S. Customs and Border Protection website ([cbp.gov](http://cbp.gov)).

<sup>24</sup> Letters: October 6, 1774, Salem Customs to the Commissioners in Boston; and October 11 and 28, 1774 Commissioners at Boston to Salem Custom House, *Salem Custom House Letter Book, 1772-1775*, Microfilm courtesy of the National Archives, Waltham, MA.

<sup>25</sup> Richard Routh, Deputy Collector at Salem, 1769 and Acting Collector off and on from 1772-1776, was later Customs Collector (1782-1785) and briefly Chief Justice of Newfoundland. He died at sea in 1801. (*Dictionary of Canadian Biography*, (Toronto, University of Toronto, 1983), Vol 5; and *Salem Custom House Letter Book 1772-1775*), microfilm.

<sup>26</sup> *Salem Custom House Letter Book 1763-1772*, MH 261, Volume 3, Phillips Library, Peabody Essex Museum, Salem, Massachusetts. The book list follows pages of commissioned Salem officers, with dates ending in 1766.

<sup>27</sup> *Letter Book 1772-1775*, microfilm. In 1772 a Mr. Leverett of Boston was listed as Stationer to the Commissioners, and also provided books for the Salem Custom House.

---

<sup>28</sup> David Roberts, "Paper on a Spared Record of the Salem Custom House," *Essex Institute Historical Collections (EIHC)*, (Salem, The Essex Institute, 1860), Vol 2, p 169-177; and "Dr. William Stearns, Merchant and Apothecary...," (*EIHC*), (Salem, The Essex Institute, 1928), Vol 64, p 1-19.

<sup>29</sup> "Old Records Found...," *Boston Sunday Herald, December 17, 1899*. Photocopy inserted in *Letter Book 1763-1772* at the Phillips Library, Peabody Essex Museum, Salem, MA.

<sup>30</sup> November 28, 1958 Letter from George M. Murphy, Assistant Collector, on behalf of Collector Maynard Hutchinson, Treasury Dept., Bureau of Customs, Boston, to Mrs. Julia Barrow, Assistant Librarian, Essex Institute, Salem. Photocopy found inside *Letter Book 1763-1772* at Phillips Library, Peabody Essex Museum. The Essex Institute (1848-1992) merged with the Peabody Museum in 1992.

<sup>31</sup> *Salem Custom House Letter Book 1772-1775*, MSS volume, Customs and Border Protection History Program, 1300 Pennsylvania Ave NW, Suite B3 5-H-4, Washington, D.C. 20229-1021. The book was restored in the 1970s by the Smithsonian. (information from Susan Dawson, Branch Chief Historian, [cbp.gov/about/history](http://cbp.gov/about/history)). The existing microfilm was made by James K. Owens, then Director of the National Archives office in Waltham MA, following an exhibition featuring the book, when he feared the book might disappear. The Waltham branch of the National Archives still holds the microfilm, as well as black and white negatives of the book.

<sup>32</sup> *Salem Custom House Letter Book 1763-1772*, Office furnishings, p 1 and the forty nine books p 81-92. The book list was also summarized in David Roberts' article.

<sup>33</sup> "Salem and Boston Custom House Records of the Pre-Revolutionary Period," (*EIHC*, Salem, MA, 1903), Vol 39, p 159-167.

<sup>34</sup> Later critical analysis of the *Scarlet Letter* suggests Hawthorne's Introduction was fictional, with Mr. Pue's information taken from facts in Joseph B. Felt, *Annals of Salem from its First Settlement*, (Salem, W. & S.B. Ives, 1827), p.455. The well-known 1819 Salem Custom House was in use until the 1930s, and is now a National Historic Site.

<sup>35</sup> Nathaniel Hawthorne, "Introduction," *The Scarlet Letter*, (Salem, Ticknor & Fields, 1850), p 47-49.

<sup>36</sup> Boston Herald article, 1899.

<sup>37</sup> Edward Tomkins, *A Record of the Ancestry and Kindred of the Children of Edward Tomkins, Sr.*, (California, private printing, 1893), Appendix 1: "Extracts from Documents- relating to the search for certain records alleged to be missing from the U.S. Custom House at Boston, Massachusetts," p 47-51 ([books.google.com](http://books.google.com))

<sup>38</sup> Information from Randle M. Biddle, summer 2018.

<sup>39</sup> Halifax fires: ([commons.wikipedia.org/Fire: Lithograph...](http://commons.wikipedia.org/Fire:Lithograph...)), and ([novascotia.co/archives/Halifax](http://novascotia.co/archives/Halifax)). *The London Illustrated News* of 15 October 1859, even illustrated the fire story.

<sup>40</sup> Phyllis R. Blakeley, "Halifax at the Time of the Confederation," *Dalhousie Review*, (Halifax, The Review Publishing Company, 1948), Vol 27, No 4, p 399. ([dalspace.library.dal.ca](http://dalspace.library.dal.ca)); and John C. MacPherson, "The Halifax Water Experience...," *National Environment, Energy and Resources Law Summit*, (Banff, Alberta, Canadian Bar Association, 2011), ([cba.org.pd](http://cba.org.pd)). The 1867 Custom House building survived the great Halifax explosion of World War I and is now the Art Gallery of Nova Scotia.

<sup>41</sup> Tompkins, Appendix 1, p 47-51.

<sup>42</sup> "Thomas Ripley Architect" ([en.wikipedia.org/wiki/Thomas-Ripley-\(architect\)](http://en.wikipedia.org/wiki/Thomas-Ripley-(architect))); "Custom House, City of London" ([en.wikipedia.org/wiki/Custom\\_House,\\_City\\_of\\_London](http://en.wikipedia.org/wiki/Custom_House,_City_of_London)); and "Merchant Navy Ship Registration and Custom House Records", research guide C12, Royal Greenwich Museum ([rgm.co.uk](http://rgm.co.uk)).

<sup>43</sup> Samuel E. Morison, "The Custom-House Records in Massachusetts as a Source of History," *Massachusetts Historical Society Proceedings*, (Boston, MHS, 1921), Vol 54, p 328-9.

<sup>44</sup> Scattered eighteenth century Naval Office Returns for Massachusetts survive in the Colonial Office papers at The National Archives, London, with copies available at the Phillips Library, Peabody Essex Museum, Salem, MA. A few Massachusetts' Naval Office books can also be found in local collections.

<sup>45</sup> "Old State Street Block Guttred," *Boston Daily Globe*, Thursday Evening, May 17, 1894. The front page carried an engraving of the fire done at 4:45 AM. ([newspaperarchive.com](http://newspaperarchive.com)); *Boston Daily Globe*, May 18, 1894, and Boston Fire Department report, both provided by Michael Gerry of the Boston Fire Department's Historical Society, 2018.

---

<sup>46</sup>*Pamphlets M277 and M265*, National Archives, Washington, D.C., 1970. Microfilm Record Group 36: Passenger Lists of Vessels arriving at Boston 1820-1891 and 1848-1891. Record Group 56: Correspondence between Boston Collectors and Treasury Secretaries 1833-1869; other films include letters sent to Boston Collectors 1789-1909. The Archives also holds 19<sup>th</sup> century records for Salem, MA. ([archives.gov/files/research/microfilm](https://www.archives.gov/files/research/microfilm))

<sup>47</sup> Samuel E. Morison, "The Commerce of Boston on the Eve of the Revolution," *American Antiquarian Society Proceedings*, (Worcester, AAS, 1922), Vol 32 (part 1), p 22-51.

<sup>48</sup> The Plymouth Post Office, built 1914-1917, shared space with the Custom House. The building was sold in the 1980s by the Federal Government, and has since been in private hands. (Information from Bill Keohan, Town of Plymouth Community Preservation Committee, May 2018)

<sup>49</sup>The present location of the two books seen in 1922 is unknown. Inquiries made in 2018 located a small group of later Customs papers at Pilgrim Hall, Plymouth: Papers of Thomas Loring (1813-95), some related to his post as Collector of Customs, Records of the Plymouth Customs House 1841-1845, and a few merchant shipping records. The Plymouth Town Hall, Plymouth Public Library and The Plymouth Antiquarian Society reported no Customs holdings. The U.S. Customs and Border Protection Offices in Washington also reported they did not have these two Boston Port books. Reportedly, there was no consistent policy for saving material from Custom Houses as they were sold by the Federal Government.

<sup>50</sup> The Boston Port Bill went into effect June 1, 1774 and one of the stipulations was that the Boston Customs Officers were to go to Plymouth. The port was quite small, and this order made no real sense. Richard Harrison, son of previous Boston Collector Joseph Harrison, was Collector of Boston from August 1772 to September 12, 1774. Robert Hallowell, younger brother of Benjamin Hallowell, became Comptroller of Customs in Boston in 1770, replacing his brother, after Benjamin was appointed to the Customs Commissioners Board (author's unpublished *North American Customs Men Index, 1680-1775*, prepared as an Appendix to the Hallowell biography).

<sup>51</sup>Warren, "Colonial Customs..." *MHS Proceedings*, Vol 46, p 472, (Sept 26, 1783 Edward Winslow letter to Ward Chipman at Halifax, and excerpt of 1788 Winslow letter); and Richard A. Harrison petition to the Lords of Treasury, December 16, 1775, *Treasury Class 1, North American Misc.*, Box 515: p 161-164, The National Archives, London, UK.

<sup>52</sup> Ward (Hallowell) Nicholas Boylston (1749-1828), elder son of Benjamin and Mary Boylston Hallowell, legally changed his name in 1770 at the behest of his unmarried uncle Nicholas Boylston, who also left him a legacy.

<sup>53</sup> Conversations with Ralph Bean, executor of the Boylston descendant who gifted the *Boylston Family Papers* to the Massachusetts Historical Society.

<sup>54</sup> *The Collections of the Nova Scotia Historical Society*, (Halifax, William McNab, 1914), Vol 18, p 76. A fleet of 3 Men of War and 47 transports arrived in Halifax from Boston on March 30, 1776. On April 1, nearly 100 transports arrived with the remainder of Howe's army and a number of Loyalists.

<sup>55</sup> Walter Barrell, *List of Refugees*, Stark. Of the other two Board members; John Robinson left in 1770, after being falsely implicated in the Boston Massacre events. William Burch and his family left Boston in October 1775. (author's *Customs Men Index*)

<sup>56</sup> Money paid in Halifax 1776 by Benjamin Hallowell, *Boylston Family Papers 1688-1979*, Ms. N-4: Box 85: folder 5, Massachusetts Historical Society, Boston. The list also shows payment for provisions on the *Aston Hall*.

<sup>57</sup> April 26, 1776 Letter from Halifax to the Collector and Comptroller of the Port of New York, signed by Benjamin Hallowell, Henry Hulton, and Charles Paxton. The letter was not received until February 1777. *Andrew Eliot Papers 1767-1787*, SC 13349: Box 1: folder 4b, New York State Library, Manuscripts and Special Collections, Albany, NY.

<sup>58</sup> May 12, 1776 letter, Benjamin Hallowell in Halifax to Ward Nicholas Boylston in London, *Boylston Family Papers 1688-1979*, Ms. N-4: Box 83: folder 1, MHS, Boston.

<sup>59</sup> N.L. York, *Henry Hulton and the American Revolution*, p. 356-357. Henry Hulton (1732-1791), one of the original five Commissioners, had previously been a Customs Officer and Plantations Clerk for the British



---

Board of Customs, and was also a writer. Charles Paxton (1708-1788) had been a vigilant and unpopular Massachusetts Customs surveyor and an original member of the Board. Benjamin Hallowell (1724-1799), Customs Comptroller for Boston 1764-1770, became the last appointed Customs Commissioner in 1770, replacing John Temple. (author's *Customs Men Index*)

<sup>60</sup> Account of Ward Nicholas Boylston, payments made at the Custom House and for cash extended to family, August 23- September 11, 1776, *Boylston Family Papers 1688-1979*, Ms. N-4: Box 2: folder 1776-1777, MHS, Boston.

<sup>61</sup> November 26, 1781 Letter, Henry Newton in Halifax, to Benjamin Hallowell in London, *Charles Vaughan Family Papers*, M180: Box E: folder 13, Courtesy of George J. Mitchell Department of Special Collections and Archives, Bowdoin College Library, Brunswick, Maine. Henry Newton (1731-1802) was Collector from 1751-1802. John Slayter (1747-1824), the Halifax Customs Comptroller, was appointed sometime in the 1770s and retired in 1820. (Murdoch, *History of Nova-Scotia*, Vol 2, p 457 & 525.)

<sup>62</sup> N.H. Long, *Henry Hulton and the American Revolution*, p 84-85.

<sup>63</sup> Sept 9, 1789 Message to Mr. Halloway (sic), List of Books delivered to the Customs Commissioners, London, by Order of the Treasury, *Boylston Family Papers 1688-1979*, Ms. N-4: Box 82: folder 7, MHS, Boston.

<sup>64</sup> Sabine, *Biographical Sketches of Loyalists*, Vol 2, p 212.

<sup>65</sup> John McCusker, *Essays in Economic History of the Atlantic World*, (London and New York, Routledge, 1997), endnote 83.

<sup>66</sup> November 16, 17, 18, 1775: Samuel Graves Letter, Charles Paxton Memo, and Daniel Leonard legal response, *Boylston Family Papers 1688-1979*, Ms. N-4: Box 8: folder November-December 1775, MHS, Boston.

<sup>67</sup> Benjamin Hallowell draft letter/Scrap of Customs Receipts page, *Boylston Family Papers 1688-1979*, Ms. N-4: Box 3: folder 1763, MHS, Boston.

<sup>68</sup> Ward Nicholas Boylston Letter Book 1790-1792, *Boylston Family Papers 1688-1979*, Ms. N-4: Volume 67, MHS, Boston, MA.

<sup>69</sup> Warren, "Loss of Boston Customs Records 1776," *MHS Proceedings*, Vol 43, p 428.