

Property of: Historic Salem Inc

REPORT

Captain Nicholas Crosby House
361 Essex St.
Salem, Mass.

Erected - 1800

In July of 1799, Nicholas Crosby became the owner of a lot of land on Essex Street in Salem that contained a store and outbuildings but no dwelling house. On October 7, 1800 Nicholas Crosby mortgaged this property to John Osgood and at that time it contained a dwelling house situated on Essex Street. The tax records of the City of Salem show that for the year of 1800 Captain Crosby was assessed for a house and store. Therefore it seems clear that the Crosby house was constructed sometime in 1800. This conclusion is confirmed by the fact that the inventory of Captain Crosby's Estate made on March 30, 1801 refers to the House on Essex Street.

The only element of confusion that exists in this title stems from the fact that a house was built on the Captain's land bounding on Chestnut St. and sold to him late in the year of 1800. Despite this fact, the tax records for 1800 and 1801 show assessments for only one house and the inventory of the Captain's estate makes no mention of a house on Chestnut St. although it refers to a lot of land with a cellar situated on Chestnut St. In March of 1802, the widow of Captain Crosby sold the house and the cellar on Chestnut St. to William Luscomb. In the same year, a portion of the house on Essex St. was set off to the widow for her dower rights. Thus we know that in 1802, both houses, one on Essex St. and one on Chestnut St. existed on the land late of Captain Crosby. The question arises whether the house referred to in the tax records, the mortgage to John Osgood, and the inventory of the Captain's estate was the house on Essex St., presently 361 Essex St. or the house built by Peleg Dark Sims on Chestnut St.

The answer clearly is that the house referred to in the records above is the house on Essex St. First of all, the mortgage to John Osgood, specifically states "Nicholas's dwelling house...situated on Essex St." Secondly this mortgage was dated October 7, 1800 and although this was six days after the acquisition of the Sims house by Captain Crosby, it was one day before the Bill of Sale was actually recorded in the Registry of Deeds - October 8, 1800. In regard to the inventory of the estate, it specifically divides the property of the Captain into land on Essex Street and land on Chestnut Street and locates the house on Essex Street.

In any case, we know that both houses existed in 1802 as one was sold in that year and the other divided. As Captain Crosby died in December of 1800, if the house on Essex St. was not then in existence, it would have had to have been built by his widow within the next two years. From the accounts in the Probate Court it is apparent that she was hard pressed for finances as the Essex St. house was sold at public auction and as of September 28, 1802 there were still approximately \$1900 in debts outstanding against the estate although \$3,665.57 of debts had already been paid. Therefore, it seems impossible for the widow to have built the house after her husband's death.

If we search for a reason for the failure of the Town of Salem to assess two houses on Crosby's land instead of one, it probably exists in the fact that then, as now, the town assessors were slow to register changes in ownership - especially here where land did not change hands, only the building itself. As to the failure of the appraisers to list the house in the inventory of the estate, the most probable answer lies in the fact that the Captain bought the house only two months before his death and the ownership of the house might have been overlooked in the rush to make the inventory -- filed just three months after his death.

In conclusion it is my opinion that, on the basis of the examination of all the records on this property, the house at 361 Essex St. was built by Captain Nicholas Crosby in 1800.

Respectfully submitted,

William J. Tinti (Dr3)

William J. Tinti

Capt. Nicholas Crosby House, 361 Essex Street, Salem, Mass.

Essex County Registry of Deeds, Salem, Massachusetts

| Grantee | Grantor | Description |
|--------------------|--|---|
| Margaret M. Wilson | Wm. D. Chapple, Salem, Ttee u/w/o Benjamin Creamer (granted by probate court 3/24/1925) | land with buildings thereon bounded "Begin- ning at N.E. corner on Essex St. by land now or late of Percy; thence running S 14 degrees 30 feet E 37 feet 5 inches by land now or late of Percy; thence running S 4 degrees, 30 feet E 156 feet by Percy and and Simpson to land now or late of Wilson; thence S 83 degrees W by said land now or late of Wilson 62 feet 7 inches; thence N 5 degree W 124 feet 4 inches by land now or late of Ives; thence N 6 degrees 40 feet W 91 feet 10 inches to Essex St. by land now or late of said Ives then running N 74 degrees 30 feet E by Essex St. 63 feet 3 inches to point begun at." |

Conveyed 3/27/1925

Recorded in book 2630 page 182/3
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| | | |
|--------------------|--|--|
| Margaret M. Wilson | Elizabeth C. Cook, widow, of Marblehead, Annie E. Johnson, Widow, Oscar J. Ives, both of Salem, and Frederick Manley Ives of Winchester | same description as above "Being same premises con- veyed to Bhnjamin Creamer by deed of Michael Webb dated 4/12/1833 recorded in Book 269 page 120." |
|--------------------|--|--|

Recorded in Book 2630 page 182/3
* * * * *

Also from Book 2630 page 182/3:

"See also deed from Joseph B. F. Osgood, Trustee and May M. Ives to Eliz. C. Cook dated 12/12/1895 recorded in Book 1466, page 46. Said Elizabeth C. Cook being only surviving child of Mary Jane Osgood, a deceased dtr. of said Benjamin Creamer; Annie E. Johnson being the widow and only devisee u/w/o Emery W. Johnson, deceased, the only son and heir of Annie E. Johnson, a deceased dtr. of said Benjamin Creamer, the said Frederick Manley Ives and Oscar J. Ives, being the sons of May M. IVES deceased, the only child and heir of Frederick

M. Creamer, deceased, son of said Benjamin Creamer. We, Charlotte D. Ives, ux of Frederick Manley Ives, and Elinor G. Ives, ux of Oscar J. Ives, release lower rights."

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| Grantee | Grantor | Description |
|---|--|--|
| Elizabeth C. Cook ux, of Henry A. Cook of Salem | Joseph B.T. Osgood of Salem, Trustee u/w/o Benjamin Creamer dec'd., May M. Ives of Salem, Granddaughter to said Benjamin Creamer, and Geo. B. Ives, husband of May M. in considera- tion of \$1.00 and other valuable considerations: | A dwelling house and other buildings: "Beginning at the NE corner thereof on said Street by land formerly of Endicott now of Percy, thence running S 14 de- grees 30 min E, 37 feet 5 inches by said land of Percy, thence S 2 degrees E 31 feet 10 inches by said land of Percy, then S 4 degrees 30 min. E 156 feet by said land of Percy and land of Hoffman to land of the heirs or devises of Edmund B. Wilson, dec'd. |
| Cook | Ttees u/w/o Creamer | Thence S 83 degrees W by said Wilson land 62 feet 7 inches to land of Webb, thence N 5 degrees W 124 feet 4 inches thence N 6 degrees 30 min W 91 feet 10 inches to said Essex St. the last two courses bound- ing on said land of Webb; and land of Low; thence N 74 degrees 30 min. E by said Essex St. 63 feet 3 inches to the point of beginning." |

above recorded in Book 1466 page 46.

* * * * *

| Grantee | Grantor | Description |
|-------------------------------|------------------------------------|--|
| Benjamin Creamer, Merchant | Michael Webb of Salem, Merchant | "Message in Essex St., Salem, land with dwelling house and Barn and all other buildings beginning at the NE corner thereof on said street by land now of Endicott, then running S 14 degrees 30 min. E 37 feet 10 inches, S 4 degrees 30 min. E 156 feet, all by said Endicott and as the fence now stands to land of Ichabod Tucher then S 83 degrees W by his land 62 feet 7 inches to land of Cabot, then N 5 degrees W 124 feet 4 inches; then N 6 degrees 30 min W, 91 feet 10 inches; the two last courses bounding on Cabot till it comes to Essex St., then W 74 degrees 30 min E by said street 63 feet 3 inches to the first bounds, agreeable to a survey made and taken by John H. Nichols 4/18/1833 for Webb's title see a deed to him from David Perkins 4/6/1804 recorded in Book 174, leaf 103 - Also a deed from Benjamin Sanders of 2/26/1814 recorded in book 203, page 165." |

conveyed 4/12/1833

above recorded in Book 269 page 120.

* * * * *

| | |
|---------------------------|-----------------------------|
| Michael Webb, Merchant | Benjamin Sander ux, Mary |
|---------------------------|-----------------------------|

conveyed 2/26/1814

"release and forever quitclaim unto the said Michael Webb the right and title which I have to any land adjoining his homestead on Essex St. in said Salem which lies to the Westward of the following described line:

"which line begins at a post standing on Essex St. on a line with the front of their dwelling houses, and is 4 feet 5 inches westerly of the N W corner of the underpinning stone of said Sanders dwelling house and 13 feet 8 inches E from the N.E. corner of the underpinning stones of said Webb's house, thence running S 37 feet 9 inches to a stake opposite the S W corner of said Sander's house, and 7 feet W from the underpinning stones and 11 feet 7 inches E of the S E corner of said Webb's house, then continuing on southerly 31 feet 6 inches to a stake opposite the corner of said Webb's barn where it intersects the line between said Webb and Sander's which runs Southerly to Chestnut St

above recorded in Book 203, page 164

* * * * *

Deed to adjust boundary line - similar deed from Webb to Sander recorded in Book 203 Page 164 except: "eastward" instead of "westward" land conveyed.

| Grantee | Grantor | Description |
|--|--|---|
| Michael Webb, Merchant Conveyed 4/6/1804 for \$4,400 | David Perkins, Salem Blacksmith, Hannah, ux. | "Dwelling house with land under and adjoining which was lately the estate of Nicholas Crosby Deceased, and conveyed to me by his widow and admx. N. by Essex St. 64 feet 6 inches, E by land of Smith 236 feet, S on land of Ichabod Tucker, Esq. 52 feet 6 inches, westerly on land of heirs of Joseph Cabot 214 feet 11 inches, with all the outhouses thereon and the appurtenances." |

Recorded in Book #174 page 103.

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| | | |
|---|---|--|
| David Perkins sold at public vendue 1/25/1803 for \$2,510.00 - highest bid. | Elizabeth Crosby, Admx. o/e/o Nicholas Crosby, merchant | "Dwelling house with land under and adjoining: Northerly by Essex St. 64 feet 6 inches, Easterly on land of Smith 230 feet, southerly on land of Luscomb formerly of said Nicholas 62 feet 6 inches, westerly on land of heirs of Joseph Cabot, dec'd 217 feet 11 inches, with outhouses etc." |
|---|---|--|

Recorded in Book #171 page 166

Release of Dower by Elizabeth in Book 171 Page 167.

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| | | |
|--|-----------------|---|
| Nicholas Crosby and Benjamin Smith Conveyed 1/10/1788 for 93 pounds 15 shillings | Bethune Family* | "Being one moiety or half part of the tract of land taken by said George by mtge. deed as aforesaid and situated in said Salem and is also the westerly half of said land and bounded as follows: Northerly on the Main St. 129 feet, westerly on the land of widow Cabot, 415 feet, southerly on land of John Pickering, Esquire, 120 feet 9 inches, easterly on the other half part of said tract of land belonging to the estate of said |
|--|-----------------|---|

Description (continued)

George, deceased, there measuring 427 feet be the same more or less however otherwise bounded"

*Mary Bethune of Cambridge, widow of George Bethune, Wm. Hunt, Country Squire, Jane, ux, Benjamin Bethune of Boston, Gentleman, Thomas English of Boston, merchant, ux Penelope, Nathaniel Bethune, Boston, merchant, Trustee to Susannah, Dunken ux of Edmund Dunken, Merchant. Said George, father of Benjamin and Nathaniel, Susannah Dunken, Jane Hunt and Penelope English on Sept. 8, 1784 take quiet possession of a certain tract of land with buildings thereon and appurtenances by virtue of a certain mtge. deed thereof made and executed to him by Edward Kitchen Turner of said Salem bearing the date of 7/13/773 being collateral security for 200 lbs. lawful money due from said Turner to said George Bethune -- failure to perform the condition of said mtge. was fully acknowledged and allowed by John Turner the Tenant in possession who attorn'd to said George in an instrument under his hand and seal September 8 and the estate of Said George in the premises consequence of the actual seizen and the lapse of more than 3 years without redemption on the part of Edward Kitchen Turner or his heirs of assigns,-----whereas said George Bethune did by his last will and testament devise and bequeath 1/4 part of the income of his real estate to said Mary and the residue of his estate to all his children equal parts (aforenamed), said Nathaniel to hold Susannah's part in Trust.-----for 93 pounds 15 shillings paid to them by Nicholas Crosby and Benjamin Smith Traders, their heirs and assigns, their 5 undivided 8th parts of the following piece of land (so described on previous page). Mary Bethune doth for consideration aforesaid paid to her children and the further sum of 5 shillings convey to Crosby and Smith all her rights and interest in Westerly part of the tract of land taken by said George this 1/10/1788.

As recorded in Book #147 page 94/5

Writer (J. Bailey): Deed shows Benj. and Nath. Bethune, Wm. Hunt and Jane ux, Thomas English and Penelope, ux sold their undivided 8th parts at rate of 18 pounds 15 shillings each part.

Page 95 shows: "Whereas our sister Anne Bethune and our Brother George Bethune are minors and our sister Mary Mitchell, ux of Henry is absent, that deeds cannot be given of their respective titles at present but we being willing to assure to said Crosby and Smith the purchase of the respective titles (3 undivided 8ths) sold by us as aforesaid for 56 pounds 5 shillings and within 3 years from date they shall receive good and sufficient title deeds of said land belonging to our brothers and sisters."

Writer (J. Bailey): "See Book 154 page 88 and Book 183 page 70 "the within obligation is cancelled there." was written aside on book 147 page 95.

The above conveyance was recorded in Book 147 pages 94 and 95.

| Grantee | Grantor | Description |
|---|-------------------------------|---|
| Benjamin Smith conveyed for \$1275.00 7/5/1799 | Nicholas Crosby Eliz., ux. | Division of land between Smith and Crosby: Eastern moiety or 1/2 part - Stake on Essex St. equi-distant from land of Lyman and land of Cabot southerly straight across said town way (Chestnut St.) to a stake by land of John Pickering equi-distant from land of Lyman to land of Cabot with dwelling house. |
| Nicholas Crosby conveyed for \$1.00 7/5/1799 | Benjamin Smith Abiah, ux. | western moiety or 1/2 part with large store and other buildings thereon. |

Whole part: "Bounded northerly on Essex St. 129 feet westerly by Jos. Cabot 415 feet southerly by land of John Pickering 120 feet 9 inches, easterly Theo. Lyman 420 feet with dwelling house, large store and other buildings thereon. Said land being subject to a right of way over Southerly part thereof. (Chestnut Street)

Recorded in Book #166 pages 23 and 24.

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| | | |
|-------------------------------------|---|---|
| Nicholas Crosby, Salem, Merchant | Peleg Darks Simms Salem, housewright | "convey to said Crosby my dwelling house situated in Salem aforesaid standing on land of said Crosby and bounding southerly on Chestnut St., being that which I have lately built." |
|-------------------------------------|---|---|

Recorded 10/8/1800

Recorded in Book #167 page 86

Referred to as a Bill of Sale in Grantee Index.

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Mtge. dis. Feb. 12, 1802 - Nicholas Crosby to John Osgood

Book #168, page 34.

The sd. Nicholas's dwelling house and the land under and adjoining thereto sit on Essex St. in Salem, b. N'ly by sd. St., 64 1/2 ft.
W'ly by ld. of Rebecca Cabot, 415 ft.
S'ly by ld. of John Pickering 60 ft.
E'ly by ld. of Benj. Smith to Essex St.

See for title reference 166-24
10/7/1800

Writer (Joan Bailey): Capt. Nicholas Crosby died 12/7/1800 at the age of 50 years.

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Registry, Salem, Mass. Probate Books 368, 369, 370, 372, 385

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Book 368 page 215

Inventory o/e/o Nicholas Crosby - late of Salem deceased, trader as approved by us the subscribers (John Punchard, Nathaniel Knight, Wm. Safford, Committee. Eliz. Crosby, Admx.

Real Estate:

| | |
|--|--------------|
| House and land under and adjoining situated on Essex St., Salem | \$3,400 |
| Lot of land with a cellar situate on Chestnut St., Salem | 700 |
| Pew in the Tabernacle (so called) in Salem | 30 |
| 101 acres of land with a store thereon situated on Penobscot River in Town of Hampden, County of Hancock | <u>1,000</u> |
| | \$5,130. |

there follows a list of personal possessions taken and signed 3/30/1801

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Book 369 page 23

Elizabeth, ux of Nicholas, and Admx. of his estate empowered to make sale of so much of the real estate as shall amount to the sum of \$2260.00, gave bond to David Perkins and John Punchard as sureties to sell real estate for the most the same will fetch and to observe the rules and directions of the law ----- and to account with the Judge of Probate for said county for proceeds of said sale. 12/25/1801.

* * * * *

Book 370 page 233

John Punchard, Mr. Wm. Safford, Mr. Stephen Cook, Committee to divide and set off, by metes and bounds 1/3 pt. of all real estate of Mr. Nicholas Crosby, Trader, deceased, unto widow, Eliz. Crosby, as her right of Dower 3/31/1801.

Said Committee --- 1/3 part of all real estate situate on Essex Street etc.:

"The western lower room the kitchen and pantry, the kitchen chamber and the chamber over it with the southern half of the roof over them to the ridge pole. The northwest corner of the cellar bounded easterly by a partition as it now stands - southerly by the south side of the arch, with the western half of the same.

The western half of the garden from the center line bounded southerly on land of Luscom - formerly Crosby's, westerly on land late Joseph or Rebeckah Cabot's, northerly by the yard. The southern third part of the wood house by measurement 11 feet 11 inches.

The yard, pump and necessary house with passage ways to them at both ends of the house. The owner, or occupant of the western front chamber and chamber over it to be allowed privilege to wash and bake in kitchen one day in every week and to pass and repass in common with the said Elizabeth the western outer door entry and passage ways from the garret to the cellar at both doors. The parts of the chimney connected with the rooms set off to said Elizabeth to be considered set off to her with them.

Dated 9/24/1802.

* * * * *

Salem, Massachusetts, Probate Book 370, page 234:

Items included in lists of Accounts Receivable 9/28/1802:

| | | |
|--------------|----------------------------------|----------|
| Received for | lumber | \$130.00 |
| " | " clapboards | 192.00 |
| " | " rent | 47.16 |
| " | " rent | 12.50 |
| " | " lumber | 217.82 |
| " | " lumber and wood of Barns | 157.00 |

Received for AMOUNT OF HOUSE and land in Chestnut St. sold by
order of court \$1,970

* * * * *

Items included in lists of Accounts Payable 9/28/1802:

| | |
|-----------------------|--------|
| Paid P. D. Syms' note | \$ 500 |
| " " " " | 500 |
| " " " " | 200 |

Paid P. D. Syms the excess of the house sold for over \$1,800 as per agreement - \$ 170

* * * * *

With a total of \$3,591.95 accounts receivable
 Debts of 3,665.57 were as of 9/28/1802 leaving \$1,890.11
 outstanding against the estate.

So we "see" widow Crosby selling the house on Essex Street at public auction 1/25/1803 to David Perkins for \$2,510.00.

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City Hall, Salem, Massachusetts tax records:

| | valuation |
|--|-----------|
| 1794: Nicholas Crosby - 1/2 of house and store | 1800 |
| 1799 division of land, between Crosby and Smith | |
| 1800: Nicholas Crosby - HOUSE and store | 1700 |
| 1801: Estate of Nicholas Crosby - HOUSE | 1100 |

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| Grantee | Grantor | Description |
|-----------------------------------|---|--|
| William Luscomb Salem, Painter | Elizabeth Crosby, Admx. o/e/o Nicholas Crosby, Trader | A certain piece of land in Salem aforesaid - bounding southerly on Chestnut St. 60 feet 8 inches, westerly on land of Mrs. Rebecca Cabot as the fence now stands 152 feet 10 inches, northerly on land of the heirs of said Nicholas as the fence stands 62 feet 6 in. and easterly on land of Benjamin Smith 148 feet 5 inches as the fence stands to said street with the dwelling house and out house and with the cellar and rocks thereon set upon the easterly part of said land |
| conveyed for \$1970 3/5/1802 | | |

"Whereas Justices of Court of Common Pleas held at Newburyport in and for the county of Essex on First Tuesday of October 1801, --- authorized said Elizabeth in her capacity to sell so much of real estate of deceased as should amount to sum of \$2,260.00 for payment of just debts of deceased --- on 20th day of January last past (1802) to William Luscomb, Salem painter, who was highest bidder for \$1970.

Recorded in Registry of Deeds Book #171 pages 162/3.

Of interest: Registry of Deeds Book 171 page 165:

William Luscomb, Susannah, ux, to Beverly Bank: Mtge. on above land, dwelling house, outhouse thereon and a cellar stoned in easterly part thereof (which he owns in fee simple for the sum of \$1,000 - 2/5/1803. mtge. discharged 2/13/1804.

Of interest: Registry of Deeds Book 174 page 30

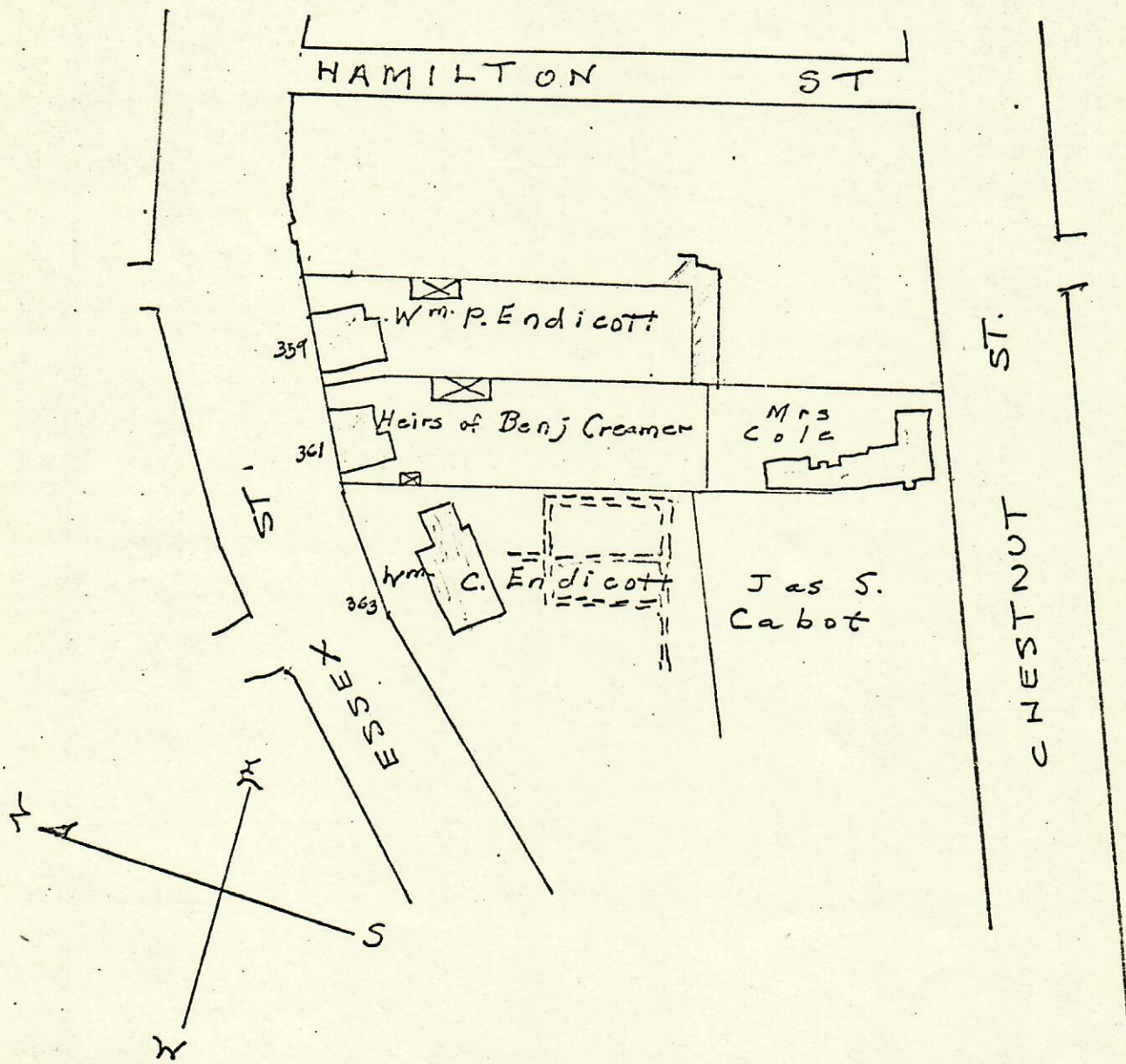
William Luscomb, Painter, in consideration of \$2,500 paid to me by Ichabod Tucker, Salem, Esquire, do grant, sell, and convey a certain piece of land situate in Salem aforesaid, bounded Southerly on Chestnut St. 60 feet 8 inches, westerly on land of Mrs. Rebecca Cabot as the fence now stands 152 feet 10 inches, northerly on land of David Perkins as the fence now stands 62 feet 6 inches and easterly on land of Benjamin Smith 148 feet 5 inches as the fence now stands to the said Chestnut St., Susannah, ux, dower. 5/5/1803.

(This is now the parsonage of First Church)

Notes on the Building of Chestnut Street, by Wiswall/annotations by Belknap:

#28 Chestnut St.: "This house was built in 1800 by Sims Brothers for Squire Ichabod Tucker who was clerk of courts in Salem. When first built, however, it had a somewhat different appearance because the original front of the house was moved in 1846 to Green now lower Warren St. where it still stands as part of a house near the corner of Flint Street. A new front was built for the Tucker House."

Juan M. Bailey (A.S.I.)
(Tracing)



1" = 100 ft.

1874 Atlas

CITY OF SALEM



Sanborn Map

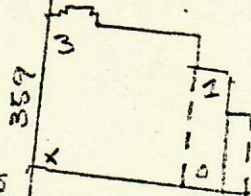
Salem

1883

HAMILTON ST.

ST.

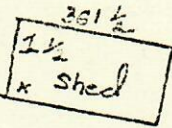
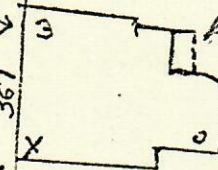
ESSEX



[Wooden Frame Dwelling]

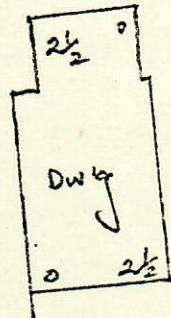
3 Stories

Frame Partition



slate or tin Roof

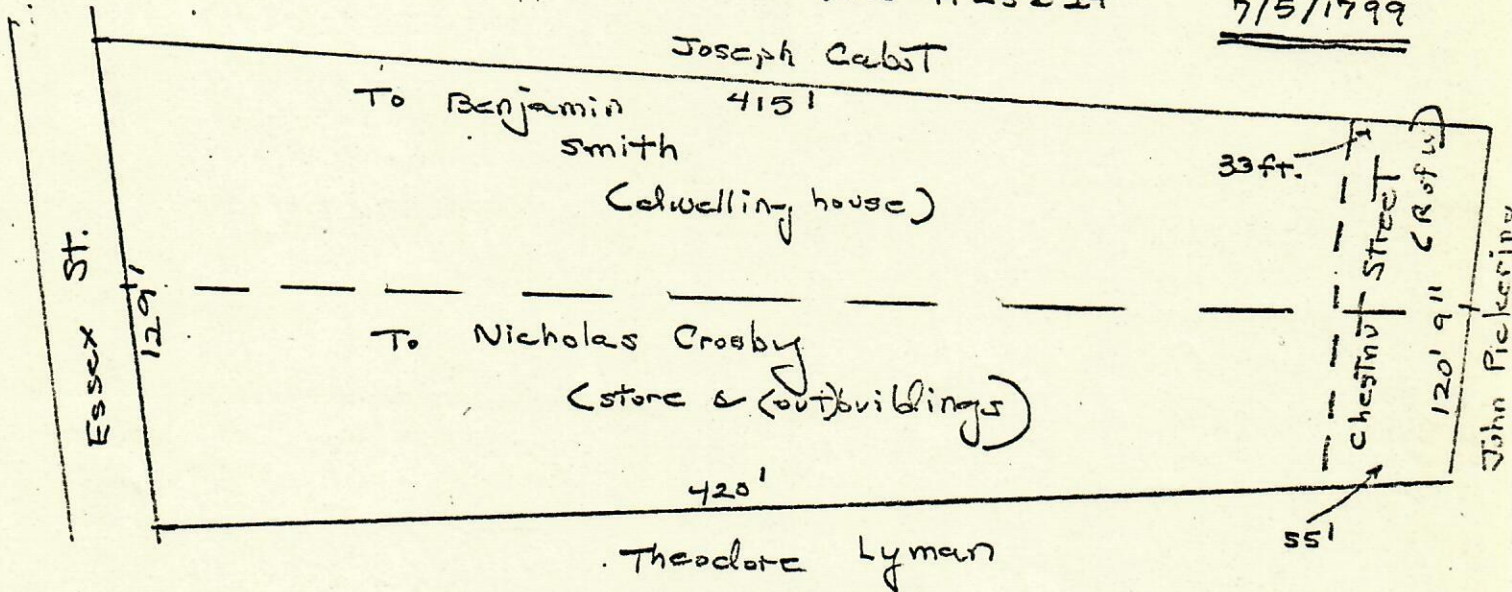
shingle Roof



Division of land of Benjamin Smith
& Nicholas Crosby

B. 166 P. 23 & 24

7/5/1799

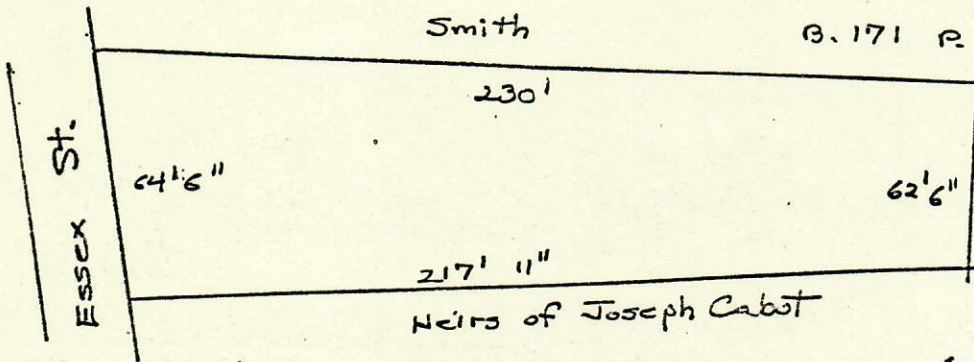


DESCRIPTION IN DEED OF
CROSBY TO PERKINS

1803

Smith

B. 171 P. 166



Luscomb for
Nicholas Crosby

