

# Historical Society of East Hartford

## Newsletter, January 2012



### PRESIDENT'S MESSAGE

For years my husband and I have tried to capture the true essence of the welcoming-in of the New Year.....whether it was the excitement of Times Square, resolutions, a nightclub complete with hats and noisemakers, or just turning in early with a bad cold; victims of too much holiday enthusiasm. Over the years, like most people, we have had to trade in the fireworks, the big house parties, and cold First Night fanfare in exchange for more intimate toasts and best wishes with family and close friends. While the enjoyment for the holiday has not faded, the need for over-reaching resolutions has.

2012 brings everyone a time and opportunity to reflect on the year past and recommit to family, faith, and community. The severe weather of last year set us back a few weeks and gave us pause, but we are back on track to locating and inputting the written records into our updated PastPerfect software. In December, our cataloguers came across some more garments dating into the 1870's and had recent bequests of a Revolutionary War cannonball dug out of a yard on Saunders Street around 1910, and an 1840's school bell from Southeast District #7 school, which was located near Hills and Oak streets.

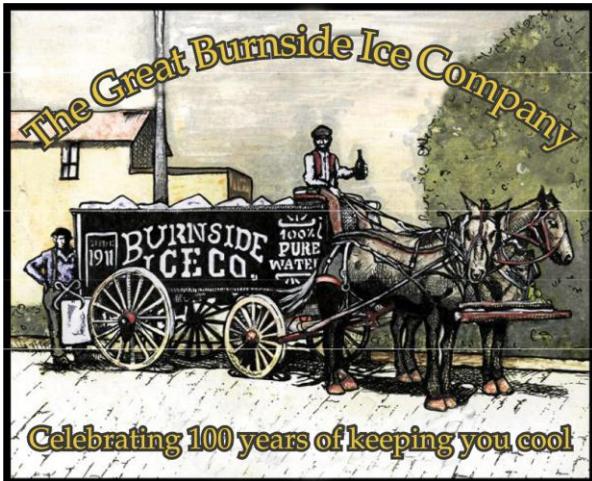
In recent months, the Board members took turns attending seminars hosted by Conservation ConneCtion on storage solutions for Historic Collections. I've attended the one on the Care and Storage of Textiles and Costumes at the New Canaan Historical Society and our Historian, Jeff Cummings, traveled to the Connecticut Historical Society in Hartford to be at the seminar on Photographs and Albums. Both Jeff and Director Dan Russell attended another seminar on the Preservation of Old Metals and Tools at the Windsor Historical Society. This combined knowledge, backed up with each seminar's handouts and materials as a guide, will help the Society protect and preserve what we have archived to date.

Within the Historical Society, we spend a lot of time rediscovering East Hartford's past. Whether it is a photograph, a chair, a letter or an article of clothing, the desire to know more about the people who used, wrote or wore these items is ongoing. There hasn't been a full-fledged resolution yet, but we are committed to finishing up the cataloguing of the original written collection before the end of this year.

I'd like to take this opportunity to thank all our members and friends of the Historical Society for their continued support and patronage in the past year. We hope you have enjoyed the programs as much as we have enjoyed presenting them; and I look forward to seeing you at future meetings. From myself and the entire Executive Board: our best wishes for a Happy and Healthy New Year!

Bette Daraskevich, President

### JANUARY 18, 2012 MEETING TO FEATURE "THE BURNSIDE ICE COMPANY"



The Historical Society is pleased to present Mr. Bob McClellan, owner of The Burnside Ice Company located at 776 Tolland Street. The Burnside Ice Company is the second oldest family-owned business remaining in town, founded in 1911 by Bob's grandfather, Albert McClellan. The program will cover 100 years of manufacturing ice in East Hartford and will also include the ice plant's spinoff microbrewery, "The Olde Burnside Brewing Company" known for its famous flagship brew "Ten Penny Ale."

Bob McClellan was born and brought up in East Hartford and following graduation from college, he resumed his place in the family business. In 1979 he married his wife Gail who then came into the business with him to become his partner, followed later by his sons Jason and Case. As a means to inject new life into an old business, in December 2000 the microbrewery was installed at the ice plant. The brewery's "tong'n'thistle logo incorporates the big block of ice, as well as the distinctive ice tongs and from Bob's Scots-Irish heritage, the thistle, flower of Scotland.

This Wednesday, January 18, evening meeting at the Raymond Library starts at 7pm with a short business meeting. Light refreshments and "The Burnside Ice Company" program follow. The meeting is free and open to the public. For questions, call Craig Johnson at 860-568-2884. *Craig Johnson*

## HISTORICAL SOCIETY LOSES GOOD FRIEND, SHARON JARUSH

Sharon Jarush, head reference librarian for 38 years at the East Hartford Public Library, lost her battle with cancer Sunday evening December 18, 2011 at 11:15pm. She fought hard in her cancer battle even working right up to November 29th. Over the years she assisted many members of this Society in their research

Society President Bette Daraskevich writes "For many of us who frequented the library over the years, you would recognize Sharon as the short blonde woman who was always a great source of information on the town as well as the entire holdings of the East Hartford Public Library. We had no idea that Sharon worked there for 38 years, but I cannot think of the staff without visualizing her. She was always helpful when we needed information about the town history for the Society. She was a great friend to the Historical Society, a kind woman and her interest in East Hartford was more than academic. She is indeed a great loss to the town".

From Betty Knose, "I first became acquainted with Sharon in the summer of 2000 when I was organizing a tent display as the Society's offering for FCC's 6<sup>th</sup> annual Civil War Reenactment, 1861 Baxter Springs, Kansas. The display was to be a frontier/prairie Reading Room showcasing period writings, both recent copies and original works. As reference librarian Sharon was a strong help in communicating with holders of original writings, in particular, as I remember, the New York Public Library. In the years since I have found her always eager to help the Society in whatever way she could, particularly in suggesting and finding readings of topical interest in her reference room. Her ever friendly attitude and support will be missed."

## HISTORICAL SOCIETY COLLECTION

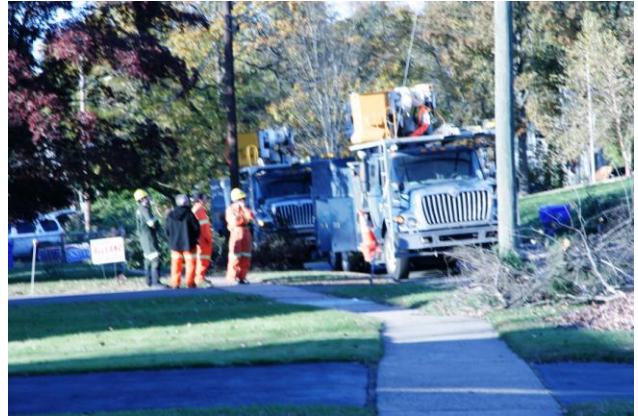


This Historical Society item is a punched tin lantern with its round handle. It dates perhaps from the years of the late 1700s through the early to mid 1800s. Soot on the inside of the cone shows that this lantern was used. It would have been used much as we use a flashlight. Opening the door would allow a shorter candle, perhaps 0.75" diameter, to be placed inside and set in the candle holder on the lantern's base. Lighting the candle and closing the door would cause flecks of light to shine through the holes in the punched tin in a lovely design. These flecks would gently light a dark area - a room or a path. The punched holes would prevent a burning flame from escaping the lantern and starting a fire. This would have been especially important in barns. The lantern measures approximately 11" from its base to the apex of the cone and approximately 5.75" in diameter. The approximately 4" diameter round tin ring on top of the lantern is a handle for carrying the lantern. The door is closed by sliding the slit in its knob over the tin projection soldered onto the lantern case. The other side of the door is soldered onto the lantern. The soldering may have been a later repair. Oxidation over time has caused the lantern to turn to a flat black/brown color. Winters Associates recommends that it should not be cleaned so as to preserve this sign of aging. The lantern is in good condition. Photo is by Bill knose.

## MORE REMINISCENCES OF THE OCTOBER 29<sup>th</sup> STORM

(See the storm item in the November 2011 newsletter)

Eileen Driscoll writes: "we got our power back Thursday night. We really don't appreciate the niceties of our lives. I would not have been good as a Pioneer. Our front yard isn't horrible, but our backyard is the pits and I wonder how many other backyards, hidden from everyone but the homeowner, are in bad shape and will require lots of work".... Bette Daraskevich says: "Greg and I spent the first night of the storm at our house on Hilton Drive, having lost power that afternoon. We moved from our bedroom on the west side of the house to the recreation room on the opposite side of the house when the limbs from our three 50 year old maples began hitting the roof. They snapped off like toothpicks and were strewn around the yard still covered with leaves and snow. The morning was spent with all the neighbors sawing the larger branches from ours and the yards of two other neighbors. It was quite sad to see so much devastation to all these beautiful shade trees. Some were still on our roof up until yesterday when the roofer came. We have been very fortunate, there is only very minor damage to the roof and a gutter. The town has already taken away the debris which we had to drag to the curb....again, we did it as neighbors... the cold drove us out of our house to Middletown where our daughter lives until the power returned on Sunday. Unfortunately, Comcast went down as the electricity returned".... Bill Knose offers this photo of men from Hydro Quebec and their trucks as they worked to restore power to Ridgewood Road a week after the storm. Bill met four of these men from Montreal and now gratefully remembers their names: Réal Dubé, Mathieu Emond, Alex Martineau, and André Martineau.



## A TALE OF TWO CRAFTY LAWYERS:

While searching for information on East Hartford's earliest settlers, I came across a book written in 1884 by one of Thomas Burnham's descendants. It is a chronological documentation of all the references to Burnham, extracted from the Records of the General Court in Hartford, and it contained the footnotes and comments of the author, Roderick H. Burnham. While the volume was never meant to be a story, the events themselves and Roderick's comments unfold to describe the unrest between two of East Hartford's progenitors – the Burnhams and the Pitkins: our local version of the Hatfields and the McCoys.

Both William Pitkin and Thomas Burnham arrived in the colonies as products of a 'good English education' and family money. William had been trained as a lawyer by his father who was a school master. There being no need for a lawyer in Hartford, he became first a school master himself. Thomas Burnham was indentured while still in London to a law firm and proceeded to practice his craft while launching himself into the Hartford colony.

While William Pitkin immigrated in 1659 to Hartford, Connecticut; and bought land on the east side of the Great River in 1661; he did not begin to practice law until 1662 with his appointment to Prosecutor for the Colony of Connecticut. In 1664, he was appointed the King's Attorney. He was a Deputy of the General Court from 1675 to 1684. William Pitkin held some extremely important political and legal positions for the fledgling government of Connecticut in its early years.

During the same period, Thomas Burnham being an earlier settler - having arrived in the Hartford Colony in 1637, had a thriving business as a practicing attorney before the Hartford Magistrates. A man of substance, with home and lands in East Hartford, he appears first in the records of the Hartford Courts in 1649, where he is entered as a bondsman for his servant.

It might be expedient to mention that: in the early 1600's the first court system in the New World reflected the simple nature of colonial society with its small population. All legal procedures were copied directly from English Common Law. There was no system of advocacy, no trained sworn-in Bar, and no public official to bring charges. It was a system of 'he who argues best and longest – wins'! And, sometimes – 'Might makes Right'!

As his family grew, Burnham set about acquiring more property for himself and his heirs. He purchased most of the land covered by the current towns of South Windsor and East Hartford, along with a smaller portion deeded to Jacob Myatt. In 1659, he purchased from Tantonimo, Chief Sachem of the Potunke Indians, a tract of land now covered by the afore-mentioned towns, on which he afterward lived. He held this land under a deed from Sachem Tantonimo, and later, in 1661, by a deed from six of Tantonimo's successors and allies, where they renounced "all their rights and titles in those lands unto Thomas Burnham and his heirs". These purchases were enormous, both in scale and implied opportunity - just imagine owning all of South Windsor and the north end of East Hartford today.

After having made several appearances before the court in Hartford where Burnham, in his capacity as a lawyer represented a succession of defendants, something very unusual happened. The colonial government refused to allow Thomas Burnham to retain a large part of the land he purchased from the Indians. The court sitting at Hartford (1660), having heard the report of a committee, set the deed aside by calling it a lease, and decided that the lands belonged to Foxens' successors, by a gift to his allies; and that Burnham could hold only that which Sachem Tantonimo could prove to be his particular property. In fact, retroactively, the Court made the following decision:

*Extracted out of the Records of the General Court in Hartford: March 14 : 1660. 'It is ordered by this Court that no person whatsoever in this Colony shall directly or indirectly, buy or rent any of the land at Podunk, that are layd out and possessed By the Indians there.'*

By registered deed and in accordance with English Property Law, Thomas Burnham had acquired a substantial amount of property from the remaining local Podunk Indians (whose ranks were severely decimated by the King Philips War). He paid for and received these lands in good faith. When Sachem Tantanimo rights were questioned, Burnham repurchased the land from Foxen's successors. Jacob Myatt was not included in this repurchase. The Court then claimed that no such thing as a large landowner was allowed to exist in New England. That the original settlers of the Connecticut Valley had acquired the lands west of the River, in much the same fashion from the Indians, was conveniently forgotten. Were the remaining Poduncks to die off (a strong possibility in 1662) then the Hartford authorities could claim the land as abandoned and annex it to the Hartford Colony, selling off parcels to those who could afford them. While it is unknown if he was aware of such a plan, Thomas Burnham had merely pre-empted that move by making the purchases before the remaining Poduncks died or moved.

Shocked by the action by the Court, Thomas Burnham refused to allow the Magistrates to hang one Abigail Betts, or to imprison her or himself under Mosaic law.

In 1662, Abigail Betts - a school-teacher in Hartford and the wife of John Betts, was accused of blasphemy. She allegedly proclaimed that: "Christ was a bastard, and she could prove it by scripture." The Puritan authorities were, of course, horrified and promptly incarcerated the woman in the Hartford gaol. The Court was set to sentence and hang Abigail Betts when Thomas Burnham stepped in to point out the error of such a judgement. These magistrates were constant in their application of the Old Testament form of government, and against this, Thomas Burnham squarely set himself by demanding a return to the correct and proper practice of English Common Law.

At this time, the laws of Church government had been extended to the secular courts. It was therefore customary to bring all civil affairs under stern Church discipline, ignoring the laws of the Mother Country. The only crime, if crime it can be called, committed by Thomas Burnham, notwithstanding the infuriated and stormy language for which he was denounced, was his insisting that if Abigail Betts was to be punished, it must be under the English and not the Mosaic law. For under English law, blasphemy was not a capital offense; under the other it was.

What transpired next must have been indeed a shock for even Thomas Burnham. He drew down upon himself the ire and indignation of the Court, as will be seen in the following excerpt taken directly from the notes of the Court:

*"At a Quarter Court held at Hartford, March 10: \*1662,*

*Thomas Burnham's stands accused in the Case of A: Betts; That ye said Burnham's carriage therein hath been very Scandalous & Lascivious and pernicious, thereby interrupting the peace and tending to corrupt the manners of his Majestey's Subjects, the members of this Corporation. Accusation: the Court Judge him guilty thereof, And doe Adiudge him to be committed to ye Custody of ye Prisonkeeper, there to be during the pleasure of ye Court. And further this Court disfranchise the said Burnham of ye privilidge of his freedom in this Corporation. And likewise doe prohibit him for future for pleading any causes or cases in this Civil Court except his owne. And that when he shall be remitted out of Prison he shall give Security to ye Court or Secretary for his good behavior til the Quarter Court in June next.*

*Extracted out of ye Records,  
pr Dan 11 Clark, Secy."*

*"March ye 12, 1662-3. Thomas Burnham appeared before the General Court to prosecute an Appeal against the sentence of the Court of Magistrates of Abigail Betts:*

Sentence (by the Magistrates) of Abigail Betts:

*"And respecting the expressions of Abigail Betts, This Court judging them a flagitious Crime of an high offence in saying Christ was a Bastard and she could prove it by scripture. We Doe adjudge the said Abigail to be comitted to ye Custody of ye prisonkeep til to morrow and then to be guarded as a Malefactor to ye place of Execution, wearing a rope about her neck, and to ascend up ye ladder at ye Gallows to ye open view of spectators that all Israeli may hear and feare.":*

...and that was the extent of Abigail's punishment. After remaining on exhibition a short time with a rope around her neck, she descended unhung. However, for defending Abigail Betts, Thomas Burnham was deprived of his citizenship for a time, and prohibited from acting as attorney for others in the Courts. Henceforth, he was only allowed to plead his own cases. A heavy punishment indeed. But, he was not imprisoned, and she was not executed.

Now you might be wondering by this time, "What has all this to do with William Pitkin?" Check back to paragraph three of this article. Who became the Prosecutor for the Colony of Connecticut in 1662? None other than William Pitkin! And why was he so harsh in his prosecutorial accusations of Burnham? Why indeed! Well, the subsequent chronological Court documents supply the clue.

*"At a spetiall Court called at Hartford, October 30, '66 —*

*Wm. Pitkin and Bartho : Bernard, Plaintiffs, contra (versus) Thomas Burnam, Defendant, in an action of ye case for a division of ye lands in his possession in Windsor bounds at Podunk, by virtue of their purchase from Jacob Migat. In this action the Jury find for ye Plaintiffs a devision of land according to disbursm't and costs of Court. The Defendant, enters a review at ye next County Court in March ensueinge."*

The land mentioned in this controversy above was a part of the tract which Tantanimo deeded to Thomas Burnham and Jacob Mygatt, but which the Court had previously decided did not belong to Tantanimo, and therefore, not to Thomas Burnham. In May of 1666, Jacob Mygatt sold his interest in these lands to Pitkin and Barnard, who demanded a division of the property, which Burnham refused to do and was subsequently sued. Somehow, the Hartford Court Magistrates, found it possible to honor Jacob Myatt's ownership of this land and subsequent sale to these gentleman of the Court, while ignoring Burnham's.

It is of no small co-incidence that Jacob Mygatt's wife, Sarah, was the daughter of one of the Connecticut Magistrates: William Whiting. Three other Magistrates, Henry Wolcott, Daniel Clark and Matthew Allyn married into the Newberry family. Benjamin Newberry was deputy to the Connecticut General Court in fifty semi-annual sessions from May 1656 to October 1684. Bartholemew Barnard, was one of Hartford's two Constables, and William Wadsworth, the Deputy Constable, had a son, Thomas, who was married to one of Bartholemew Barnard's daughters! More than one-third of the sitting Court had familial ties to one another. Another coincidence worth mentioning: for their services to the Colony, Governors, Assistants, Magistrates and Deputies were granted large tracts of land as compensation; sometimes many hundreds of acres.

Thomas Burnham appealed and the Court offered the following verdict: *In the action of review, tried at the March (1667) Court, "the Jury returned that they found neither for Plaintiff nor Defendant".*

A short-lived victory for Thomas Burnham. The Plaintiffs – William Pitkin and Bartholomew Barnard were not deterred:

*May, 1667. " The Court vo'ated that the return of the Jury in the action of reviewe wherein Thomas Burnham was plaintiff and Barth : Barnard & Wm. Pitkin were def dts , at the County Court at Hartford, March last, doth not take off the first verdict of the Jury October 30th 1666."*

*May, 1668. " The Court haueing considered the case represented in the petition, doe judg and determine, that the land which by execution was giuen or deliuere to them ".(Pitkin and Barnard), "which formerly was in the possession of Thomas Burnam, that they the said Pitkin and Barnard shall stand quietly possessed of the sayd land, against any clayme or p'tcuce of clayme from Thomas Burnam for the future."*

During the twenty-eight years intervening, from the appointing by the Colonial Court in 1660, of a Committee to look into Thomas Burnham's title to Podunk lands, to another appointed by the Town of Hartford in 1688, Thomas Burnham was constantly engaged in a contest with the Colonial government or with individuals supported by the government, that only terminated at his death, in upholding his right of possession to these lands in the courts.

As no result was reached in the conference between Thomas Burnham and the committee appointed May, 1688, the Colonial Assembly passed an act in May of 1706, which stated that no definite boundary was specified in the Indian deed – only the description ‘all the lands owned by the Potunke tribe’. Which probably explains the manner in which Thomas Burnham was finally prevented from retaining a large part of his extensive holdings on the east side of the great river. Wisely, over the years, Thomas Burnham deeded away portions of his holdings to various family members. The Court would have had to institute numerous law suits with several Burnhams to part them from any greater portions of their land.

Roderick Burnham commemoratively wrote in the preface of his book, ‘As I review his life in the records he left, it seems that in seeking a home in this land of space and aborigines he purposed to become the proprietor of a large landed estate, which he could leave to his descendants. Opposed in this by the policy of the Colonial government, he used his legal acquirements to counteract, as far as possible, the abridging of his boundaries, and to retain a part lands he had acquired by deed and will.’

*Submitted by Bette Daraskerich*

#### Sources:

Public Records of the General Court of the Colony of Connecticut 1636 – 1776; translated by J. Trumbull, published by F. A. Brown - 1852

Public Records of the Colony of Connecticut: “Private Controversies”, Vol 1; Docs. 29-47

“Genealogical Records of Thomas Burnham, the emigrant, who was among the earliest settlers at Hartford, CT and his descendants”: Author, Roderick H. Burnham, printed by Case, Lockwood & Brainard Co.- 1884

First Families of Connecticut, Genealogies: Ancestry.com

---

#### Historical Society of East Hartford

**Mail:** PO Box 380166, East Hartford, CT, 06138-0166

**Phone:** 860-568-5188

**Email:** hseh@hseh.org, eknose@aol.com

**Web site:** <http://www.hseh.org>

**March Newsletter Deadline: March 3, 2012**



#### January Program

**Date:** Wednesday, January 18

**Where:** Raymond Library

**When:** 7pm

**Program:** “The Burnside Ice Co”